

ONE HUNDRED SIXTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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WASHINGTON, DC 20515-6115

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May 12, 2020

Robert R. Redfield, M.D.
Director
Centers for Disease Control and Prevention
1600 Clifton Road
Atlanta, GA 30329-4027

Dear Dr. Redfield:

We write regarding the Centers for Disease Control and Prevention's (CDC) efforts to protect food production workers from the dangers of the coronavirus disease 2019 (COVID-19). Sustaining the nation's food supply is critical. However, given the growing number of COVID-19 outbreaks in food production plants across the country, we are concerned that existing federal guidance may not be sufficient to protect the health of these vulnerable workers—many of whom are people of color or from low-income communities.

As the nation's health protection agency, CDC plays a critical role in ensuring the safety of the food production workforce, particularly in the midst of a pandemic. Other federal agencies, such as the Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA), have relied on CDC guidance in issuing their own respective COVID-19 guidance for food production workers.¹ Additionally, public health officials may rely on CDC's epidemiological assistance teams, known as "Epi-Aid," to investigate urgent public health problems when requested.² The South Dakota Department of Health, for example, requested CDC Epi-Aid assistance in developing strategies to help reduce the spread of COVID-19 among

¹ U.S. Food and Drug Administration, *What to Do if You Have COVID-19 Confirmed Positive or Exposed Workers in Your Food Production, Storage, or Distribution Operations Regulated by FDA* (Apr. 2020); U.S. Department of Agriculture, *USDA COVID-19 Playbook Version 2.0: Employee at a USDA Facility Who Tests Positive for COVID-19* (Mar. 19, 2020); Centers for Disease Control and Prevention, *Interim Guidance for Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19* (accessed May 7, 2020) (www.cdc.gov/coronavirus/2019-ncov/downloads/critical-workers-implementing-safety-practices.pdf).

² Centers for Disease Control and Prevention, *Epidemiologic Assistance* (accessed May 7, 2020) (www.cdc.gov/eis/request-services/epiaids.html).

employees at a Sioux Falls pork processing plant.³

On April 26, CDC and the Department of Labor's (DOL) Occupational Safety and Health Administration (OSHA) released interim guidance for meat and poultry facilities, which includes suggestions for changes to practices and processes when feasible, though management compliance is voluntary.⁴ On April 28, the President issued an Executive Order requiring meat and poultry processing plants to continue operations consistent with the CDC and OSHA guidance.⁵ Labor unions and public health experts caution that the guidance issued to date is unenforceable and falls short of the practices necessary to protect food production workers.⁶

In the midst of the COVID-19 pandemic, food production workers are at an increased risk of acquiring and transmitting the virus. A recent CDC report found there were nearly 5,000 COVID-19 cases and 20 related deaths among roughly 130,000 workers in 115 meat and poultry facilities from April 9 to April 27.⁷ The report identified a number of safety challenges facing these workers, such as crowded conditions and management practices that may incentivize attendance even when ill.⁸ For instance, three of the country's largest meat processors reportedly told employees to continue working while they were sick, including employees at a plant in Greeley, Colorado, where 64 percent of workers with COVID-19 continued working while symptomatic.⁹

³ U.S. Department of Health and Human Services, *Strategies to reduce COVID-19 transmission at the Smithfield Foods Sioux Falls Pork Plant* (Apr. 22, 2020) (memorandum to Joshua Clayton, South Dakota Department of Health).

⁴ U.S. Department of Labor, *U.S. Department of Labor's OSHA and CDC Issue Interim Guidance To Protect Workers in Meatpacking and Processing Industries* (Apr. 26, 2020) (press release); *OSHA releases guidance to keep meatpacking workers safe amid surging cases, food supply fears*, Washington Post (Apr. 27, 2020).

⁵ White House, *Executive Order on Delegating Authority Under the DPA with Respect to Food Supply Chain Resources During the National Emergency Caused by the Outbreak of COVID-19* (Apr. 28, 2020).

⁶ *Watchdog groups say new FDA, CDC guidelines don't go far enough to protect essential food workers*, Washington Post (Apr. 10, 2020); *Trump Declares Meat Supply 'Critical,' Aiming to Reopen Plants*, New York Times, (Apr. 28, 2020).

⁷ Centers for Disease Control and Prevention, *Morbidity and Mortality Weekly Report, COVID-19 Among Workers in Meat and Poultry Processing Facilities—19 States*, April 2020 (May 1, 2020).

⁸ *Id.*

⁹ *As they rushed to maintain U.S. meat supply, big processors saw plants become covid-19 hot spots, worker illnesses spike*, Washington Post (Apr. 25, 2020).

The need to protect the health of food production workers extends beyond those in meat and poultry facilities. According to the Food and Environment Reporting Network, as of May 11, at least 194 meat and processed food plants reported more than 13,500 COVID-19 confirmed cases.¹⁰ These outbreaks have occurred among workers at a range of food processing facilities, such as those producing cereal and baked goods, as well as frozen vegetables and premade salad facilities.¹¹

The breadth of the COVID-19 outbreaks among workers in food production facilities presents disturbing health inequities for those who are low-income, people of color, and immigrant communities who are more likely to work in these settings.¹² In South Dakota, for example, the disproportionate rate of COVID-19 among people who are Black, Hispanic, and people of Asian descent is attributed in large part to the outbreak that occurred at the pork processing plant in Sioux Falls, South Dakota.¹³

Across the nation, Latino labor and civil rights advocates have raised alarm given the number of Latino workers in the food production industry.¹⁴ They note that these workers are “struggling to get adequate protective supplies and to distance themselves from other workers.”¹⁵ Workers are also lacking safety information about COVID-19, such as at the Greeley, Colorado plant, where over 30 languages are spoken, yet reportedly very few COVID-19 materials have been translated into different languages.¹⁶ As Domingo Garcia, president of the League of United Latin American Citizens stated in early April, “These are essential frontline workers. They are just as important as doctors and nurses, but they are not being treated that way.”¹⁷

¹⁰ Food and Environment Reporting Network, *Mapping COVID-19 in meat and food processing plants* (May 1, 2020).

¹¹ *10 Post employees at Battle Creek plant test positive for coronavirus*, Battle Creek Enquirer (Apr. 21, 2020); *At Least Three Coronavirus Cases Confirmed at Vernon Industrial Bakery, About 40 Employees Placed Under Quarantine*, Forthe (Apr. 19, 2020); *Food processing plants see surge in COVID-19 cases, including more than 100 in Darien*, TMJ4-Milwaukee (Apr. 29, 2020); *100 cases of COVID-19 associated with Taylor Farms in North Kingstown*, ABC6 (Apr. 22, 2020).

¹² *South Dakota Meat Plant Is Now Country’s Biggest Coronavirus Hot Spot*, New York Times (Apr. 15, 2020); *Poultry Worker’s Death Highlights Spread of Coronavirus in Meat Plants*, New York Times (Apr. 9, 2020).

¹³ *Minority groups hit hardest by COVID-19 in South Dakota*, Rapid City Journal (Apr. 29, 2020).

¹⁴ *Latinos’ coronavirus deaths at meat processing plants raise alarms about worker safety*, NBC News (Apr. 14, 2020).

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

Robert R. Redfield, M.D.

May 12, 2020

Page 4

While CDC has long fulfilled its mission to provide science-based health information to protect our nation from dangerous threats,¹⁸ it is unclear if the guidance and information provided to date to food production facilities has been sufficient to address the increased risks that these workers face.

Given these concerns, we request a briefing on the efforts CDC is taking to assist in ongoing endeavors to keep workers in the food supply chain safe. We also request responses to the following questions by May 26, 2020.

1. In light of the continued food production facility outbreaks and stakeholder concerns, is CDC planning to provide updated COVID-19 guidance to food production employers and workers? If not, please detail how CDC assesses the need, appropriateness, implementation, and determination on whether and when to update guidance.
2. How is CDC coordinating with agencies with respective regulatory authority over food production facility worker safety to assess guidance effectiveness and enforcement? Please detail ongoing efforts with FDA, the Department of Homeland Security, DOL, USDA, and other agencies as applicable.
3. How many CDC Epi-Aid teams have been requested and deployed related to concentrated COVID-19 outbreaks within food production facilities? Please detail these requests including the specific locations, findings, recommendations, and current status of ongoing investigations.

Thank you for your prompt attention to this matter. To schedule the briefing and for any questions about this request, please contact Jesseca Boyer and Manmeet Dhindsa of the Committee staff at (202) 225-2927.

Sincerely,



Frank Pallone, Jr.
Chairman



Diana DeGette
Chair
Subcommittee on Oversight
and Investigations

¹⁸ Centers for Disease Control and Prevention, *CDC Organization* (accessed May 7, 2020) (www.cdc.gov/about/organization/cio.htm).