

117TH CONGRESS
1ST SESSION

S. 713

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

IN THE SENATE OF THE UNITED STATES

MARCH 11, 2021

Mr. BOOKER (for himself, Ms. WARREN, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. BROWN, Mr. SANDERS, Mr. MERKLEY, Mrs. FEINSTEIN, Mr. CASEY, Mrs. GILLIBRAND, Mrs. MURRAY, and Mr. CARDIN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Line Speeds Dur-
5 ing COVID–19 Act of 2021”.

1 **SEC. 2. TEMPORARY SUSPENSION OF INCREASED LINE**
2 **SPEEDS AT MEAT AND POULTRY ESTABLISH-**
3 **MENTS.**

4 (a) DEFINITIONS.—In this section:

5 (1) COVERED ESTABLISHMENT.—The term
6 “covered establishment” means—

7 (A) an official establishment (as defined in
8 section 301.2 of title 9, Code of Federal Regu-
9 lations (or successor regulations)) that is sub-
10 ject to inspection under the Federal Meat In-
11 spection Act (21 U.S.C. 601 et seq.); and

12 (B) an official establishment (as defined in
13 section 381.1 of title 9, Code of Federal Regu-
14 lations (or successor regulations)) that is sub-
15 ject to inspection under the Poultry Products
16 Inspection Act (21 U.S.C. 451 et seq.).

17 (2) COVERED PERIOD.—The term “covered pe-
18 riod” means the period beginning on the date of en-
19 actment of this Act and ending on the date that is
20 90 days after the date on which the COVID–19
21 emergency is lifted.

22 (3) COVID–19 EMERGENCY.—The term
23 “COVID–19 emergency” means the public health
24 emergency declared by the Secretary of Health and
25 Human Services under section 319 of the Public

1 Health Service Act (42 U.S.C. 247d) on January
 2 31, 2020, with respect to COVID–19.

3 (4) SECRETARY.—The term “Secretary” means
 4 the Secretary of Agriculture.

5 (b) TEMPORARY SUSPENSION OF WAIVERS.—

6 (1) IN GENERAL.—Notwithstanding any other
 7 provision of law (including regulations, including
 8 sections 303.1(h) and 381.3(b) of title 9, Code of
 9 Federal Regulations (or successor regulations)), dur-
 10 ing the covered period, the Secretary, acting through
 11 the Administrator of the Food Safety and Inspection
 12 Service—

13 (A) shall suspend any waivers issued be-
 14 fore the date of enactment of this Act relating
 15 to—

16 (i) line speeds at covered establish-
 17 ments; and

18 (ii) inspection staffing requirements
 19 for covered establishments;

20 (B) shall not issue any waiver described in
 21 subparagraph (A) to covered establishments;
 22 and

23 (C) shall suspend implementation of, and
 24 conversion to, the New Swine Slaughter Inspec-
 25 tion System described in the final rule entitled

1 “Modernization of Swine Slaughter Inspection”
2 (84 Fed. Reg. 52300 (October 1, 2019)).

3 (2) LIMITATION ON AUTHORITY OVER LINE
4 SPEEDS.—None of the funds made available to the
5 Secretary during the covered period may be used to
6 develop, propose, finalize, issue, amend, or imple-
7 ment any policy, regulation, directive, constituent
8 update, or any other agency program that would in-
9 crease line speeds at covered establishments.

10 (3) EFFECT ON STATE LAW.—

11 (A) IN GENERAL.—This subsection shall
12 not preempt or limit any law or regulation of a
13 State or a political subdivision of a State that—

14 (i) imposes requirements that are
15 more protective of worker safety or animal
16 welfare than the requirements of this sub-
17 section; or

18 (ii) creates penalties for conduct regu-
19 lated by this subsection.

20 (B) OTHER LAWS.—The requirements of
21 this subsection are in addition to, and not in
22 lieu of, any other laws protecting worker safety
23 and animal welfare.

24 (c) GAO REVIEW.—

1 (1) IN GENERAL.—Not later than 90 days after
2 the end of the covered period, the Comptroller Gen-
3 eral of the United States shall carry out, and submit
4 to Congress, a review of the actions taken by the
5 Secretary, the Secretary of Labor, and the Secretary
6 of Health and Human Services in response to the
7 COVID–19 pandemic to determine the effectiveness
8 of those actions in protecting animal, food, and
9 worker safety.

10 (2) CONTENTS.—The review carried out under
11 paragraph (1) shall include information on, and an
12 analysis of, with respect to covered establishments—

13 (A) all policies and regulations relating to
14 inspection of those establishments that have
15 been implemented by the Secretary, the Sec-
16 retary of Labor, and the Secretary of Health
17 and Human Services during the COVID–19
18 emergency and the covered period;

19 (B) the pandemic emergency preparedness
20 plans of those establishments;

21 (C) the extent to which those establish-
22 ments have implemented guidance and rec-
23 ommendations to space workers 6 feet apart on
24 production lines and in break rooms, locker
25 rooms, and all other workspaces;

1 (D) the quantity and usage of personal
2 protective equipment by workers at those estab-
3 lishments;

4 (E) any guidance provided to inspectors of
5 those establishments by the Secretary, Sec-
6 retary of Labor, or the Secretary of Health and
7 Human Services during the COVID-19 emer-
8 gency;

9 (F) actions taken by the Secretary, the
10 Secretary of Labor, and the Secretary of Health
11 and Human Services to protect workers, ani-
12 mals, and food at establishments that have re-
13 ported cases of COVID-19;

14 (G) all humane handling reports issued,
15 and enforcement actions taken, by the Sec-
16 retary during the COVID-19 emergency pursu-
17 ant to—

18 (i) Public Law 85-765 (commonly
19 known as the “Humane Methods of
20 Slaughter Act of 1958”) (7 U.S.C. 1901 et
21 seq.); and

22 (ii) good commercial practices regula-
23 tions promulgated under the Poultry Prod-
24 ucts Inspection Act (21 U.S.C. 451 et
25 seq.);

1 (H) the impact of faster line speeds on the
 2 ability of those establishments to maintain pro-
 3 tections for workers; and

4 (I) any instance of interference by a Fed-
 5 eral agency with a review of a covered establish-
 6 ment experiencing an outbreak of COVID–19
 7 conducted by personnel of the Centers for Dis-
 8 ease Control and Prevention.

9 (d) REPORTS TO CONGRESS.—Not later than 180
 10 days after the date of enactment of this Act, the Sec-
 11 retary, the Secretary of Labor, and the Secretary of
 12 Health and Human Services shall each submit to the Com-
 13 mittees on Agriculture, Nutrition, and Forestry and
 14 Health, Education, Labor, and Pensions of the Senate,
 15 and the Committees on Agriculture and Education and
 16 Labor of the House of Representatives, a report that—

17 (1) describes the actions taken by that Sec-
 18 retary to ensure worker, animal, and food safety
 19 during the COVID–19 emergency; and

20 (2) includes an analysis of the issues described
 21 in subparagraphs (A) through (H) of subsection
 22 (c)(2).

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