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Sandra Eskin  
Deputy Under Secretary for Food Safety  
Food Safety and Inspection Service  
US Department of Agriculture  
1400 Independence Avenue SW  
Washington, DC 20250-3700

*Submitted electronically via [fsispetitions@usda.gov](mailto:fsispetitions@usda.gov)*

**RE: Comments in Support of Animal Partisan’s Petition #23-07 Requesting Notice Clarifying the Limits of Federal Preemption, and FSIS’ Role in the Enforcement of State Anti-Cruelty Laws**

The Farmed Animal Advocacy Clinic (FAAC) submits this letter on behalf of Animal Kind Alliance (AKA), an organization deeply committed to advocating for the humane treatment of farmed animals and implementation of sustainable agriculture practices. To that end, AKA works to reduce animal agriculture’s impacts on the climate crisis by dismantling the cruel production and processing practices underlying this industry’s climate impact. It is incumbent upon us, as responsible stewards of the environment and its inhabitants, to amplify farmed animals’ voices and fight against any injustices they may face, including animal cruelty committed at slaughterhouses. We therefore stand in support of Animal Partisan’s petition #23-07 (Petition).

*I. Animal Cruelty is Endemic at Slaughterhouses*

Billions of animals are slaughtered in the U.S. each year. Domestically over 9 billion chickens,<sup>1</sup> over 128 million pigs,<sup>2</sup> and 32 million cows<sup>3</sup> are slaughtered annually in federally

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<sup>1</sup> *Statistics by Subject, National Statistics for Chickens, Chickens, Broilers - Production, Measured In Head*, USDA NAT’L AGRI. STATISTICS SERVICE, [https://www.nass.usda.gov/Statistics by Subject/result.php?9A64B06A-BA1C-38D1-9E56-E13EABBB7FD9&sector=ANIMALS%20%26%20PRODUCTS&group=POULTRY&comm=CHICKENS](https://www.nass.usda.gov/Statistics%20by%20Subject/result.php?9A64B06A-BA1C-38D1-9E56-E13EABBB7FD9&sector=ANIMALS%20%26%20PRODUCTS&group=POULTRY&comm=CHICKENS) (last visited May 15, 2024).

<sup>2</sup> *Statistics by Subject, National Statistics for Hogs, Hogs - Slaughtered, Measured In Head*, USDA NAT. AGRI. STATISTICS SERVICE, [https://www.nass.usda.gov/Statistics by Subject/result.php?AA76FF0A-089D-31F3-B381-0A186F51D10B&sector=ANIMALS%20%26%20PRODUCTS&group=LIVESTOCK&comm=HOGS](https://www.nass.usda.gov/Statistics%20by%20Subject/result.php?AA76FF0A-089D-31F3-B381-0A186F51D10B&sector=ANIMALS%20%26%20PRODUCTS&group=LIVESTOCK&comm=HOGS) (last visited May 15, 2024).

<sup>3</sup> *Statistics by Subject, National Statistics for Cattle, Cattle, Ge 500 Lbs - Slaughtered, Measured In Head*, USDA NAT. AGRI. STATISTICS SERVICE, [https://www.nass.usda.gov/Statistics by Subject/result.php?6555C5C0-FE0F-318B-9041-075A924B5921&sector=ANIMALS%20%26%20PRODUCTS&group=LIVESTOCK&comm=CATTLE](https://www.nass.usda.gov/Statistics%20by%20Subject/result.php?6555C5C0-FE0F-318B-9041-075A924B5921&sector=ANIMALS%20%26%20PRODUCTS&group=LIVESTOCK&comm=CATTLE) (last visited May 15, 2024).

regulated slaughterhouses. This equates to over 20 million land animals being slaughtered *each day*.<sup>4</sup> With this high amount of killing and handling of animals, as a matter of reality and statistics, instances of animal cruelty frequently occur at slaughter facilities.

It is an open, long-observed secret that “animal cruelty is the price we pay for cheap meat,” as Rolling Stone Magazine reported over a decade ago.<sup>5</sup> Despite having had this knowledge since at least the time of Upton Sinclair’s, *The Jungle*, animal cruelty remains rampant in the slaughter industry. And still, animal cruelty charges are rarely levied against those in the business of slaughter. Throughout the past several decades, there have only been a handful of cases involving animal cruelty at slaughterhouses.

Astonishingly, most of the animal cruelty investigations and prosecutions for conduct occurring at slaughterhouses are at the behest of public charities.<sup>6</sup> Nonprofit organizations have expended enormous resources to conduct investigations, review federal inspection reports, and petition law enforcement agencies to take action against countless instances of

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<sup>4</sup> *Questions and Answers*, ANIMAL CLOCK, <https://animalclock.org/#section-considerations> (last visited May 15, 2024).

<sup>5</sup> *Animal Cruelty is the Price We Pay for Cheap Meat*, ROLLING STONE (Dec. 10, 2013), <https://www.rollingstone.com/interactive/feature-belly-beast-meat-factory-farms-animal-activists/>.

<sup>6</sup> *See, e.g., Worker Charged in California Slaughterhouse Abuse Gets 6 Months in Jail*, ABC13 HOUSTON (March 23, 2008), <https://abc13.com/archive/6036731/> (describing animal cruelty investigations of slaughterhouse workers prompted by an undercover video shot by the Humane Society of the United States); John Curran, *Vt. Slaughterhouse Workers Charged with Animal Cruelty*, BRATTLEBORO REFORMER (Jun. 4, 2010), [https://www.reformer.com/local-news/vt-slaughterhouse-workers-charged-with-animal-cruelty/article\\_008b4e17-1050-5c5e-a86a-fe58bf324c79.html](https://www.reformer.com/local-news/vt-slaughterhouse-workers-charged-with-animal-cruelty/article_008b4e17-1050-5c5e-a86a-fe58bf324c79.html) (two former employees of a now-closed Vermont slaughterhouse owned by Bushway Packing Inc. were charged with animal cruelty stemming from revelations from an undercover investigation by the Humane Society of the United States showing days-old calves being dragged, kicked and shocked as they were loaded off a truck and taken to slaughter); *Breaking: Tyson and Six Workers Face 33 Counts of Animal Cruelty Following MFA Investigation*, MERCY FOR ANIMALS (Oct. 18, 2015), <https://mercyforanimals.org/blog/breaking-tyson-foods-and-six-workers-face/> (“Tyson Foods Inc. and six of its slaughterhouse workers face charges of 33 counts of criminal animal cruelty after they were captured on hidden camera by a Mercy For Animals investigator violently punching, throwing, and maliciously torturing animals for fun.”); Katia Parks, *Former Dillsburg Halal Meat Employee Charged with Animal Cruelty for Lamb Kicking Incident*, YORK DAILY RECORD (Nov. 15, 2022), <https://www.ydr.com/story/news/local/2022/11/16/man-charged-with-animal-cruelty-in-dillsburg-lamb-kicking-incident/69650545007/> (Following a complaint from this petition’s petitioner, Animal Partisan, Pennsylvania State Police have filed one count of animal cruelty against a former Dillsburg Halal Meat employee who a USDA inspector reported kicking a lamb in the nose.); *Press Release: Owner of Slaughterhouse Pleads Guilty Following Undercover Investigation*, ANIMAL OUTLOOK (Feb. 22, 2023), <https://animaloutlook.org/press-release-owner-of-slaughterhouse-pleads-guilty-following-undercover-investigation/>.

animal abuses committed at slaughterhouses.<sup>7</sup> Organizations, like Animal Partisan, have even sought creative pathways to prosecute animal cruelty directly—also very resource intensive endeavors.<sup>8</sup>

This should not be the case; the burden to uncover and prosecute animal cruelty at slaughterhouses should not fall on non-governmental organizations. Federal inspectors are already in slaughterhouses observing their operations and compliance with laws such as the Federal Meat Inspection Act (FMIA), Humane Methods of Slaughter Act (HMSA), and the Poultry Products Inspection Act (PPIA). When witnessing animal cruelty, they should coordinate with local law enforcement to act against all instances of animal abuse.

Since most of these crimes are largely unseen by the public as they happen behind slaughterhouse doors,<sup>9</sup> better cooperation and clear jurisdictional directives are needed to combat the prevalent animal cruelty violations at slaughterhouses. The Petition's request for increased cooperation and clarity is even more necessary given the deregulation by the U.S. Department of Agriculture (USDA) resulting in fewer federal inspectors in slaughter facilities.<sup>10</sup>

## *II. Federal Laws Do Not Preempt the Application of State Anti-Cruelty Laws at Slaughterhouses*

The legal landscape around animal cruelty, particularly in the context of slaughterhouses, highlights a complex interplay between state and federal jurisdictions. One clear conclusion from the all-too-brief history discussed *supra* of animal cruelty cases involving

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<sup>7</sup> See, e.g., *Investigations: Slaughterhouses*, ANIMAL EQUALITY, <https://animalequality.org/all-investigations/?issue%5B%5D=slaughterhouses> (last visited May 18, 2024); Karen Lapizco, *New Undercover Investigation By Animal Recovery Mission Exposes Extreme Animal Cruelty At Three USDA-Certified Slaughterhouses In Orlando, Florida*, WORLD ANIMAL NEWS (Aug. 18, 2022), <https://worldanimalnews.com/animal-recovery-mission-exposes-extreme-animal-cruelty-crimes-at-three-orlando-usda-certified-slaughterhouses/>; *Complaint Filed Against Colorado Lamb Slaughterhouse Over Botched Stunning*, ANIMAL PARTISAN (Jan. 24, 2024), <https://www.animalpartisan.org/news/complaint-filed-against-colorado-lamb-slaughterhouse-over-botched-stunning>; *Cruelty Charges Sought Against Wisconsin Meat Packing Company for Breaking Steer's Tail During Slaughter*, ANIMAL PARTISAN (Jan 24, 2024), <https://www.animalpartisan.org/news/cruelty-charges-sought-against-wisconsin-meat-company-for-breaking-steers-tail-during-slaughter>.

<sup>8</sup> See, e.g., *Update: Animal Partisan Complaint Prompts Criminal Charge Against Pennsylvania Pig Slaughterhouse*, ANIMAL PARTISAN (Mar. 1, 2024), <https://www.animalpartisan.org/news/criminal-complaint-filed-against-pennsylvania-pork-company-over-abuse-of-pigs-at-slaughter>.

<sup>9</sup> Dena Jones, *Crimes Unseen*, ORION, <https://orionmagazine.org/article/crimes-unseen/> (last visited May 18, 2024).

<sup>10</sup> See, *Farm Sanctuary v. United States Dep't of Agric.*, No. 6:19-CV-06910 EAW, 2023 WL 8602134 (W.D.N.Y. Dec. 12, 2023) appeal filed to the 2nd Cir. (challenging rule governing swine slaughter inspection that would allow nearly all pigs to be slaughtered with very little federal oversight, posing serious risks to animal welfare, consumer health and safety, and environment).

slaughterhouse conduct is that state and local law enforcement possess the authority to prosecute such cases.<sup>11</sup> This authority is rooted in states' reserved powers under the Tenth Amendment, which include the responsibility "to protect the health, safety, and morals of their citizens,"<sup>12</sup> and animal welfare is recognized as falling within that same authority.<sup>13</sup>

Moreover, Congress and courts have further defined the limits of federal preemption in matters of animal cruelty. Specifically, the FMIA's "preemption clause 'includes a saving clause, which states that the Act 'shall not preclude any State . . . from making requirement[s] or taking other action, consistent with this [Act], with respect to any other matters regulated under this [Act].'"<sup>14</sup> The U.S. Supreme Court has affirmed that "states may 'exact civil or criminal penalties for animal cruelty and other conduct that violates the Federal Meat Inspection Act' without running afoul of preemption."<sup>15</sup>

However, despite the clarity of the legal framework affirming state authority, practical challenges persist, particularly in cases of animal cruelty at federally inspected facilities, as illustrated *infra* in Part III of this discussion. Yet, in scenarios where federal jurisdiction does not apply, the USDA consistently asserts that the enforcement of anti-cruelty laws falls to state and local governments. For instance, in response to cruelty allegations at Fair Oaks Farms, the USDA stated, "Fair Oaks Farms is not a federally inspected slaughter facility, and therefore is not within USDA's regulatory authority. . . . When animals fall within our authorities, USDA acts to prevent animal cruelty such as this. The animals [at Fair Oaks Farms] do not fall within our authority."<sup>16</sup>

The USDA also maintains that "any allegations of animal cruelty must be taken seriously and thoroughly investigated by the proper authorities to ensure all animals are treated with care and dignity."<sup>17</sup> Additionally, the USDA acknowledges that "[p]olicies for humane handling of animals consist of a combined effort of federal, state, and local authorities, as well as private industry."<sup>18</sup>

Yet, stating this in a press release to be buried in a news article is not enough. Given this patchwork of jurisdictional responsibilities, it is crucial for the USDA to formalize and clarify the collaborative framework that supports humane treatment of animals. Officially recognizing the overlapping jurisdictions and facilitating cooperation between federal, state,

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<sup>11</sup> *See supra* n. 6.

<sup>12</sup> Ani Satz, *Animal Welfare Act: Interaction with Other Laws*, ANIMAL LAW 187 (2019), <https://law.lclark.edu/live/files/32178-25-2-satz.pdf> (internal quotation marks omitted).

<sup>13</sup> *See Nat'l Pork Producers Council v. Ross*, 598 U.S. 356, 356 (2023) ("States (and their predecessors) have long enacted laws aimed at protecting animal welfare.")

<sup>14</sup> *Sican v. JBS S.A.*, 663 F. Supp. 3d 967, 973 (S.D. Iowa 2023) (quoting *Nat'l Meat Ass'n v. Harris*, 565 U.S. 452 at 458 n. 3 (2012)).

<sup>15</sup> *Id.* (quoting *Harris*, 565 U.S. at 467 n.10 (citing *Bates v. Dow Agrosciences LLC*, 544 U.S. 431, 447, 125 S.Ct. 1788, 161 L.Ed.2d 687 (2005))).

<sup>16</sup> Kara Kenney, *USDA Calls Indiana Farm Workers' Actions 'Unacceptable'*, WRTV ABC INDIANAPOLIS (Jun. 5, 2019), <https://www.wrtv.com/news/call-6-investigators/usda-calls-indiana-farm-workers-actions-unacceptable>.

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

and local authorities can significantly strengthen enforcement mechanisms. It is essential for the USDA to unequivocally state that state officials are not categorically preempted by federal laws from enforcing state anti-cruelty laws. Furthermore, the USDA should actively cooperate with state officials in enforcing these laws. By formalizing this cooperative stance, the USDA would bridge jurisdictional gaps and enhance animal protection nationwide, aligning with the overarching purposes of the laws under its purview.<sup>19</sup>

### III. *Confusion Surrounding Governing Jurisdictions*

Granting the Petition is warranted because confusion over federal preemption persists despite cases, as discussed *supra*, that have clearly supported the relevance and authority of state laws in instances of cruelty to farmed animals at slaughterhouses.<sup>20</sup> State and local law enforcement agents and prosecutors often point to federal laws and the presence of federal inspectors in slaughterhouses when declining to investigate or enforce state anti-cruelty laws for violations occurring at such facilities. Because of the federal presence at slaughterhouses, there is confusion regarding the appropriate course of action in instances where inhumane animal handling also constitutes animal cruelty and may fall within multiple jurisdictions. This confusion is exacerbated by the lack of comprehensive clarity concerning the role of state authority, its relationship to federal authority, and the scope of both federal and state laws.

Similar jurisdictional confusion exists in spaces covered by the Animal Welfare Act (AWA), another federal law enforced by the USDA. While the AWA does not apply to farmed animals, it provides a parallel example of confusion as to federal/state authority. As Professor Justin Marceau wrote in, *How the Animal Welfare Act Harms Animals*, the AWA “serves as a shield for persons or organizations seeking to avoid liability under state cruelty laws.”<sup>21</sup> In building on Professor Ani Satz’s work, *Animal Protection and the Myth of AWA Preemption*, Professor Marceau observes that,

some prosecutors affirmatively avoid prosecution of persons whose activities are subject to the AWA for fear of intruding upon a domain of exclusive federal control. The displacement of state cruelty laws is significant because state cruelty laws are generally more rigorous and stringent, particularly as applied to psychological, as opposed to physical, suffering. The AWA, then, has had the effect of stripping state cruelty law protections from any animals that are covered by the federal law, and at the same time, it exempts farmed animal who are already exempted from state cruelty laws from any protection.<sup>22</sup>

Regarding the application of the AWA and its interference with state anti-cruelty enforcement actions, Moulton Chinchilla Ranch provides a noteworthy example. According to Animal Folks MN, when presented with a complaint against Moulton for animal cruelty,

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<sup>19</sup> See, e.g., 7 U.S.C. § 1901 (“the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.”)

<sup>20</sup> See *supra* nn. 6, 15.

<sup>21</sup> Justin Marceau, *How the Animal Welfare Act Harms Animals*, 69 *Hastings L.J.* 925, 952 (2018), [https://repository.uclawsf.edu/cgi/viewcontent.cgi?article=3813&context=hastings\\_law\\_journal](https://repository.uclawsf.edu/cgi/viewcontent.cgi?article=3813&context=hastings_law_journal).

<sup>22</sup> *Id.* at 953.



as evidenced by its multiple violations of the AWA, the county attorney stated that his office would not prosecute the case "in part because of pending federal enforcement actions, which covers the same facts." In declining to file charges, "[t]he county attorney believed the USDA had a 'good process' in place to investigate allegations of animal maltreatment and abuse."<sup>23</sup> Furthermore, entities regulated under the AWA often raise preemption defenses, albeit usually unsuccessfully, when challenging state action that is against their interests.<sup>24</sup>

This same narrative and jurisdictional confusion exist with the laws implicated in the Petition, namely the FMIA, HMSA, and the PPIA. Indeed, some courts have even wrongly turned to USDA jurisdiction and federal action (or inaction) in questions of state animal cruelty prosecutions. For instance, in *Compassion Over Killing, Inc. v. Quality Pork Processors, Inc.*, the court reasoned, in part, that previously reported evidence of animal cruelty to the USDA with no resulting action supported a determination that probable cause was not met to issue a search warrant for possible violations of state anti-cruelty statute.<sup>25</sup> Moreover, a similar pattern of avoidance directly results from this jurisdictional confusion and federal occupancy, allowing animal cruelty to persist uncharged in slaughterhouses. As such, these laws act as a shield, made from the same material as the AWA shield, protecting animal abusers from prosecution.

Further mimicking the AWA narrative, Animal Outlook, an organization that regularly conducts investigations into slaughterhouse abuses and presents investigatory findings to law enforcement, has repeatedly been told by district attorneys and law enforcement officials that they believe instances of farmed animal abuse are a matter of federal jurisdiction.<sup>26</sup> As Cheryl Leahy, Animal Outlook's Executive Director, recounts,

The HMSA does not have any provisions preempting state cruelty law. Yet, in every case Animal Outlook has sought enforcement on based on evidence from a federally inspected slaughterhouse, the state authorities have deferred to the federal agencies and declined to act. This is a major barrier, despite its lack of legal justification.<sup>27</sup>

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<sup>23</sup> *Issue > Animal Cruelty > Moulton*, Animal Folks NM, <https://www.animalfolksmn.org/moulton.html> (last visited May 18, 2024).

<sup>24</sup> *See, e.g.*, Br. of Appellants, *Just Puppies, Inc., v. Maryland, et. al.* 2020 WL 5702001, at \*49 (arguing that the AWA preempts state action banning the sale of commercially bred companion animals).

<sup>25</sup> *Compassion Over Killing, Inc. v. Quality Pork Processors, Inc.*, No. A17-0464, 2017 WL 4766999, at \*2 (Minn. Ct. App. Oct. 23, 2017) (finding that "The district court made a practical, common-sense determination that evidence that was more than 14 months old, and that had previously been investigated by the USDA and reported to the county with no resultant action, was stale.").

<sup>26</sup> Cheryl Leahy, *Do Animal Protection Laws Address Widespread Cruelty? Unique Challenges and Potential for Addressing Institutional Abuse to Farmed Animals*, REVIEW OF LAW AND SOCIAL JUSTICE (Jan. 2023), <https://gould.usc.edu/students/journals/rlsj/issues/assets/docs/volume32/winter2023/leahy.pdf> (outlining several farmed animal protection enforcement efforts and findings).

<sup>27</sup> *Id.* at 152.

The minimal enforcement actions USDA did take—and the very fact of its jurisdiction over the facility—seems to have incentivized the state authorities not to act, and allowed the owner of the facility to shift blame away from himself and towards the protection of the USDA’s inspection. FSIS inspectors spent only a tiny fraction of their time with live animals and spent much of their time either on the post-mortem side or in their trailers. Essentially, FSIS is occupying the territory of responsibility for humane handling oversight and then minimally performing those duties. As a result, this repels accountability for any other party responsible for meeting the basic humane handling requirements under the law.<sup>28</sup>

The jurisdictional confusion that exists in this space is real and results in rampant animal cruelty at slaughterhouses and underenforcement of generally applicable laws designed to prevent animal abuse. This reality necessitates the clarification and cooperation requested in the Petition.

#### *IV. Barriers to FSIS Regulation of and Deterrence to Animal Cruelty*

Allowing federal laws to shield abusers from accountability is dangerous, harming animals, workers, consumers, business, and the environment. It is especially harmful to the animals used for food because federal laws are not designed to take the place of state anti-cruelty laws and federal actors are not the appropriate enforcers of these state laws. The FSIS faces significant challenges in regulating animal cruelty due to the limitations of federal humane handling laws, inadequate penalties, training deficiencies, and internal disagreements on enforcement. Addressing slaughterhouse cruelty requires better cooperation among federal, state, and local actors and clear jurisdictional directives.

Federal humane handling laws, such as the HMSA, are designed primarily to ensure that animals are handled and slaughtered at federally inspected facilities using methods “found to be humane.”<sup>29</sup> However, these laws are not equipped to prevent or address all types of animal abuse that state anti-cruelty laws might cover. Federal laws like the PPIA, HMSA, and FMIA are specifically concerned with the safety, labeling, and humane slaughter of animals for human consumption. In contrast, state anti-cruelty laws focus broadly on the prevention of cruelty to animals addressing issues like neglect, abuse, and improper care in various settings, including but not limited to agricultural and domestic environments.

The federal laws at issue also do not impose criminal penalties for severe abuses and federal inspectors are not law enforcement officers.<sup>30</sup> The primary enforcement tool available to FSIS inspectors is to shut down operations at a facility found to be in violation.<sup>31</sup> For criminal

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<sup>28</sup> *Id.* at 153.

<sup>29</sup> 7 U.S.C. § 1902.

<sup>30</sup> Bruce Friedrich, *USDA Needs To Take Steps To Stop Abuse Of Animals Minnesota Slaughterhouse Is Among Those Where The Suffering Is Horrible*, Star Tribune (Apr. 25, 2014), <https://www.startribune.com/usda-needs-to-take-steps-to-stop-abuse-of-animals/256767211/> (“USDA appears never to have referred a USDA-inspected slaughterhouse for criminal violation of the Humane Slaughter Act, no matter how severe the illegal activity.”)

<sup>31</sup> *Levine v. Vilsack*, 587 F.3d 986, 993 (9th Cir. 2009); 9 C.F.R. § 313.50, § 313.50(a)-(c).

prosecution and penalties to be levied against animal abusers, local authorities must be involved. As the Humane Society of the United States explained in testimony to Congress about its investigation into the Hallmark slaughterhouse, which uncovered extreme animal abuses that resulted in the largest beef recall in U.S. history,<sup>32</sup>

The tool that the inspectors have is to shut down the plant. Under the Federal law, there are no criminal penalties for serious abuses. That is why we had to go to the local authorities, to the district attorney.<sup>33</sup>

Current federal penalties are insufficient to deter abuse. As a result, companies treat animals inhumanely without fear of significant financial or criminal repercussions.

Even when the USDA uses its limited tools, enforcement actions are scarce and inadequate. In a report analyzing USDA inspection records from 2020 through 2022 at approximately 350 federally inspected poultry slaughter plants, records show that USDA inspectors only took action in 12% of documented incidents of poultry mistreatment.<sup>34</sup>

Compounding the lack of penalties, low enforcement rate, and limited deterrent effect, are the limited resources and capacity of federal inspectors. FSIS is often under-resourced, affecting its ability to conduct thorough inspections and follow through on enforcement actions.<sup>35</sup> This resource strain further complicates the agency's ability to address animal cruelty effectively. Given the significant burdens and expectations placed upon the USDA to conduct a multitude of investigations pertaining to humane handling and slaughter, it is

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<sup>32</sup> *United States ex rel. Humane Soc'y of the United States v. Westland/Hallmark Meat Co.*, No. EDCV0800221VAP, 2010 WL 11464786, at \*1–2 (C.D. Cal. Aug. 5, 2010) (“The investigator observed inhumane handling practices, including:

- lifting, carrying, or pushing a conscious non-ambulatory animal with the tines of a forklift;
- electrically prodding a conscious animal repeatedly, including on sensitive areas of the animal, such as the anus or face;
- beating, punching, or kicking a conscious non-ambulatory animal, including with hands, feet, objects, or implements;
- spraying water from a high pressure hose into the face of a conscious non-ambulatory animal;
- herding a conscious animal off a truck or semi-trailer over a drop-off without providing adequate unloading facilities, causing the animal to fall to the ground;
- driving a forklift over a conscious non-ambulatory animal; and
- dragging a conscious non-ambulatory animal with a chain.

. . . As a result of the investigation, the Facility agreed to conduct a voluntary recall . . . of approximately 143,383,823 pounds of raw and frozen beef products.”).

<sup>33</sup> House Hearing, 111 Congress, From the U.S. Government Publishing Office (2010), <https://www.govinfo.gov/content/pkg/CHRG-111hrg65127/html/CHRG-111hrg65127.htm>.

<sup>34</sup> *The Welfare of Birds at Slaughter in the United States*, ANIMAL WELFARE INST. (Dec. 2023), [https://awionline.org/sites/default/files/publication/digital\\_download/23-The-Welfare-of-Birds-at-Slaughter.pdf](https://awionline.org/sites/default/files/publication/digital_download/23-The-Welfare-of-Birds-at-Slaughter.pdf).

<sup>35</sup> See *Humane Methods of Slaughter Act: Actions Are Needed to Strengthen Enforcement*, Gov. Accountability Office (Feb. 2010), <https://www.gao.gov/assets/gao-10-203.pdf>.



inevitable for instances of abuse to go undetected or unpunished by overburdened inspectors.<sup>36</sup>

Issues concerning management and enforcement practices also persist at FSIS.<sup>37</sup> This includes a deficit concerning management oversight of inspection among a lack of guidance for inspection staff “to make clear to them what constitutes a violation.”<sup>38</sup> There is a notable inconsistency in the application of the law and in assessing violations.<sup>39</sup> Among FSIS enforcement staff, there is evidence indicating considerable disagreements concerning “what kinds of abuses constitute violations and what enforcement actions need to be taken in response.”<sup>40</sup> Cooperation with state and local authorities is therefore crucial to fill enforcement gaps and ensure comprehensive protection for animals.

The current, existing regulatory framework places significant strain on FSIS and its inspectors. The Petition seeks clarity and to increase cooperation between state and federal authorities regarding animal abuse to relieve some of this burden from the USDA and to also enable states to leverage their local expertise and resources more effectively.

#### *V. Empowering States to Address Animal Cruelty at Slaughterhouses Benefits Nonhuman Animals, the Environment, Business, and People*

Empowering state and local officials to take the lead in enforcing animal cruelty laws offers a promising solution to the current situation. By clarifying the role of states and their enforcement authority, we can facilitate more tailored and responsive approaches to combating animal cruelty.

Moreover, empowering states to take decisive action against animal cruelty occurring at slaughterhouses serves the interest of our non-human companions and benefits society collectively. Animals subjected to inhumane treatment at processing facilities stand to gain notable protections from further clarity and increased localized enforcement practices. By empowering states to address animal cruelty at slaughterhouses, we also inherently safeguard consumer interests, fair competition, worker safety, public health, and the environment.

##### A. Addressing Animal Cruelty at Slaughterhouses Increases Consumer Confidence

Cruelty towards animals in food production not only compromises their welfare, but also undermines consumer interests and expectations. Studies show that animal suffering is significantly important to consumers in their consumption practices.<sup>41</sup> Consumers generally care, ethically or in terms of self-interest, to know how farmed animals are treated in slaughterhouse facilities.<sup>42</sup>

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<sup>36</sup> House Hearing, *supra* n. 33.

<sup>37</sup> *Id.*

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> Rui Pedro Fonseca and Ruben Sanchez-Sebate, *Consumers’ Attitudes Towards Animal Suffering: A Systematic Review on Awareness, Willingness and Dietary Change*, INT’L J. ENVI. RES PUBLIC HEALTH (2022), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9741386/>.

<sup>42</sup> *Id.*

Studies further support that increased accountability and awareness regarding animal sentience and negative slaughterhouse practices is directly associated with increased negative attitudes towards farmed animal suffering.<sup>43</sup> It is highly likely that most consumers would shift their support *against* federal slaughterhouse facilities upon being made aware of the poorly regulated and inhumane treatment of farmed animals in these facilities. By empowering states to address the cruelty that persists at these facilities, consumer interests are upheld and the risk of exposure to these businesses will dissipate as enforcement actions result in deterring continued abuses.<sup>44</sup>

It is therefore essential to address this concerning reality, rather than to continue leaving consumers in the dark. Consumers inherently place a degree of trust in both federal and state authorities to serve in their best interest. Thus, it is essential to uphold a standard of accountability to protect consumer interests by combatting animal abuse. As a result, consumers will experience greater confidence regarding their food choices and be able to genuinely rely upon a system of enforcement that effectively addresses animal cruelty.

#### B. Addressing Animal Cruelty at Slaughterhouses Helps to Eliminate Unfair Competition

Those engaged in animal slaughter do not intentionally set out to commit animal cruelty. But market pressures and the externalization of risks make it cheaper and more efficient to engage in such practices.<sup>45</sup> Processing more animals more quickly might be good for business (at least shortsightedly), but it is harmful to the animals who tend to suffer rougher handling and abuse to support such practices.<sup>46</sup>

When animal cruelty at slaughter facilities is addressed, slaughterhouse operators will see that prioritizing humane treatment of animals can lead to long-term business sustainability. At such point, practices that avoid cruelty can prevent legal penalties, reduce the risk of boycotts, and enhance brand reputation.<sup>47</sup> Moreover, stricter enforcement of anti-cruelty laws can lead to higher industry standards, creating a level playing field where all businesses

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<sup>43</sup> *Id.*

<sup>44</sup> Ben Johnson, *Do Criminal Laws Deter Crime? Deterrence Theory in Criminal Justice Policy: A Primer* 6, MN HOUSE RESEARCH (Jan. 2019), <https://www.house.mn.gov/hrd/pubs/deterrence.pdf> (explaining the “deterrent effect of certainty is far stronger than that of severity.”).

<sup>45</sup> See, e.g., Decl. of Dave Bishop, *Nat’l Organic Coalition, et al. v. Sonny Purdue, et al.*, 3:18-cv-01763-RS, (N.D. Cal., Mar. 21, 2018) (explaining unfair competition among organic farmers).

<sup>46</sup> See Jessica A. Chapman, Ingrid Seggerman, and Delcianna Winders, *Slaughterhouse Deregulation: A View of the Effects on Animals, Workers, Consumers, and the Environment*, AMERICAN BAR ASSOC. (Aug. 25, 2021), [https://www.americanbar.org/groups/tort\\_trial\\_insurance\\_practice/publications/the\\_brief/20-21/summer/slaughterhouse-deregulation-view-effects-animals-workers-consumers-environment/](https://www.americanbar.org/groups/tort_trial_insurance_practice/publications/the_brief/20-21/summer/slaughterhouse-deregulation-view-effects-animals-workers-consumers-environment/) (“Faster slaughter speeds make it less likely that animals will be humanely handled by workers trying to keep the pace, and more likely that animals will not be properly rendered unconscious before slaughter.”).

<sup>47</sup> See *infra* n. 56.

must comply with humane practices. This in turn can drive innovation and improvement within the industry.

For now, however, those who treat animals humanely and take steps to mitigate against animal abuse during the slaughter process are at an unfair disadvantage to their competitors that get away with abusive conduct.<sup>48</sup> By empowering states to take action against violations of their anti-cruelty laws, the incentives to commit cruelty against animals dwindle.<sup>49</sup> Internalizing the cost of cruelty by supporting states in prosecuting violations of anti-cruelty laws will even the playing field for those who do not cut corners with cruelty.<sup>50</sup>

### C. Addressing Animal Cruelty at Slaughterhouses Improves Worker Conditions and Reduces Social Injustice

Combating animal cruelty at slaughterhouses can significantly improve worker conditions, addressing both physical and psychological harm. Slaughterhouse workers, often members of other disenfranchised groups, face one of the most dangerous jobs due to high injury rates, repetitive tasks, and stressful working environments.<sup>51</sup> Exposure to animal cruelty further exacerbates these dangerous conditions, contributing to psychological trauma and increasing the risk of mental health issues such as post-traumatic stress disorder (PTSD), anxiety, and depression.<sup>52</sup>

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<sup>48</sup> See *supra* n. 45; see also Donna Mo, *Unhappy Cows And Unfair Competition: Using Unfair Competition Laws To Fight Farm Animal Abuse*, 54 UCLA LAW REVIEW 1313 (Apr. 2005), [https://www.uclalawreview.org/wp-content/uploads/2019/09/32\\_52UCLALRev13132004-2005.pdf](https://www.uclalawreview.org/wp-content/uploads/2019/09/32_52UCLALRev13132004-2005.pdf) (explaining that “humane competitors—which include farms or slaughterhouses that treat their animals humanely and companies that produce meat substitutes—would argue that they lose market share to inhumane competitors because the inhumane competitors can charge lower prices by being cruel to their animals.”).

<sup>49</sup> Donna Mo, *Unhappy Cows And Unfair Competition: Using Unfair Competition Laws To Fight Farm Animal Abuse*, 54 UCLA LAW REVIEW 1313 (Apr. 2005), [https://www.uclalawreview.org/wp-content/uploads/2019/09/32\\_52UCLALRev13132004-2005.pdf](https://www.uclalawreview.org/wp-content/uploads/2019/09/32_52UCLALRev13132004-2005.pdf).

<sup>50</sup> See *e.g.*, Br. of Amicus Curiae Perdue Premium Meat Co., Inc., d/b/a Niman Ranch in Support of Respondents, *Nat’l Pork Producers Council, et al., v. Ross, et al.*, 2022 WL 3567477, at \*1 (Niman Ranch, “an industry leader in sustainable agriculture and humane animal care,” supporting anti-cruelty law against competitors).

<sup>51</sup> “*When We’re Dead and Buried, Our Bones Will Keep Hurting*”: *Workers’ Rights Under Threat in US Meat and Poultry Plants*, HUMAN RIGHTS WATCH (Sept. 4, 2019), <https://www.hrw.org/report/2019/09/04/when-were-dead-and-buried-our-bones-will-keep-hurting/workers-rights-under-threat>; *Injuries, Illnesses, and Fatalities*, U.S. BUREAU OF LAB. STAT. (2022), <https://www.bls.gov/iif/home.htm>.

<sup>52</sup> Andrew Gough, *The disturbing link between slaughterhouse workers and PTSD*, SURGE (Jan. 24, 2024), <https://www.surgeactivism.org/articles/slaughterhouse-workers-and-ptsd>; Jessica Slade and Emma Alleyne, *The Psychological Impact of Slaughterhouse Employment: A Systematic Literature Review*, TRAUMA, VIOLENCE, & ABUSE (July 7, 2021), <https://doi.org/10.1177/15248380211030243>; Jessica H. Leibler, Patricia A. Janulewicz, and Melissa J. Perry, *Prevalence of Serious Psychological Distress among Slaughterhouse Workers at a United States Beef Packing Plant*, 57 WORK 1 (2017): 105–9, <https://doi.org/10.3233/WOR-172543>; Stephanie Marek Muller, *Zombification, Social Death*,

Witnessing or participating in the cruelty of animals can be deeply traumatic. Many workers may also experience moral distress when required to participate in inhumane practices, leading to a conflict between their actions and personal ethics. As a former kill floor manager explained, “The worst thing, worse than the physical danger, is the emotional toll. . . . Pigs down on the kill floor have come up and nuzzled me like a puppy. Two minutes later I had to kill them-beat them to death with a pipe. I can’t care.”<sup>53</sup>

Enabling the enforcement of state animal cruelty laws at slaughterhouses would help improve the psychological well-being of workers. Humane handling reduces the instances of cruelty that workers witness or engage in, thereby mitigating these psychological impacts. Humane practices also align better with personal and societal ethical standards, reducing cognitive dissonance and stress. As such, reducing animal cruelty at slaughterhouses through increased enforcement of state anti-cruelty laws would improve workers’ mental well-being.

Enormous benefits to workers’ physical safety also emerge when animal cruelty is prevented at slaughterhouses. Ensuring humane handling practices through better federal/state cooperation, thereby increasing the threat of state animal cruelty prosecutions, can reduce the likelihood of animal-related injuries. When animals are calm, they are less likely to struggle or behave unpredictably, which can prevent workers from being kicked, bitten, or otherwise harmed.<sup>54</sup> Confronting animal abuse occurring at slaughter facilities would therefore create safer conditions for slaughterhouse workers.

There are also other social and economic benefits to prosecuting animal cruelty violations at slaughter facilities. High turnover is common in slaughterhouses due to the stressful nature of the work.<sup>55</sup> Improving conditions by reducing cruelty can lead to greater job satisfaction, reducing turnover rates and associated training costs. Also, slaughterhouses engaging in humane practices can improve their reputation and relations with the surrounding community, leading to potential economic and social benefits, including better community relations.<sup>56</sup>

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*and the Slaughterhouse: U.S. Industrial Practices of Livestock Slaughter*, 57 AMERICAN STUDIES 3 (2018): 81–101, <https://doi.org/10.1353/ams.2018.0048>.

<sup>53</sup> Jennifer Dillard, *A Slaughterhouse Nightmare: Psychological Harm Suffered by Slaughterhouse Employees and the Possibility of Redress through Legal Reform*, GEORGETOWN J. ON POVERTY LAW & POLICY (Sept. 24, 2007), [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1016401](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1016401).

<sup>54</sup> Lilly Edwards-Callaway and Michelle Calvo-Lorenzo, *Animal Welfare in The U.S. Slaughter Industry-A Focus On Fed Cattle*, J. ANIM SCI. (Apr. 2020), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7134563/>; see also Temple Grandin, *Calming Effects of Deep Touch Pressure in Patients with Autistic Disorder, College Students, and Animals*, J. OF CHILD AND ADOLESCENT PSYCHOPHARMACOLOGY (1992), <https://www.liebertpub.com/doi/10.1089/cap.1992.2.63>.

<sup>55</sup> *Workplace Safety and Health: Safety in the Meat and Poultry Industry, while Improving, Could Be Further Strengthened* 7, GOV’T ACCOUNTABILITY OFFICE (Jan. 2005), <https://www.gao.gov/assets/gao-05-96.pdf> (explaining that dangerous work conditions in slaughterhouses has contributed to many plants experiencing a turnover rate of 100 percent annually).

<sup>56</sup> See, *cf.*, *Animal Rights Activists Protest at Farmer John Plant in Vernon*, SPECTRUM NEWS 1 (Feb. 15, 2021), <https://spectrumnews1.com/ca/la-west/news/2021/02/15/animal-rights->

Addressing animal cruelty in slaughterhouses can significantly improve worker conditions by enhancing physical safety and reducing psychological trauma. Empowering state prosecution of animal cruelty will promote humane practices that not only protect workers from injury and mental health issues but also contribute to a more stable and ethically sound working environment.

#### D. Addressing Animal Cruelty at Slaughterhouses Reduces Food Safety and Public Health Risks

Public health and safety are also served by empowering states to prosecute animal cruelty occurring at slaughterhouse facilities. Stressful conditions and rough handling of animals can lead to the spread of diseases, which pose risks to human health.<sup>57</sup> Inhumane processing practices induce obvious and immense stress to farmed animals.<sup>58</sup> The stress results in farmed animals being more prone to bacteria (that can transfer foodborne illnesses to people), and it further compromises the overall quality of the animal products.<sup>59</sup>

Most of the federal laws regulating slaughter are premised on the notion that the humane handling of animals promotes food safety. Indeed, the USDA agency charged with enforcing these laws is the *Food Safety and Inspection Service*. “As the USDA has explained, although the PPIA does not explicitly require humane handling and slaughter for birds, ‘poultry products are more likely to be adulterated if, among other circumstances, they are produced from birds that have not been treated humanely, because such birds are more likely to be bruised or to die other than by slaughter.’”<sup>60</sup>

It is well known that animal cruelty at slaughterhouses, especially abuse that violates federal humane handling laws, poses significant food safety risks. As such, there are immense public health benefits to addressing animal cruelty at slaughterhouses. Ensuring humane

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[activists-plan-return-to-farmer-john-plant-in-vernon](#); Nicole Danna, *Protest Scheduled at Hialeah Slaughterhouse*, MIAMI NEW TIMES (Dec. 22, 2021), <https://www.miaminewtimes.com/restaurants/protesters-to-gather-at-miami-slaughterhouse-on-nochebuena-13565666>; Jemima Webber, *Protesters Block Slaughterhouse Which Supplies Poultry To Amazon And Chick-fil-A*, PLANT BASED NEWS (Sept. 29, 2021), <https://plantbasednews.org/news/activism/protesters-block-slaughterhouse-poultry/>.

<sup>57</sup> Dani Replogle and Delcianna Winders, *Accelerating Catastrophe: Slaughter Line Speeds and The Environment*, 51 ENVI. LAW 1277, 1290 (2021), <https://law.lclark.edu/live/files/32824-51-4-winders.pdf>; Ingrid H. Franke-Whittle & Heribert Insam, *Treatment Alternatives of Slaughterhouse Wastes, and Their Effect on the Inactivation of Different Pathogens: A Review*, 39 CRITICAL REV. MICROBIOLOGY 139, 139 (2013), <https://www.tandfonline.com/doi/full/10.3109/1040841X.2012.694410>.

<sup>58</sup> Silvia Martínez-Miró et al., *Causes, Consequences and Biomarkers of Stress in Swine: An Update*, BMC VET RES 12, 171 (2016), <https://doi.org/10.1186/s12917-016-0791-8>.

<sup>59</sup> *Id.*

<sup>60</sup> Jessica A. Chapman, Ingrid Seggerman, and Delcianna Winders, *Slaughterhouse Deregulation: A View of the Effects on Animals, Workers, Consumers, and the Environment*, AMERICAN BAR ASSOC. (Aug. 25, 2021), [https://www.americanbar.org/groups/tort\\_trial\\_insurance\\_practice/publications/the\\_brief/20-21/summer/slaughterhouse-deregulation-view-effects-animals-workers-consumers-environment/](https://www.americanbar.org/groups/tort_trial_insurance_practice/publications/the_brief/20-21/summer/slaughterhouse-deregulation-view-effects-animals-workers-consumers-environment/) (quoting *Treatment of Live Poultry Before Slaughter*, 70 Fed. Reg. 56,624, 56,624 (Sept. 28, 2005)).



treatment can mitigate the risks of foodborne illnesses and zoonoses, protecting public health and reducing associated healthcare costs.

E. Addressing Animal Cruelty at Slaughterhouses Reduces Environmental Harms

Slaughterhouses have enormous negative environmental impacts, including:<sup>61</sup>

- **Water Pollution:** Slaughterhouses discharge blood, fat, manure, and other waste into waterways. This effluent waste leads to nutrient pollution, which in turn causes algae blooms and the formation of aquatic dead zones, severely disrupting aquatic ecosystems.
- **Air Pollution:** The emission of harmful gases such as ammonia, methane, and hydrogen sulfide from slaughterhouse operations contributes to deteriorating air quality and exacerbates climate change. These emissions are potent greenhouse gases and have a direct effect on atmospheric composition.
- **Waste Management Issues:** Slaughterhouses generate substantial solid waste, including bones and offal. The management of this waste requires robust disposal mechanisms to prevent environmental contamination. The waste and disposal practices further contribute to slaughterhouses' water and air pollution.
- **High Water Usage:** The industry's intensive use of water for processing and cleaning adds strain to already scarce water resources, particularly in drought-prone areas.

Animal cruelty in slaughterhouses intensifies these environmental impacts, as these harms, like most connected with this industry, are interconnected.<sup>62</sup> Inefficient resource use and increased pollution are direct consequences of animal abuse. Therefore, empowering states to prosecute animal cruelty is not only important in its own right but also crucial for environmental protection.

Animal cruelty at slaughterhouses frequently stems from the high-speed processing demands placed on workers. This environment fosters conditions where cruelty can become routine, especially for downed animals—those too sick or injured to move independently.<sup>63</sup> Such animals are particularly prone to inhumane treatment, as documented in USDA records, which include instances of workers using forceful and cruel methods to move these animals, due to the hurried pressures to maximize production.<sup>64</sup>

This maltreatment has tangible environmental consequences. The obvious consequence being that animal abuse facilitates the processing of more animals, which increases resource use and intensity and produces more waste.<sup>65</sup> A lesser known consequence is that mishandled or stressed animals excrete more waste, increasing the volume of pollutants entering water

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<sup>61</sup> *The Environmental Impacts Of Slaughterhouses: Fact Sheet*, CTR. FOR BIOLOGICAL DIVERSITY,

[https://biologicaldiversity.org/programs/population\\_and\\_sustainability/pdfs/slaughterhouse\\_factsheet.pdf](https://biologicaldiversity.org/programs/population_and_sustainability/pdfs/slaughterhouse_factsheet.pdf).

<sup>62</sup> Laura Fox, *The Intersectionality of Environmental Injustice, Other Societal Harms, and Farmed Animal Welfare*, ENV'T. JUSTICE (Apr. 19, 2024), <https://www.liebertpub.com/doi/full/10.1089/env.2021.0125>.

<sup>63</sup> *See supra* n. 57.

<sup>64</sup> *Id.*

<sup>65</sup> *Id.*; *see also supra* n. 32.

systems and harming air quality.<sup>66</sup> This not only contributes to air and water pollution but also to eutrophication, harming aquatic life and ecosystems.<sup>67</sup> Moreover, the decomposition of unprocessed waste emits harmful gases like ammonia and methane, further contributing to air pollution and climate change.<sup>68</sup>

Additionally, the stress induced in animals can significantly raise mortality rates, leading to increased carcass waste.<sup>69</sup> This not only necessitates additional resource expenditure for disposal—often in landfills or incineration—but also poses a risk of spreading pathogens, including bacterial, viral, prion, and parasitic agents, which can affect both nonhuman and human animals.<sup>70</sup>

Addressing these issues is critical. By reducing animal stress and improving handling practices, slaughterhouses can decrease the volume of waste produced and enhance the efficiency of resource use. Addressing animal cruelty in these facilities can lead to reduced pollution, lower disease risks, and better overall environmental stewardship. As such, tackling cruelty in slaughterhouses is not just an issue of animal welfare but is deeply intertwined with environmental sustainability. Promoting humane practices by issuing a clarifying statement to state officials enforcing anti-cruelty laws and cooperating with those actors can have widespread benefits, improving the health of our planet and the well-being of its inhabitants.

## VI. Conclusion

FSIS should grant the Petition and issue a notice that plainly conveys that the FMIA, HMSA, and the PPIA do not categorically or automatically preempt the enforcement of state anti-cruelty laws and that FSIS personnel will endeavor to cooperate with state government officials in the enforcement of state anti-cruelty laws. Clarifying jurisdictional boundaries, working collaboratively, and empowering states to address animal cruelty is paramount for the protection of animals, humans, and the environment.

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<sup>66</sup> Marcos H. Rostagno, *Can Stress in Farm Animals Increase Food Safety Risk?*, *FOODBORNE PATHOGENS AND DISEASE* (Oct. 2009), <https://pubmed.ncbi.nlm.nih.gov/19737056/> (explaining that stress can speed up emptying of cecum into the colon and increase the rate of excretion).

<sup>67</sup> See Kira Burkhart, et al., *Water Pollution from Slaughterhouses*, *ENV'T INTEGRITY PROJECT* (Nov. 5, 2018), <https://environmentalintegrity.org/wp-content/uploads/2018/10/Slaughterhouse-report-2.14.2019.pdf>.

<sup>68</sup> See *supra* n. 61; see also Ebenezer Leke Odekanle, et al., *Air Emissions and Health Risk Assessment Around Abattoir Facility*, *HELIYON* (Jul. 2020), <https://www.sciencedirect.com/science/article/pii/S2405844020312093>.

<sup>69</sup> *How To: Reduce Animal Stress*, *HYPOR* (Feb. 1, 2022), <https://www.hypor.com/en/articles/reduce-animal-stress/>.

<sup>70</sup> Dani Replogle and Delcianna Winders, *Accelerating Catastrophe: Slaughter Line Speeds and The Environment*, 51 *ENVI. LAW* 1277, 1290 (2021), <https://law.lclark.edu/live/files/32824-51-4-winders.pdf>; Ingrid H. Franke-Whittle & Heribert Insam, *Treatment Alternatives of Slaughterhouse Wastes, and Their Effect on the Inactivation of Different Pathogens: A Review*, 39 *CRITICAL REVIEWS. MICROBIOLOGY* 139, 139 (2013), <https://www.tandfonline.com/doi/full/10.3109/1040841X.2012.694410>.

Thank you for your careful consideration of these comments in support of Animal Partisan's Petition #23-07.

Respectfully Submitted,

**Farmed Animal Advocacy Clinic**

*Laura Fox, Director*

*Emma Makas, Clinician*

*Andrea McMillian, Clinician*

*Vermont Law and Graduate School*

164 Chelsea Street, P.O. Box 96

South Royalton, VT 05068

P: (802) 831-1292

E: lfox@vermontlaw.edu

***on behalf of***

**Animal Kind Alliance, Inc.**