

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

FARM SANCTUARY; ANIMAL EQUALITY;)
ANIMAL LEGAL DEFENSE FUND; CENTER)
FOR BIOLOGICAL DIVERSITY; ANIMAL)
OUTLOOK; MERCY FOR ANIMALS, INC.;)
AND NORTH CAROLINA FARMED ANIMAL)
SAVE,)

Plaintiffs,

Civil Action No.: 19-cv-6910-EAW

v.)

UNITED STATES DEPARTMENT OF)
AGRICULTURE; FOOD SAFETY AND)
INSPECTION SERVICE; AND PAUL KIECKER)
IN HIS OFFICIAL CAPACITY AS FOOD)
SAFETY AND INSPECTION SERVICE)
ADMINISTRATOR,)

DECLARATION OF JILL MAUER

Defendants.

I, JILL MAUER, declare as follows:

1. I have personal knowledge of the facts and statements contained herein and, if called as a witness, could and would competently testify thereto.

2. I am submitting this declaration in support of Plaintiffs' challenge to Defendants' Modernization of Swine Slaughter Inspection rulemaking, 84 Fed. Reg. 52,300 (Oct. 1, 2019).

3. I am a federal Consumer Safety Inspector GS-9 Step 9 working for the U.S. Department of Agriculture's (USDA) Food Safety and Inspection Service (FSIS). I have worked as a USDA meat inspector for more than twenty-five years. For the last twenty-three years, I have been an inspector at the Austin, Minnesota, Quality Pork Processors (QPP) slaughterhouse, where I currently still work.

4. When I first started working as an inspector at QPP, it operated under the

USDA's traditional inspection protocols. I was an inspector at QPP when it was granted a waiver under the USDA's HACCP-based Inspection Models Project (HIMP), a pilot program that allowed QPP and four other hog slaughterhouses to operate at higher line speeds and with reduced federal inspection.

5. QPP quickly took advantage of the waiver and began to incrementally increase line speeds. Over the years, QPP has steadily increased the number of hogs killed hourly. Currently up to 1,325 pigs are killed hourly at QPP. The line speed increases have consistently resulted in greater numbers of hogs slaughtered. Being able to kill more hogs hourly has not resulted in reduced hours of operation. Thus, as the line speeds have steadily increased, so too has the number of hogs slaughtered daily and annually. As the number of hogs slaughtered increases, the number of trucks coming to the slaughterhouse necessarily increases as well.

6. I am familiar with the recent decision by the FSIS to finalize a rule that allows hog slaughterhouses nationwide to opt into the HIMP model, which the agency now refers to as the New Swine Slaughter Inspection System (NSIS). Slaughterhouses that opt in to the NSIS under the rule can disregard longstanding federal limits on the number of hogs they can slaughter hourly and operate with reduced federal oversight.

7. Although I do not currently inspect animal handling at QPP, I have in the past, including under HIMP. When doing so I have regularly observed hogs who were driven to move faster than a normal walking speed, workers who have raised their paddles over their heads to strike the hogs, hogs vocalizing (a sign of stress) while moving, and heavy crowding of hogs, resulting in them piggybacking one another.

8. I have observed an increase in the number of slaughtered hogs at QPP who have

water from the scalding tank in their lungs. Under proper protocols, I would not expect to see this many hogs with tank water in their lungs, especially when carbon dioxide chambers are used for stunning, as they are at QPP. While there are a few reasons why tank water in the lungs may occur, tank water in hogs' lungs is an indication that pigs were possibly still breathing at the time they entered the scalding tank.

9. I am aware that the FSIS asserts that a key element of NSIS is freeing up agency resources to conduct more offline inspection activities. This is totally inconsistent with my experience. At QPP, very little offline inspection activities occur.

10. Like many slaughterhouses, QPP is chronically understaffed when it comes to USDA inspectors. For the last five years, QPP has consistently lacked adequate inspection staff. In fact, during my twenty-three years there, QPP has only rarely and briefly had full inspection staff.

11. At QPP, inspectors have about two seconds per pig to identify pathology and fecal contamination.

12. Based on my experience, I can say with some certainty that QPP is not meeting USDA's food safety standards.

13. To the extent that QPP appears to meet USDA food safety standards, that appearance is the result of improper documentation that I have personally witnessed from slaughterhouse employees and USDA inspectors, and improper management of records and processes.

14. I have witnessed slaughterhouse employees attempt to sneak defective carcasses past me.

15. QPP threatens USDA inspectors who try to do their jobs. This has happened to me, and I have seen it happen to other inspectors.

16. In my opinion, agency records of food safety violations do not accurately portray the extent of those violations. I suspect this is also the case with humane handling violations.

17. Defects such as toenails, hair, and abscesses are routinely allowed for human consumption at QPP. There is a workplace culture at QPP that discourages inspectors from stopping the line for any reason.

18. Noncompliance records (NRs) for zero tolerance standards, including those for fecal contamination, increased at QPP under HIMP. I am aware that pigs' feces can transmit a host of diseases to humans, including *Campylobacter spp.*, *Salmonella spp.*, *Listeria monocytogenes*, *Escherichia coli (E. coli)*, *Cryptosporidium parvum*, and *Giardia lamblia*, some of which can be fatal.

19. During my time as a HIMP inspector, I witnessed diseased pigs allowed for human consumption at QPP, including pigs with tuberculosis and thyroid conditions, which can trigger serious health problems in some people when consumed.


20. I would not consume product from QPP, or from any HIMP or NSIS slaughterhouse. I would consume meat products from a slaughterhouse subject to traditional inspection because it is more thoroughly inspected to ensure food safety.

21. I believe that if USDA inspectors were allowed to do our jobs, we would be retaining significantly more products at QPP.

22. I believe that food safety is significantly imperiled as a result of the reduced inspector oversight and increased line speeds authorized by the NSIS.

In accordance with 28 U.S.C. § 1746 and under penalty of perjury, I swear that the foregoing is true and correct.

Executed on the 10 day of April, 2020


/s/ _____
Jill Mauer