Dear Acting Administrator Kiecker,

The Government Accountability Project (GAP) is a non-profit organization that provides legal representation for government and corporate whistleblowers. Within GAP, the Food Integrity Campaign (FIC) represents whistleblowers throughout the food system who report trespasses against food safety and public health.

GAP opposes the United States Department of Agriculture (USDA)'s proposed National Swine Inspection System (NSIS) as harmful to food safety, worker safety, and animal welfare. Most importantly, GAP opposes any increase in maximum allowable line speeds in hog slaughter facilities above the current allowed 1,106 head per hour. GAP urges the USDA to withdraw this proposed rule.

Over 62,000 consumers signed an FIC-sponsored petition opposing the Modernization of Swine Slaughter Inspection (MSSI). These consumers share our concern about the damage high line speeds cause.

**Food Integrity Campaign’s Experience with Hog HIMP Whistleblowers**

The USDA claims that the NSIS system is “at least equivalent” to traditional inspection and boasts of NSIS’s innovations and efficiencies.² Those so-called benefits of NSIS misrepresent reality within the plants as told by USDA’s own inspector personnel. One whistleblower brave enough to identify himself, Joe Ferguson, stated: “Personally, I will not eat any products that bear the name of the company for which this meat is produced. I don’t think that it is wholesome or safe to consume.”³

FIC represents four USDA inspectors who spoke out about problems in the plants where they worked - plants implementing the pilot hog HACCP-Based Inspection Models Project (HIMP). Included in the comments below are statements from the sworn affidavits of these four
whistleblowers, including a recent update in light of the proposed rule. The full copies are attached.

In 2014, FIC conducted a survey of USDA Food Safety and Inspection Service (FSIS) inspectors. The 78 question Survey Monkey survey was open from May to September in 2014. During the survey period, 459 USDA meat inspectors completed the 78-question survey online, which represented 7.4% of all USDA meat inspectors at the time. FIC created the questions after consulting with inspectors across the country, and with assistance from the Center for a Livable Future, a program of the John Hopkins Bloomberg School of Public Health. Respondents’ survey responses are anonymous, unless the respondent voluntarily left their name in the optional final comment section. The survey included questions specifically for inspectors working at plants implementing HIMP.

Combined, our findings paint a very different picture of HIMP than the one USDA portrays. In short, the new faster line speeds go so fast that inspectors can’t do their jobs—and plant workers are not a surrogate for USDA inspectors. FIC urges USDA to heed the warnings from their own employees about NSIS and stop this rule.

**Whistleblowers Contradict USDA’s Assertions**

The inspectors that FIC represents and that FIC surveyed challenge in the starkest terms NSIS’s assertion that HIMP is equivalent to traditional inspection, revealing flaws at every stage of the process.

*The Lines Are Too Fast to Inspect Carcasses Properly*

FSIS claims multiple benefits from NSIS including “facilitate pathogen reduction in pork products; improve compliance with the HMSA; improve the effectiveness of market hog slaughter inspection; make better use of the Agency’s resources; and remove unnecessary regulatory obstacles to innovation by revoking maximum line speeds and allowing establishments flexibility to reconfigure evisceration lines.” This benefit is not met according to whistleblower inspectors.

Out of twenty FSIS inspectors working in HIMP plants who responded to the FIC survey, 75% disagreed with the statement, “Under HIMP, line speeds allow enough time for plant employees and inspectors to adequately inspect each carcass,” and only 14% disagreed with the statement, “Under HIMP, I believe company employees do as good a job inspection carcasses as USDA inspectors.” One survey respondent commented, “There is also an inherent conflict of interest in having company employees perform a function that needs to be done by an independent/unbiased/well-trained individual, namely the USDA line inspector.”

One inspector reports, “Most of the time they are running so fast it is impossible to see anything on the carcass.” The inspector is lamenting that he cannot identify the types of contamination that FSIS says should *not* be on ready to cook pork. Another inspector reports, “Obviously, the lines are going too fast and inspectors can’t catch everything, and replacing trained inspectors with plant employees creates a quality problem, but things are going wrong with high speed...
inspection before the kill floor,” allowing sick pigs to enter the system, when HIMP only allows “young, healthy” pigs.7

Under the Hog HIMP, line speeds increased from 1100 to 1300 hogs per hour far too fast to see defects, according to our inspectors. The proposed NSIS rule would allow unlimited speeds, so long as plants met process standards.8

Non-USDA Inspectors Poorly Trained and Prone to Error

NSIS further increases the likelihood of missing contamination because it relies on poorly trained non-USDA inspectors who are employees of the plant. All four USDA inspectors’ affidavits report that the company inspectors have far less training before they are put on the line.9 That lack of training combined with the high line speeds leads to errors, including not incising all the lymph nodes to check for signs of illness and improper handling of viscera. Additionally, the company inspectors miss contamination. “On numerous occasions, I witnessed them fail to spot abscesses, lesions, fecal matter, and other defects that would render an animal unsafe or unwholesome,” said one inspector.10 Note, FSIS specifically defines ready to cook pork as free of such defects.11

One USDA inspector’s affidavit states, “It’s almost impossible to recognize problems with both carcasses and plant employees’ activities at the high speed of a HIMP line.” This inspector was tasked with overseeing the work of four company inspectors. Undercover footage from a hog HIMP plant recorded mistreatment of hogs and hogs with health problems not removed from the production line—and plant workers commenting that USDA wasn’t there to see what was happening.12

USDA Inspectors Face Retaliation for Reporting Problems

USDA inspectors fare little better when they bring up problems to plant management, or even their own USDA managers:

- “When we try to point out problems in the slaughter process, we are berated by company management. Our upper-management no longer backs up those inspectors who are actually trying to do their jobs.”13
- “When the inspectors try to take corrective action at the plant, we get no support from our supervisors. I tell them that I am working for the consumer, not the company.”14
- “Line speeds are too fast to catch everything and if you do take an action you WILL get harassed!” (Survey comment)

The Culture of HIMP: “Hands in My Pocket”

The transition to Hog HIMP represents a larger culture change within the plants. Not only do the lines move more quickly, but those staff placed in charge of food safety and wholesomeness are pressured to keep the line moving. It’s common to hear USDA inspectors joke that HIMP stands for “hands in my pockets.” One inspector explains, “This culture is the USDA’s own doing. The agency has laid down and died. In HIMP, the name of the game is ‘don’t impede the right of the
company to do business. People need to know, the USDA views the industry as the customer, not the person eating the meat."^{15}

This new culture silences inspectors and diminishes their authority to protect consumers. It seems that production speeds and industry profits have moved to the top of USDA’s priority list, over food safety and public health. Out of twenty FSIS inspectors working in HIMP plants who responded to the FIC survey, only 6 (30%) agreed with the statement, “Under HIMP, I believe companies provide consumers with wholesome products that are consistent with consumer expectations.”

If USDA’s own inspectors have such little faith in the system, why should consumers? How can USDA claim the plants meet all the food safety and quality standards described in the proposed rule when inspectors report that they cannot do their jobs effectively? Each inspector that FIC has represented has carried the weight of knowing something was wrong and trying multiple avenues to get their message heard because they care about consumer safety.

**Plant Workers Lack Adequate Whistleblower Protections**

The Whistleblower Protection Enhancement Act (WPEA) protects federal employees like USDA food inspectors, but not private sector plant workers. The Food Safety Modernization Act (FSMA) provides robust whistleblower protections for food company employees regulated primarily by FDA, but not meat producers, like the pork companies subject to the new NSIS rule, that are regulated by USDA. Hog plant employees have few whistleblower rights—and thus little protection for speaking up. Thus, NSIS’s reliance on company-based inspectors to carry out duties performed by federal employees under traditional inspection reduces transparency in meat production.

Plant management punishes the company-based inspectors for speaking up about problems that would require slowing down or stopping the line. One whistleblower inspector stated, “Actually, employees are discouraged from removing adulterated products from the line. Of course, plant process control workers are going to do what their bosses tell them to since they do not have a lot of job security. This happens on a daily basis.”^{16} Another reports, “The company threatens plant employees with terminations if they see them condemning too many carcasses or carcass parts.”^{17}

Meat-packing workers already experience some of the most dangerous working conditions of any industry, and their lack of whistleblower protections extends to speaking up about their own safety on the job as well as food safety and quality issues. Plant workers are not just vulnerable to injury, but to losing their jobs with little recourse when they are injured. FSIS specifically asked for feedback on the effects of increased line speeds on workers. GAP argues unequivocally that faster line speeds endangers workers and urges FSIS to make plants safer, rather than more dangerous, and to support more protections for these important workers in our food system.

**Conclusion**

One of the whistleblowing inspectors offers this remark, which GAP offers in conclusion: “It’s no longer meaningful for consumers to see that mark indicating that their product has been
USDA-inspected ... It seems like the USDA is doing all it can to make sure the HIMP program succeeds in this plant, even if it means betraying consumers by hiding the truth about their food.”

GAP urges USDA to listen to its own employees and withdraw this rule. In order to adequately fulfill its mandate, USDA must promote a culture of transparency and empower inspectors to do their jobs well. That USDA currently favors industry’s pecuniary interest over the public health concerns of its own rank and file undermines public trust and threatens food safety, animal welfare, and worker rights.

Sincerely,


Louis Clark
Government Accountability Project
3 Exhibit 4.
5 Exhibit 2.
7 Exhibit 5 (Original Available for Inspection).
9 Exhibits 1, 2, 3, 4.
10 Exhibit 1.
13 Exhibit 2.
14 Exhibit 4.
15 Exhibit 5 (Original Available for Inspection).
16 Exhibit 2.
17 Exhibit 3.
18 Exhibit 3.
Exhibits

Exhibit 1: Affidavit 1, Anonymous USDA FSIS Inspector
Exhibit 2: Affidavit 2, Anonymous USDA FSIS Inspector
Exhibit 3: Affidavit 3, Anonymous USDA FSIS Inspector
Exhibit 4: Affidavit 4, Joe Ferguson, USDA FSIS Inspector
Exhibit 5: Affidavit 5, Anonymous USDA FSIS Inspector
AFFIDAVIT

My name is [REDACTED]. I am an inspector for the United States Department of Agriculture (USDA) Food Safety Inspection Service (FSIS). I am submitting this affidavit freely and voluntarily to Alyssa Doom, who has identified herself to me as the investigator for the Government Accountability Project’s Food Integrity Campaign. I am doing so without any threats, inducements or coercion. I authorize the publication of this statement contingent upon the redaction of my name, and the name and location of the establishment to which I refer. I am making this statement to assert my disapproval of USDA’s pilot high-speed slaughter project for market hogs, known as HIMP.

I have many years of experience with FSIS. I am highly trained in the area of meat inspection. In fact, the agency actually uses me to mentor new employees in various positions. I am currently a relief inspector. In this role, I have traveled to many plants in my district, gained a great deal of knowledge about inspection operations, and had the opportunity to compare the various inspection systems of different establishments. One of the establishments I was previously stationed at was a HIMP plant. I worked at this plant for [REDACTED] and I saw enough to know that the agency should not go forward with its plan to implement the HIMP inspection model in hog slaughter nationwide.

Under the HIMP model, company inspectors take over the duties of USDA inspectors at the lymph node incision and head inspection stations. Line speeds under HIMP have increased from about 1100 hogs per hour to about 1300 per hour, but there is still the same number (3) of inspectors on the line. There aren’t enough eyes on the lines to monitor carcasses coming by at such high speeds. This makes it easy for employees to fail to notice flaws on the animals. Quicker line speeds also make it difficult for company inspectors to incise all lymph nodes of a carcass. Lymph node incision is critical in detecting different diseases that would make the product unfit for human consumption, such as septicemia or tuberculosis.

While their duties on the line are taken over, USDA inspectors are now tasked with monitoring
the activities of the establishment's in-house inspectors. We are stationed at different points in the
slaughter process to provide oversight, ensuring that plant employees are doing their jobs correctly and
that we catch any defects or contaminants that they might miss. For example, we monitor whether they
recognize an abscessed lymph node or whether they are properly sanitizing their knifes. Monitoring
company inspectors is a lot more work for the USDA inspectors because lines are going way too fast. It's
almost impossible to recognize problems with both carcasses and plant employees' activities at the high
speed of a HIMP line.

What I have learned from watching the company inspectors is that unlike USDA inspectors, they
don't seem to have much training. At the viscera station, where they are supposed to palpate or
"puddle" the animals' guts, as well as during the process of incising lymph nodes, I've witnessed
company inspectors make a lot of errors. This is because they weren't trained in the proper procedures
for inspecting the viscera and incising lymph nodes. They aren't meeting the same standards the USDA
inspectors are held to on a regular basis and there is no consistency among the way in-house inspectors
take on their tasks. A large part of doing a good job at the viscera station comes from developing a
technique. At this station the inspector is exposed to many of food safety hazards and biological
pathogens like salmonella and e. coli. He or she needs to know how to properly feel each organ to
detect diseases. The person in this role also needs to understand and maintain preventative measures
for ensuring that the carcass isn't contaminated. For example, if fecal matter or ingesta spills out of one
of the animal's organs, the employee needs to understand and have the ability to execute the proper
precautions needed to make sure that the pathogens don't spread to other carcasses. Not all
employees know and apply these precautions. On numerous occasions, I witnessed them fail to spot
abscesses, lesions, fecal matter, and other defects that would render an animal unsafe or unwholesome.

Furthermore, plant inspectors don't actually want to shut off the line to deal with problems they
spot on the job. When I was working at the plant, they scrambled to try to rail out carcasses as fast as
they could and it sometimes seemed like there was mass confusion. Unlike USDA personnel, I don't feel that they truly have the authority to shut off the line. Obviously their employer will terminate them if they do it too many times. This alone is reason enough to show that HIMP is a bad idea.

If the modernization plan goes through, USDA inspectors will probably receive less training than they currently do because under the model, they are only present in establishments as a precautionary measure, to ensure that plant inspectors are catching everything. In my experience, we didn't get any special training before we started inspecting under HIMP. If this comes to be the case, then USDA staff would no longer have the expertise to verify whether plant inspectors were doing an adequate job. The same goes for USDA veterinarians. Newer vets probably won't be properly trained to handle the program and advise their staff.

It may not seem like it at first, but USDA inspectors are under much more stress under HIMP. Sure, we may not be doing the actual palpation and incision of animals, but we're constantly there making sure that company inspectors are doing it right and verifying the carcass is wholesome. And it's not as simple as monitoring one person. When I was at the plant, in some cases USDA inspectors would monitor the activities of up to 4 different employees at a time, all while also checking the carcass for defects. What's more is that the line speeds make it impossible to monitor everything all at once.

At the HIMP plant where I worked, management was pretty respectful to USDA employees who were stationed there. They did not try to ruffle any feathers and tried maintain a low-key profile. At some establishments there's a lot of conflict between management and USDA, but I think the management at this plant didn't want to create and trouble so they could make it look like HIMP was going well.

In reality, I don't believe that either in-plant management or FSIS know how to implement the program. Moving forward with HIMP in hog plants is a bad idea for the workers in these plants, USDA
inspectors, and consumers.

I, [Name], have reviewed this statement of 4 pages and hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated this 27th day of September, 2014.

(Signature)

Sworn and subscribed before me this 30th day of August, 2014.

(Notary Signature)
My name is [REDACTED]. I am a meat inspector for the United States Department of Agriculture (USDA). I am submitting this affidavit freely and voluntarily to Alyssa Doom, who has identified herself to me as the investigator for the Food Integrity Campaign of the Government Accountability Project. I am doing so without any threats, inducements or coercion. I authorize the publication of this statement contingent upon the redaction of my name, and the name and location of the establishment to which I refer. I am making this statement to explain how the HIMP system has gone astray in the plant where I am stationed.

I have been a federal inspector for [REDACTED] years and stationed at the plant I am currently in for [REDACTED]. This plant implemented USDA’s high speed inspection model about [REDACTED] years ago. Under the model, USDA inspectors’ jobs change drastically. Instead of doing physical inspection we are now supposed to monitor plant process control workers who take over many of our on-line inspection duties.

In general, the program is not a bad idea. Because the industry profits from inspection, I believe they should have to pay for it. This is sort of what happens under HIMP. The plant employees are now paid to inspect the product while the USDA is still available to act as a watchdog and make sure the plant workers are doing their tasks correctly. However, when USDA loses the authority to make plant employees engage in corrective actions, the program stops working. This is what has happened at the plant where I work.

Initially when the agency and industry switched over to the program, it worked pretty well. There seemed to be a lot of input from USDA in Washington, DC about the program. But when the union sued USDA shortly afterward, there were a lot of hard feelings. The agency pretty much lost interest in what industry was doing and inspectors were left on their own to devise ways to enforce the regulations in the plant. When we try to point out problems in the slaughter process, we are berated by company management. Our upper-management no longer backs up those inspectors who are actually trying to do

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their jobs.

The agency does not seem too concerned with monitoring the HIMP program in this plant either. Before the company went HIMP, line speeds were running at about [REDACTED] carcasses per hour, which is the maximum under traditional inspection. Since the company switched to the new model line speeds have increased [REDACTED] times and are now running at up to [REDACTED] carcasses per hour on one line. This speed is much too fast, in my opinion. In all of this time since HIMP was implemented the agency has never reevaluated how well the program was working in this plant, despite their promise to monitor the system each time line speeds changed. I do not put a lot of faith or credence in the agency’s word or promises. In fact, at one time an agency official publicly announced that none of the HIMP pilot plants were running over 1,200 carcasses per hour, which was completely false, based on the number my plant was then running.

I have some doubts about the plant inspectors’ abilities to conduct inspection as well as USDA inspectors because their training is severely lacking. While most of the USDA-trained staff receives a week’s worth of training before being put on the slaughter line, plant process control workers only go through a short orientation and are given a small booklet illustrating various pathologies on a carcass before starting on the line. The company management is more production-oriented so they do not focus much on food safety and removing adulterated product. Actually, employees are discouraged from removing adulterated products from the line. Of course, plant process control workers are going to do what their bosses tell them to since they do not have a lot of job security.

HIMP might work better if USDA inspectors actually had the authority to engage in real oversight, meaning the ability to do something when the company was violating regulations. This certainly is not the case in the plant where I am stationed. If USDA inspectors try to engage in any enforcement, company management personnel criticize us. USDA upper-management takes the industry’s side and supports their decisions over those of federal inspectors. This happens on a daily basis.
basis. Because of this some inspectors actually feel discouraged from doing their job to protect consumers. It makes sense, because nobody wants to stand out there and take a beating from the company while not having support from their supervisor.

It also seems to be the case that newer USDA inspectors are not receiving the same training as those of us who started with the agency earlier. For example, the training for USDA HIMP inspectors used to consist of an entire week of teaching under a certified instructor, but new inspectors coming in only receive a book about the program and then come down to the floor to shadow another USDA inspector. Additionally, new inspectors coming into the agency rarely have a strong slaughter background. Without this experience and the knowledge they should receive from training, it’s difficult for inspectors to be able to do this job with line speeds running as fast as they co under HIMP. The agency may have had good intentions with the program, but the way it is running is pretty pathetic.

As a result of a poorly trained inspection staff and the pushback USDA inspectors are receiving, product contamination at this plant has increased dramatically under HIMP. One of the leading causes of contamination, in my opinion, begins during the stunning stage. Hogs in the plant are stunned at very high amperage of electricity which causes the animal’s pelvis to break and leads to bruising, blood clots, broken tissue, and the creation of bone shards. This produces the perfect storm because the animal’s bung is dragged through this contamination and into the inspection station, where much of it ends up going undetected because animals are flying by so quickly. The high amperage of stunning also leads to more bruising and blood clots on the animal, which provides a growing medium for bacteria, such as salmonella. It is interesting that the agency has decided that bruises and blood clots aren’t much of a contamination issue anymore. Unless science has changed—and I’m pretty sure it hasn’t – this is where contamination is going to occur first on the product.

Other contamination such as hair, toenails, cystic kidneys, and bladder stems has increased under HIMP. Line speeds don’t make it any easier to detect contamination. Most of the time they are
running so fast it is impossible to see anything on the carcass. I am opposed to a lot of the contamination that they now allow to enter the cooler. It really is shameful that the agency allows so much contamination permitted on the product. Up until about 4 years ago, USDA inspectors were making plant process workers trim most of this stuff off on the kill side. Then upper management pretty much laid the law down and said from here on out we would not be raling out hogs for trimming (a process involving cutting contamination off a carcass). Instead we were to notify the plant about how much contamination we were seeing and let it go. We were told they would take care of this stuff on the processing side.

Under HIMP, when certain types of contamination are identified on a carcass, for example, bone shards, the plant process workers mark it with a blue crayon and let it go on to the cut floor/cooler. When contaminated products enter the cut floor, which is the processing side of the plant, there is only one USDA inspector who is tasked with identifying everything that was missed on the slaughter side of the plant. It takes roughly [REDACTED] seconds for the hog to go from one end of the cut floor to the other. There’s no way that one processing inspector can keep up with all that is happening over there.

Under the HIMP program USDA keeps track of food quality and safety defects. Food safety defects result in a product that must be condemned because it is not fit for human consumption. Food quality defects are not considered unsafe but have instead been determined to be dressing defects that consumers would consider unwholesome. USDA came up with 3 categories of these food quality defects, which they call "Other Consumer Protections" (OCPs). The agency set performance standards for the percent of OCP contamination that would be allowed on carcasses for each category. In the third of these categories, "Miscellaneous", the agency set the performance standards at 20.5%, meaning that 20.5% of the carcasses entering the cooler per shift (which is up to 9,500 carcasses at a time) could contain a defect that was considered to be in this category. This includes things like bile, bruises, bone

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fractures, scabs, toenails, and skin lesions. This means that when a USDA inspector sees this type of contamination they basically have to let it go into through the process into the cut floor because the Agency allows it under HIMP regulations. They believe that process control workers will detect contamination, but at the speed the lines run in this plant it is often missed. If we do notice that the plant has exceeded this 20.5% standard, we are supposed to notify the plant supervisor who would, in theory, take care of the problem. But that never happens. Contamination will go by all of the time and inspectors do not notify the plant supervisors or the USDA veterinarians. They know nothing will get fixed. So this 20.5% standards is pretty much meaningless.

When I first started working for FSIS an older inspector told me regarding my job duties, “It’s not whether or not people are going to eat shit—they are. It’s just how much.” When HIMP was originally implemented, I had high hopes that the program would improve food safety. Over the past few years, I have learned that is not the case. Instead it seems like it is just the USDA’s way of catering to the industry instead of the consumer. I do not support the HIMP program as is currently implemented.

I, [REDACTED], have reviewed this statement of 5 pages and hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Dated this ___ day of October, 2014.

(Signature)

Sworn and subscribed before me this ___ day of October, 2014.

(Notary Signature)
My name is [REDACTED]. I have been an inspector for the United States Department of Agriculture (USDA) Food Safety Inspection Service (FSIS) for almost [REDACTED] years. I am submitting this affidavit freely and voluntarily to Alyssa Doom, who has identified herself to me as the investigator for the Food Integrity Campaign of the Government Accountability Project. I am doing so without any threats, inducements or coercion. I authorize the publication of this statement contingent upon the redaction of my name, and the name and location of the establishment to which I refer. I am making this statement to share information about my experience working under USDA’s new inspection system for market hogs, the HACCP-based Inspection Models Project (HIMP), and to voice my disapproval for the program.

I currently work as an inspector at one of five HIMP pilot plants in the U.S. I have been at this plant since it began operating under the HIMP program [REDACTED]. Over the years, I have identified a number of critical problems with the program, including the flawed data upon which the program is based, the inability of plant personnel to adequately take over USDA inspectors’ duties, and a decrease in food safety and quality that comes along with this switch to company inspection.

A Program Based upon Flawed Data

I recognized the program was flawed from the beginning. [REDACTED], who played a key role in HIMP’s implementation, came to the plant to explain the program to USDA inspectors before it began. I found out that [REDACTED] hadn’t been on a kill floor in 20 years and that he had never been on a red meat kill floor in his life—only poultry. It’s hard to understand the ins and outs of inspection without having worked in the field so it made me nervous that a person with a key role in the program’s implementation—who was sent to educate us about the model—didn’t have this type of experience.

When FSIS told us that company process controllers would be taking over USDA inspectors’ jobs, I asked what they would do about the problem of high turnover rates. [REDACTED] said this wouldn’t be an issue. It made me nervous that he and the rest of the team didn’t seem to have addressed turnover rates which, because of the industry’s historical inability to keep trained employees on staff, should have been a key consideration in a
program that relies on these staff members to do critical food safety tasks. Both of these incidents were warning signs to me.

The results collected by the research institute doing the HIMP baseline study were flawed. At the time they were collecting data for the study, the USDA inspectors that were in this particular plant were less invested in the plant’s outcomes than they would be normally. Many of the inspectors were on the verge of retiring and would not be affected by the implementation of the new system. Some of the other inspectors were intermittent employees, who only came to the plant occasionally and did not care about the outcome because they would be losing their jobs. The plant also had relief inspectors who were not as concerned with outcomes because they were not normally stationed in the plant. The whole thing was a complete joke because it was so biased.

Over the years it has become clear that USDA does not care about collecting scientifically sound data to justify HIMP. For example, under the program the agency has decreased the number of incisions that need to be made on a carcass’s lymph nodes to check for tuberculosis (TB). They based this decision on one study completed in the early 1990's which determined the disease had been eradicated in the [redacted] population. This hardly seems to justify doing away with what the agency had previously determined to be an important part of inspection. In the beginning stages of HIMP, the agency said that every time the line sped up they would reevaluate the program entirely. They also said they would increase audits each time the line got faster to ensure an adequate sample was attained. The line first increased in [redacted] and has increased several times since then. The number of hogs processed per shift has gone up by 200. During this time, the plant never increased the number of process control employees (those plant workers who took over many of the duties of USDA inspectors) on the lines. But still the number of carcasses sampled has not increased and no reevaluation of the program has ever been completed.

To remain in the HIMP program, pilot plants are supposed to exceed or at least meet the USDA’s standards for food safety and quality. I can say without a doubt that this plant is not meeting, and certainly is not exceeding these standards. The only way this plant could possibly be meeting these standards is by manipulating plant employees, USDA inspectors, and their own records and processes. I have personally witnessed all three.

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Company Manipulation

Because the plant to which I refer is one of the HIMP pilot plants, the owners want to make sure that no negative data (specifically noncompliance reports or “NRs”) about their operations are released, as these might suggest the program is not working. To ensure this, they have convinced plant employees to do all they can to keep defective products out of sight for federal inspectors. For example, I have witnessed company employees personally condemn the plant’s products and then attempt to sneak the condemned carcasses past me when I turned away. The company threatens plant employees with terminations if they see them condemning too many carcasses or carcass parts.

The company also threatens and retaliates against USDA inspectors who actually make efforts to do their jobs to the best of their abilities. I know this because it has happened to me. In fact, the company has made it extremely difficult for me to do my job each and every day. They have also managed to push out veterinarians and other inspectors who performed high quality inspection. Basically, if you do your job — meaning that you identify and remove contamination and defects on carcasses — they don’t want you in there. I have personally seen the agency falsify its own records. They have also moved critical control points (CCPs) — points at which food safety problems are supposed to be detected — to a point further down the line and after USDA’s inspection station. This has made it much harder for federal inspectors to write NRs and show system failures that would force the plant to stop and reevaluate their operations. When they moved the CCPs, they got what they wanted and expected. The plant’s fecal failure NRs decreased dramatically.

USDA’s Support for HIMP

It seems like the USDA is doing all it can to make sure the HIMP program succeeds in this plant, even if it means betraying consumers by hiding the truth about their food. My USDA supervisor tells me not to be hard on the plant. He makes comments like, “We’re all in this together” and “If you feel like running into a wall, let’s do it together.” They were helpful because we could warn one another when contamination on carcasses increased or other various system failures we would run into. The company didn’t like us communicating because it meant it was easier for us to inspect and
Our supervisors told us the agency had decided they were a waste of money.

Under HIMP, inspectors keep track of both food safety and food quality defects. When a product has a food safety defect, it is not safe for human consumption and is to be condemned. Defects that aren't necessarily unsafe for consumption but would be unappetizing for consumers, such as toenails or hair, are considered Other Consumer Protections (OCPs). These OCP “dressing” defects are tolerable in certain amounts, depending on which of the three OCP categories the USDA has determined them to be in. Using the OCP system, the agency continues to make it easier and easier for the company to let products with dressing defects get past federal inspectors. For example, they have increased the amount of hair that is allowed to go through the inspection system and into the cooler by altering the OCP-3 “Miscellaneous” category. Additionally, the agency has made the determination that abscesses are only an OCP-1s, which means they are safe for human consumption. They used to be considered a food safety issue. If consumers knew what these looked like and that the agency was allowing them to go out to the public they would freak out. USDA and the company are working together to make it harder for federal inspectors to condemn anything. In my opinion, if USDA inspectors were allowed to do their jobs we would be condemning products all of the time under HIMP in this plant.

The USDA supervisor in this plant changes product standards constantly. It’s obvious that there is no longer any agency standard by which plants must abide. It’s no longer meaningful for consumers to see that mark indicating that their product has been USDA-inspected. We don’t even use agency-issued forms anymore. Instead we use bootleg forms that are only used in this particular plant. Regulations should not be plant-specific. The industry should have to meet some sort of standards set by USDA.

Food Safety

Food safety has gone down the drain under HIMP. Even though fecal contamination has increased under the program (though the company does a good job of hiding it), USDA inspectors are encouraged not to stop the line for fecal contamination. The company’s lab that tests for foodborne illness can’t be trusted either. They bake...
the products to be tested for much longer than a consumer ever would. Of course their results are ending up negative!

The carcasses USDA inspectors sample for food safety or dressing defects are supposed to be randomly selected. But the company employees go behind our backs and look in our USDA cabinet where we keep a form to track times for when carcasses are going to be sampled. They know when we’re going to collect samples so they have the opportunity to choose the carcasses that will be inspected at these times. The whole idea of a random sample is a joke.

Wholesomeness

Food quality has also gone down under HIMP. At this plant, the mentality is “if it isn’t shit, just let it go through and it will get washed off.” Adulterants like grease and hair are not supposed to go through this wash, but they always do. The company is even reworking products that contain grease, abscesses, and fecal contamination to sell later.

HIMP was initially designed for the kill of young, healthy animals. This hasn’t always been the case. A lot of the animals the plant has killed were too old. Some also had different diseases. They didn’t even slow down the line for the diseased carcasses. If they have a lot of hogs coming in with diamond skin or erysipelas does the plant slow down the line? No way. Consumers are being fooled into thinking that the HIMP program is going to produce safer, higher quality pork.

Employee Training

Because the plant takes over so many of USDA’s duties under HIMP, it is important for them to be trained and qualified to complete their new tasks. However, a lack of training and knowledge among the plant’s own employees has proven to be a major problem with HIMP. The plant’s own supervisors do not know their HACCP plan. The only thing they seemed to really be concerned about is their Safe Quality Food (SQF) audits by the companies who buy their product—they can barely pass these.

Not only are plant supervisors not trained, the employees taking over USDA’s inspection duties have no idea what they are doing. Most of them come into the plant with no knowledge of pathology or the industry in
general. One of the tasks they are failing to do correctly is incise the animals’ lymph nodes. During lymph node incision, they are supposed to be looking for different diseases, such as tuberculosis (TB). I see them miss TB all of the time. When a carcass has TB it is supposed to be either condemned or passed only to sell in cooked products, not sold raw. I am almost certain products with TB are being sold raw on a regular basis. The company inspectors also fail to detect thyroid conditions in hogs all of the time. This is dangerous because when someone with a thyroid condition consumes thyroid from a hog it can trigger serious health problems.

Company inspectors don’t do presentation (the act of presenting the carcass and its parts for inspection) the same way in a HIMP plant as they do under traditional inspection because the agency has determined it’s no longer a concern. They now drop the viscera in a pan and it’s a complete mess. A lot of times the plant inspector is getting contamination on him or herself and doesn’t have a place to wash up. This means contamination can easily spread from them to the following carcasses. Using this new presentation system there are often residual contaminants from one pan to the next because the company is not rinsing these pans well. A couple of years ago there was a huge problem with residual ingesta in pans, but inspectors weren’t allowed to stop the line because “HIMP is hands off”. In fact, it has been made clear to us that we can’t stop the line for the company to fix things because we can be sued for “impeding their right to do business”. The way I see it, now they’re threatening to sue us for doing our jobs!

During this new presentation system under HIMP, the company employees are basically only looking at the heart for defects or contamination. They don’t even have to look at the animal’s liver, spleen, or mesentery nodes. Under traditional inspection, USDA inspectors would palpate all or most of the animal’s organs to check for different pathology that would make a carcass unfit for human consumption. Under this new presentation system, it’s impossible for USDA inspectors to correct plant inspectors because we can’t see the product from where we are stationed, which is high up on an elevated stand. It usually doesn’t matter if the USDA inspectors in this plant tell the plant employees to fix something because they don’t want to argue with us. If we tell them to stamp something out to be condemned, they’ll tell us that they don’t have to. We’ve lost all authority.

Initials:  
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The company is also responsible for taking over the disposition process, which involves checking carcasses for different diseases that would make them unfit for human consumption. Under traditional inspection, this is the responsibility of the USDA veterinarian. Under HIMP, a poorly trained plant employee takes over. Compared to the extensive schooling a USDA vet receives, the plant disposition person is trained using just a little booklet provided by the plant. I've seen firsthand that the people they have in this role don't know pathology and are easily manipulated into passing carcasses that should realistically be condemned.

The Future of HIMP

Most of the USDA inspectors in this plant are getting ready to retire. It will be sad when we're gone because there will be nobody left in this plant with experience working under traditional inspection. It's sad to say, but the USDA inspection crews continue to get worse and worse. They do not care about fecal matter and they don't understand pathology. I think this is because the new people that the Agency is hiring are given little training and have discovered that if they do their job, they'll be the biggest problem in the world. Some of them have also seen other inspectors get in trouble for actually doing their job, so they have learned to stay out of the way and let the company control things.

Veterinarians aren't doing a good job either. They are never on the kill floor and never want to make themselves available to help out the inspectors when we have a question. Most of the time they don't even know what's going on in the process because they never leave their offices. They are working for the industry—not for consumers.

Products coming out of this plant are sold to huge restaurant chains nationwide. But most people don't know that their meat is being inspected in this way. If they purchased HIMP-inspected product from this plant in the store they wouldn't know either because USDA does not require the product to be labeled as such. But I continue to ask myself, "If HIMP inspection is as great as they claim, why don't companies choose to volunteer that information to their customers?" I think it's because if the American public really knew what this company was getting away with under HIMP, they would not be happy. Even if the public wanted to fight against the
program, it might not make a difference because these plants will be grandfathered in. For the sake of consumers across the country, I hope that others will speak out to prevent the program from expanding nationwide.

I, [Redacted], have reviewed this statement of 8 pages and hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Sworn and subscribed before me this 27th day of October, 2014.

[Signature]
My name is Joe Ferguson. I am a federal inspector for the United States Department of Agriculture (USDA). I am submitting this affidavit freely and voluntarily to Alyssa Doom, who has identified herself to me as the investigator for the Food Integrity Campaign of the Government Accountability Project. I am doing so without any threats, inducements or coercion. I authorize the publication of this statement contingent upon the redaction of my name, and the name and location of the establishment to which I refer. I am making this statement to express my disapproval for USDA's pilot program for hog inspection, HIMP.

In my 23 years of service to the agency, I have gained a great deal of experience working as an inspector. I have worked in beef plants, turkey plants, and most recently pork plants. I am currently stationed at a plant that is one of five hog slaughter plants in the U.S. operating under HIMP, USDA's high-speed slaughter pilot program. It is my personal opinion that there is no inspection of carcasses under this program.

When the agency switched to the HACCP model, they gave up command and control and gave the regulated industry free reign to do as they please. And now even more of USDA's control will be lost if the agency switches to the HIMP model. USDA's supervision in the HIMP pilot plants is limited. We went from having 7 inspectors assigned to the slaughter line to only 3 physically on the line now. Our physical inspection duties are now performed by plant sorters that work for the company.

While federal inspectors have a lot of training and education, plant sorters are not properly trained by the plant to conduct inspection procedures. Instead of incising lymph nodes, they just whack them. They don't know how to cut them. This is dangerous because incising lymph nodes is an important part of detecting diseases that could harm consumers. On the viscera line, where the animals' internal organs are supposed to be inspected for diseases and defects, they don't look at all of the parts. They only shake the heart to see if there is any fecal matter or ingesta on it. They could be missing a lot. Personally, I will not eat any products that bear the name of the company for which this meat is produced—I don't
think that it is wholesome or safe to consume.

Line speeds are running 1,300 carcasses per hour and the company is killing as many as 19,000 hogs per day. This is a dramatic increase from previously, when they ran at about 1,100 carcasses per hour. It’s impossible to see any defects now. We used to be stop the line for bile contamination, chronic pleuritis, hair/toenails/scurf and have these defects trimmed/removed, under HIMP, these are considered “Other Consumer Protections” and we are no longer allowed to stop the line so they may be removed. Put em in the cooler and ultimately out to the consumer. The only time we are allowed to stop the line is for food safety concerns, and even then we get yelled at. It’s just nuts.

HIMP was flawed from the get-go. It goes all the way back to the baseline studies. When they analyzed the data to develop the performance standards for the program, including how to categorize food safety issues and defects, the data was skewed. A plant employee was assigned to retrieve the viscera and he/she would just grab whatever was available, they were not looking at the correct viscera sets for the carcasses they examined. The new inspection model is an obvious example of the revolving door between the Industry and the agency. Looking all the way back, on of the people who helped conduct the research for the program at the Research Triangle Institute was a retired FSIS circuit supervisor veterinarian. Also, one of the members of the board of directors for the company who has 3 plants operating under the pilot model is Elsa Murano, a former Under Secretary for Food Safety for USDA.

When the inspectors try to take corrective action at the plant, we get no support from our supervisors. I tell them that I am working for the consumer, not the company. There is no stopping the industry. The Inspector’s union negotiates memorandums of understanding (MOU) for how HIMP is supposed to be implemented but nobody is abiding by these MOUs. For example, certain baseline performance standards are supposed to be met by the company, but this isn’t the case. In fact, the agency hasn’t reexamined the performance of the plant
where I am stationed in over a decade. Line speeds have increased to 1300 hogs per hour since then.

The swine Himp program is out of control and is a sham the career bureaucrats have drafted to get rid of inspectors. FSIS hierarchy is in bed with the regulated industry. The companies are now calling the shots. Pretty soon the agency will have no authority. After working in this plant for more than ten years, I definitely do not support its expansion to the rest of the industry.

I, Joe Ferguson, have reviewed this statement of 4 pages and hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Dated this 28____ day of September, 2014.

____Joe Ferguson________________________ (Signature)

Sworn and subscribed before me this ____ day of September, 2014.

____________________________ (Notary Signature)
My name is [redacted] and I work for the United States Department of Agriculture (USDA) Food Safety Inspection Service (FSIS). I am submitting this affidavit freely to Amanda HH, who has identified herself as the Director of the Food Integrity Campaign (FIC) at the Government Accountability Project (GAP). I am doing so without any threats, inducement, or coercion. I authorize the publication of this statement contingent upon the exclusion of my name and the exclusion of my place of work. I am making this statement to express my disapproval of the USDA's pilot high-speed slaughter project for market hogs, known as HIMP. I am also expressing my concern about the newly proposed rule based on HIMP known as the New Swine Slaughter Inspection System (NSIS).

I have several years of experience working as a meat inspector. I can tell you, the USDA's Food Safety Inspection Service (FSIS) is famously short-staffed. FSIS oversees federal meat inspection and that short-staffing could be the reason USDA wants the new NSIS rule. One of the benefits of NSIS is that it requires less staffing to operate and that eases some of the current staffing burden. With so many retirees leaving, FSIS doesn't have to replace them. The funny thing is the USDA FSIS District Office (DO) always seems staffed — even overstuffed. Yet there's a shortage of inspectors and Public Health Veterinarians working in the field? I've heard the DO gets bonuses for operating the field short staffed.

There's a lot wrong with HIMP, and there's going to be hell to pay if NSIS goes national. Obviously, the lines are going too fast and inspectors can't catch everything, and replacing trained inspectors with plant employees creates a quality problem, but things are going wrong with high speed inspection before the kill floor. The problem starts with ante-mortem — where inspectors look for down or sick animals, and it's very often the first problem in a long chain of problems.

The trouble starts with the identifying animals with any sort of condition that should have them be pulled out. Each animal pen holds about 120 hogs, and an inspector is supposed to be checking those hogs for abnormalities such as diamond skin (ear syphilis) and visible abscesses. This is a problem in traditional plants, too, but it's really a problem in higher-speed inspection systems. It's a problem because of the line speed — the probability of something getting by a meat inspector is increased. HIMP requires that only young healthy pigs are presented for slaughter, but I know that all of those pigs aren't all young and healthy because ante-mortem isn't happening the way it should. Sick pigs are routinely getting into the system.

FSIS inspectors and plant personnel are moving too fast through ante-mortem duties. The problem is that there's a shortage of manpower, and there's a culture of inspectors not wanting to do the ante-mortem task. "I don't want to stick" is what inspectors are saying. There's a new culture of doing less. Piss and moan but do nothing. The inspectors who can't stand not retiring, and there's a shortage of new motivated inspectors, sorters, and management. This culture is the USDA's own doing. The agency has lied down and died. In HIMP, the name of the game is "don't impede the right of the company to do business." People need to know, the USDA views the customer, not the person eating the meat.

The USDA's motto is "let 'em run." That's another way of saying just give the industry what it wants and try not to interfere with the daily running of the plant. The agency has concluded that unless you see contamination on the product then let it go — let 'em run. Inspectors are encouraged to do nothing, and management isn't much better — far too many of the vets are either not qualified to manage people or don't have the necessary food science/public health background to do the job. The way the USDA is running things it makes inspectors feel unappreciated and not useful.

I have reviewed this statement of two pages and hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Dated this 25th day of April 2018

[Signature]

Sworn and subscribed before me on this 30th day of April 2018

[Signature]