AMENDMENT TO RULES COMMITTEE PRINT

117–50

OFFERED BY M___. ____________

Strike title I and insert the following:

TITLE I—MEAT AND POULTRY PROCESSING EFFICIENCY

SEC. 101. MEAT AND POULTRY PROCESSING EFFICIENCY.

(a) REQUESTS RELATED TO MAXIMUM RATES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Agriculture shall—

(A) publish in the Federal Register criteria that the Secretary shall consider in granting requests submitted by establishments for operation at rates in excess of the maximum rates specified in sections 310.1 and 381.69 of title 9, Code of Federal Regulations (or successor regulations); and

(B) begin accepting and reviewing such requests from such establishments.

(2) RESPONSE.—Not later than 90 days after the date on which a request from an establishment
is submitted, the Secretary shall respond to such request—

(A) approving such request if the request meets the criteria established pursuant to paragraph (1); or

(B) denying such request and explaining in detail the rationale for such denial.

(3) Duration of Approved Requests.—An establishment may continue to operate pursuant to any request approved under this subsection so long as the establishment continues to meet the criteria established pursuant to paragraph (1).

(b) Continuation of Operations at Certain Establishments.—

(1) Swine Establishments.—In the case of an establishment to which the maximum rates in section 310.1(b)(3) of title 9, Code of Federal Regulations did not apply pursuant to section 310.26(c) of title 9, Code of Federal Regulations, as in effect on March 30, 2021, such rates shall continue to not apply so long as the establishment—

(A) maintains effective process control; and
(B) prevents contamination of carcasses and parts by enteric pathogens and visible fecal material, ingesta, and milk.

(2) Poultry Establishments.—In the case of an establishment to which the maximum rates in section 381.69 of title 9, Code of Federal Regulations do not apply pursuant to section 381.3 (b) of title 9, Code of Federal Regulations, such rates shall continue to not apply so long as the establishment maintains effective process control.

(c) Definitions.—In this section:

(1) Establishment.—The term “establishment” means—

(A) an official establishment (as defined in section 301.2 of title 9, Code of Federal Regulations that is subject to inspection under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.); and

(B) an official establishment (as defined in section 381.1 of title 9, Code of Federal Regulations that is subject to inspection under the Poultry Products Inspection Act (21 U.S.C. 451 et seq.).

(2) Process Control.—The term “process control” means operating conditions necessary for
the production of safe, wholesome food as described in subchapter A of chapter III of title 9, Code of Federal Regulations (or successor regulations).