

116TH CONGRESS  
2D SESSION

# H. R. 7521

To direct the Secretary of Agriculture to suspend increases in line speeds at meat and poultry establishments, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2020

Ms. FUDGE (for herself, Ms. DELAURO, and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Education and Labor, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To direct the Secretary of Agriculture to suspend increases in line speeds at meat and poultry establishments, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Line Speeds in  
5 COVID–19 Act”.

1 **SEC. 2. SUSPENDING AUTHORITY TO INCREASE LINE**  
2 **SPEEDS AT MEAT AND POULTRY ESTABLISH-**  
3 **MENTS.**

4 (a) IN GENERAL.—The Secretary of Agriculture, act-  
5 ing through the Administrator of the Food Safety and In-  
6 spection Service, for the duration of the COVID–19 emer-  
7 gency period, shall—

8 (1) suspend any waivers related to line speeds  
9 in covered establishments and inspection staffing re-  
10 quirements for covered establishments issued before  
11 the date of the enactment of this Act, and not issue  
12 any new waivers to such establishments, including  
13 under sections 303.1(h) and 381.3(b) of title 9,  
14 Code of Federal Regulations (or successor regula-  
15 tions); and

16 (2) suspend implementation of, and conversion  
17 to, the New Swine Slaughter Inspection System as  
18 described in the final rule entitled “Modernization of  
19 Swine Slaughter Inspection” issued by the Depart-  
20 ment of Agriculture in the Federal Register on Octo-  
21 ber 1, 2019 (84 Fed. Reg. 52300 et seq.).

22 (b) LIMITATION ON AUTHORITY WITH RESPECT TO  
23 LINE SPEEDS.—None of the funds made available to the  
24 Department of Agriculture during the COVID–19 emer-  
25 gency period shall be used to develop, propose, finalize,  
26 issue, amend, or implement any policy, regulation, direc-

1 tive, constituent update, or any other agency program that  
2 would increase line speeds at covered establishments.

3 (c) EFFECT ON STATE LAW.—The provisions of this  
4 section are in addition to, and not in lieu of, any other  
5 laws protecting worker safety and animal welfare. This  
6 section shall not be construed to preempt or limit any law  
7 or regulation of a State or a political subdivision of a State  
8 containing requirements that are more protective of work-  
9 er safety or animal welfare than the requirements of this  
10 section, or which create penalties for conduct regulated by  
11 this section.

12 (d) GAO REPORT.—Upon termination of the  
13 COVID–19 emergency period, the Comptroller General of  
14 the United States shall conduct a review of actions taken  
15 by the Secretary of Agriculture, the Secretary of Labor,  
16 and the Secretary of Health and Human Services in re-  
17 sponse to the COVID–19 pandemic to determine the effec-  
18 tiveness of such actions in protecting animal, food, and  
19 worker safety. Such review shall include an analysis of,  
20 with respect to covered establishments—

21 (1) all policies and regulations relating to in-  
22 spections of such establishments implemented by the  
23 Secretary of Agriculture, the Secretary of Labor,  
24 and the Secretary of Health and Human Services re-  
25 lating to COVID–19;

1           (2) the pandemic emergency preparedness plans  
2 of such establishments;

3           (3) the extent to which such facilities have im-  
4 plemented guidance and recommendations to space  
5 workers six feet apart on production lines, break  
6 rooms, locker rooms, and all other workspaces;

7           (4) the quantity and usage of personal protec-  
8 tive equipment by workers at such establishments;

9           (5) any guidance provided to inspectors of such  
10 establishments by the Secretary of Agriculture, Sec-  
11 retary of Labor, and the Secretary of Health and  
12 Human Services during the COVID–19 emergency  
13 period;

14           (6) actions taken by the Secretary of Agri-  
15 culture, the Secretary of Labor, and the Secretary of  
16 Health and Human Services to protect animals,  
17 food, and workers at covered establishments with re-  
18 ported cases of COVID–19;

19           (7) all humane handling reports issued, and en-  
20 forcement actions taken, by the Department of Agri-  
21 culture in accordance with the Humane Methods of  
22 Slaughter Act (7 U.S.C. 1901 et seq.) and the good  
23 commercial practices regulations under the Poultry  
24 Products Inspection Act (21 U.S.C. 451 et seq.)  
25 during the COVID–19 emergency period;

1           (8) the impact of faster line speeds on the abil-  
2           ity of such establishments to maintain protections  
3           for employees; and

4           (9) any interference by any other Federal agen-  
5           cy with reviews of any such establishments experi-  
6           encing outbreaks of COVID–19 conducted by per-  
7           sonnel of the Centers for Disease Control and Pre-  
8           vention.

9           (e) REPORTS TO CONGRESS.—Not later than Decem-  
10          ber 31, 2020, the Secretary of Agriculture, the Secretary  
11          of Labor, and the Secretary of Health and Human Serv-  
12          ices shall each submit to the Committee on Agriculture  
13          and the Committee on Education and Labor of the House  
14          of Representatives and the Committee on Health, Edu-  
15          cation, Labor, and Pensions and the Committee on Agri-  
16          culture, Nutrition, and Forestry of the Senate a report  
17          on the actions taken by the Secretary of Agriculture, the  
18          Secretary of Labor, and the Secretary of Health and  
19          Human Services, respectively, in response to the COVID–  
20          19 pandemic to protect animal, food, and worker safety.  
21          Each such report shall include the respective Secretary’s  
22          analysis of, with respect to facilities operated by covered  
23          processors, the matters specified in each (as applicable)  
24          of paragraphs (1) through (8) of subsection (d).

25          (f) DEFINITIONS.—In this section:

1           (1) The term “covered establishment” means  
2           an official meat or poultry establishment that is sub-  
3           ject to inspection under the Federal Meat Inspection  
4           Act (21 U.S.C. 601 et seq.) or the Poultry Products  
5           Inspection Act (21 U.S.C. 451 et seq.).

6           (2) The term “COVID–19 emergency period”  
7           means—

8                   (A) the emergency period, as defined in  
9                   section 1135(g)(1)(B) of the Social Security  
10                  Act (42 U.S.C. 1320b–5(g)(1)(B)); and

11                   (B) the 90-day period that follows the end  
12                  of such emergency period.

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