



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

APR 11 2011

Cathy Liss
President
Animal Welfare Institute
900 Pennsylvania Ave, SE
Washington, DC 20003

Dear Cathy:


Thank you for meeting with me on March 21, 2011, to discuss USDA's efforts to ensure the safe and humane slaughter of livestock in FSIS regulated establishments. As I mentioned when we met, FSIS is committed to ensuring the humane slaughter of animals. We have already announced a number of steps, including enhanced employee training and clearer guidance on humane slaughter of mature cattle, to ensure our regulations are enforced consistently and effectively. However, there is no question we have more work to do and will continue to look for ways to improve our humane handling policies.

I greatly appreciate your ideas about additional steps we can take to move in the right direction. Specifically, Administrator Almanza and I have tasked FSIS to ensure that all districts are enforcing humane handling regulations consistently. I also asked the Agency to consider your suggestion about progressive enforcement for establishments with multiple humane handling violations. Based on our review, FSIS does not have the statutory authority to implement such a system. However, the Agency's existing regulations do allow us to suspend inspection in establishments that fail to address humane handling problems that have been brought to their attention. If there is an egregious problem, the establishment can be suspended immediately.

Consequently, the Agency is currently developing a directive that will provide inspectors with better instructions on notifying establishments about humane handling violations and issuing a Notice of Intended Enforcement (NOIE). An NOIE is a three day notice informing an establishment that FSIS will suspend inspection unless they can show the problem that is the subject of the notice did not occur or has been corrected. We will update you once a final decision is made on proposed changes.

Once again, thank you. I look forward to working with you as well as all of our stakeholders to make sure the American people can rely on food that is produced safely and humanely.

Sincerely,



Elisabeth Hagen, M.D.
Under Secretary for Food Safety
U.S. Department of Agriculture



United States
Department of
Agriculture

Food Safety
and Inspection
Service

Washington, D.C.
20250

Ms. Cathy Liss
President
Animal Welfare Institute
P.O. Box 3650
Washington, D.C. 20027

MAR 24 2011

Dear Ms. Liss:

The Food Safety and Inspection Service (FSIS) has received the petition submitted by you on behalf of the Animal Welfare Institute dated August 31, 2010. The petition requests that FSIS issue guidance recommending longer suspensions for repeat violators of the Humane Methods of Slaughter Act (HMSA), that FSIS refer instances of willful animal cruelty to state and local law enforcement, that FSIS work to achieve greater consistency among state level humane slaughter enforcement programs, and that FSIS post slaughter establishment suspension records on its Website. Your petition states that these actions would strengthen enforcement of the HMSA by deterring repeat violations.

Your petition has been referred to the Office of Policy and Program Development for review and has been assigned petition number 11-03. As provided in 9 CFR 392.6, your petition will be made available to the public in the FSIS docket room and will be posted on the FSIS Website.

You may contact Mary Porretta, Petitions Manager, Policy Issuances Division, at (202) 720-5625 if you have any questions regarding the status of your petition.

Sincerely,

Rachel Edelstein
Director
Policy Issuances Division
Office of Policy and Program Development