

THE WELFARE OF BIRDS AT SLAUGHTER IN THE UNITED STATES

The Need for Government Regulation

ANIMAL WELFARE INSTITUTE

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ABOUT THE RESEARCH

This report presents the findings of a review of federal food inspection documents produced by the US Department of Agriculture (USDA) between the years 2020 and 2022. The information is contained in records obtained from the USDA through requests made by the Animal Welfare Institute (AWI) under the Freedom of Information Act (FOIA) and proactively released on the USDA website. This survey was conducted with the goal of determining the nature and extent of government oversight of the manner in which birds raised for meat and eggs are treated at the time of slaughter in the United States. It updates previous reviews of poultry slaughter oversight published by AWI in April 2016, November 2017, and November 2020. Additional information can be found in the AWI publication, *Legal Protections for Animals at Slaughter*.

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ABOUT THE ANIMAL WELFARE INSTITUTE

Since its founding in 1951, AWI has been alleviating suffering inflicted on animals by people. AWI works to improve conditions for the billions of animals raised and slaughtered each year for food in the United States. Major goals of the organization include eliminating factory farms, supporting higher-welfare farms, and eliminating inhumane methods used to transport and slaughter farmed animals.

This report was prepared by Dena Jones and Zack Strong of AWI, with the assistance of legal intern Caitlin Kelly. All photos by Mercy For Animals.

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Executive Summary

Regulation of the Handling of Birds at Slaughter Is Needed to Prevent Animal Suffering

Undercover investigations by animal protection organizations in the early 2000s exposed mistreatment of chickens and turkeys in some of the nation's largest poultry slaughter establishments. The USDA responded by issuing a Notice in September 2005, reminding the poultry industry that birds “must be handled in a manner that is consistent with good commercial practices [GCP], which means they should be treated humanely.” Shortly thereafter, the USDA began issuing records to plants observed violating GCP. However, no additional regulations were written. As a result, compliance with GCP remains effectively voluntary; in most cases, USDA inspection personnel do not take enforcement action for violations, even when intentional abuse is involved.

This report is based on a review of USDA records related to industry GCP for poultry handling. Findings of the research include the following:

The USDA's response to the mistreatment of birds has been inadequate. One measure of the USDA's oversight of the treatment of birds at slaughter is the number of GCP records (Noncompliance Records and Memorandums of Interview, discussed below) the USDA issues to slaughter plants. By this measure, oversight has fluctuated—but increased gradually overall—since 2006, when the USDA began regularly reviewing compliance with GCP. However, between 2020 and 2022, nearly one-half (45%) of federal poultry plants were issued no records whatsoever by the USDA for noncompliance with GCP—despite the fact that these plants annually handle and slaughter many millions of birds. The USDA did issue records for 979 incidents in other plants during this period, but inspectors took action to stop the abuse of birds in only 119 (12%) of such incidents. Given these facts, AWI has concluded that the USDA is not serious about preventing mistreatment of birds at slaughter, and appears to have created the GCP oversight program mainly to dampen public and congressional concerns.

The USDA's own records document the need for regulation. The records document incidents in which

hundreds—sometimes thousands—of birds suffered greatly due to violations of industry GCP. Examples of intentional cruelty abound. On numerous occasions, slaughter plant workers have been observed throwing, kicking, and punching birds.

USDA records also demonstrate that its strategy of voluntary compliance has been ineffective. The records show that some poultry plants have been cited repeatedly for the same or similar violations of industry GCP. Further, as noted above, nearly half of federally inspected poultry plants were issued no records from 2020 through 2022, despite handling many millions of birds over this period.

Undercover investigations by animal protection organizations document incidents of bird mistreatment and the need for regulation. Animal protection groups have continued to conduct undercover investigations that document the same types of abuse uncovered nearly two decades before, demonstrating that the USDA strategy of allowing the poultry industry to police itself has failed. Video captured during the investigations suggests that abuse of birds is common practice, at least at some slaughter establishments.

Slaughter establishments and their workers rarely experience consequences for bird neglect and cruelty. USDA internal directives require federal inspectors to take regulatory control actions—such as stopping the slaughter line—only when there are repeated occurrences of GCP violations and a loss of control of the slaughter process. When egregious instances of abuse occur, federal personnel are instructed to send a Letter of Concern (LOC) to establishment management and to “appropriate” state officials; however, between 2020 and 2022, only five LOCs were issued, and none were sent to local law enforcement. Of the more than 40 incidents of abuse described in Table 1 of the Appendix, none resulted in animal cruelty charges brought by law enforcement. The USDA has taken no action in response to AWI's repeated efforts to convince the department to adopt regulations or revise its directives in order to reduce incidents of cruelty and hold slaughter plants accountable.

Overview of Poultry Slaughter in the United States

How many birds are killed for food each year?

According to the USDA, in 2022, 9.5 billion chickens, 208.2 million turkeys, and 26.7 million ducks were slaughtered in the United States in plants that are inspected by the USDA. This constitutes the vast majority of slaughtered birds, though it excludes birds of these species killed in plants inspected by states and birds killed in “custom-exempt” plants for noncommercial use (e.g., slaughtered for personal consumption). It also excludes other species of birds killed for meat, such as geese, guineas, ostriches, emus, rheas, quail, and squab (young pigeons).

How many poultry slaughter plants operate in the United States?

In 2022, approximately 347 poultry slaughter plants operated under federal inspection, and these establishments slaughter a vast majority of the 9.7 billion birds killed that year for meat.

What are the largest US poultry companies?

According to WATT Poultry USA, in 2022, the largest US meat chicken (“broiler”) companies were Tyson Foods, Pilgrim’s Pride Corp., Wayne-Sanderson Farms, Koch Foods, Cargill, and Perdue Foods. The largest turkey companies that year were Butterball LLC, Jennie-O Turkey Store, Cargill Turkey, Farbest Foods, and Tyson Foods. Both the chicken and turkey top rankings have remained relatively unchanged since at least 2014.

What methods are used to kill birds?

Birds are typically slaughtered by throat cutting to induce blood loss. To keep birds immobile for cutting, most poultry slaughter plants in the United States employ electrified water baths (see Figure 1). Alternatives to electric stunning include stunning with gas or low atmospheric pressure, which are generally considered more humane because the birds are rendered unconscious (or dead) before being shackled and inverted for bleeding purposes. While gas and low atmospheric pressure stunning both avoid conscious shackling of birds, other risks to welfare remain,

including drowning in the scald tank if birds are not adequately stunned and/or cut. More than 90 percent of chickens in the United States are currently stunned with electricity, but gas stunning has become common at US turkey plants.

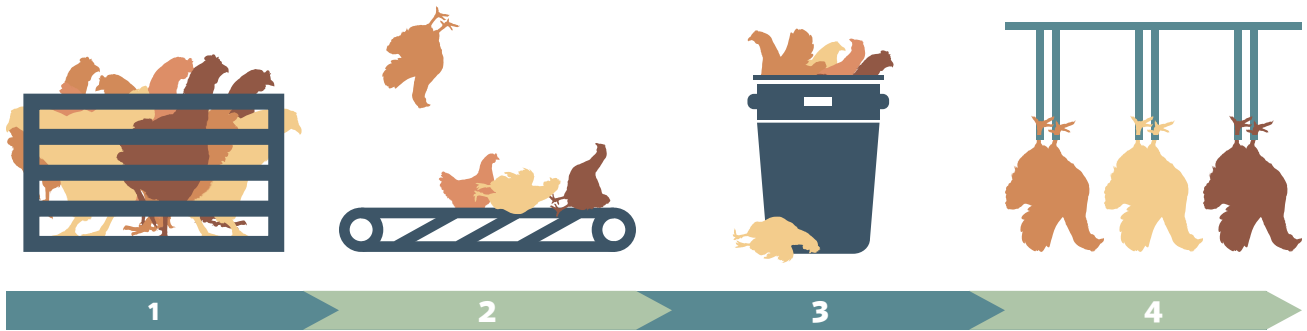
What are the differences between poultry slaughter in the United States and in the European Union?

A greater proportion of birds are slaughtered at small and mid-sized establishments in the European Union, while in the United States the poultry industry is more consolidated and integrated, meaning that fewer companies control the raising and slaughter of poultry. In the European Union, a greater proportion of birds are slaughtered by methods that use gas stunning, because stunning is viewed as a means of rendering birds insensible to pain, not just of restraining them for cutting. Although electric stunning systems are still common in the European Union, electric current levels there are set significantly higher than in the United States, in order to ensure that birds are adequately stunned. This means that in the United States, there is a greater risk that a bird will not be rendered unconscious before slaughter.

How does the US government regulate poultry slaughter?

Poultry slaughter is regulated by the federal Poultry Products Inspection Act (PPIA). Birds are killed for human consumption at slaughter plants inspected by the USDA or state departments of agriculture. Birds may also be killed at custom-exempt plants, which are inspected at most only once each year. In addition, there are several exemptions from inspection, one of which allows a licensed establishment to slaughter up to 20,000 birds per year for sale to any consumer, restaurant, institution, or retail outlet.

Figure 1. How Most Poultry Is Killed in the US

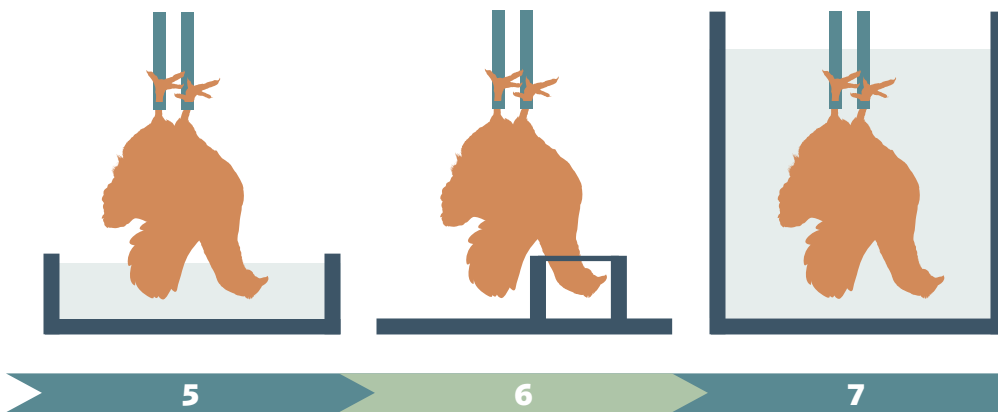


1 Arriving at Slaughter Plant
 Birds arrive crammed inside crates loaded onto large trucks. There are no legal limits on the duration of transport, or how long birds wait at the plant before slaughter. There are also no requirements that birds be protected from extreme heat or cold, or provided with adequate ventilation.

2 Dumping onto Conveyor Belt
 Workers or equipment dump birds out of their cages onto conveyor belts. Injuries to the birds, including bruising and broken bones, may occur during this step.

3 Sorting Dead and Live Birds
 Workers separate living and dead birds. Workers sometimes toss live birds onto the floor where they may be stepped on, or into garbage bins where they may become buried under dead birds and eventually suffocate.

4 Shackling on the Line
 Workers hang live birds by their legs on the slaughter line. Sick and previously injured birds may be shackled and hung. Workers struggle to keep pace with the rapidly moving line, and if they use excessive force, injuries to the birds such as broken or dislocated legs and wings may result.



5 Stunning in Electrified Bath
 The birds' heads are dragged through an electrified water bath. There are no legal minimum current levels, and it is unknown whether birds are rendered unconscious and insensible to pain or are merely immobilized. Birds who raise their heads to get stunned. the bath fail to get stunned.

6 Bleeding After Cutting
 The birds' necks are cut by an automated blade. Birds who were not properly stunned in the last step may raise their heads to avoid the knife. Workers assigned to manually cut birds that miss the blade may not be able to catch all uncut birds due to the rapid speed of the line.

7 Entering the Scald Tank
 Birds who are not adequately bled in the last step will be alive and conscious when they are dunked into a tank of scalding water (designed to loosen feathers from the carcass). Birds drowning in the scald tank are referred to as "red birds" or "cadaver birds."

Attempts to Regulate the Humaneness of Poultry Slaughter

The Humane Methods of Slaughter Act (HMSA) was enacted by Congress in 1958. The language of the HMSA was amended 20 years later to provide an enforcement mechanism and to incorporate it into the Federal Meat Inspection Act (FMIA). The explicit language of the law refers to “livestock” and neither includes nor excludes birds. The position of animal protection organizations is that the USDA has the authority to regulate birds under the law, while the USDA’s view is that including birds would require another Act of Congress. A legal discussion of the subject is beyond the scope of this report (for more information, see the AWI report *Legal Protections for Farm Animals at Slaughter* (2022)); instead, this section will briefly describe attempts by animal protection advocates over the past 30 years to influence both Congress and the USDA to protect the welfare of birds at slaughter.

Animal protection advocates worked with members of Congress to introduce legislation to require humane slaughter of poultry in 1992, 1993, and 1995. The 1992 bill would have amended the PPIA to require that poultry be slaughtered according to the methods detailed in the HMSA. This would have had the effect of requiring that birds be rendered insensible to pain before being shackled. The 1993 and 1995 bills differed in that they allowed birds to be rendered insensible either before or immediately after shackling. None of the bills addressed the entirety of handling birds at slaughter, only the stunning of birds during this process. The 1993 bill received a hearing in the House Agriculture Subcommittee on Nutrition, at which the president of AWI testified. In 1996, the House Agriculture Committee requested an executive comment from the USDA on the 1995 legislation.

No further attempts were made in Congress to address poultry welfare at slaughter until 2013, when Senator Kirsten Gillibrand (D-NY) introduced the Safe Meat and Poultry Act. This comprehensive meat safety bill included a section on “good commercial practices in receiving and processing live poultry” that would have created new

standards for handling birds at slaughter. Specifically, the bill required that poultry establishments use reasonable care and other GCP during the handling and slaughter of poultry, including prompt euthanasia of severely injured or ill birds, employee training and competency requirements, and the implementation of live poultry slaughter plans that include routine veterinary oversight. It also provided for escalating penalties for serious violations, civil penalties, and whistleblower protection. Congress took no action on the bill, however.

Animal protection advocates have also filed lawsuits to include birds in the coverage of humane slaughter laws. For example in 2005, the Humane Society of the United States and others sued the USDA in hopes of forcing the department to include chickens, turkeys, and other poultry species within the definition of “livestock” in the HMSA. This would require birds to be rendered insensible to pain before being shackled and killed, consistent with the language of the 1992 bill. Including poultry in the HMSA would also make humane handling of birds at slaughter a requirement. In 2008, however, the district court ruled that, while the definition of livestock in the HMSA is ambiguous, Congress did not intend for poultry to be covered under the law. On appeal, the circuit court found that plaintiffs did not have standing to sue and sent the case back to the district court for dismissal.

In addition, the USDA has been formally petitioned on four occasions to issue regulations addressing the humaneness of poultry slaughter. In 1995, AWI and the Animal Legal Defense Fund submitted a rulemaking petition to the USDA, requesting that the department promulgate regulations under the PPIA to ensure adequate stunning of birds prior to slaughter. That petition argued that effective stunning was necessary to prevent animal suffering and to ensure the wholesomeness of poultry products.

In denying the petition, the USDA asserted that “the promulgation of humane handling and slaughter regulations would not serve to prevent the movement or sale of adulterated or misbranded poultry products in interstate or foreign commerce,” despite the petition

having provided considerable evidence demonstrating the causal relationship between inhumane handling and slaughter of birds and adulterated poultry products. The USDA denial also asserted that “the PPIA does not grant FSIS [Food Safety and Inspection Service] authority to promulgate regulations concerning the humane handling or slaughter of poultry.”

However, in 2005, the USDA issued a Notice to slaughter establishments that acknowledged the link between inhumane treatment of birds and adulterated poultry products, in direct contradiction to its stated rationale in denying the 1995 petition. (The 2005 Notice is described further in the following section.) In December 2013, AWI and Farm Sanctuary used the 2005 Notice as the basis of a second rulemaking petition to the USDA on poultry slaughter. Similar to the 1995 petition, this petition argued that the USDA has the authority to promulgate regulations concerning practices that have the potential to result in product adulteration. Unlike the previous attempt, however, this petition focused on live animal handling only and did not discuss the method of stunning.

The USDA did not respond to the AWI/Farm Sanctuary petition until November 2019, when it denied both the 2013 petition, as well as a May 2016 letter from AWI that the USDA treated as an additional rulemaking petition. This letter requested that the USDA modify its regulations and directives to prohibit behavior that has the potential to cause birds to die other than by slaughter, specifically as a result of exposure to extreme weather conditions and/or prolonged holding times at the slaughter plant. In denying the two petitions, the USDA noted the lack of a specific federal humane handling and slaughter statute for poultry, even though the AWI/Farm Sanctuary petition did not argue that the department had authority to regulate poultry handling under a humane slaughter law, but rather that it had the authority to do so under the PPIA. The denial also asserted that its existing system for monitoring the handling of birds under the PPIA is adequate. In effect, the department simultaneously argued that it both has and does not have the authority to regulate bird handling.

In August 2020, AWI and Farm Sanctuary sued the USDA for arbitrarily denying its petitions. The case was closed in October 2022 when the district court accepted the USDA’s argument that AWI and Farm Sanctuary had not demonstrated sufficient injury from the petition’s denial and therefore lacked standing to maintain the lawsuit.

The fourth rulemaking petition was submitted by Mercy For Animals in November 2017. It requested that the USDA include birds slaughtered for food under the HMSA and FMIA—arguing that the department has the authority to cover birds and refusing to do so is arbitrary and capricious. In March 2018, the USDA denied the petition, stating, “The HMSA does not include poultry as ‘livestock’ for the purposes of the Act.” Mercy For Animals has not challenged the denial.



In the United States, birds are still conscious when they are shackled by their legs and hung upside down.

USDA Response to Abuse of Birds Has Been Inadequate

Between 2003 and 2006, animal protection organizations conducted several undercover investigations at US chicken and turkey slaughter plants. These investigations revealed egregious and intentional abuse of birds by workers at plants, which outraged the public and public officials alike. According to the USDA, in the aftermath of these investigations, several members of Congress expressed concerns regarding the inhumane treatment of poultry at slaughter. The USDA also confirmed receiving over 20,000 letters from the public expressing concerns about the inhumaneness of poultry slaughter practices, as well as 13,000 email messages supporting the inclusion of poultry in the Humane Methods of Slaughter Act.

The USDA responded to the documentation of abuse of birds at slaughter by issuing a Notice in September 2005 that reminded poultry slaughter establishments that “under the Poultry Products Inspection Act (PPIA) and Agency regulations, live poultry must be handled in a manner that is consistent with good commercial practices, which means they should be treated humanely.” The Notice stated that, although there is no specific federal humane handling and slaughter statute that covers birds, “under the PPIA, poultry products are more likely to be adulterated if ... 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.”

A careful reading of the Notice makes clear that, although the USDA acknowledges it has the authority to require that birds be handled humanely (to prevent adulteration), it is not doing so. Neither of the two regulations cited in the Notice prohibit behavior that results in mistreatment of individual birds. Section 381.65(b), which cites the term “good commercial practices,” only addresses birds drowning in the scald tank and does not refer to any other aspects of live bird handling. Section 9 of CFR 381.90 requires that “carcasses of poultry showing evidence of having died from causes other than slaughter” be condemned, but it

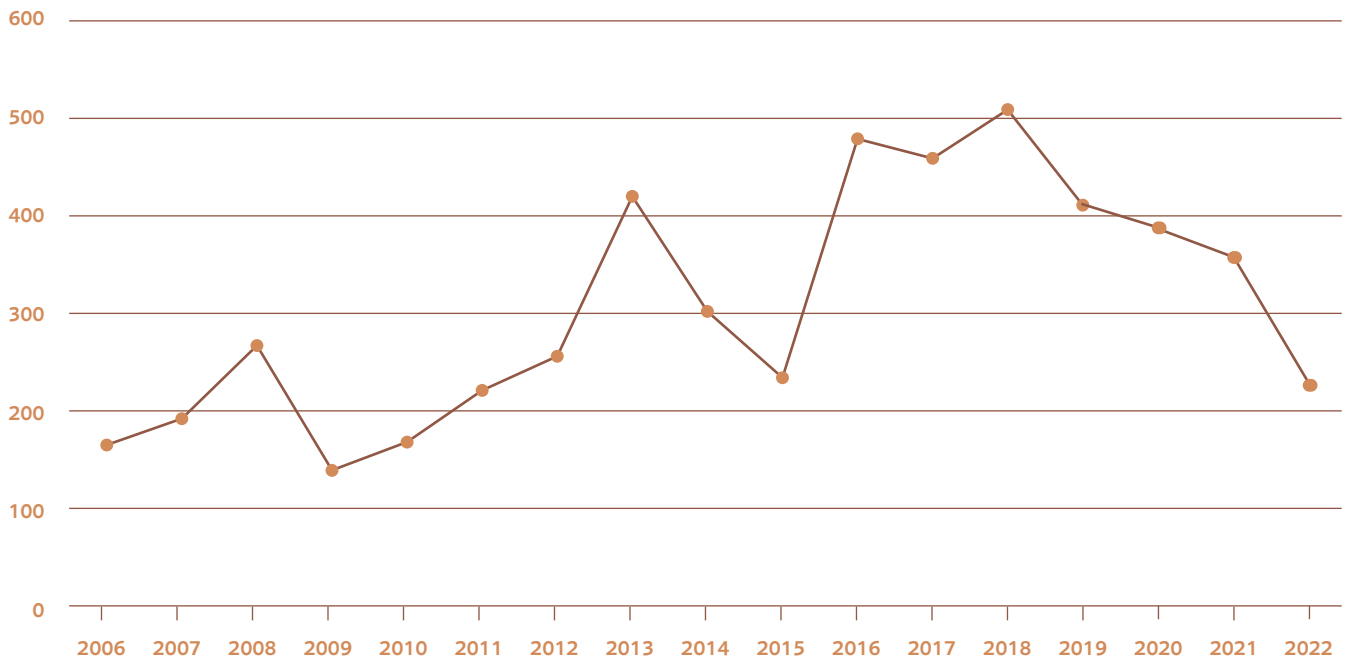
does not prohibit behavior that can result in death other than by slaughter. Moreover, the Notice fails to define “good commercial practices” other than to identify the weak National Chicken Council Animal Welfare Guidelines as one example.

Unknown to animal protection groups and others at the time, following publication of the 2005 Notice, USDA inspection personnel began conducting verification procedures for GCP. It also began issuing official Noncompliance Records for observed instances of noncompliance with GCP standards, despite the fact that GCP standards had not been codified in regulation, other than the two narrow requirements previously cited. This meant that compliance with most GCP standards was (and remains) effectively voluntary. In December 2007, assessment of GCP was added to USDA Directive 6100.3 on antemortem and postmortem inspection of poultry. Since that time, AWI has been able to verify through USDA records that government inspectors do in fact perform GCP verification tasks during each shift when slaughter is being conducted at federally inspected plants.

AWI became aware in 2011 that the USDA was citing violations of poultry good handling practices, and in 2012, Farm Sanctuary started submitting FOIA requests for USDA records related to the humane handling of poultry. Eventually, AWI assumed the task of requesting these records. To date, AWI has reviewed records dating from the initiation of GCP oversight in January 2006 through December 2022. This report summarizes the content of the records received in response to those requests.

The number of inhumane handling incidents cited by the USDA has varied considerably over the past decade and a half (Figure 2). The reason for this is unknown. One possible explanation is that the USDA has not provided AWI with all relevant records in response to its FOIA requests. It is also not known why the number of GCP records is considerably lower in some years (2015 and 2022, specifically). Regardless of the reason for the annual fluctuation, however, the number of records has generally been increasing, with the highest number of records reported during the years 2016–2018.

Figure 2. Number of GCP Poultry Slaughter Records Generated by USDA 2006–2022



On average, 364 records a year were issued during the period 2012–2022. This amounts to barely more than one record a year for each of the 347 federally inspected US poultry slaughter plants. This number is extremely low, particularly given the high volume of poultry slaughter in the United States. Consequently, AWI views GCP records as an unreliable measure of the humaneness of poultry slaughter. This position is supported by the finding that 45 percent of US poultry slaughter plants were issued no records related to the humane treatment of birds from 2020 through 2022 (Figure 3), during which time some of these plants slaughtered millions of birds. On the other hand, 11 plants were issued more than 15 records each, illustrating the inconsistency in which the USDA is monitoring the humane handling of birds at slaughter. The haphazard manner in which the USDA administers GCP is not surprising, given that the standards for inspection are intended only as guidance, meaning that compliance on the part of the industry is merely voluntary.

Figure 3. GCP Records per Poultry Slaughter Plant 2020–2022

Number of GCP Records	Number of Plants	Percentage of Plants
0	155	44.7
1	50	14.4
2	28	8.1
3–5	57	16.4
6–10	36	10.4
11–15	10	2.9
16–25	7	2.0
25+	4	1.2

In summer 2008, the USDA's district veterinary medical specialists (DVMS) underwent training on poultry handling, and in 2009 they began conducting periodic GCP verification visits at federally inspected poultry plants. USDA Directive 6910.1, rev. 1, on DVMS work methods, was revised in December 2009 to include activities related to poultry GCP. The directive explains that, as a general rule, a DVMS is to conduct a GCP correlation visit every 12 to 18 months at each slaughter plant that handles live birds. While AWI considers that goal too modest, the USDA does appear to be meeting it. AWI has researched the number of DVMS poultry handling verification visits intermittently over the past several years and has found that most federally inspected poultry plants are audited that often.

In 2013, AWI requested that the USDA post GCP records on its website, and the department agreed. At that time, the USDA recognized that it needed to address inconsistencies in the creation of the records, in particular the use of Noncompliance Records to document nonregulatory issues. In January 2015, the USDA issued a Notice to inspection personnel, providing instructions for writing poultry GCP Noncompliance Records and Memorandums of Interview for poultry mistreatment.

The 2015 Notice expired in February 2016. Some of the content was eventually incorporated into a new "Verification of Poultry Good Commercial Practices" directive (6110.1) published in July 2018. The directive clarifies that Noncompliance Records are to be issued only for situations where the poultry plant has lost control of its process for handling birds, illustrating the USDA view of poultry handling as a process-control issue, and not an individual-bird-handling issue. In other words, the directive dictates that mistreatment of single birds or small numbers of birds—whether from intentional punching and kicking or accidental drowning in the scalding tank—is not a regulatory violation, and therefore cannot be documented in Noncompliance Records; instead, such incidents should be documented in Memorandums of Interview. In order for a regulatory noncompliance to be documented, it must involve repeated instances, according to the

Figure 4. Regulatory Control Actions per GCP Record 2020–2022

Year	Number of GCP Records	Number/% of RCAs
2020	392	26 (6.6%)
2021	364	46 (12.6%)
2022	223	47 (21.1%)
TOTAL	979	119 (12.2%)

directive. Moreover, posting of the records on the USDA website was not included in the 2018 directive, indicating that the USDA had reversed its previous decision to make these records publicly available without a FOIA request.

In August 2018, AWI and Farm Sanctuary sued the USDA for failing to adequately respond to a FOIA request for proactive disclosure of poultry and livestock slaughter records. The lawsuit is based on a 2016 amendment to FOIA that requires federal agencies to proactively post records that are subject to frequent requests. The suit asked the USDA to post records online relating to the enforcement of both the HMSA and PPIA. On January 3, 2022, the USDA, AWI, and Farm Sanctuary settled the case. As part of the settlement, the USDA agreed to proactively post these records on its website.

In-plant inspection personnel take "regulatory control actions" to address violations of USDA regulations involving poultry products or processors. Examples include slowing or stopping the slaughter line and applying a USDA reject/retain tag to prevent the use of a piece of equipment or area of the slaughter plant until the violation is corrected. Only 12 percent of the GCP records reviewed by AWI for the years 2020–2022 indicated that a regulatory control action was taken (Figure 4). (As shown in the figure, the percentage

of records documenting regulatory control actions varies significantly from year to year. Determining the cause of this variation was beyond the scope of this research.) The low frequency of control actions is not surprising, given that most GCP incidents are not covered by USDA regulation. By comparison, 45 percent of records issued under the Humane Methods of Slaughter Act for the slaughter of mammals between 2016 and 2018 indicate that a regulatory control action was taken in response to the violation.

Given that (1) a large percentage of plants were not issued any GCP records during a recent three-year period, and (2) inspectors rarely took action in response to inhumane handling incidents during that time, AWI concludes that the USDA is not serious about preventing mistreatment of birds at slaughter and that it created the GCP oversight program mainly to dampen public and congressional concerns.

Figure 5. Types of Good Commercial Practice Violations at Federal Plants 2020–2022

Type of GCP Violation	Number of Records	%
Improper Shackling/Stunning/Cutting Resulting in Birds Drowning in the Scald Tank	327	30
Live Birds Discarded onto Floor or in Trash/Spraying Live Birds with Denaturant	183	16.8
Improperly Shackled/Stunned/Cut Birds Removed from Line Before Scald Tank	179	16.4
Excessive Use of Force by Workers/Improper Euthanasia of Injured Birds	99	9.1
Excessive Number of DOAs/Inhumane Holding Conditions/Excessive Holding Time	89	8.2
Cages in Disrepair/Cage Unloading Problems/Loose Birds in Receiving Area	83	7.6
Improper Dumping of Birds in Live Hang Area/Loose Birds in Live Hang Area	82	7.5
Mechanical Problems Resulting in Injury to or Death of Birds	49	4.5
TOTAL	1,091	100

USDA Records Indicate a Need for Regulation

AWI has organized the GCP records received from the USDA by type of violation. The most common violations are birds drowning in the scald tank and improper disposal of live birds (see Figure 5). Many of the GCP incidents reported by the USDA involved more than one bird; in some cases, hundreds or even thousands were affected. The types of violations typically involving the largest numbers of birds are high dead-on-arrival (DOA) rates and mechanical problems resulting in injury or death. The breakdown of GCP violations for the years 2020–2022 is generally similar to that of previous years reviewed by AWI.

Below are examples of various types of GCP violations. Each of these incidents involved serious animal suffering. Yet, under current USDA regulations, no enforcement actions would be possible in response to any of these situations, except for birds drowning in the scald tank, and only when large groups of birds are involved.

Examples of Violations

Birds Drowning in the Scald Tank

- ✎ Inspector observed numerous cadavers being placed in condemn barrels. The inspector determined that the cadavers were due to improper cutting of the birds. “The establishment lost control of its process for handling birds, resulting in two condemn barrels of birds (cadavers) that died by causes other than slaughter.” (The Best Dressed Chicken, P47016, 6/6/2021)
- ✎ Inspector observed about a dozen cadavers in less than 2–3 minutes and another 11–16 live birds without a neck incision heading for the scald tank. The inspector took regulatory control of the line. Later the same day, the inspector again took regulatory control of the line because too many birds were entering the scald tank alive. “The amount of cadavers prior to my taking control amounted to at least 44 cadavers entering the scald tank.” (The Best Dressed Chicken, P47016, 6/2/2021)
- ✎ Inspector observed two live birds on the bleed line that were alert; both birds subsequently fell out of their shackles. Other live birds were seen headed toward the scald tank with minimal or no incision to their necks. Inspector took regulatory control and stopped slaughter, but after control was released, the problem reoccurred. In total, approximately 50 cadavers were removed from the line with either no cut to the neck or only a superficial cut. (The Best Dressed Chicken, P47016, 4/13/2021)
- ✎ Inspector observed many chickens that were breathing, eyes open, and opening and closing their beaks just before the scald tank. Inspector pulled the cord to stop the line. “Over the next several minutes, 36 cadavers were removed from the picking line.” (Pilgrim’s Pride, P1284, 3/7/2021)
- ✎ Inspector observed 20 carcasses in under two minutes exit the picker with a deep red coloration to their skin indicating they were still breathing when entering the scald tank. (Butterball, P511, 12/9/2020)



The bodies of birds who drown in the scald tank turn bright red.

- ✎ Inspector observed approximately 30 bright red bird carcasses on the salvage floor. Heads were intact; some carcasses had no visible cuts to the neck; other carcasses had cuts that were improperly placed. Line speed was slowed until the slaughter process was “back in control.” (Case Farms Processing, P44826, 9/9/2020)
- ✎ Inspector observed a large number of cadaver birds. “The establishment is not preventing live birds from entering the scald. On 8/27/2020, 152 cadavers were pulled off the line and regulatory control of the line was taken twice.” (The Best Dressed Chicken, P47016, 8/28/2020)

Inadequate Shackling/Stunning/Cutting

- ✎ Inspector observed five live, conscious, and uncut birds who, without the inspector’s intervention, would have entered the scald tank and drowned. “I informed establishment that their process was out of control.” (Tyson Foods, P7100, 6/7/2021)
- ✎ Inspector noted 40 birds missed by the kill blade during three spot checks. (Simmons Prepared Foods, P727, 3/16/2021)
- ✎ Inspector observed several birds inappropriately shackled. “I noticed the hock on the free hanging leg was completely incised and was dangling by a thread of synovial membrane and skin. The entire foot was missing distal to the hock joint in two other birds.” (Foster Farms, P6164A, 1/26/2021)
- ✎ Inspector observed multiple birds without cuts on their necks being removed from the line before the scald. Inspector lowered the line speed. (House of Raeford, P737, 11/14/2020)
- ✎ Inspector observed that the automatic kill machine was not functioning properly, and the back-up cutter was unable to keep up with the volume of birds. The line was stopped, and [redacted] was “advised the kill machine was not working and production could not resume under the previously described condition as there were numerous birds that had not been bled out on the bleed chain.” (Case Farms Processing, P15724, 8/27/2020)
- ✎ Inspector observed a trend of birds dying other than by slaughter. During a two-minute check, 10 birds were not stunned, seven birds missed the kill blade, and at least one bird was missed by the back-up cutter. Two subsequent checks showed similar results. In addition, a large numbers of cadavers were observed. (George’s Foods, P2186, 1/31/2020)

Improper Sorting of DOA and Live Birds

- ✎ Inspector observed a large number of live and dead birds on the table in the kill room. “There was such a large number that birds were being piled on top of one another to the point that they were falling off the table and onto the floor.” (Windy Meadows Family Farm, P44992, 3/17/2021)
- ✎ Inspector observed a large pile of birds on the conveyor belt with live birds mixed in the pile along with dead birds and debris. A regulatory control action was taken and the line stopped. “The establishment took off approximately 87 dead birds filling up over 2 condemn barrels.” (Koch Foods, P6666, 1/20/2021)
- ✎ Inspector observed live hang area littered with chickens, both live and dead. “Live birds that come in with dead birds can lead to suffocation and death by means other than slaughter which is less than Good Commercial Practices.” (Tyson Foods, P768, 1/4/2021)
- ✎ Inspector observed a large pile of feathers, dander, and debris piled up from the floor to the top of the live hang belt. Numerous DOAs and at least one live bird were discovered within the pile. “I could not determine if the birds were DOAs or were alive [when they entered the plant] and died due to suffocation from the large pile of feathers.” (Sanderson Farms, P45910, 10/12/2020)
- ✎ Inspector observed 66 carcasses scattered and piled up on the floor and being stepped on by

workers. Four containers were also observed to be full of carcasses, which were spilled over onto the floor. Five live birds were pulled from underneath carcasses. (Equity Group, P2686, 7/20/2020)

- ✎ Inspector observed birds piled up on the live hang belt three layers deep, and on the floor and against the wall, there was a pile of DOAs spanning the length of the wall. "While inspecting the pile of DOAs I observed 3 live birds underneath multiple DOAs." (Wayne Farms, P1009, 3/21/2020)

Excessive Number of DOAs/Inhumane Holding Conditions

- ✎ Inspector noted "an unusual amount of mortality on some of the lower crates" loaded onto one trailer. "At the point where I estimated at least 200 dead birds and the truck was only about ¼ unloaded, I called for a halt to slaughter." It was observed that some of the cages were overcrowded, but the exact cause of the high mortality was not determined. (Birdsboro Kosher Farms, P45134, 9/13/2021)



- ✎ Inspector observed an excessive amount of deceased birds (approximately 250) on the floor of the receiving area. Carcass barrels were also full. Inspector noted that it was a hot day (nearly 90 degrees Fahrenheit), and the birds were hot to the touch. "The high mortality was consistent with heat exhaustion. There were fans blowing on four of the six trucks, but the misters are inoperational." (Birdsboro Kosher Farms, P45134, 7/27/2021)
- ✎ Inspector noted numerous dead birds on the trailers. The temperature was 88 degrees Fahrenheit, and 75 percent of the bays did not have operating misters. Excessive dead birds were found in the live hang area (from one trailer with dead birds). At least two carts were filled with dead birds in less than 30 minutes. (Kraft Heinz Foods, P9070, 7/7/2021)
- ✎ Inspector noted a large number of dead birds (2,552 out of 6,000) on one trailer and commented that the temperature the day before was over 90 degrees Fahrenheit. "I noticed trailers parked on the lot without any heat abatement on them." (Butterfield Foods, P215, 6/9/2021)
- ✎ Inspector noted a large number of DOAs on one trailer. "The birds had the appearance of freezing to death with some having snow and ice on them. The establishment was not protecting the trailers full of birds from the elements in any way.... The outside temperature at the time of my observation was -2 degrees Fahrenheit." In total, 391 DOAs were reported. (Wayne Farms, P1009, 2/16/2021)
- ✎ A large number of DOAs arrived on three consecutive days, with birds coming in wet and frozen. (DOA totals for these days were 3,146; 862; 4,423.) Some crate modules had 75 percent of birds dead. Inspector observed "several trailers with ice accumulation all along the side of the three mod stacks right behind the neck. I observed dead birds that were frozen to the mods and birds with frost accumulated on their feathers." (Agri Star Meat & Poultry, P4653A, 2/9/2021)

- ✎ Inspector noted that trailers holding live birds had been parked in the sun outside the holding shed for an extended period. A total of nearly 10,000 dead birds were reported on three trailers. (Butterfield Foods, P215, 8/13/2020)
- ✎ During a period when the plant was not operating, inspector observed two trailers parked outside with no fans or misters on to keep the birds cool. The birds observed showed signs of heat stress—panting, sitting with their wings out from the body, and trying to reach the wire mesh edges to access air. (Case Farms of Ohio, P15724, 6/19/2020)

Cages in Disrepair/Cage Unloading Problems

- ✎ Inspector noted “an unusual amount of mortality on some of the lower crates” loaded onto one trailer. “At the point where I estimated at least 200 dead birds and the truck was only about ¼ unloaded, I called for a halt to slaughter.” It was observed that some of the cages were overcrowded, but the exact cause of the high mortality was not determined. (Birdsboro Kosher Farms, P45134, 9/13/2021)
- ✎ Inspector observed two cages holding many dead birds [number redacted]. It was determined that the cages were overstocked and noted that a similar incident had occurred two weeks prior. (Jennie-O Turkey, P544, 7/2/2021)
- ✎ Inspector observed a trailer with no solid floor panel between levels, resulting in birds in upper coop being piled on top of birds in coop below it. Inspector counted 15 dead birds and two live birds removed from the coop. “The birds on the lower level of the group had died by means other than slaughter.” A similar incident occurred at the same plant three days later. (Pitman Farms, P1049, 2/12/2021)

Excessive Use of Force in Handling

- ✎ Inspector observed live hang personnel “mishandling live birds.” A worker was aggressively shackling several live birds by throwing them at

the shackle instead of carefully placing birds into shackles. Inspector immediately stopped the line. (Pilgrim’s Pride, P1284, 9/10/2021)

- ✎ Inspector observed a worker standing on top of the conveyor belt carrying live birds and other workers pushing down on the conveyor belt and tossing live birds at the team member standing on the belt. “I notified [redacted] [about] the concern of how live birds coming in were being handled and being tossed and the loss of process control.” (Tyson Foods, P1362), 5/20/2021)
- ✎ Inspector noted every eighth or ninth carcass on the line had broken wings with bones protruding and some open fractures and bruising. “There was an employee stationed in this location with a long pole that had a pointed metal spear-like end, and he was using this tool to attempt to free birds from machinery.” (JCG Foods of Alabama, P548, 3/1/2021)
- ✎ Inspector was informed that “the process was out of control at the live rehang area.” Inspector entered the area and found a worker aggressively throwing a large number of birds from the floor onto the conveyor belt, “which could cause injury to the birds.” (Sanderson Farms, P522, 10/12/2020)
- ✎ Inspector observed live hang personnel mishandling live birds. Live hang personnel were throwing live birds forcefully at the shackles instead of carefully placing their legs into the shackles. (Pilgrim’s Pride, P584, 8/20/2020)
- ✎ Inspector observed a major clog (40–50 birds) on the conveyor belt in the unloading area. Employees removed both unconscious and conscious birds by yanking them aggressively. “The injured birds had visible acute injuries that ranged from minor scrapes and abrasions to severe injuries that included leg fractures, lacerations and significant mutilation of both muscle tissue and skin.” (Jennie-O Turkey, P579, 3/13/2020)

Improper Dumping of Birds

- ✎ Inspector observed the dumper employee was not able to see that the live hang conveyor belt had stopped running, and he proceeded to dump more birds on top of the live birds already on the belt. Some birds suffocated as a result, and these dead birds were being tossed onto the floor and into the condemned barrel. (The Best Dressed Chicken, P47016, 8/24/2021)
- ✎ Inspector was informed of a “pileup” in the poultry live hang area resulting in smothered birds. Inspector learned that there had been a malfunction of the kill belt and that the employee operating the dumper belt had not been informed of this. (Agri Star Meat & Poultry, P4653A, 8/12/2021)
- ✎ Inspector observed that the kill belt in the live hang area was not operating, with birds stacked up at the entrance to the tunnel. A large section of the belt had birds stacked four deep, with the lower level suffocated to death. “All told, 317 dead birds were removed from the belt after the affected section was brought into the kill room.” (Agri Star Meat & Poultry, P4653A, 7/8/2021)
- ✎ Inspector found a pile of chicken carcasses (approximately 20–30 birds) on the floor of the live hang room. A worker informed the inspector that a new employee had dumped a load of chickens on top of another load, suffocating the birds. Approximately 180–193 birds died in the dumper hopper. (FreeBird Chicken, P533, 12/20/2020)
- ✎ Inspector observed that the live hang belt was not operating and approximately 200–300 dead chickens were located near the entrance to the dumping area on the belt. Inspector was informed that “when the live hang belt had stopped working the dump station operator continued to dump chickens onto the belt, causing live birds to pile up on top of each other. The dead chickens appeared to have died by smothering as a result of this pile up.” (George’s Processing, P208, 10/30/2020)

Mechanical Problems Resulting in Injury/Death

- ✎ Inspector observed that one of the kill lines was stopped, but the birds had not been removed from the electric water stunner. All the birds whose heads were submerged in the water [number redacted] appeared to have drowned. Inspector noted that



Slaughter lines operate at such high speeds that workers cannot catch all the birds who are inadequately cut. The ones they miss drown in the scald tank.

the birds "had died by means other than slaughter."
(Perdue Foods, P764, 9/21/2021)

- ✎ Inspector observed that the line had been stopped to deal with a maintenance issue, but birds had not been removed from the water stunner. "Most of the birds retrieved from the stunner had drowned and were dead.... Allowing these chickens to drown caused undue suffering /pain/ mistreatment and death by means other than slaughter." (Tyson Foods, P768, 7/29/2021)
- ✎ Inspector observed numerous live and dead birds lodged between conveyor belts after the cage dumper. "Birds were caught in machinery by their feet, legs, and wings while being pulled by other birds landing on them. As the belt cleared, I observed bloody birds dismantled with viscera and ... musculature exposed." (JCG Foods of Alabama, P548, 3/1/2021)
- ✎ After the picker line broke down, inspector immediately checked the stunner and found that 31 young chickens had drowned. (Sanderson Farms, P51179, 12/17/2020)
- ✎ Inspector observed that approximately every fifth bird hanging on the live hang belt had injuries of varying severity affecting their backs and breasts. A DOA tank was completely full with turkey carcasses showing wounds that were moist and had a large amount of blood on the surrounding feathers consistent with recent injury. (Jennie-O Turkey, P579, 8/20/2020)
- ✎ Inspector was informed that the CO2 stunner had malfunctioned, and live birds were being dumped onto the hanging belt. A large number of birds were falling from the belt onto the floor. Workers had also stacked cages of live birds. "This incident represents a loss of process control due to the large number of live birds involved and several establishment employees intentionally stacking live birds on top of one another resulting in the suffocation deaths of multiple turkeys." (Farbest Foods, P7769, 1/20/2020)

USDA Records Demonstrate the Ineffectiveness of Voluntary Industry Compliance

AWI's review of USDA records revealed that some poultry plants have been cited repeatedly for the same or similar violations of good animal handling practices. This is not surprising, given that USDA inspection personnel are not able to take any enforcement action for most of the violations. If government inspectors had been able to take strong enforcement action the first time a handling problem occurred, it is possible that the problem would not have reoccurred, and the animals involved in subsequent incidents would have been spared considerable pain and suffering.

Birdsboro Kosher Farms (P45134)

The plant was cited four times within one year for high dead-on-arrival rates during extreme weather. The high mortality incidents were due to misters not working, birds waiting too long to be unloaded from trucks, and high stocking density in cages.

Butterfield Foods (P215)

The USDA cited this plant on three occasions for high mortality rates during times of extreme heat or cold. Mortality ranged from 35 to 50 percent of the shipments due to lack of abatement measures.

Foster Farms (P6164A)

This plant was cited five times within a little more than one month for improper shackling that resulted in the birds being cut other than by the neck. Improper shackling causes unnecessary suffering and can result in a bird drowning in the scald tank.

House of Raeford (P510)

The plant was cited 18 times within six months for conscious birds on the slaughter line just before the scalding tank. Without USDA intervention, the birds would have died by drowning.

Jennie-O Turkey Store Sales (P544)

The USDA documented caged turkeys showing signs of heat stress due to lack of adequate ventilation on six occasions over the spring and summer. The plant was also cited two times for having birds frozen to the sides of their cages during cold weather.

Koch Foods (P7487)

This plant was cited nine times in a three-month period for having live birds enter the scalding tank. Several months later, the plant was again cited multiple times for the same issue.

Southern Hens (P17766)

After the USDA cited this plant for aggressively tossing cages of live birds on multiple occasions in 2018, the practice continued 2019–2021. Eleven GCP records documented this form of inhumane handling in March and April 2020, and three more noted the practice in January through April 2021.

The Best Dressed Chicken (P47016)

The plant was cited six times between February and July 2021 for multiple live birds drowning in the scalding tank. The USDA also cited the plant on three occasions within two months in 2021 for large numbers of birds suffocating because workers continued to dump birds on top of one another after the slaughter line stopped moving.



Figure 6. Poultry Slaughter Plants with the Most GCP Records

Company Name	Plant Number	Plant Location	Number of GCP Records (2017–2019)
House of Raeford Farms Inc	P510	Rose Hill, NC	33
Koch Foods LLC	P7487	Chattanooga, TN	30
Perdue Foods LLC	P9197	Lewiston, NC	29
Perdue Foods LLC	P1243	Rockingham, NC	28
Southern Hens Inc	P17766	Moselle, MS	23
Allen Harim LLC	P935	Harbeson, DE	22
Norman W Fries Inc	P6505	Claxton, GA	21
New Market Poultry LLC	P4602A	New Market, VA	20
Foster Farms	P6137	Livingston, CA	16
Perdue Foods LLC	P764	Salisbury, MD	16
The Best Dressed Chicken Inc	P47016	Ward, SC	16

The Most Inhumane Slaughter Plants

AWI has calculated the number of GCP records issued to each federal poultry plant during the three-year period studied (2020–2022). As noted previously, 45 percent of all federally inspected plants were issued no GCP records, despite likely slaughtering millions of birds during this time. It is not known whether receiving a large number of GCP-related records reflects poor bird-handling practices, the presence of conscientious inspection personnel, or some combination of the two.

resulted—other than issuance of Noncompliance Records or Memorandums of Interview—these plants have had no incentive to alter their behavior and treat birds more humanely.

Figure 6 lists the plants that were issued the highest number of GCP records from 2020 through 2022. All the plants were issued at least 16 GCP records during the period. The fact that these plants were cited repeatedly for GCP violations illustrates the failure of the USDA’s current oversight strategy of voluntary industry compliance. Since no consequences have

Undercover Investigations Document Incidents of Bird Mistreatment

As noted previously, investigations by animal protection groups in the mid-2000s, which exposed serious mistreatment of birds at slaughter, prompted the USDA to encourage slaughter plants to comply with industry GCP for bird handling. Animal protection groups have continued to conduct undercover investigations that document the same type of abuse uncovered nearly two decades earlier, demonstrating that the USDA's strategy of allowing the poultry industry to police itself has failed. (See Table 1 of the Appendix for a list of these investigations.)

Video captured during the investigations suggests that abuse of birds is common practice, at least at some slaughter establishments, and the GCP records capture only a small portion of inhumane handling events that take place at poultry slaughter plants. Moreover, the number and gravity of the GCP records of investigated plants were a poor indicator of the extent to which the behavior captured during the investigations took place.



Rough handling can result in birds becoming injured before slaughter.

While some of the investigated plants where egregious mistreatment was documented have been cited by the USDA for similar offenses, others have been issued very few GCP records.

The following investigations were conducted at chicken slaughter plants over the past five years.

Foster Farms (P6137), Livingston, CA September 2021

Direct Action Everywhere (DxE) conducted an investigation that found chickens routinely missing the stun bath and sick and injured birds being tossed on the ground and sometimes buried beneath other chickens. DxE noted that Foster Farms is certified for animal welfare by American Humane.

Ciales Poultry, Chicago, IL March 2020

An investigation of a live poultry market by Slaughter Free Chicago documented birds arriving at the slaughterhouse in crates without any protection from outside elements. Many birds exhibited injuries on their wings and legs, and some were dead or dying upon arrival. Workers were shown slamming crates containing live birds on top of one another.

Undisclosed slaughter plant in Maryland Late 2019

Mercy For Animals conducted an undercover investigation at an unidentified slaughter establishment to document the cruelty involved in high-speed chicken slaughter. Video footage shows birds being aggressively slammed into shackles and birds left hanging upside down in their shackles for over 90 minutes during a plant-wide power outage.

Amick Farms (P7927), Hurlock, MD November 2018

An undercover investigation conducted by Compassion Over Killing (now Animal Outlook) documented birds arriving at the slaughterhouse in overcrowded transport trucks and birds being punched and thrown onto the conveyor belt for shackling. Investigators also witnessed birds stuck in machinery due to equipment failure and birds drowning in the scald tank.

Lack of Consequences for Bird Neglect and Cruelty

Enforcement Actions and Criminal Prosecutions Are Rare

Slaughter establishments and their employees seldom experience financial, criminal, or any other consequences when poultry are mistreated. FSIS internal policies instruct inspectors to take regulatory control actions—such as stopping the slaughter line—only when there are repeated occurrences of GCP violations and there has been a loss of control of the slaughter process. If an incident of mistreatment does not meet this high bar, and involves only a small number of birds or an isolated occurrence, inspectors are directed to merely have a discussion about it with establishment management—documented as a Memorandum of Interview, as described above.

If a Memorandum of Interview records an egregious case of abuse, FSIS directives instruct DVMSs to send a Letter of Concern (LOC) to establishment management and appropriate state officials. However, according to records received by AWI, only 13 LOCs were issued from 2014 through 2022. Further, the only state officials who received the letters were state veterinarians or state boards of animal health. None of the letters were sent to state law enforcement or prosecution offices. Moreover, AWI is not aware of any situation where a state agricultural agency has taken action against a slaughter establishment—such as referring a case for potential prosecution under the state’s cruelty statute—after receiving a copy of an LOC. (See Fig. 2 of the Appendix for a list of GCP LOCs issued by the USDA during the period 2014–2022.)

By contrast, animal protection groups that discover severe mistreatment—either as a result of conducting undercover investigations or through reviewing the FSIS’s inspection records—typically request that slaughter companies or personnel be prosecuted under state animal cruelty laws. For example:

- ✎ In September 2021, DxE sought criminal prosecution when an undercover investigator

observed live birds being thrown to the ground, slammed against walls, and buried by other birds in condemn barrels at a Foster Farms slaughterhouse in Livingston, California.

- ✎ In the same month, AWI sought criminal charges when FSIS inspection records revealed that thousands of birds had suffered and died after being left for hours in temperature exceeding 90 degrees Fahrenheit with no heat abatement at two plants in Minnesota.
- ✎ In January 2022, PETA requested prosecutions in multiple states when FSIS records obtained under FOIA indicated that hundreds of turkeys and chickens had suffered or died as a result of being punched, thrown, drowned, burned, and buried alive, among other forms of mistreatment, in multiple slaughter plants across the country.

Despite the occurrences described above and dozens of additional incidents summarized in Fig. 1 of the Appendix, criminal charges for cruelty in a slaughter plant—to AWI’s knowledge—have never been brought by law enforcement officials. While poultry companies have suspended or fired workers shown on undercover video intentionally abusing birds, AWI has found no evidence of criminal consequences for workers or companies.

A Misperception of Federal Authority

In general, local law enforcement and prosecutors appear hesitant to pursue legal action for animal abuse occurring at an inspected slaughter establishment. This may be partly because five states exempt slaughter by “approved methods” from their cruelty laws, and an additional five states exempt slaughter in general.

It is also because, as AWI has learned through past experience, many state law enforcement officials appear to misperceive the treatment of birds at slaughter as falling exclusively under the authority of the USDA and subject only to federal laws and regulations—thus preempting local authorities’ ability to enforce state animal cruelty laws in these settings. But that is not the case.

As discussed above, the PPIA generally governs the slaughter and processing of poultry. The law does contain a preemption clause that prohibits states from imposing requirements on federally inspected poultry slaughterhouses that are “in addition to, or different than” those imposed by the PPIA. But the PPIA does not contain any provisions that specifically address or impose requirements regarding the humane treatment of poultry. Indeed, in a California case involving the force-feeding of ducks and geese to produce foie gras, the US Court of Appeals for the Ninth Circuit determined that the PPIA was “silent on the topic of animal husbandry.” *Association des Éleveurs de Canards et D’Ooies du Québec v. Becerra*, 870 F.3d 1140, 1149 (9th Cir. 2017). Further, “[b]ecause the PPIA itself contemplates extensive state involvement, Congress clearly did not intend to occupy the field of poultry products.” *Id.* at 1152. Thus, the PPIA generally does not preempt the enforcement of state animal cruelty laws that require humane treatment of birds in slaughterhouses.

AWI’s Efforts to Persuade the USDA to Act

AWI has repeatedly urged the FSIS to take action to hold slaughter establishments and workers accountable for cruel treatment of poultry. As mentioned above, in May 2016, AWI wrote a letter to the FSIS explaining that, according to the agency’s own enforcement records, thousands of birds in slaughterhouse holding areas had recently died because they had been left in holding areas awaiting slaughter for extended periods during extreme weather conditions. AWI asked the agency to adopt regulations to prohibit this behavior. The letter also asked the agency to revise its internal directives to instruct inspection personnel to notify state officials that animal cruelty may have occurred and should be investigated for potential prosecution.

In 2018, AWI again wrote to the FSIS and explained that, out of more than 50 incidents that had occurred during the previous two years where birds were knowingly mistreated or neglected—either during holding at the slaughterhouse or while being transported to it—only one had triggered the preparation of an LOC. The letter urged the FSIS, in all cases where egregious

mistreatment occurs, to issue LOCs that explain to state officials that the agency takes no enforcement action in response to egregious instances of bird mistreatment and that state law enforcement should investigate whether criminal prosecution is warranted.

Most recently, in 2021, another letter was sent to the FSIS to notify the agency that AWI had referred two cases of mistreatment of birds at slaughter in Minnesota to local officials for possible prosecution. The incidents involved thousands of chickens and hundreds of turkeys suffering and perishing due to exposure in extreme weather. The letter again asked the FSIS to ensure that LOCs are issued for such egregious instances of mistreatment and requested that the FSIS clarify in the LOCs that (1) the FSIS takes the position that it has no statutory authority over bird treatment unless it results in a loss of process control, and (2) the incident described may represent a violation of the state’s animal cruelty statute.

The FSIS has taken no action in response to any of these requests.

Recommendations

Based on its research into the welfare of birds at slaughter in the United States, AWI offers the following recommendations:

- ↘ **The USDA should promulgate regulations requiring humane handling of birds to decrease the adulteration of poultry products.** Such regulations should address worker training, holding times, conditions in holding areas, maintenance of transport crates, removal of birds from crates, shackling of birds, treatment of sick and injured birds, and measures to prevent live birds from entering the scald tank.
- ↘ **The USDA should implement a reporting system for humane handling of poultry similar to its Humane Activities Tracking System for the slaughter of mammals to document the amount of time spent by inspection personnel on humane handling oversight.**
- ↘ **The USDA should continue to post online records related to noncompliance with poultry humane handling requirements.**
- ↘ **The USDA should refer incidents involving intentional abuse of birds at slaughter for prosecution under state animal cruelty laws.** The USDA should release any evidence in its possession that could assist in the prosecution of individuals and companies participating in cruel acts.
- ↘ **Congress should pass legislation expressly requiring that all birds killed for food be rendered insensible to pain prior to slaughter.** Congress should direct the USDA to enact regulations to require methods of stunning that are determined by scientific studies to render birds insensible to pain with a minimum of distress.
- ↘ **The poultry industry should share any available research demonstrating that electrical stunning, as commonly practiced in the United States, effectively renders birds insensible to pain prior to slaughter.** If such research does not exist, the industry should commission scientifically valid studies to determine the impact of low-current electrical stunning on bird sensibility. Most importantly, if research demonstrates that the low-current approach is ineffective, then the industry must change its practice.
- ↘ **Third-party animal welfare certification programs should require—or at minimum, strongly recommend—that producers use stunning methods that avoid conscious shackling and cause a minimum of distress to birds.** For producers employing electrical stunning, third-party certification programs should require that producers provide evidence of the use of adequate electric current levels to render birds insensible to pain.
- ↘ **The USDA should issue a notice in the *Federal Register* clarifying that the PPIA and its implementing regulations do not preempt the enforcement of state animal cruelty laws for mistreatment of poultry in slaughter plants.**

Appendix

Table 1. Incidents of Mistreatment of Poultry at Slaughter Publicized by Animal Protection Organizations¹ (2003–2022)

Date of Publication	Organization	Source of Evidence	Plant Name (Number ²)	Plant Location	Date of Incident(s) ³ and Summary of Mistreatment
Feb. 2003	People for the Ethical Treatment of Animals (PETA)	Whistleblower	Tyson Foods (P27)	Grannis, AR	July 1997–Nov. 2002: <ul style="list-style-type: none"> Workers ripped off the heads, legs, and wings of live birds Stomped birds to death Ran over birds with forklifts Blew apart live birds with dry-ice “bombs”⁴
July 2004	PETA	Undercover investigation	Pilgrim’s Pride (P810)	Moorefield, WV	Oct. 2003–May 2004: <ul style="list-style-type: none"> Workers smashed live birds against a metal rail to decapitate them Drop kicked birds as if they were footballs Sprayed them in the eyes with aerosol paint Dumped injured birds in a trash bin to die
Oct. 2004	Compassion over Killing (COK (now Animal Outlook))	Undercover investigation	Perdue Farms (P764)	Showell, MD	Sept. 16–Oct. 1, 2004: <ul style="list-style-type: none"> Live chickens were thrown down the slaughter line and their legs roughly shoved into shackles Injured birds abandoned to die on the conveyor belt and elsewhere on the grounds of the plant
May 2005	PETA	Undercover investigation	Tyson Foods	Heflin, AL	Dec. 2004–Feb. 2005: <ul style="list-style-type: none"> Conscious birds entered the scald tank Workers ripped conscious birds’ heads off Birds were mangled by malfunctioning throat-cutting equipment
Sept. 2006	PETA	Undercover investigation	Butterball (P511)	Ozark, AR	April–July 2006: <ul style="list-style-type: none"> Workers decapitated birds, sat on birds, punched and kicked birds, swung birds like baseball bats into handrails, threw carcasses at live birds hanging from shackles, and broke the limbs of conscious birds
May 2007	Mercy for Animals (MFA)	Undercover investigation	House of Raeford Farms	Raeford, NC	Jan.–Feb. 2007: <ul style="list-style-type: none"> Worker violently punched live turkeys Birds were thrown across the facility Workers ripped the heads off live turkeys Live birds were crushed under the wheels of trucks
Nov. 2014	MFA	Undercover investigation	Koch Foods (P7487)	Chattanooga, TN	<ul style="list-style-type: none"> Workers violently threw and kicked birds during catching At the slaughter plant, live birds entered the scald tank⁵

Jan. 2015	Humane Society of the United States (HSUS)	Undercover investigation	Butterfield Foods (P215)	Butterfield, MN	Sept.–Dec. 2014: <ul style="list-style-type: none"> 45 live birds entered scald tank in less than 30 minutes Workers jabbed metal hooks into transport cages to remove the birds Sick and injured birds were thrown against the live hang wall or tossed into the trash
March 2015	MFA	Undercover investigation	Wayne Farms (P445)	Dobson, NC	<ul style="list-style-type: none"> Sick and injured birds, including some with broken bones, were shackled on the line for slaughter A worker intentionally suffocated a bird
April 2015	COK	Undercover investigation	Mountaire Farms (P7470)	Robeson County, NC	March–April 2015: <ul style="list-style-type: none"> Workers aggressively punched, shoved, and pushed shackled birds, intentionally ripped feathers out of birds, and threw live birds into piles of dead birds
June 2015	MFA	Undercover investigation	Foster Farms (P6137A)	Fresno, CA	March–April 2015: <ul style="list-style-type: none"> Birds were punched, thrown, and beaten during shackling Workers intentionally ripped feathers out of live birds
Sept. 2015	Animal Legal Defense Fund	Undercover investigation	Tyson Foods (P7044)	Carthage, TX	<ul style="list-style-type: none"> Birds were intentionally suffocated on the conveyor belt Some birds were crushed by machinery A belt malfunction caused the deaths of 200-300 birds
Oct. 2015	MFA	Undercover investigation	Tyson Foods (P758)	Carthage, MS	<ul style="list-style-type: none"> Workers threw, shoved, and punched live birds during shackling The heads of shackled birds were pulled off while alive
June 2017	HSUS	Undercover investigation	Pilgrim's Pride (P584)	Mt. Pleasant, TX	May 2017: <ul style="list-style-type: none"> Workers violently slammed the legs of chickens into shackles, hit birds while they were immobilized in the shackles, and flung birds into shackles from a far distance
Dec. 2017	COK	Undercover investigation	Tyson Foods (P806)	Temperanceville, VA	<ul style="list-style-type: none"> Catching crews threw chickens into overcrowded crates for transport Birds were run over by forklifts
Nov. 2018	COK	Undercover investigation	Amick Farms (P7927)	Hurlock, MD	<ul style="list-style-type: none"> Birds arrived at the slaughterhouse in overcrowded transport trucks Birds were punched and thrown onto the conveyor belt for shackling Birds became stuck in machinery due to equipment failure Birds drowned in the scald tank
March 2020	Slaughter Free Chicago	Undercover investigation and observations by members of the public	Ciales Poultry (P21709)	Chicago, IL	<ul style="list-style-type: none"> Birds arrived at the slaughterhouse in crates without protection from outside elements Many birds exhibited injuries on their wings and legs Some birds were dead or dying upon arrival Workers were shown slamming crates containing live birds on top of one another

April 5, 2021	PETA	FSIS inspection records	Farbest Foods, Inc. (P7769)	Hunting-burg, IN	Jan. 20, 2020: <ul style="list-style-type: none"> At least 20 turkeys were killed when workers stacked approx. 50 of the birds in 2 or 3 layers into each of two crates before leaving for a break
April 6, 2021	PETA	FSIS inspection records	Coastal Processing, LLC (P6519B)	Jefferson County, GA	Jan. 2020–March 2020: <ul style="list-style-type: none"> 300 chickens died after more than 25,000 were held on transport trucks without food for approx. 48 hours Live chickens entered scalding on multiple occasions A chicken was smothered and crushed in a pile of dead birds on the floor
April 7, 2021	PETA	FSIS inspection records	OK Foods, Inc. (P165S)	Fort Smith, AR	Jan. 2020–March 2020: <ul style="list-style-type: none"> Thousands of chickens were held on transport trucks without food or water for 37 hours Four live chickens were thrown, with a side-arm motion, into a cage
April 8, 2021	PETA	FSIS inspection records	Allen Harim Foods, LLC (P935)	Harbeson, DE	Jan. 2020–March 2020: <ul style="list-style-type: none"> Numerous instances of live chickens entering scalding Live birds were buried in piles of dead birds Chickens were found dead in water in a drain, where they had evidently drowned
April 8, 2021	PETA	FSIS inspection records	Southern Hens, Inc. (P17766)	Jones County, MS	Jan. 2020–April 2020: <ul style="list-style-type: none"> Five live chickens entered the scald tank A live chicken was run over by a truck Workers tossed crates of live chickens off trailers about 6 feet onto a conveyor belt
April 12, 2021	PETA	FSIS inspection records	House of Raeford (P510 & P737)	Duplin County, NC	Jan.–March 2020: <ul style="list-style-type: none"> A live chicken entered the scald tank while the worker responsible for cutting its throat was “dozing” A live bird was found buried by dead birds in the DOA bin
April 13, 2021	PETA	FSIS inspection records	Butterfield Foods Company (P215)	Butterfield, MN	Feb. 21, 2020: <ul style="list-style-type: none"> More than 9,000 of 25,000 chickens died when they were left on three transport trailers in an unheated, three-sided shed overnight as air temperatures dropped to -17°F and wind chill to -32°F
April 13, 2021	PETA	FSIS inspection records	Peco Foods, Inc. (P6504)	Tuscaloosa, AL	Jan. 2020–March 2020: <ul style="list-style-type: none"> On multiple occasions, live birds entered the scald tank
April 14, 2021	PETA	FSIS inspection records	Pilgrim’s Pride Corp. (P40)	Ellijay, GA	April 9, 2020: <ul style="list-style-type: none"> A plant worker forcefully threw a small, live chicken into a barrier, killing the bird
April 15, 2021	PETA	FSIS inspection records	Jennie-O Turkey Store Sales, LLC (P551 & P579)	Austin, MN	Jan. 2020–March 2020: <ul style="list-style-type: none"> Turkeys sustained broken wings and legs among other severe injuries due to rough handling

April 20, 2021	PETA	FSIS inspection records	George's Foods, LLC (P2186)	Shenandoah County, VA	Jan. 2020–May 2020: <ul style="list-style-type: none"> • More than 2,500 chickens died after being left outside in trailers overnight exposed to cold temperatures • One bird was crushed by a truck • Chickens were found buried alive in a large pile of dead birds • Multiple live birds were burned to death or drowned in scald tank
July 21, 2022	PETA	Whistleblower tip and FSIS inspection records	Lincoln Premium Poultry (P48304)	Fremont, NE	June 17, 2022: <ul style="list-style-type: none"> • Approximately 1,000 birds were burned alive after the transport truck caught fire • 1,500 birds were also injured by the incident and euthanized
Sept. 2021	Direct Action Everywhere (DxE)	Undercover investigation	Foster Farms (P6137)	Livingston, CA	<ul style="list-style-type: none"> • Birds were thrown to the ground and slammed against walls • Sick and injured birds were left to suffer in condemned barrels • Birds were buried beneath other birds
Sept. 13, 2021	Animal Welfare Institute (AWI)	FSIS inspection records	Jennie-O Turkey Store (P544)	Melrose, MN	April–June 2021: <ul style="list-style-type: none"> • Multiple instances of turkeys left for hours in transport trailers under direct sun in temperatures exceeding 90 degrees
Sept. 13, 2021	AWI	FSIS inspection records	Butterfield Foods Company (P215)	Butterfield, MN	June 2021: <ul style="list-style-type: none"> • More than 2,500 birds died from exposure to temperatures in excess of 90 degrees in a trailer that was abandoned overnight with no heat abatement • The incident continued a pattern of similar instances of hundreds or thousands of birds dying due to exposure to extreme weather since 2018
Jan. 20, 2022	PETA	FSIS inspection records	Agri Star Meat and Poultry, LLC (P4653A)	Postville, IA	July 8, 2021: <ul style="list-style-type: none"> • 317 chickens smothered after being continually piled four chickens deep onto a malfunctioning belt August 12, 2021: <ul style="list-style-type: none"> • An undisclosed number of birds died when the exact same problem occurred again
Jan. 21, 2022	PETA	FSIS inspection records	Pilgrim's Pride Corporation (P322)	Cold Spring, MN	May 20, 2021: <ul style="list-style-type: none"> • 190 chickens died after a container carrying hundreds of chickens flipped on its side
Jan. 24, 2022	PETA	FSIS inspection records	Kraft Heinz Foods Company (P9070)	Newberry County, SC	July 7, 2021: <ul style="list-style-type: none"> • Numerous turkeys died from overcrowding and heat stress • The cages were so overcrowded that the turkeys died standing up
Jan. 24, 2022	PETA	FSIS inspection records	Marble City Meats, LLC (P46070)	Talladega County, AL	August 16, 2021: <ul style="list-style-type: none"> • 16 turkeys died on trailer from heat stress

Jan. 25, 2022	PETA	FSIS inspection records	Joe Jurgielewicz & Son, Ltd. (P7875) Birdsboro Kosher Farms Corp. (P45134)	Berks County, PA	July 9, 2021: <ul style="list-style-type: none"> Ducks were thrown approximately three feet to get them closer to the conveyor Slow and injured ducks were thrown into the back of a truck July 26, 2021: <ul style="list-style-type: none"> Approximately 250 chickens died from heat stress after being left in almost 90°F weather Chickens were flung by their necks into cages
Jan. 26, 2022	PETA	FSIS inspection records	Perdue Foods, LLC (P764) (P1243) (P9197) (P18285)	Salisbury, MD Lewiston Woodville, NC Rocking-ham, NC Dillon, SC	May–Sept. 2021: <ul style="list-style-type: none"> Chickens were left to drown in electrified water as the line stopped leaving their heads submerged Live birds were buried under dead birds A live bird was left in a vat of dead birds for at least two days A bird had its beak impaled by a cage bar One small, live bird was completely buried underneath fecal matter and other chicken's feet Multiple birds entered the scald tank alive
Jan. 27, 2022	PETA	FSIS inspection records	George's Processing, Inc. (P208)	Springdale, AR	April 2021: <ul style="list-style-type: none"> Two chickens were left on transport trailer without food or water for at least three days and they were exposed to temperatures between 34-81°F June 15, 2021: <ul style="list-style-type: none"> Five live chickens were found buried in a container of 100-150 dead chickens
April 11, 2022	PETA	FSIS inspection records	Northern Pride, Inc. (P425)	Thief River Falls, MN	Nov. 2021: <ul style="list-style-type: none"> Turkeys were left on transport truck trailer for three days without food, water, or care after the truck flipped on its side.
April 12, 2022	PETA	FSIS inspection records	Case Farms (P15724)	Paint Township, OH	Dec. 17, 2021: <ul style="list-style-type: none"> A chicken was shackled by the legs and punched in the chest
July 21, 2022	PETA	Whistleblower tip and FSIS inspection records	Lincoln Premium Poultry (P48304)	Fremont, NE	June 17, 2022: <ul style="list-style-type: none"> Approximately 1,000 birds were burned alive after the transport truck caught fire 1,500 birds were also injured by the incident and euthanized

1. This list is not intended to be comprehensive. Rather, it is meant to provide a representative sample of instances of cruelty toward poultry as documented and publicized by animal protection organizations over the last two decades.
2. Plant numbers have been included when known.
3. The date(s) that the incident(s) occurred have been included where different from the date that the incidents were made public.
4. For more information about the incidents that were publicized between Feb. 2003 and May 2007, see DENA JONES, ANIMAL WELFARE INSTITUTE, CRIMES WITHOUT CONSEQUENCES: THE ENFORCEMENT OF HUMANE SLAUGHTER LAWS IN THE UNITED STATES 77-80 (2008).
5. For more information about the incidents published between Nov. 2014 and March 2020, see ANIMAL WELFARE INSTITUTE, THE WELFARE OF BIRDS AT SLAUGHTER IN THE UNITED STATES: THE NEED FOR GOVERNMENT REGULATION 14-15 (2020).

Table 2. Letters of Concern (LOC) Issued by FSIS Office of Field Operations¹ (2014–2022)

LOC Date	Plant Name (and Number)	Plant Location	FSIS OFO District Office	Summary of Documented Mistreatment
July 10, 2014	Pilgrim's Pride Corp. (P5787)	Natchitoches, LA	Dallas	<ul style="list-style-type: none"> • High numbers of birds dead on arrival (DOA) due to extreme cold • Live birds found underneath DOAs in transport bins • High number of cadavers (live birds drowned in scald tank)
July 10, 2014	Pilgrim's Pride Corp. (P6638)	Enterprise, AL	Jackson	<ul style="list-style-type: none"> • Multiple instances of live birds entering scald tank
Oct. 10, 2014	Peco Foods, Inc. (P6504)	Tuscaloosa, AL	Jackson	<ul style="list-style-type: none"> • Employee used shackle to decapitate live bird, then hung decapitated bird in shackle • Recurring instances of live birds stacked in layers on conveyor belts, putting them in jeopardy of being crushed or smothered
Nov. 12, 2014	Equity Group, Eufaula Division, LLC (P20322)	Bakerhill, AL	Jackson	<ul style="list-style-type: none"> • Multiple instances of birds being caught, injured, and killed in conveyor belt machinery
Nov. 19, 2014	JCG Foods of Alabama (P548)	Collinsville, AL	Jackson	<ul style="list-style-type: none"> • Recurring instances of high numbers of DOAs due to cold temperatures
Nov. 20, 2014	Pilgrim's Pride Corp. (P6638)	Enterprise, AL	Jackson	<ul style="list-style-type: none"> • Recurring instances of high numbers of DOAs due to cold temperatures
July 21, 2017	Pilgrim's Pride Corp. (P206)	Nacogdoches, TX	Dallas	<ul style="list-style-type: none"> • Large numbers of DOAs due to malfunctioning catch equipment and overcrowding of birds in transport cages
March 11, 2019	Mar-Jac Poultry-MS (P517)	Hattiesburg, MS	Jackson	<ul style="list-style-type: none"> • Live birds observed in DOA pile • Live birds entering scald tank • Injured and distressed birds in damaged cages • Birds piled up and thrown at dump system • Birds left unprotected in hot weather • Live bird run over by a truck
March 13, 2020	Southern Hens (P17766)	Moselle, MS	Jackson	<ul style="list-style-type: none"> • Live bird run over by a truck • Employees throwing and standing on cages holding live birds
Nov. 9, 2020	Koch Foods of Ashland, LLC (P1254)	Ashland, AL	Jackson	<ul style="list-style-type: none"> • Live birds in the DOA bin
Dec. 7, 2020	Koch Foods of Chattanooga, LLC (P7487)	Chattanooga, TN	Jackson	<ul style="list-style-type: none"> • Numerous instances of live birds entering the scald tank

July 9, 2021	Koch Foods of Chattanooga, LLC (P7487)	Chattanooga, TN	Jackson	<ul style="list-style-type: none"> Numerous instances of live birds entering the scalding
March 11, 2022	Birdsboro Kosher Farms Corp. (P45134)	Brooklyn, NY	Philadelphia	<ul style="list-style-type: none"> Live birds thrown across room into discard barrels on top of other live birds Birds that had had their throats cut and been thrown into the discard barrel flew back out of the barrel and walked and bobbed their heads as they were bleeding out Live birds run over and crushed by tractor trailer unloading crates of chickens

1. FSIS Directive 6110.1 *Verification of Poultry Good Commercial Practices* instructs District Veterinary Medical Specialists (FSIS employees who visit slaughter livestock and poultry slaughterhouses to assess whether the animals are being treated humanely) to send LOCs to slaughterhouse management and appropriate state officials when egregious instances of poultry mistreatment have occurred. See https://www.fsis.usda.gov/sites/default/files/media_file/2020-07/6110.1.pdf.



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