

From: [Venhuizen, Tony](#)
To: [Censky, Stephen - OSEC, Washington, DC](#)
Subject: [Caution: Suspicious Attachment]Fwd: Sioux Falls, SD Smithfield plant
Date: Thursday, April 30, 2020 7:13:23 PM
Attachments: [South Dakota Department of Health_043020.pdf](#)
[ATT00001.htm](#)

Steve - thanks for the call just now. Attached is the letter we received this afternoon from Smithfield, for your reference. Please let us know when you have sent them your letter tomorrow, as we do not intend to respond to this letter until that has happened.

This is my email; my cell is (b) (6)

Thanks again.

Tony Venhuizen
Chief of staff

~~~~~  
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Questions: Contact USDA OCIO Information Security center (ISC) via email at (Spam.Abuse@usda.gov)





**From:** [Masters, Barbara](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** Advance Request - Potential Future Needs In the Event of Future Mass Testing Requests  
**Date:** Tuesday, May 26, 2020 10:49:16 AM  
**Attachments:** [image001.png](#)

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Mindy

Hope you had a great Memorial Day and were able to enjoy some time with family!

As I believe you are aware, we have considered testing in our Covid-19 Assessment and Plan. Our go forward approach is intended to be risk-based focusing primarily on symptomatic team members and close contacts. Up to this point, we have been asked, and complied with the requests, by local health departments, to conduct mass employee testing. This has been completed in some locations by the health department and in other locations by our third-party medical provider. We have learned through these mass testing events that it is a “process of steps” --- the actual sampling and associated logistics, shipping (courier service to ensure samples over multiple days arrive in a staggered approach to the lab); the processing of tests at the lab; reporting (including data quality checks); and then finally notification of employees (including education). We have been very transparent with our data in the locations where the 3<sup>rd</sup> party has done the testing and plan to continue to do so.

We are hopeful that these large scale testing events are behind us, and that we can move to our risk-based approach conducted by our third-party medical provider. That said – we know that as the country opens and we see some locations and communities have increases in cases we anticipate we may be asked to do additional mass testing events. We have learned that when we need to do this it must occur as expeditiously as possible to ensure the employees receive their results in the most-expedited fashion as possible.

We wanted to raise this to your attention as we feel in the event we are asked to do additional mass testing, there are two areas we may benefit from assistance. I wanted to put this on your radar [screen in advance of the specific ask...](#)

-  
The areas we feel we could benefit (without any privacy concerns, etc.) would be:

- Courier service – could USDA assist in providing resources (e.g., National Guard, etc.) that could provide a courier service of samples from the plant to the laboratory at the end of each sampling day during a Mass testing event
- Could USDA assist in providing resources (e.g., National Guard, etc.) to help our team in the upfront logistics. The resource(s) would assist a Tyson Team member in getting the right documentation on sample tubes and contact info from team members. In most circumstances we would see this as a limited number of individuals.

I hope not to have to reach out, but in the event another mass testing event is scheduled, I wanted you to have the opportunity to have thought through the possibilities before I actually reach out.

Feel free to call if questions. Thanks in advance for considering the advance request.

Barb



**Barb Masters, DVM**

VP Regulatory Policy, Food and Agriculture  
Law Department

**Tyson Foods**

1000 F Street NW, Ste. 600  
Washington, DC 20004

(mobile) (b) (6)

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(b) (6) @tyson.com

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**From:** [Kathryn Unger](#)  
**To:** [Young, Joby - OSEC, Washington, DC](#)  
**Subject:** Assistance requested  
**Date:** Monday, April 13, 2020 10:05:49 AM

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Hi Joby. I heard this morning from our team that our Protein business is trying to procure testing kits. We sent a note to Steve Elson at FEMA but have not yet heard back from him. We will continue to reach out to Steve, but is there any way you might also give a little push? Having the testing kits to pre-screen employees before shifts would go a long way towards keeping us operational.

Regards,  
KU

*Kathryn Graves Unger*  
*Vice President, North America*  
*Government Relations*



direct: (b) (6)

mobile: (b) (6)

*Everyone has the obligation to STOP an unsafe activity.*

**From:** [Skahill, Michael P.](#)  
**To:** [Young, Joby - OSEC, Washington, DC](#)  
**Subject:** Call Smithfield  
**Date:** Friday, May 1, 2020 5:32:52 PM  
**Attachments:** [ATT00001.png](#)

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Joby

Can you call me at (b) (6)

Thanks

Sent from my iPhone



Michael P. Skahill  
Vice President, Government Affairs

p: (b) (6) c: (b) (6)  
e: (b) (6)@smithfield.com

111 Commerce St.  
Smithfield, VA 23430

[smithfieldfoods.com](http://smithfieldfoods.com)

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**From:** [Jake Kuhns](#)  
**To:** [Young, Joby - OSEC, Washington, DC](#)  
**Cc:** [Kathryn Unger](#)  
**Subject:** Cargill Schuyler, NE Beef Facility Reduces Shifts  
**Date:** Saturday, May 2, 2020 11:27:32 AM

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Hi Joby – I’m writing to let you know that our Schuyler, Neb., protein facility will temporarily reduce shifts effective today. We are taking this step out of an abundance of caution as our local workforce deals with the community-wide impacts of COVID-19. There have not been layoffs and employees will be given the opportunity for additional shifts and additional recognition pay for essential workers.

Please don’t hesitate to contact me with any questions,  
Jake

**Below is a comment attributable to Jon Nash, Cargill Protein – North America Lead**

“As we continue to prioritize the health and safety of Cargill employees, we have decided to temporarily reduce shifts at our Schuyler protein facility. This will help minimize the impact of COVID-19 and follows health guidelines. This was a difficult decision for our team, but our values are guiding our actions. Our focus now is continuing to keep our employees safe and getting our facility back to normal operations as soon as we can.

“We are working closely with local health officials to ensure appropriate prevention, testing, cleaning and quarantine protocols are followed within our facilities. For several weeks, we have taken extra steps to focus on safety and remain at normal operations – including temporary wage increases and bonuses. We also implemented additional safety measures like temperature testing, enhanced cleaning and sanitizing, face coverings, screening between employee stations, prohibiting visitors, adopting social distancing practices where possible and offering staggered breaks and shift flexibility. These measures will remain in place when we resume full operation.

While this location is running with reduced shifts and we adapt to operating during a pandemic, our work doesn’t stop. Cargill provides an essential service to the world—providing the ingredients, feed and food that nourishes people and animals. We are working with farmers and ranchers, our customers and our employees to supply food in this time of crisis and keep markets moving.”

*Jake Kuhns*  
*Director, Federal Government Relations*



direct: (b) (6) | mobile: (b) (6)  
[www.cargill.com](http://www.cargill.com)

**From:** [Kathryn Unger](#)  
**To:** [Young, Joby - OSEC, Washington, DC](#)  
**Subject:** Cargill's PPE and other needs  
**Date:** Tuesday, April 14, 2020 6:14:58 PM

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Hi Joby. Responding to your question from a couple of hours ago, from the business I am hearing very clearly that **as of today** we have enough PPEs to operate. That said, N95 masks are in short supply and we are using alternative masks to get by. These masks do not quite work as well, but we are trying not to compete with the N95 masks that healthcare workers need. In a couple of weeks, we may have more concern as we see the demand for masks growing and more companies putting their employees in masks.

The **more urgent ask** is for rapid antigen and antibody tests. Having these would help us open a currently idled plant and enable us to keep other plants open. We need **2000 per month of each**.

I hope this helps and thank you for asking. I cannot underscore enough how critical the tests are.

Regards,  
KU

*Kathryn Graves Unger*  
*Vice President, North America*  
*Government Relations*



direct: (b) (6)

mobile: (b) (6)

*Everyone has the obligation to STOP an unsafe activity.*

Stephen Censky alias email

**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Sullivan, Ken](#)  
**Cc:** [Skahill, Michael P.; \(b\) \(6\)](#) - OSEC, Washington, DC; [Newsome, Shawna - OSEC, Washington, DC](#); [Beal, Mary Dee - OSEC, Washington, DC](#); [Shuford, Campbell - OSEC, Washington, DC](#); [Young, Joby - OSEC, Washington, DC](#); [Rollins, Blake - OSEC, Washington, DC](#); [Brashears, Mindy - OSEC, Washington, DC](#); [Rodgers, Meghan - OC, Washington, DC](#)  
**Subject:** CDC Report  
**Date:** Wednesday, May 6, 2020 2:45:58 PM  
**Attachments:** [smithfieldCDCUSDAdoc.pdf](#)  
[image001.png](#)

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Dear Mr. Sullivan,  
Attached please find a document with the CDC findings.

As mentioned to Mr. Skahill, we expect operations to resume immediately.

Let me know if you need additional information.

Mindy Brashears

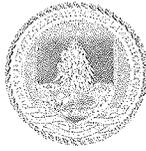


**Mindy M. Brashears, Ph.D.**

Under Secretary  
Food Safety  
United States Department of Agriculture

Office: (b) (6)  
[mindy.brashears@usda.gov](mailto:mindy.brashears@usda.gov)

*"Do Right and Feed Everyone... Safely!"*



THE UNDER SECRETARY OF AGRICULTURE  
FOR FOOD SAFETY  
WASHINGTON, D. C.  
20250-0100

May 6, 2020

To: Ken Sullivan - CEO  
Smithfield Foods

From: Mindy Brashears, PhD  
Under Secretary for Food Safety – USDA

A handwritten signature in cursive script that reads "Mindy Brashears".

Subject: CDC Report – Smithfield-Sioux Falls, SD COVID 19 Plans

Attached please find the report from the Centers for Disease Control and Prevention (CDC) describing the evaluation of the Smithfield Pork Processing establishment in Sioux Falls, SD. A CDC team evaluated the compliance with the recommendations set forth in the guidance, "Meat and Poultry Processing Workers and Employers - Interim Guidance from CDC and the Occupational Safety and Health Administration (OSHA)". Their observations are described in the attachment.

The report indicates that the Smithfield facility in Sioux Falls, SD is utilizing the CDC/OSHA guidance to protect the workers and the community. The only suggestion that they have was for the standalone documents to be combined into one comprehensive plan.

Based on this report submitted to USDA, it is our expectation that the pork facility in Sioux Falls, SD be opened immediately. Please provide us with a timeline for re-opening and continued operation.

Let me know if you have any questions or if you need additional information.

Thank you.



Department of Justice  
Office of Inspector General  
Washington, D.C. 20535

**From:** [Young, Joby - OSEC, Washington, DC](#)  
**To:** [ian.fury@state.sd.us](mailto:ian.fury@state.sd.us)  
**Cc:** [Lombardo, Keira](#)  
**Subject:** connect  
**Date:** Monday, April 20, 2020 6:01:00 PM

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Hi guys-

Per my conversation with Ken earlier as well as Ian I am connecting you all. Happy to follow up with a phone chat if that helps connect the dots.

-Joby



**Joby Young**

Chief of Staff  
United States Department of Agriculture

**From:** [KatieRose McCullough](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#); [Newsome, Shawna - OSEC, Washington, DC](#); [Bronstein, Philip - FSIS](#); [Hunter, Karen - FSIS](#)  
**Cc:** (b) (6) [@meatinstitute.org](#)  
**Subject:** COVID-19 Employee Testing Guidance  
**Date:** Wednesday, April 22, 2020 10:59:41 AM  
**Attachments:** [NAMI COVID-19 Testing Guidance FINAL.pdf](#)

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Good Morning,

As the COVID-19 issues continue, we have received a lot of questions and interest regarding employee testing. Yesterday, we provided the attached guidance to our members on when employee testing would be appropriate and wanted to share with you. Please let us know if you have any questions.

KR

**KatieRose McCullough PhD, MPH**

Director of Scientific and Regulatory Affairs

**North American Meat Institute**

Office: (b) (6) Cell: (b) (6)

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1150 Connecticut Ave., NW 12<sup>th</sup> Floor

Washington, D.C. 20036



## Meat and Poultry Industry COVID-19 Testing Guidance

### *Introduction*

As the SARS-CoV-2 (COVID-19) pandemic continues to spread, there is increased pressure on the meat and poultry industry to implement employee COVID-19 testing protocols. Although testing provides a snapshot of COVID-19 incidence at a single point in time, it is not a “silver-bullet” solution for COVID-19 control and monitoring in establishments.

### *Types of COVID-19 Tests Available<sup>1</sup>*

There are two types of tests for COVID-19 detection. The first is molecular based testing, which works by identifying the virus’s genetic material. The second is immunoassays, which measures the presence or concentration of small viral specific molecules using antibodies or antigens.

Molecular based tests look for the virus’s genetic material using nucleic acid amplification tests (NAAT) or polymerase chain reaction (PCR) tests. NAATs or PCRs work by detecting the virus's genetic material, typically directly from a patient's respiratory system (e.g. nasal or throat swab). The Food and Drug Administrations (FDA) approves molecular based tests for SARS-CoV-2, ensuring they meet the Emergency Use Authorization (EUA) statutory standard and yield highly accurate results.

Immunoassays measure the presence or concentration of small viral specific molecules using antibodies or antigens. These tests are often called serology or antibody tests. Specific antibodies form when the body responds to an infection, like COVID-19. Immunoassays often evaluate the body's immune response to COVID-19 infection rather than detecting the virus itself. Tests based on the body’s immune response are less accurate in evaluating an individual’s current disease status than those testing for the genetic material of the virus. Early on, the body's immune response is still building, and antibodies may not be detected. This may result in a false *negative*. There also can be issues with false *positives*, because antibodies related to COVID-19 can remain in the body after infection is over and someone is no longer contagious. This limits the test's effectiveness for diagnosing COVID-19. In fact, FDA specifically says that serology or antibody tests alone should not be used to diagnose COVID-19.

The two most common COVID-19 related response antibodies that immunoassays test for are the IgM antibody response and the IgG antibody. However, these antibodies take time to build up in the body of a sick individual. Therefore, it can

<sup>1</sup> For more information, see FDA’s [FAQs on Diagnostic Testing for SARS-CoV-2](#).

take time before immunoassay, serology, or antibody tests can detect the antibody and result in a positive test.

The body's initial immune response produces IgM antibodies that attack many infections, not just SARS-CoV-2. IgM antibodies can indicate an active or recent infection. Because IgM antibodies take time to build up in the body in response to SARS-CoV-2, a negative test result for IgM antibodies does not mean that someone is not infected. Over time, the body develops IgG antibodies in response to SARS-CoV-2 infection, which are more specific to the virus. Many antibody-based tests detect IgG. However, both IgM and IgG antibodies take time to develop. Typically, the IgM antibody response does not peak until approximately nine days after initial infection and for approximately 11 days for the IgG antibody response.<sup>2</sup>

***Due to the limited effectiveness of immunoassay, serology, or antibody tests, to ensure confidence in the results and current disease status only molecular based tests detecting the virus's genetic material should be utilized where testing for COVID-19 is appropriate.***

#### *Determining When to Test*

According to the Centers for Disease Control and Prevention (CDC) guidance<sup>3</sup>, not everyone needs to be tested for COVID-19. When evaluating whether to seek medical care or testing, CDC advises that:

- Most people have [mild illness](#) and are able to [recover at home](#) without medical care. They may not need to be tested.
- There is no treatment specifically approved for people with COVID-19.

CDC also advises that, in the coming months, most of the U.S. population will be exposed to COVID-19, due to the reality of community transmission throughout the country. Establishments should continue to employ preventive and control measures outlined in industry guidance.

According to CDC, public health decisions that restrict an individual's or group's movements or impose specific monitoring requirements should be based on an assessment of risk for the individual or group. Individual establishments should use science-based approaches to assess risk and determine if there is a need for employee testing and work restrictions.

<sup>2</sup> Liu, L., Liu, W., Wang, S., & Zheng, S. (2020). A preliminary study on serological assay for severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in 238 admitted hospital patients. medRxiv. Li, Z., Yi, Y., Luo, X., Xiong, N., Liu, Y., Li, S., ... & Zhang, Y. (2020). Development and clinical application of a rapid IgM-IgG combined antibody test for SARS-CoV-2 infection diagnosis. Journal of medical virology.

<sup>3</sup> <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/testing.html>

When evaluating whether testing or work restrictions are appropriate, an establishment may want to use these categories to assess the risk exposure.

*High-Risk* exposure refers to an employee who had prolonged close contact with an individual with COVID-19. The individual with COVID-19 was not wearing a cloth face covering or facemask during the close contact, and the employee's nose and mouth were exposed to material potentially infectious with the virus causing COVID-19.

**EXAMPLE:** An employee at an establishment finds out today that his wife has been diagnosed with COVID-19. The employee lives with, and has had prolonged close contact with, his wife. This employee is at high risk, due to his exposure.

**EXAMPLE:** An employee at an establishment has been the primary caretaker for an ill family member for the last two weeks. When she has not been at the plant, the employee has had prolonged close contact with the family member – meaning she has been physically caring for the person for hours per day. Neither the employee nor the family member have worn a face mask during these interactions. Although the symptoms did not initially suggest COVID-19, testing by the family member's physician resulted in a positive diagnosis of COVID-19. Because of the prolonged close contact, the employee has had with the ill family member, this employee is at high risk.

*Low-risk* exposure refers to brief interactions an employee has with an individual with COVID-19, or prolonged close contact with an individual with COVID-19 wearing a cloth face covering or facemask, while the employee was also wearing a facemask. (Use of eye protection in addition to a facemask would further lower the risk of exposure).

**EXAMPLE:** An employee at an establishment carpools to work with a friend, who works at a nearby medical center. The employee and her friend each wear a face mask when commuting. The employee notifies you that her friend has been diagnosed with COVID-19. Your employee is at low risk, due to the circumstance of exposure (*i.e.* may have been close prolonged contact, but both the employee and her friend were wearing face masks).

**EXAMPLE:** On his way into work, Employee A waves to Employee B a few cars away and engages in brief small talk as they walk to the plant. Neither employee is wearing a face mask. Employee A leaves work later that day due to COVID-19 symptoms. Employee B is at low risk for exposure, due to the brief interaction.

*Instances where testing may be appropriate*

- When the entire community is being tested as part of a community-wide surveillance effort. In this scenario, the testing would NOT be limited to only establishment employees.
- To aid an establishment in making its decision about return to work for an employee with confirmed or suspected COVID-19. (In this case, if testing is required, it must be a molecular based test looking for active infection of the virus)<sup>4</sup>.
- When an individual has had a known high-risk exposure (as defined above) to the COVID-19 virus and is not showing symptoms.

*Instances where testing is NOT appropriate.*

- Testing all employees, regardless of exposure risk, unless part of a community-wide surveillance effort.
- Testing employees not showing symptoms and have not had a high-risk exposure to COVID-19, unless part of a community-wide surveillance effort.

Please remember that anytime an employee exhibits symptoms of COVID-19, the employee should be sent home from work and required to follow up with his or her physician.

Regardless of whether an establishment chooses to test its employees in certain scenarios, the establishment should refer to [CDC guidance](#) for when employees can discontinue isolation and return to work.

<sup>4</sup> CDC offers isolation discontinuation guidance without having to test, accessible here: <https://www.cdc.gov/coronavirus/2019-ncov/hcp/disposition-in-home-patients.html>

**From:** [Ashley Peterson](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** Delaware Testing Plan  
**Date:** Monday, April 27, 2020 1:33:42 PM  
**Attachments:** [Poultry Testing Protocol 042520.docx](#)

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**Ashley B. Peterson, Ph.D.** | Senior Vice President, Scientific and Regulatory Affairs

NATIONAL CHICKEN COUNCIL

1152 Fifteenth Street, NW Suite 430 | Washington, DC 20005

C: (b) (6)

D: (b) (6)

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# COVID-19

## Evaluating and Testing Persons for Coronavirus Disease 2019

Centers for Disease Control and Prevention Adapted Guidelines

<https://www.cdc.gov/coronavirus/2019-ncov/hcp/clinical-criteria.html>

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### Criteria to Guide Evaluation and Laboratory Testing for COVID-19

All health care providers, facilities and entities that offer testing shall make that testing available to people meeting testing criteria without regard to that person's ability to pay, type of health insurance, or participation in any particular provider network. Health care providers shall provide testing free of charge, including eliminating any cost sharing, co-payments or other direct-to-consumer costs.

Division of Public Health (DPH) requires that all commercial labs report all testing for SARS-CoV-2 immediately to the Division (via fax to 302-223-1540, email to [reportdisease@delaware.gov](mailto:reportdisease@delaware.gov), or 24-hour Office of Infectious Disease Epidemiology phone line at 1-888-295-5156). Further, all results should be shared electronically through the Division's DEERSS immediately.

Clinicians considering testing of persons with possible COVID-19 should continue to work with the health department to coordinate testing through public health laboratories, or use COVID-19 diagnostic testing authorized by the Food and Drug Administration under an Emergency Use Authorization (EUA) through clinical laboratories. Increasing testing capacity will allow clinicians to consider COVID-19 testing for a wider group of symptomatic patients.

Clinicians should use their judgment to determine if a patient has signs and symptoms compatible with COVID-19 and whether the patient should be tested. Most patients with confirmed COVID-19 have developed fever<sup>1</sup> and/or symptoms of acute respiratory illness (e.g., cough, difficulty breathing).<sup>2</sup>

Other considerations that may guide testing are epidemiologic factors such as the occurrence of local community transmission of COVID-19 infections in a jurisdiction. Clinicians are strongly encouraged to test for other causes of respiratory illness.

### Recommendations for Reporting, Testing, and Specimen Collection

Clinicians should immediately implement [recommended infection prevention and control practices](#) if a patient is suspected of having COVID-19. They should also notify infection control personnel at their health care facility and the health department if a patient is classified as a Person Under Investigation (PUI) for COVID-19.

Testing may only be performed under the direction and order of an independently licensed medical practitioner (MD/DO, DMD/DDS, PA, or APRN).

There are multiple testing modalities. CDC recommends collecting and testing upper respiratory tract specimens (nasopharyngeal swab). Oropharyngeal swabs may be acceptable if nasopharyngeal supplies are exhausted. Specimens should be collected as soon as possible once a PUI is identified, regardless of the time of symptom onset.

Consistent with FDA guidance, the State of Delaware has identified point-of-care lateral flow immunoassays (“rapid tests”) as useful diagnostic adjuncts for COVID-19 and subsequently developed guidance for use of these tests. Use of rapid tests is contingent upon implementation in appropriate clinical scenarios. Rapid testing may only be performed in accordance with Division of Public Health guidance on the use of rapid testing (<https://coronavirus.delaware.gov/wp-content/uploads/sites/177/2020/04/RAPID-COVID-19-IgG-IgM-TESTING-GUIDANCE.pdf>).

Only tests that have received an Emergency Use Authorization (EUA) from the FDA **OR** that have been independently verified by a CLIA certified laboratory may be used.

All testing must be performed in compliance with OSHA and CLIA regulations or if conducted in a clinical laboratory setting, in accordance with standards set forth by the Commission on Office Laboratory Accreditation (COLA).

**Race and ethnicity fields must be completed by the ordering provider in all laboratory order requests.**

All providers must provide each patient tested with educational materials developed by the Division of Public Health.

The ultimate implementation of, the clinical decision making from, and the reporting of COVID-19 testing, are the responsibilities of the licensed practitioner (MD/DO, DMD/DDS, PA, or APRN) who is listed as the ordering practitioner for the testing procedure.

## **Rapid Serology Result Interpretation**

To guide the interpretation of the Rapid Serology Test, the following table provides interpretation and recommendations for outcome when Rapid Serology Testing is performed in a critical infrastructure setting to help guide the decision to return to work in which there is a high prevalence of disease within the work or community setting.

| Serology Result |          | Interpretation                          | Outcome                                                                                                                                                                                                      |
|-----------------|----------|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IgM             | IgG      |                                         |                                                                                                                                                                                                              |
| Negative        | Negative | No Exposure vs Risk of Early Infection  | <ul style="list-style-type: none"> <li>• Immediate PCR*</li> <li>• Return to Work immediately</li> <li>• Repeat Serology in 96 Hours If Negative PCR</li> <li>• Isolate for 7 days if IgM present</li> </ul> |
| Positive        | Negative | High Risk for Active Infection          | <ul style="list-style-type: none"> <li>• Isolate for 7 days</li> <li>• Repeat Serology for IgG</li> <li>• Return to Work if IgG present</li> </ul>                                                           |
| Negative        | Positive | Previous Infection                      | <ul style="list-style-type: none"> <li>• Return to Work immediately</li> </ul>                                                                                                                               |
| Positive        | Positive | Risk of Active Infection/Early Recovery | <ul style="list-style-type: none"> <li>• Isolate for 7 days</li> <li>• Return to Work after 7 days</li> </ul>                                                                                                |

\* If PCR is positive, the person should isolate for 7 days before return to work

Note: If symptoms appear, the person should isolate until 3 days after recovery as long as 7 days after onset of symptoms.

## Footnotes:

<sup>1</sup>Fever may be subjective or confirmed.

<sup>2</sup>For healthcare personnel, testing may be considered if there has been exposure to a person with suspected COVID-19 without laboratory confirmation. Because of their often extensive and close contact with vulnerable patients in healthcare settings, even mild signs and symptoms (e.g., sore throat) of COVID-19 should be evaluated among potentially exposed healthcare personnel.

**From:** [Day, Randy](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Cc:** [Day, Randy](#)  
**Subject:** Delmarva Poultry  
**Date:** Saturday, April 25, 2020 9:36:54 AM  
**Attachments:** [Poultry Letter MD DE VA .pdf](#)

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Good morning,

(b) (4)

[Redacted content]

Best Regards,  
Randy Day

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April 24, 2020

The Honorable Donald J. Trump  
President of the United States  
The White House  
1600 Pennsylvania Avenue NW  
Washington, D.C. 20500

Dear President Trump,

As our nation and our states continue to respond aggressively to COVID-19, we are increasingly concerned about the impact of COVID-19 on workers at food and poultry processing plants on the Delmarva Peninsula, and the customers, farmers and growers that depend on them.

The region's poultry industry is an important part of the nation's food supply chain, and is a critical part of our states' agricultural and economic landscapes, particularly in our more rural communities. Any disruption or interruption to processing at these poultry plants could lead to significant supply chain issues. Labor and processing shortages will also have an impact on consumers' ability to access healthy and safe food. At the same time, we have an obligation to protect the health and safety of the workers at these plants.

Since the beginning of the pandemic, we have been in constant contact with representatives of each of the five major poultry producers in the Delmarva region. Earlier this week, the Maryland Department of Health formed the regional Delmarva Poultry Production Task Force made up of state agencies and local health officials, affected communities, and members of the poultry industry. The task force is working to provide regional guidance for poultry plants designed to minimize risk to workers and surrounding communities. This will include guidelines for the companies, as well as outreach materials translated to the native languages of workers. While it is critical to implement healthy practices in the plants, many of the workers live in congregate housing where there is a high risk of community transmission.

As we continue to utilize all available resources at the local, state and regional level, we anticipate a need of additional federal support to fully ensure the safety of these communities and workers. Therefore, we request federal assistance in the following areas:

- Appoint one federal agency as the lead for any agricultural- and health-related issues related to COVID-19, particularly issues related to the health of workers in poultry processing plants. Federal agencies, including the U.S. Centers for Disease Control and Prevention (CDC), U.S. Occupational Safety and Health Administration (OSHA) and

U.S. Department of Agriculture are invited to participate in the Delmarva Poultry Production Task Force and share their expertise and experience.

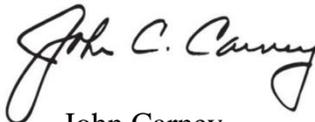
- Identify current or potential federal resources that may provide financial or other relief to affected companies, employees, farmers and growers.
- Provide necessary equipment, personnel, supplies and testing materials for workers in the region's agricultural, egg, livestock and poultry processing facilities. CDC epidemiological, clinical and related personnel teams could support state and local disease investigation, testing, guidance and monitoring on how to maintain this critical infrastructure.
- Release urgently needed national guidance from the CDC and OSHA to provide a national framework for the meatpacking and poultry processing industries.

A safe and stable food supply chain is essential to our nation's health, safety and well-being. As a nation and a region we need to ensure that these production resources can continue to operate safely with minimal to no disruption. We thank you for your consideration and look forward to working with your administration to reopen the economy as quickly and safely as possible.

Sincerely,



Larry Hogan  
Governor  
Maryland



John Carney  
Governor  
Delaware



Ralph Northam  
Governor  
Virginia

cc: Delaware, Maryland and Virginia Congressional Delegations  
Sonny Perdue, Secretary, U.S. Department of Agriculture  
Alex Azar, Secretary, U.S. Department of Health and Human Services  
Robert R. Redfield, Director, U.S. Centers for Disease Control and Prevention  
Loren Sweatt, Principal Deputy Assistant Secretary, U.S. Occupational Safety and Health Administration

**From:** [Ashley Peterson](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#); [Kiecker, Paul - FSIS](#)  
**Cc:** [Newsome, Shawna - OSEC, Washington, DC](#); [Hunter, Karen - FSIS](#)  
**Subject:** Diverted Masks  
**Date:** Friday, April 10, 2020 4:01:06 PM

---

Good afternoon Mindy and Paul –

We received word yesterday that an order of 40,000 reusable style surgical masks was apparently diverted to FEMA instead of being sent to one of our member companies. It is my understanding that FEMA has contracted with this particular company (TSC, Inc.) to make masks for them and, as a result, they are prioritizing their orders ahead of others. This would be understandable if our member company was not considered critical infrastructure but that is not the case in this situation. It is also my understanding that the company has ordered additional masks from the same company but it unknown if these masks, too, will go to FEMA instead of our member.

I am certain that this is not the intent of FEMA and our member is more than likely caught in the middle of this situation. Regardless, we wanted to make you aware as we all know PPE is in short supply these days.

Thank you and please let me know if you have any questions,

Ashley

**Ashley B. Peterson, Ph.D.** | Senior Vice President, Scientific and Regulatory Affairs

NATIONAL CHICKEN COUNCIL

1152 Fifteenth Street, NW Suite 430 | Washington, DC 20005

C: (b) (6)

D: (b) (6)

[www.nationalchickencouncil.org](http://www.nationalchickencouncil.org) | [www.ChickenCheck.In](http://www.ChickenCheck.In)

[Sign up for NCC News](#) | [Chicken's Sustainability Story](#)

**From:** [Hoskins, Dudley - OSEC, Washington, DC](#)  
**To:** [Barb Glenn](#); [Dr. Kent McClure](#); [\(b\) \(6\)@beef.org](#); [Ethan Lane](#); [Harrison Kircher](#); [\(b\) \(6\)@turkeyfed.org](#); [Nick Giordano](#); [Cliff Williamson](#); [Paul Schlegel](#)  
**Cc:** [Young, Joby - OSEC, Washington, DC](#); [Rollins, Blake - OSEC, Washington, DC](#); [Brady, Lillie - OSEC, Washington, DC](#); [Walker, Lorren - OSEC, Washington, DC](#); [Crosswhite, Caleb - APHIS](#)  
**Subject:** Embargoed Until Publication: USDA Statement on the Confirmation of COVID-19 in a Tiger in New York  
**Date:** Sunday, April 5, 2020 4:04:44 PM  
**Attachments:** [COVID in tiger FINAL.docx](#)

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**Embargoed Until Publication** — likely momentarily.

Apologies for the short notice, want to share the attached for your immediate awareness.

Please let us know if you have questions or would like to discuss further at any point.

My apologies if I am leaving any key points of contact off.

---

**From:** Rodgers, Meghan - OC, Washington, DC <[meghan.rodgers@usda.gov](mailto:meghan.rodgers@usda.gov)>  
**Sent:** Sunday, April 5, 2020 3:48 PM  
**To:** Hoskins, Dudley - OSEC, Washington, DC; Walker, Lorren - OSEC, Washington, DC; Curlett, Ed C - APHIS; Fillpot, Dirk - OC, Washington, DC; Cole, Lyndsay M - APHIS  
**Subject:** FINAL STATEMENT



**Meghan Rodgers**  
Deputy Communications Director  
United States Department of Agriculture  
Office: [\(b\) \(6\)](#)  
Cell: [\(b\) \(6\)](#)

## **USDA Statement on the Confirmation of COVID-19 in a Tiger in New York**

(Washington, D.C. April 5, 2020) – The United States Department of Agriculture’s (USDA) National Veterinary Services Laboratories has confirmed SARS-CoV-2 (the virus that causes COVID-19 in humans) in one tiger at a zoo in New York. This is the first instance of a tiger being infected with COVID-19. Samples from this tiger were taken and tested after several lions and tigers at the zoo showed symptoms of respiratory illness.

Public health officials believe these large cats became sick after being exposed to a zoo employee who was actively shedding virus. The zoo has been closed to the public since mid-March, and the first tiger began showing signs of sickness on March 27. All of these large cats are expected to recover. There is no evidence that other animals in other areas of the zoo are showing symptoms.

USDA and CDC are monitoring the situation and working to support the state and local health departments and state animal health officials. State animal and public health officials will take the lead in making determinations about whether animals, either at this zoo or in other areas, should be tested for the SARS-CoV-2 virus. USDA will notify the World Organisation for Animal Health (OIE) of this finding.

Anyone sick with COVID-19 should restrict contact with animals, out of an abundance of caution including pets, during their illness, just as they would with other people. Although there have not been reports of pets becoming sick with COVID-19 in the United States, it is still recommended that people sick with COVID-19 limit contact with animals until more information is known about the virus. If a sick person must care for a pet or be around animals, they should wash their hands before and after the interaction.

### **Questions and Answers:**

#### **Can people give this virus to animals and, if so, what animals are at risk?**

This is the first case of its kind. We are still learning about this new coronavirus and how it spreads. This case suggests that the zookeeper spread the virus to the tiger. Further studies are needed to understand if and how different animals could be affected by COVID-19. State animal and public health officials will continue to work closely with USDA and CDC to monitor this situation and will conduct additional testing if it is warranted.

#### **If multiple animals were showing symptoms, why was only one tested?**

Only one tiger was tested as the collection of diagnostic samples in big cats requires general anesthesia. Since all tigers and lions were exhibiting similar respiratory symptoms, the attending veterinarian felt it was in the best interest of the animals to limit the potential risks of general anesthesia to one tiger for diagnostics.

#### **If animals can catch the virus, can they give it back to people?**

At this time, there is no evidence to suggest that any animals, including pets, livestock, or wildlife, can spread COVID-19 infection to people.

#### **Will this finding prompt additional testing of animals?**

No. This is an evolving situation, however, routine testing of zoo or personal animals is not recommended at this time. Public and animal health officials may decide to test certain animals that are showing signs of illness and that are known to have been exposed to the virus. More information about how those decisions will be made is available here:

[https://www.aphis.usda.gov/animal\\_health/one\\_health/downloads/faq-public-on-companion-animal-testing.pdf](https://www.aphis.usda.gov/animal_health/one_health/downloads/faq-public-on-companion-animal-testing.pdf)

**Should any animal showing signs of respiratory illness be tested?**

USDA and CDC do not recommend routine testing of animals for this virus. Because the situation is ever-evolving, public and animal health officials may decide to test certain animals out of an abundance of caution. The decision to test will be made collaboratively between local, state or federal public and animal health officials.

**Should I avoid contact with pets or other animals if I am sick from coronavirus (COVID-19)?**

You should restrict contact with pets and other animals while you are sick with COVID-19, just like you would with other people. Although there have not been reports of pets becoming sick with COVID-19 in the United States, it is still recommended that people sick with COVID-19 limit contact with animals until more information is known about the virus. When possible, have another member of your household care for your animals while you are sick. If you are sick with COVID-19, avoid contact with your pet, including petting, snuggling, being kissed or licked, and sharing food. If you must care for your pet or be around animals while you are sick, wash your hands before and after you interact with pets. More information is available on how to keep people and animals safe at <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/animals.html>.

**What should I do if I think my animal has the virus?**

Call your veterinary clinic with any questions about your animal's health. In order to ensure the veterinary clinic is prepared for the household animal, the owner should call ahead and arrange the hospital or clinic visit. Make sure to tell your veterinarian if your animal was exposed a person sick with COVID-19, and if your animal is showing any signs of illness. Veterinarians who believe an animal should be tested will contact state animal health officials, who will work with public and animal health authorities to decide whether samples should be collected and tested.

**Could this affect tigers or other animals at other zoos across the United States?**

There is no evidence of this virus affecting animals at any other facilities in the United States. However, anyone sick with COVID-19 should restrict contact with animals, including pets, during their illness, just as they would with other people. Although there have not been reports of pets becoming sick with COVID-19 in the United States, it is still recommended that people sick with COVID-19 limit contact with animals until more information is known about the virus. If a sick person must care for a pet or be around animals, they should wash their hands before and after the interaction.

###

**From:** [Adcock, Rebeckah - OSEC, Washington, DC](#)  
**To:** [Kathryn Unger](#); [Don Brown](#)  
**Cc:** [Beal, Mary Dee - OSEC, Washington, DC](#); [Young, Joby - OSEC, Washington, DC](#)  
**Subject:** ESF #14 Contact RE: Urgently needed FEMA contact  
**Date:** Sunday, March 22, 2020 5:44:27 PM

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Kathryn and Don;

Following up to confirm that your message was received by NBEOC at the NRCC last evening. The USDA/FEMA team are standing by to communicate with you directly, **please contact Steve Elson: (b) (6)**, **ESF#14 Lead at the NRCC**. He will be awaiting your call.

Meanwhile, USDA continues working interagency to provide longer term clarity on options for the food sector.

- Rebeckah

---

**From:** Adcock, Rebeckah - OSEC, Washington, DC <[Rebeckah.Adcock@usda.gov](mailto:Rebeckah.Adcock@usda.gov)>  
**Sent:** Sunday, March 22, 2020 4:04 PM  
**To:** Kathryn Unger [\(b\) \(6\)](#) <[@cargill.com](mailto:(b) (6)@cargill.com)>; Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>  
**Cc:** Don Brown [\(b\) \(6\)](#) <[@cargill.com](mailto:(b) (6)@cargill.com)>; Beal, Mary Dee - OSEC, Washington, DC <[MaryDee.Beal@usda.gov](mailto:MaryDee.Beal@usda.gov)>  
**Subject:** Re: Urgently needed FEMA contact

Thank you for your message, Kathryn.

As Joby noted, this is a very real and difficult issue for the food supply chain, as it is for the medical providers. USDA is working actively with FEMA on options.

We appreciate the gravity of the situation and will advise as options for available supplies are known.

Kindly,  
Rebeckah

[Rebeckah.Adcock@USDA.gov](mailto:Rebeckah.Adcock@USDA.gov)

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**From:** Kathryn Unger [\(b\) \(6\)](#) <[@cargill.com](mailto:(b) (6)@cargill.com)>  
**Sent:** Sunday, March 22, 2020 3:53:52 PM  
**To:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>

**Cc:** Don Brown <(b) (6)@cargill.com>; Beal, Mary Dee - OSEC, Washington, DC <MaryDee.Beal@usda.gov>; Adcock, Rebeckah - OSEC, Washington, DC <Rebeckah.Adcock@usda.gov>  
**Subject:** RE: Urgently needed FEMA contact

Joby, perfect and thank you for the prompt response.

Mary Dee and Rebeckah, as we said, we have an ask out to FEMA, but are not certain how they are processing these requests. Any light you can shed on process or speed of response to requests, or any suggested connections within FEMA?

Regards,  
KU

*Kathryn Graves Unger*  
*Vice President, North America*  
*Government Relations*



direct: (b) (6)

mobile: (b) (6)

*Everyone has the obligation to STOP an unsafe activity.*

---

**From:** Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>  
**Sent:** Sunday, March 22, 2020 3:50 PM  
**To:** Kathryn Unger <(b) (6)@cargill.com>  
**Cc:** Don Brown <(b) (6)@cargill.com>; Beal, Mary Dee - OSEC, Washington, DC <MaryDee.Beal@usda.gov>; Adcock, Rebeckah - OSEC, Washington, DC <Rebeckah.Adcock@usda.gov>  
**Subject:** RE: Urgently needed FEMA contact

**[EXTERNAL]** This email came from outside of Cargill. Do not click links or open attachments unless you recognize the sender. If you suspect this is spam, send this email as an attachment to [spam@cargill.com](mailto:spam@cargill.com)

Hi Kathryn,

I have copied two of our team who are working on the PPE in the food supply chain issues. We have similar requests from others.

-Joby

**Joby Young**



Chief of Staff  
United States Department of Agriculture

---

**From:** Kathryn Unger (b) (6) <[redacted]@cargill.com>  
**Sent:** Sunday, March 22, 2020 3:48 PM  
**To:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>  
**Cc:** Don Brown (b) (6) <[redacted]@cargill.com>  
**Subject:** Urgently needed FEMA contact

Hi Joby. We have been working through the weekend, as I am sure you and your team have been doing. I am very much looking forward to a return to sanity, though I fear that will not happen for a while. In the meantime, we need to continue operations, and last night we sent the below request to FEMA to see what help we may receive from them in securing the PPEs that are critical to protect our employees. Do you have any contacts at FEMA who might be in a position to assist? We would not be making such a request in the middle of a global crisis if these items were not fundamental to our ability to continue operations and protect our employees. Any help you might provide would be greatly appreciated.

I hope you and your loved ones remain healthy and safe.

Regards,  
KU

*Kathryn Graves Unger  
Vice President, North America  
Government Relations*



direct: (b) (6) <[redacted]>

mobile: (b) (6) <[redacted]>

*Everyone has the obligation to STOP an unsafe activity.*

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**From:** Don Brown (b) (6) <[redacted]@cargill.com>  
**Sent:** Saturday, March 21, 2020 8:10 PM  
**To:** [NBEOC@fema.dhs.gov](mailto:NBEOC@fema.dhs.gov)  
**Cc:** Dustin Johnson <(b) (6) <[redacted]@cargill.com>>; Abhijit Kondajji (b) (6) <[redacted]@cargill.com>  
**Subject:** Cargill: Critical need for N95 respirators, surgical masks, thermometers, nitrile gloves, hand sanitizer, paper towels

To Whom It May Concern:

Cargill operates beef and poultry plants, animal feed and supplement plants, soybean crush plants, wet corn milling plants, and other food ingredient plants throughout the U.S. These plants and workers are considered part of the food supply critical infrastructure industry as defined the Department of Homeland Security Cybersecurity and Infrastructure Security Agency (CISA) in its March 19, 2020 guidance.

As a result of stricter allocations and heavy demand resulting from the COVID-19 crisis, Cargill has been unable to source certain items of personal protection equipment (PPE), hand and industrial sanitizer, paper supplies, and digital thermometers for our U.S. operations. We currently have less than a 10-day supply of these items (except for the thermometers, which we need for taking the temperature of workers before starting their work shift).

Cargill acknowledges the quantities listed below are significant and that priority for these items must be given to the healthcare sector. However, these items are critical to protect our employees. The N95 masks are essential to keep our employees who operate in high-dust facilities safe from that dust exposure. This is standard personal protective equipment (PPE) that we require to ensure we provide our employees with a safe working environment. We would also provide the N95 masks to first responders or key personal if someone working in our facility begins to demonstrate COVID-19 symptoms, keeping them and our plant population safe. The other materials are all standard food safety PPE items that we use throughout the regular course of our operations (with the exception of the thermometers) in order to guarantee we are producing food-safe products for all consumers.

Below is list of items, quantities, and supply partners (if applicable) that Cargill will require over the next few weeks.

1. N95 respirators - model MMM 8210  
Quantity: 300,000  
Supply Chain Partner: 3M
2. Surgical masks – 3-ply N95  
Quantity: 700,000  
Supply Chain Partners: Kimberly Clark, 3M, Ansell
3. Digital non-contact forehead thermometer – +/- 0.4\* F accuracy  
Quantity: 2,000
4. Nitrile gloves – min. 4 mil thickness, powder free food grade  
Quantity: 200,000 pairs (L & XL) (not boxes but individual gloves)  
Supply Chain Partners: Kimberly Clark, 3M, Ansell
5. Hand and industrial sanitizers – people and plant common area cleaning  
Quantity: 1,000 gallons

6. Paper towels  
Quantity: 20,000 rolls  
Supply Chain Partners: SCA, Kimberly Clark and Georgia Pacific

Please contact me at your earliest convenience to discuss the agency assisting us with sourcing these items.

Thank you for your assistance,

*Don Brown*

*Director, Government Relations*

**Cargill**

15407 McGinty Rd W – MS 50

Wayzata, MN 55391

direct: (b) (6) mobile: (b) (6)

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**From:** [Julie Anna Potts](#)  
**To:** [Young, Joby - OSEC, Washington, DC](#)  
**Subject:** follow up from Friday call  
**Date:** Monday, April 6, 2020 9:20:16 AM

---

Hi Joby, thank you again for you and your team's availability on Friday with our members. Do you have 10 min today for a follow up call with just me?

I hope you got a little downtime this weekend.

Best, JAP

Julie Anna Potts  
President & CEO  
North American Meat Institute

(b) [@meatinstitute.org](#)

(b) (6) (o)

(b) (6) (c)



**From:** [Julie Anna Potts](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#); [Newsome, Shawna - OSEC, Washington, DC](#)  
**Subject:** food industry letter  
**Date:** Wednesday, March 18, 2020 5:35:16 PM  
**Attachments:** [Food and CPG Coronavirus Letter.pdf](#)

---

FYI. Thank you.

Best regards, JAP

Julie Anna Potts  
President & CEO  
North American Meat Institute

(b) [@meatinstitute.org](#)

(b) (6) (o)

(b) (6) (c)



March 18, 2020

Federal, State and Local Elected Officials:

The food, beverage, and consumer packaged goods industries appreciate the critical steps that have been undertaken in order to contain the COVID-19 outbreak caused by the coronavirus, SARS-CoV-2 as quickly as possible. We stand together with the federal, state, and local governments with the desire to meet this challenge and ensure that Americans continue to have access to safe, healthy foods and essential health products including disinfectants that can help kill and protect against the spread of COVID-19.

We are writing to request assistance clarifying businesses that are exempt from local gathering bans and curfews. As of March 15, the Centers for Disease Control and Prevention (CDC) recommended that gatherings be limited to 50 or fewer people, with exemptions for businesses. However, decisions to follow CDC guidance are made at the state and local level. Some states have clearly exempted food, beverage, and consumer packaged goods manufacturing facilities (e.g., those manufacturing cleaning supplies, paper goods, personal care products, etc.), while others have not. This lack of uniformity is leading to significant confusion and could further deteriorate if a level of consistency across states and municipalities is not achieved quickly.

We have two immediate asks:

1. That federal and state governments act expeditiously to coordinate a unified, clear and public framework that clearly explains that food (for human and animal consumption), beverage and consumer packaged goods manufacturers are exempted from the gathering and curfew bans that are starting to take effect. Moreover, that the employees working at these facilities should be clearly exempted and encouraged to continue to work while healthy. This would include considering all food transportation as “food for emergency restocking of stores” under the Department of Transportation’s [Emergency Declaration](#) waiving Hours of Service limitations;” and,
2. If necessary, that a federal exemption from gathering bans and curfew be granted for human, animal and pet food manufacturing facilities, as well as facilities that produce essential consumer goods critical to mitigating the spread of COVID-19, so that we can ensure the continued supply of food, essential items, while also ensuring worker safety. If authority for this action is not clear under existing federal law, then we respectfully request that the Trump Administration work with Congress to achieve the exemption legislatively as soon as possible.

Our requests are consistent with the designation of the food and agriculture industry as “critical infrastructure.”<sup>1</sup>

Further, manufacturing facilities are not areas of “public gathering,” but are heavily controlled environments that operate under strict food safety requirements, exemplify good manufacturing

<sup>1</sup> Food and Drug Administration; United States Department of Agriculture; Department of Homeland Security. *Food and Agriculture Sector-Specific Plan*. 2015; Presidential Policy Directive 21: Critical Infrastructure Security and Resilience (PPD-21), February 12, 2013; Homeland Security Presidential Directive/HSPD-9—Defense of United States Agriculture and Food, January 30, 2004; <https://www.cisa.gov/critical-infrastructure-sectors>.

practices, and exercise rigorous hygienic protocols. As such, we are asking that federal, state and local governments exempt consumer packaged goods (CPG), including food, beverage, health, hygiene and sterilization products, and other essential manufacturing facilities like pet food, from curfew and gathering restrictions, provided that they follow worker safety guidelines put forward by the CDC and the Occupational Safety and Health Administration (OSHA).

Concurrently, we ask that the manufacturing and transportation of ingredients, packaging, warehouses, distribution centers and other indispensable parts of the supply chain be considered equally critical. As part of this critical infrastructure designation, we would like to emphasize the importance of including retail stores related to the purchase of human and pet food, beverages, and consumer packaged goods, as part of the critical infrastructure definition. Continued access to food and essential household daily staples is equally as important as the continued supply.

The food, beverage and consumer packaged goods industries stand ready to work with state and local officials as well as the federal government in order to ensure the continued supply of safe, healthy, affordable food, and other essential items.

Signed,

American Bakers Association  
American Beverage Association  
American Cleaning Institute  
American Frozen Food Institute  
American Fruit and Vegetable Processors and Growers Coalition  
American Herbal Products Association  
American Spice Trade Association  
American Sugar Alliance  
Association for Dressings & Sauces  
Beer Institute  
California League of Food Producers  
Can Manufacturers Institute  
Corn Refiners Association  
Consumer Brands Association  
Council for Responsible Nutrition  
Distilled Spirits Council of the United States  
FMI-the Food Industry Association  
Food Northwest  
Global Cold Chain Alliance  
Healthcare Nutrition Council  
Household & Commercial Products Association  
Independent Bakers Association  
Infant Nutrition Council of America  
Institute of Shortening and Edible Oils  
International Bottled Water Association  
International Dairy Foods Association

International Flight Services Association  
International Food Additives Council  
International Foodservice Distributors Association  
Juice Products Association  
Midwest Food Processors Association  
National Automatic Merchandising Association  
National Association of Chemical Distributors  
National Coffee Association  
National Confectioners Association  
National Council of Farmer Cooperatives  
National Fisheries Institute  
National Grain and Feed Association  
National Grocers Association  
National Milk Producers Federation  
National Pasta Association  
National Peach Council  
National Potato Council  
National Restaurant Association  
North American Meat Institute  
North American Millers Association  
North American Renderers Association  
Peanut and Tree Nut Processors Association  
Pet Food Institute  
Pet Industry Joint Advisory Council  
SNAC International  
Southeastern Food Processors Association  
Sugar Association

Tea Association of the U.S.A.  
United Egg Producers  
United Fresh Produce Association  
Urban School Food Alliance

USA Rice  
US Sweet Potato Council  
Vinegar Institute  
Wine Institute

cc: President of the United States  
Members of the United States Congress  
National Governors Association  
Republican Governors Association  
Democratic Governors Association  
United States Conference of Mayors  
National Association of Counties

**From:** [Day, Randy](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** FW: Eastern Shore testing coordination call--industry partners  
**Date:** Sunday, April 26, 2020 3:55:46 PM

---

Dr. Brashears,

(b) (4)  
[Redacted]

Randy

---

**From:** Getty, Drew

**Sent:** Sunday, April 26, 2020 3:47 PM

**To:** Bolin, Kyle (b) (6) @perdue.com>; Gray, Lester (b) (6) @perdue.com>; Day, Randy (b) (6) @Perdue.com>; Merrill, Roger (b) (6) @perdue.com>; Frerichs, Herb (b) (6) @perdue.com>; McKay, Mark (b) (6) @perdue.com>

**Cc:** Staub, Andrea (b) (6) @perdue.com>

**Subject:** RE: Eastern Shore testing coordination call--industry partners

(b) (4)  
[Redacted]

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- [Redacted]
- [Redacted]
- [Redacted]

Drew

---

**From:** Bolin, Kyle  
**Sent:** Sunday, April 26, 2020 12:10 PM  
**To:** Gray, Lester (b) (6) @perdue.com>; Day, Randy <(b) (6) @Perdue.com>  
**Cc:** Getty, Drew (b) (6) @perdue.com>; Merrill, Roger (b) (6) @perdue.com>; Frerichs, Herb <(b) (6) @perdue.com>; McKay, Mark <(b) (6) @perdue.com>  
**Subject:** RE: Eastern Shore testing coordination call--industry partners  
(b) (4)

---

**From:** Gray, Lester  
**Sent:** Sunday, April 26, 2020 12:09 PM  
**To:** Day, Randy (b) (6) @Perdue.com>  
**Cc:** Getty, Drew <(b) (6) @perdue.com>; Merrill, Roger <(b) (6) @perdue.com>; Frerichs, Herb (b) (6) @perdue.com>; McKay, Mark <(b) (6) @perdue.com>; Bolin, Kyle <(b) (6) @perdue.com>  
**Subject:** Re: Eastern Shore testing coordination call--industry partners  
Randy  
(b) (4)

Lester

On Apr 26, 2020, at 11:57 AM, Day, Randy <Randy.Day@perdue.com> wrote:

(b) (4)  
[Redacted]

---

**From:** Getty, Drew  
**Sent:** Sunday, April 26, 2020 11:49 AM  
**To:** Day, Randy (b) (6) @Perdue.com>  
**Cc:** Gray, Lester (b) (6) @perdue.com>; Merrill, Roger <(b) (6) @perdue.com>; Frerichs, Herb <(b) (6) @perdue.com>; McKay, Mark <(b) (6) @perdue.com>  
**Subject:** Re: Eastern Shore testing coordination call--industry partners  
Randy:  
(b) (4)  
[Redacted]

Drew

On Apr 26, 2020, at 11:31 AM, Day, Randy (b) (6) @perdue.com>

wrote:

(b) (4)  
[REDACTED]

---

**From:** Holly Porter [[mailto:\(b\) \(6\)@dpichicken.com](mailto:(b) (6)@dpichicken.com)]  
**Sent:** Sunday, April 26, 2020 11:29 AM  
**To:** Gray, Lester (b) (6)@perdue.com>; Merrill, Roger <(b) (6)@perdue.com>; Getty, Drew (b) (6)@perdue.com>  
**Cc:** Frerichs, Herb (b) (6)@perdue.com>; McKay, Mark (b) (6)@perdue.com>; Day, Randy <(b) (6)@Perdue.com>  
**Subject:** [EXTERNAL] FW: Eastern Shore testing coordination call--industry partners

**Importance:** High

Hello there! MD Public Health is trying to pull together a call. I'm not sure who should be on the call from Perdue, but are you available at 1:30? I'll forward any call-in information as I receive it.

Thanks

Holly

Holly Porter | Executive Director

Delmarva Poultry Industry, Inc.

16686 County Seat Highway

Georgetown, DE 19947

(b) (6)@dpichicken.com

O: (b) (6), ext. (b) (6) | C: (b) (6)

[dpichicken.org](http://dpichicken.org) | [Facebook](#) | Twitter: [@dpichicken](#)

**From:** Jinlene Chan -MDH- <[jinlene.chan1@maryland.gov](mailto:jinlene.chan1@maryland.gov)>

**Sent:** Sunday, April 26, 2020 11:22 AM

**To:** Holly Porter <(b) (6)@dpichicken.com>

**Cc:** Cliff Mitchell -MDH- <[cliff.mitchell@maryland.gov](mailto:cliff.mitchell@maryland.gov)>; David Crum -

MDH- <[david.crum@maryland.gov](mailto:david.crum@maryland.gov)>; Lori Brewster -MDH-

<[lori.brewster@maryland.gov](mailto:lori.brewster@maryland.gov)>; Steve Connelly -MDA-

<[steve.connelly@maryland.gov](mailto:steve.connelly@maryland.gov)>

**Subject:** Eastern Shore testing coordination call--industry partners

Dear Ms. Porter,

In follow-up to our initial conversation yesterday with multi-agency partners, I am hoping to have a more focused call with you and the poultry companies to discuss testing strategy and how to best coordinate with you.

I know that this may be short notice, but would it be possible to have a call at 1 or 1:30pm?

Please let me know what would work for you. You can also give me a call at (b) (6)

Thank you,

Jinlene

|

<image002.png>

Jinlene Chan, MD, MPH, FAAP  
Assistant Secretary of Health  
Maryland Department of Health  
201 W. Preston St.  
Baltimore, MD 21201  
Office: (b) (6)

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**From:** [KatieRose McCullough](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** FW: Following victory, legal group says it hopes to target other meatpackers  
**Date:** Monday, April 27, 2020 7:47:05 PM

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## **Following victory, legal group says it hopes to target other meatpackers**

By Rebecca Rainey, Liz Crampton

04/27/2020 06:10 PM EDT

Public Justice, a nonprofit legal group, said Monday it will take other meatpacking plants to court after scoring a legal victory this weekend against a Smithfield plant in Milan, Mo., on behalf of a whistleblower who said the company failed to impose sufficient social distancing procedures during the coronavirus pandemic.

A federal judge ordered the plant Sunday to comply with guidance from the Occupational Safety and Health Administration and the Centers for Disease Control and Prevention pending an April 30 hearing in the case. Ordinarily, guidance is voluntary, but the Smithfield plant will be in violation of a court order if it doesn't follow it.

The case is the first to use the courts to require companies to abide by OSHA guidance concerning the coronavirus pandemic. Although OSHA is able to impose mandatory safety rules, and has been under pressure from congressional Democrats to do so, it has chosen thus far to issue only recommendations.

The [lawsuit](#) alleges that the plant provided "insufficient personal protective equipment, including forcing workers to wear dirty masks" and "to perform their work tasks while standing shoulder to shoulder," and that workers lacked "sufficient opportunities or time to wash their hands." The whistleblower, who is not identified in public documents, has worked on the "cut floor" slaughtering hogs.

Attorneys for Public Justice said they hope to file suits on behalf of workers at other meatpacking plants that have failed to provide face masks, ensure social distancing and encourage hand washing.

Meatpacking and processing plants have become incubators for the coronavirus. Hundreds of employees have tested positive at numerous such plants across the country, leading several to shut down or slow operations.

The lawsuit argues that multiple plants owned and operated by Smithfield have become Covid-19 hot spots, and notes that Smithfield closed one of its plants in South Dakota after "hundreds of employees" contracted the virus and at least two died.

Workers at a Smithfield plant in Cudahy, Wis., recently “raised concerns after that plant experienced more than two dozen confirmed cases,” the lawsuit says.

U.S. meat companies have to balance protecting workers with keeping plants running and maintaining the supply chain to grocery stores. At least 13 plants have closed at some point in the past two months, according to the United Food and Commercial Workers union, which represents meatpacking workers across the country.

On Sunday, Tyson Foods warned “the food supply chain is breaking” in a full page ad in The New York Times.

But labor union leaders say companies’ response to the pandemic have been inconsistent — and more employees are getting sick and dying. Thirteen meatpacking and processing workers have died from the coronavirus, and at least 6,500 have been impacted, either testing positive for Covid-19, showing symptoms, missing work due to self-quarantine or being hospitalized, according to the union.

Presidential candidate Joe Biden on Monday said OSHA should “enforce an Emergency Temporary Standard to give employers and employees more comprehensive and specific guidance on what to do to reduce the spread of COVID-19.”

OSHA has initiated an investigation into the Milan plant, according to the lawsuit, but it could take weeks before the plant abates the safety hazards and OSHA issues a citation or fines.

In the meantime, OSHA on Sunday issued [new guidance](#) to protect meatpacking workers from the virus. It recommends employers space workers six feet apart with barriers in between; stagger break times to prevent crowding in break rooms; and take workers’ temperatures before allowing them inside facilities, among other precautions.

But those guidelines are still only recommendations, unenforceable by OSHA and the CDC except under the judge's temporary order to the Smithfield plant in Milan.

Last week, House Education and Labor Chairman Rep. [Bobby Scott](#) (D-Va.) [introduced legislation](#) that would require OSHA to issue an emergency standard, with mandatory provisions, within seven days.

But the Trump administration says the Labor Department has all the enforcement tools it needs to ensure workers were being protected.

“When it comes to workplace safety we want to provide guidance and clarity and help employers do the right thing. Most are working hard to do so,” Labor Secretary Eugene Scalia said on a phone call with reporters last week. “But we also know that unfortunately enforcement may be needed in some cases. We have the tools we

need, and we'll use them, if necessary.”

According to OSHA, the agency has received more than 2,400 Covid-19-related complaints and has closed more than 1,400 of them.

OSHA officials say the agency will enforce existing standards such as its safety rules regarding respiratory protection and blood-borne pathogens throughout the pandemic. But safety advocates have complained that those standards don't address risks posed by infectious illnesses like Covid-19.

Smithfield and OSHA did not immediately respond to a request for comment.

*To view online:*

<https://subscriber.politicopro.com/employment-immigration/article/2020/04/following-victory-legal-group-says-it-hopes-to-target-other-meatpackers-1924429>

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**From:** [Sullivan, Ken](#)  
**To:** [Organ, Dennis](#); [Saunders, Scott](#); [Reeves, Paul W](#)  
**Cc:** [Lombardo, Keira](#); [Young, Joby - OSEC, Washington, DC](#)  
**Subject:** FW: Food supply PPE  
**Date:** Tuesday, April 14, 2020 5:11:24 PM  
**Attachments:** [Framebridge Foam Elastic Face Shield Spec sheet.pdf](#)  
[Framebridge Halo Face Shield Spec sheet.pdf](#)

(b) (4)

---

**From:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>  
**Sent:** Tuesday, April 14, 2020 10:59 AM  
**To:** Sullivan, Ken (b) (6) <[smithfield.com](mailto:smithfield.com)>  
**Subject:** Fwd: Food supply PPE

Sir,

See below and attached.

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

---

**From:** Julia Lovett (b) (6) <[ppe@framebridge.com](mailto:ppe@framebridge.com)>  
**Sent:** Tuesday, April 14, 2020 10:50  
**To:** Young, Joby - OSEC, Washington, DC  
**Cc:** [ppe@framebridge.com](mailto:ppe@framebridge.com)  
**Subject:** Re: Food supply PPE

Hi Joby,

Thanks so much for reaching out! We'd love to help provide face shields to help protect workers on the frontlines of food supply!

We're proud to have no order minimums and to be selling our face shields at cost for \$4.50/each. Replacement shields are available for \$0.80/each in packs of 25 for \$20/pack. We're producing up to 3,000 face shields a day and orders should ship in 1-2 days. We're also working to ramp production for a more traditional face shield with an elastic headband, and we'll have more details on capacity for that model in coming days.

I've attached our two spec sheets here. Additionally, my phone number is (b) (6) if you'd prefer to visit over the phone.

Let me know what additional information would be helpful!

Julia

On Tue, Apr 14, 2020 at 10:43 AM 'Young, Joby - OSEC, Washington, DC' via Framebridge Personal Protective Equipment <[ppe@framebridge.com](mailto:ppe@framebridge.com)> wrote:

Hi guys-

Saw your email about switching to face mask production. I'd like to talk more. Please email or call me. Mobile is (b) (6)

-Joby

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

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You received this message because you are subscribed to the Google Groups "Framebridge Personal Protective Equipment" group.

To unsubscribe from this group and stop receiving emails from it, send an email to [ppe+unsubscribe@framebridge.com](mailto:ppe+unsubscribe@framebridge.com).

To post to this group, send email to [ppe@framebridge.com](mailto:ppe@framebridge.com).

To view this discussion on the web visit

<https://groups.google.com/a/framebridge.com/d/msgid/ppe/BL0PR0901MB43565BC9BD4A1E9B8481D8F4F3DA0%40BL0PR0901MB4356.namprd09.prod.outlook.com>.

--  
**Julia Lovett** | [Framebridge](#)

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# Halo Face Shield

LIGHTWEIGHT ACRYLIC HALO  
WITH REPLACEABLE FILM SHIELD



acrylic halo



film shield



quick shield replacement

The **Halo Face Shield** is made of two independent pieces—a lightweight acrylic halo and a replaceable film shield.

The **lightweight acrylic halo** is precisely cut from high-grade, hard acrylic. At just 7 oz., it is designed to be comfortably worn above and over glasses, masks and any additional PPE.

Available in vented and non-vented styles. Holes on the back allow users to tighten as necessary using a band or string.

*Small Opening: 6" x 8", 22.5" circumference; Medium Opening: 6.25" x 8.25", 23.5" circumference; Large Opening: 6.5" x 8.75", 25" circumference*

The **replaceable film shield** is manufactured from a clear, non-porous polycarbonate material that is easily removed from the acrylic halo to allow for thorough and rapid cleaning, or inexpensive, quick, complete replacement.

*Small: 9.25" x 10.5"; Medium: 9.75" x 11.25"; Large: 10.25" x 12"*

Framebridge is manufacturing Halo Face Shields at our custom framing factory in Richmond, KY and selling them at our cost.

To order, please email [ppe@framebridge.com](mailto:ppe@framebridge.com).

**FACE SHIELD KIT (1 HALO + 1 SHIELD): \$4.50** ea, 5-piece minimum  
**REPLACEMENT SHIELDS: \$.80** ea, sold in packs of 25 (\$20/pack)

## FRAMEBRIDGE

This product is not a medical device and has not been cleared for any medical use by the U.S. FDA. This product has not been evaluated for the prevention of specific diseases or infections, or other particles, including without limitation COVID-19. This product has not been manufactured to the same degree of sterility as face masks or other items that directly interface with mucous membranes. This product has not been evaluated by OSHA regarding safety or effectiveness for protecting employees. Purchasers are solely responsible for decisions regarding appropriate personal protective equipment for use. Except where specifically prohibited by law, no warranties of any kind are offered for the face shield design and specifications, including warranties of non-infringement and fitness for a particular purpose.

# Foam & Elastic Face Shield



*thick brow foam*



*velcro strap connection*



*elastic headband*

The **Foam & Elastic Face Shield** is designed to be comfortable for long wear. It is made of a clear film shield with thick brow foam and an elastic headband. The stretchy band allows the shield to fit everyone.

The **clear film shield** is manufactured from a clear, non-porous polycarbonate material and is attached to a 1" x 1" x 9" piece of soft brow foam, which rests against the forehead.

The **elastic headband** is 1" x 12" and attaches to the side of the film shield with velcro.

Framebridge is manufacturing Foam & Elastic Face Shields at our custom framing factory in Richmond, KY and selling them at our cost.

To order, please email [ppe@framebridge.com](mailto:ppe@framebridge.com).

**FOAM & ELASTIC FACE SHIELD: \$9.50** ea, 5-piece minimum

## FRAMEBRIDGE

This product is not a medical device and has not been cleared for any medical use by the U.S. FDA. This product has not been evaluated for the prevention of specific diseases or infections, or other particles, including without limitation COVID-19. This product has not been manufactured to the same degree of sterility as face masks or other items that directly interface with mucous membranes. This product has not been evaluated by OSHA regarding safety or effectiveness for protecting employees. Purchasers are solely responsible for decisions regarding appropriate personal protective equipment for use. Except where specifically prohibited by law, no warranties of any kind are offered for the face shield design and specifications, including warranties of non-infringement and fitness for a particular purpose.

**From:** [Day, Randy](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** FW: Poultry Plant Documents  
**Date:** Saturday, April 25, 2020 4:46:52 PM  
**Attachments:** [Poultry Plan 042520.docx](#)  
[ATT00001.htm](#)  
[Poultry Testing Protocol 042520.docx](#)  
[ATT00002.htm](#)

---

Dr. Brashears,  
Thank you so very much for your help in these matters.  
Randy

---

**From:** Scuse, Michael (DDA) [mailto:Michael.Scuse@delaware.gov]  
**Sent:** Saturday, April 25, 2020 4:15 PM  
**To:** Phillip Plylar (b) (6) @mountaire.com>; Day, Randy (b) (6) @Perdue.com>  
**Subject:** [EXTERNAL] Fwd: Poultry Plant Documents

Here is the plan. Sheila will be scheduling a call for 7:30 tonight. If you have any concerns with the plan, call me. Sheila and I will be the only ones from the Governors office on the call.

Sent from my iPhone

Begin forwarded message:

**From:** "Grant, Sheila (Governor)" <[Sheila.Grant@delaware.gov](mailto:Sheila.Grant@delaware.gov)>  
**Date:** April 25, 2020 at 4:05:32 PM EDT  
**To:** "Scuse, Michael (DDA)" <[Michael.Scuse@delaware.gov](mailto:Michael.Scuse@delaware.gov)>  
**Subject: Poultry Plant Documents**

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# COVID-19

## Evaluating and Testing Persons for Coronavirus Disease 2019

Centers for Disease Control and Prevention Adapted Guidelines

<https://www.cdc.gov/coronavirus/2019-ncov/hcp/clinical-criteria.html>

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### Criteria to Guide Evaluation and Laboratory Testing for COVID-19

All health care providers, facilities and entities that offer testing shall make that testing available to people meeting testing criteria without regard to that person's ability to pay, type of health insurance, or participation in any particular provider network. Health care providers shall provide testing free of charge, including eliminating any cost sharing, co-payments or other direct-to-consumer costs.

Division of Public Health (DPH) requires that all commercial labs report all testing for SARS-CoV-2 immediately to the Division (via fax to 302-223-1540, email to [reportdisease@delaware.gov](mailto:reportdisease@delaware.gov), or 24-hour Office of Infectious Disease Epidemiology phone line at 1-888-295-5156). Further, all results should be shared electronically through the Division's DEERSS immediately.

Clinicians considering testing of persons with possible COVID-19 should continue to work with the health department to coordinate testing through public health laboratories, or use COVID-19 diagnostic testing authorized by the Food and Drug Administration under an Emergency Use Authorization (EUA) through clinical laboratories. Increasing testing capacity will allow clinicians to consider COVID-19 testing for a wider group of symptomatic patients.

Clinicians should use their judgment to determine if a patient has signs and symptoms compatible with COVID-19 and whether the patient should be tested. Most patients with confirmed COVID-19 have developed fever<sup>1</sup> and/or symptoms of acute respiratory illness (e.g., cough, difficulty breathing).<sup>2</sup>

Other considerations that may guide testing are epidemiologic factors such as the occurrence of local community transmission of COVID-19 infections in a jurisdiction. Clinicians are strongly encouraged to test for other causes of respiratory illness.

### Recommendations for Reporting, Testing, and Specimen Collection

Clinicians should immediately implement [recommended infection prevention and control practices](#) if a patient is suspected of having COVID-19. They should also notify infection control personnel at their health care facility and the health department if a patient is classified as a Person Under Investigation (PUI) for COVID-19.

Testing may only be performed under the direction and order of an independently licensed medical practitioner (MD/DO, DMD/DDS, PA, or APRN).

There are multiple testing modalities. CDC recommends collecting and testing upper respiratory tract specimens (nasopharyngeal swab). Oropharyngeal swabs may be acceptable if nasopharyngeal supplies are exhausted. Specimens should be collected as soon as possible once a PUI is identified, regardless of the time of symptom onset.

Consistent with FDA guidance, the State of Delaware has identified point-of-care lateral flow immunoassays (“rapid tests”) as useful diagnostic adjuncts for COVID-19 and subsequently developed guidance for use of these tests. Use of rapid tests is contingent upon implementation in appropriate clinical scenarios. Rapid testing may only be performed in accordance with Division of Public Health guidance on the use of rapid testing (<https://coronavirus.delaware.gov/wp-content/uploads/sites/177/2020/04/RAPID-COVID-19-IgG-IgM-TESTING-GUIDANCE.pdf>).

Only tests that have received an Emergency Use Authorization (EUA) from the FDA **OR** that have been independently verified by a CLIA certified laboratory may be used.

All testing must be performed in compliance with OSHA and CLIA regulations or if conducted in a clinical laboratory setting, in accordance with standards set forth by the Commission on Office Laboratory Accreditation (COLA).

**Race and ethnicity fields must be completed by the ordering provider in all laboratory order requests.**

All providers must provide each patient tested with educational materials developed by the Division of Public Health.

The ultimate implementation of, the clinical decision making from, and the reporting of COVID-19 testing, are the responsibilities of the licensed practitioner (MD/DO, DMD/DDS, PA, or APRN) who is listed as the ordering practitioner for the testing procedure.

## **Rapid Serology Result Interpretation**

To guide the interpretation of the Rapid Serology Test, the following table provides interpretation and recommendations for outcome when Rapid Serology Testing is performed in a critical infrastructure setting to help guide the decision to return to work in which there is a high prevalence of disease within the work or community setting.

| Serology Result |          | Interpretation                          | Outcome                                                                                                                                                                                                      |
|-----------------|----------|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IgM             | IgG      |                                         |                                                                                                                                                                                                              |
| Negative        | Negative | No Exposure vs Risk of Early Infection  | <ul style="list-style-type: none"> <li>• Immediate PCR*</li> <li>• Return to Work immediately</li> <li>• Repeat Serology in 96 Hours If Negative PCR</li> <li>• Isolate for 7 days if IgM present</li> </ul> |
| Positive        | Negative | High Risk for Active Infection          | <ul style="list-style-type: none"> <li>• Isolate for 7 days</li> <li>• Repeat Serology for IgG</li> <li>• Return to Work if IgG present</li> </ul>                                                           |
| Negative        | Positive | Previous Infection                      | <ul style="list-style-type: none"> <li>• Return to Work immediately</li> </ul>                                                                                                                               |
| Positive        | Positive | Risk of Active Infection/Early Recovery | <ul style="list-style-type: none"> <li>• Isolate for 7 days</li> <li>• Return to Work after 7 days</li> </ul>                                                                                                |

\* If PCR is positive, the person should isolate for 7 days before return to work

Note: If symptoms appear, the person should isolate until 3 days after recovery as long as 7 days after onset of symptoms.

## Footnotes:

<sup>1</sup>Fever may be subjective or confirmed.

<sup>2</sup>For healthcare personnel, testing may be considered if there has been exposure to a person with suspected COVID-19 without laboratory confirmation. Because of their often extensive and close contact with vulnerable patients in healthcare settings, even mild signs and symptoms (e.g., sore throat) of COVID-19 should be evaluated among potentially exposed healthcare personnel.

## Plan to Keep Poultry Plants Open and Safe

We recognize the importance of these production facilities to our food supply in Delaware as well as to the financial wellbeing of the surrounding communities, but these considerations must be balanced with the importance of healthy workers and a healthy community. We also share the interest in keeping Delawareans employed in settings that make their health and safety a priority. With concerted effort, continued improvement and ongoing health monitoring detailed below, we are hopeful we can manage through the current challenge.

### Controlling the Spread

- Continue to increase protective measures at work and outside
  - a. Train staff on PPE according to DPH guidance and develop plan to monitor employee use of PPE. Conduct regular checks on every shift for the correct and consistent use of equipment. DPH will review plan for compliance and confirm implementation via site visits.
  - b. Institute infection control practices in the following areas:
    - i. Exclude symptomatic or other workers at high risk to spread infection based on DPH definition
      - 1. Active Monitoring of positive cases at home via phone calls, to be implemented per DPH protocol.
      - 2. Avoid use of fever-reducing medication prior to temperature checks
    - ii. Continue active screenings protocols as directed by DPH including multiple temperature checks during each shift as well as symptom questions
    - iii. Maintain enhanced equipment cleaning and facility maintenance practices. Provide DPH with the cleaning schedule and protocol
    - iv. Provide educational materials to all employees and post notices throughout facility. Coordinate with DPH.
    - v. Ensure social distancing of at least 6 feet
      - 1. Work with DPH to ensure number of staff on site allows for distancing
      - 2. Use staggered shifts and arrival/departure times to limit number of workers in screening and entry/departure pathways
      - 3. Eliminate congregation of staff
      - 4. Stagger breaks and lunches
    - vi. Install and maintain physical barriers around workstations, cafeteria seating and other locations where 6' spacing is not possible
- Hand Washing and sanitizing— employees must have access to handwash stations at all entry/access points and available in work areas for regular use during shifts. DPH will provide guidance on frequency and other aspects of sanitation
- Educate and regularly reinforce—through daily and weekly messaging--the use of infection control practices outside of the workplace, including social distancing, transportation safety and other practices. Coordinate communications plan with DPH.

### Comply with all required testing activities as per DPH protocol

- Execute testing program with DPH oversight (on-site and remotely). Each plant must partner with a medical provider or testing partner to provide testing and cover the costs necessary to

adhere to this testing regimen, including the purchase of testing supplies, laboratory analysis, and other expenses related to testing individuals and caring for infected workers. DPH can provide test kits upon request at the company's expense.

- a. Testing requirements
    - i. Immediately test any employee who has not been tested as part of this enhanced initiative
    - ii. Protocol for employees who test negative:
      1. employees who initially test negative under antibody test should immediately undergo swab collection for RT-PCR testing
      2. If PCR test is also negative, employees may return to work, but are considered at risk for spread of infection until achieving a second negative result 4 days later. In the interim, companies must take the following precautions for these employees:
        - a. additional temperature checks and screening on-site at least twice per during shift
        - b. Quarantine measures at home until repeat testing
      3. Company must retest employees after 4 days of initial negative test
    - iii. Establish workflows and tracking efforts to ensure retesting occurs
  - b. Report test results to DPH at the end of each shift, including contact information for any employee with a positive test result
  - c. Any individual who is identified as positive should immediately be relieved of work duties and supported in isolation
    - i. Many employees will have difficulty complying with isolation requirements as well as social distancing practices. Companies should facilitate providing infected individuals with supports like housing if isolation at home is not possible, as well as food and other supplies to avoid sick individuals going into stores.
    - ii. Facilities should update sick leave policies and regularly communicate with employees about staying home when ill, including supervisor training, etc. All employees should receive paid sick leave.
    - iii. Under no circumstances is it allowable for any supervisor to advise any employee to take fever-reducing medications in order to pass screening.
- Implement other safety measures as recommended by DPH, DEMA and CDC.
- a. DPH will conduct daily scheduled and unscheduled reviews of operations and recommend changes where needed.
- Implement education and support efforts for high risk groups as defined by DPH. DPH will provide tailored materials relevant to these individuals and advise as to additional activities that may be needed.

## Educate and support workforce and the community

- Support an education campaign in the communities surrounding your facilities to slow the spread of the disease.

- a. Disseminate educational materials in multiple languages in coordination with DPH, including providing take-home materials to employees and sponsoring other outreach media.
- b. Reinforce messages about stay at home orders, social distancing and other precautions.
- c. In conjunction with DPH, significantly increase education and training to all employees about safe behavior away from work.
  - i. Using DPH's materials and tools, widely disseminate key messages, including the purchase of radio advertisements and other media outlets
  - ii. Host DPH resources at shift/staff meetings, supervisor trainings, and other employee gatherings
- Support employees who test positive
  - a. Provide referrals for employees and their families to the COVID-19 Care Centers being launched in Milford, Georgetown and other locations.
  - b. Provide data on positive cases to DPH immediately, including contact information
  - c. Deploy an Active Monitoring and support program for all isolated employees as per DPH protocol
    - i. Contact via phone at least every other day to conduct a health status check and monitoring via DPH protocol.
    - ii. Provide for needs to maintain isolation, including meal delivery
    - iii. For individuals who cannot isolation at home, connect with housing resources through DEMA and DPH

## Report on compliance and progress

- DPH will be available to provide guidance and recommendations on various activities required in this plan during the regular meeting schedule outlined below
  - a. If questions arise needing immediate response or attention, contact DPH at 302-744-4990.
  - b. The reports, protocols, or materials needed to fulfill these requirements should be assembled with DPH consultation and vetted by DPH to ensure compliance and accuracy
- Ensure transparency through regular engagement with the Governors offices, DPH, DEMA and other state authorities.
  - a. Daily meetings between DPH and the companies to share daily updates on associate status (positive cases, number isolated, number returned to work, number hospitalized, number in ICU, etc.).
  - b. Weekly meetings between the Department of Agriculture, DPH, the companies, and the Governor's Office.
- It should be our mutual goal to have the employees of these facilities see marked improvement in key metrics. With the implementation of the measures outlined here, we would expect to see decreases in the following measures and will engage with the companies to assess our progress:
  - Number of positive cases among the workforce
  - Number Hospitalizations and ICU admissions among infected employees
  - Number of Deaths across the workforce
  - Number of absences/sick leave
  - Number of isolations recommended

- Support needs of employees such as food assistance and isolation beds to ensure adequate supply
- Facilities must document accountability procedures for employees who do not comply with requirements of this testing and monitoring program.
- Failure to comply with testing, safety or other requirements will result in enforcement actions which could include additional requirements, more active monitoring or closure of areas or facilities.

## CHECKLIST FOR COMPANY ACTION

|                         |                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Employee protections    | <ul style="list-style-type: none"> <li>•Promote PPE use and monitor compliance in accordance with DPH guidelines</li> <li>•Institue and maintain physical barriers where 6' spacing is not possible and visual cues for social distancing as directed</li> <li>•Provide sanitation facilities through plant and educate workers on new sanitation protocols</li> </ul> |
| Testing actions         | <ul style="list-style-type: none"> <li>•Execute universal testing</li> <li>•Ensure compliance and cooperate with all DPH testing efforts</li> <li>•Immediately send home any positive test cases with information materials and referrals</li> </ul>                                                                                                                   |
| Education and supports  | <ul style="list-style-type: none"> <li>•Develop educational materials in coordination with DPH and post notices as directed</li> <li>•Develop an active monitoring (case management) program for positive cases to ensure positive cases receive follow up every 48 hours</li> </ul>                                                                                   |
| Reporting and oversight | <ul style="list-style-type: none"> <li>•Report testing outcomes to DPH daily beginning 4/26</li> <li>•Report measures listed under Outcomes above every 3 days</li> <li>•Devise a monitoring plan for employee protections and submit to DPH by 4/28</li> </ul>                                                                                                        |

**From:** [Skahill, Michael P.](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** FW: Sioux Falls, SD Reopening Plan  
**Date:** Wednesday, May 6, 2020 6:31:20 PM  
**Attachments:** [ATT00001.png](#)  
[Sioux Falls SD Reopening Plan\\_050620.pdf](#)

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Dr. Brashears, please see attached and call me if you have any questions. Thank you for all your assistance. Mike



Michael P. Skahill  
Vice President, Government Affairs

p: (b) (6) c: (b) (6)  
e: (b) (6)@smithfield.com

111 Commerce St.  
Smithfield, VA 23430

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**From:** [Julie Anna Potts](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#); [Newsome, Shawna - OSEC, Washington, DC](#)  
**Subject:** FW: Thank you  
**Date:** Friday, April 3, 2020 5:26:40 PM

---

FYI

**From:** Julie Anna Potts  
**Sent:** Friday, April 3, 2020 5:23 PM  
**To:** 'sonny.perdue@usda.gov' <sonny.perdue@usda.gov>  
**Cc:** Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>; Ghee, Hailey - OSEC, Washington, DC <hailey.ghee@usda.gov>; White, Noel (b) (6) @tyson.com>; 'Sullivan, Ken' (b) (6) @smithfield.com>; Snee, Jim (b) (6) @hormel.com>; Andre Nogueira (b) (6) @jbssa.com) (b) (6) @jbssa.com>; Sand, Duke (b) (6) @seaboardfoods.com>; Keating, John (b) (6) @cargill.com>  
**Subject:** Thank you

Mr. Secretary, on behalf of the Meat Institute and our member CEOs who joined you on the call today, thank you again for your attention and for bringing your team together this afternoon to hear directly about the urgency of the employee absenteeism situation in the meat industry. I want to re-emphasize that the slowdowns and shutdowns you heard described today are significant and getting worse each day. Whether due to fear or a misguided idea that unemployment benefits are available simply because of fear of going to work, hearing a strong and consistent message from the President or Vice President like that delivered by the Governor of Nebraska yesterday is vital: being afraid of COVID-19 is not a reason to quit your job and you are not eligible for unemployment compensation if you do. We need that reinforcement throughout all levels of government. With your encouragement, we hope the White House will also tell the Governors about the very fragile situation we are in and ask them to reinforce that message as well.

We are grateful for all that you are doing and know that you are working to elevate this message and its visibility to our workforce. Our companies are doing as much as possible to alleviate the fear our workers are facing through communications about their efforts to keep them safe but on the job. We will continue to do all we can to encourage state and local officials to do the same. Please let us know how else we may assist you and your staff.

All my best, Julie Anna

Julie Anna Potts  
President & CEO  
North American Meat Institute

(b) (6) @meatinstitute.org

(b) (6) (o)

(b) (6) (c)



**From:** [Young, Joby - OSEC, Washington, DC](#)  
**To:** [Randy Russell \(b\) \(6\) @russellgroupdc.com](#); [Chuck Conner \(b\) \(6\) @ncfc.org](#); [Shannon.Herzfeld-Contact; Dykes Michael - FASContact; \(b\) \(6\) @cargill.com](#)  
**Subject:** Fwd: Critical Infrastructure Guidance Amplification  
**Date:** Thursday, March 19, 2020 5:35:23 PM  
**Attachments:** [Guidance on the Essential Critical Infrastructure Workforce.pdf](#)  
[image002.png](#)

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I hope you all have seen this. Closing the loop with folks I've spoken to personally on this issue. Please let me know if you have any other questions or feedback.

<https://www.cisa.gov/news/2020/03/19/cisa-releases-guidance-essential-critical-infrastructure-workers-during-covid-19>

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

---

**From:** Brady, Lillie - OSEC, Washington, DC <lillie.brady@usda.gov>  
**Sent:** Thursday, March 19, 2020 3:40 PM  
**Cc:** Willits, Ashley - OSEC, Washington, DC <ashley.willits@usda.gov>  
**Subject:** Critical Infrastructure Guidance Amplification

Good afternoon!

Attached is the final DHS memo and guidance regarding Essential Critical Infrastructure combined both into one PDF for ease. These will be posted on CISA's website at CISA.gov. CISA's press release is also below.

Let us know if you have any questions!

Best,  
Lillie

|                                                                                     |                                                                                                                                                        |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <b>Lillie J. Brady   Director</b>                                                                                                                      |
|  | External and Intergovernmental Affairs                                                                                                                 |
|  | United States Department of Agriculture<br>Office of the Secretary<br>Cell: (b) (6)   <a href="mailto:Lillie.Brady@usda.gov">Lillie.Brady@usda.gov</a> |



## CISA Releases Guidance on Essential Critical Infrastructure Workers During COVID-19

WASHINGTON – Today, the Cybersecurity and Infrastructure Security Agency (CISA) [released guidance](#) to help state and local jurisdictions and the private sector identify and manage their essential workforce while responding to COVID-19.

As the Nation comes together to slow the spread of COVID-19, on March 16, the President issued updated Coronavirus Guidance for America. This guidance states that:

*“If you work in a critical infrastructure industry, as defined by the Department of Homeland Security, such as healthcare services and pharmaceutical and food supply, you have a special responsibility to maintain your normal work schedule.”*

CISA executes the Secretary of Homeland Security’s responsibilities as assigned under the Homeland Security Act of 2002 to provide strategic guidance, promote a national unity of effort, and coordinate the overall Federal effort to ensure the security and resilience of the Nation’s critical infrastructure. The list of Essential Critical Infrastructure Workers was developed in coordination with Federal agencies and the private sector as a guide to help decision-makers within communities understand how to ensure continuity of essential functions and critical workforce as they consider COVID-related restrictions in certain communities (e.g., shelter-in-place). The list can also inform critical infrastructure community decision-making to determine the sectors, sub sectors, segments, or critical functions that should continue normal operations, appropriately modified to account for Centers for Disease Control (CDC) workforce and customer protection guidance. These critical functions include, but are not limited to, systems that support healthcare personnel (e.g., doctors, nurses, laboratory personnel, etc.), the food industry (e.g., retail groceries and pharmacies), communication providers (e.g., operator, call centers, IT data centers), defense systems support, law enforcement, public works, and other essential operations. Workers who support these critical functions are necessary to keep critical systems and assets working.

“As the nation comes together to slow the spread of COVID-19, everyone has a role to play in protecting public health and safety. Many of the men and women who work across our nation’s critical infrastructure industries are hard at work keeping the lights on, water flowing from the tap, groceries on the shelves, among other countless essential services,” said Christopher Krebs, CISA Director. “As the nation’s risk advisor, this list is meant to provide additional guidance to state and local partners, as well as industry, building on the President’s statement that critical infrastructure industries have a special responsibility to keep normal operations. We’re providing recommendations for these partners as they carry out their mission to keep their communities safe, healthy, and resilient. And on behalf of CISA, we thank the brave men and women who continue these essential jobs in challenging times.”

The list of Essential Critical Infrastructure Workers was developed using existing data and analysis, including publicly available analysis done by the [President’s National Infrastructure Advisory Council in 2007](#). The list does not impose any mandates on state or local jurisdictions or private companies.

CISA will use this list to support federal, state, local, tribal, and territorial government response to COVID-19. To view the full list of Essential Critical Infrastructure Workers and to learn more about our efforts, visit [www.cisa.gov/coronavirus](http://www.cisa.gov/coronavirus).

###



**CISA**  
CYBER+INFRASTRUCTURE

March 19, 2020

## MEMORANDUM ON IDENTIFICATION OF ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS DURING COVID-19 RESPONSE

FROM: Christopher C. Krebs  
Director  
Cybersecurity and Infrastructure Security Agency (CISA)

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As the Nation comes together to slow the spread of COVID-19, on March 16<sup>th</sup>, the President issued updated Coronavirus Guidance for America. This guidance states that:

*“If you work in a critical infrastructure industry, as defined by the Department of Homeland Security, such as healthcare services and pharmaceutical and food supply, you have a special responsibility to maintain your normal work schedule.”*

The Cybersecurity and Infrastructure Security Agency (CISA) executes the Secretary of Homeland Security’s responsibilities as assigned under the Homeland Security Act of 2002 to provide strategic guidance, promote a national unity of effort, and coordinate the overall federal effort to ensure the security and resilience of the Nation’s critical infrastructure. CISA uses trusted partnerships with both the public and private sectors to deliver infrastructure resilience assistance and guidance to a broad range of partners.

In accordance with this mandate, and in collaboration with other federal agencies and the private sector, CISA developed an initial list of “Essential Critical Infrastructure Workers” to help State and local officials as they work to protect their communities, while ensuring continuity of functions critical to public health and safety, as well as economic and national security. The list can also inform critical infrastructure community decision-making to determine the sectors, sub-sectors, segments, or critical functions that should continue normal operations, appropriately modified to account for Centers for Disease Control (CDC) workforce and customer protection guidance.

The attached list identifies workers who conduct a range of operations and services that are essential to continued critical infrastructure viability, including staffing operations centers, maintaining and repairing critical infrastructure, operating call centers, working construction, and performing management functions, among others. The industries they support represent, but are not necessarily limited to, medical and healthcare, telecommunications, information technology systems, defense, food and agriculture, transportation and logistics, energy, water and wastewater, law enforcement, and public works.

We recognize that State, local, tribal, and territorial governments are ultimately in charge of implementing and executing response activities in communities under their jurisdiction, while the Federal Government is in a supporting role. As State and local communities consider COVID-19-related restrictions, CISA is offering this list to assist prioritizing activities related to continuity of operations and incident response, including the appropriate movement of critical infrastructure workers within and between jurisdictions.

**Accordingly, this list is advisory in nature. It is not, nor should it be considered to be, a federal directive or standard in and of itself.**

In addition, these identified sectors and workers are not intended to be the authoritative or exhaustive list of critical infrastructure sectors and functions that should continue during the COVID-19 response. Instead, State and local officials should use their own judgment in using their authorities and issuing implementation directives and guidance. Similarly, critical infrastructure industry partners will use their own judgment, informed by this list, to ensure continued operations of critical infrastructure services and functions. All decisions should appropriately balance public safety while ensuring the continued delivery of critical infrastructure services and functions.

CISA will continue to work with you and our partners in the critical infrastructure community to update this list as the Nation's response to COVID-19 evolves. We also encourage you to submit how you might use this list so that we can develop a repository of use cases for broad sharing across the country.

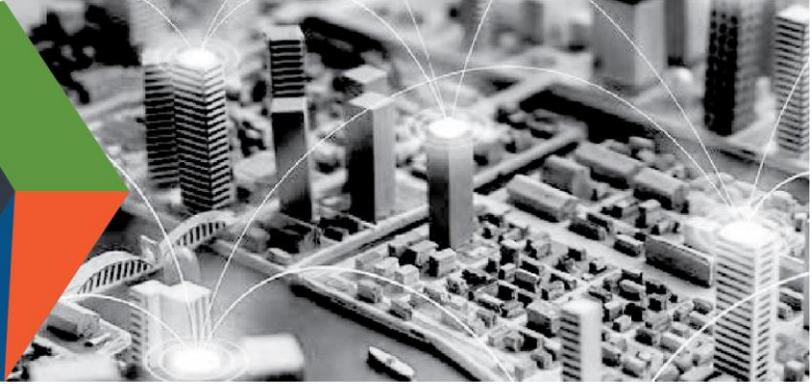
Should you have questions about this list, please contact CISA at [CISA.CAT@cisa.dhs.gov](mailto:CISA.CAT@cisa.dhs.gov).

**Attachment:** "Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response"



**CISA**  
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DEFEND TODAY, SECURE TOMORROW



# Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response

Version 1.0 (March 19, 2020)

## THE IMPORTANCE OF ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS

Functioning critical infrastructure is imperative during the response to the COVID-19 emergency for both public health and safety as well as community well-being. Certain critical infrastructure industries have a special responsibility in these times to continue operations.

This guidance and accompanying list are intended to support State, Local, and industry partners in identifying the critical infrastructure sectors and the essential workers needed to maintain the services and functions Americans depend on daily and that need to be able to operate resiliently during the COVID-19 pandemic response.

This document gives guidance to State, local, tribal, and territorial jurisdictions and the private sector on defining essential critical infrastructure workers. Promoting the ability of such workers to continue to work during periods of community restriction, access management, social distancing, or closure orders/directives is crucial to community resilience and continuity of essential functions.

## CONSIDERATIONS FOR GOVERNMENT AND BUSINESS

This list was developed in consultation with federal agency partners, industry experts, and State and local officials, and is based on several key principles:

1. Response efforts to the COVID-19 pandemic are locally executed, State managed, and federally supported
2. Everyone should follow guidance from the CDC, as well as State and local government officials, regarding strategies to limit disease spread.
3. Workers should be encouraged to work remotely when possible and focus on core business activities. In-person, non-mandatory activities should be delayed until the resumption of normal operations.
4. When continuous remote work is not possible, businesses should enlist strategies to reduce the likelihood of spreading the disease. This includes, but is not necessarily limited to, separating staff by off-setting shift hours or days and/or social distancing. These steps can preserve the workforce and allow operations to continue.

5. All organizations should implement their business continuity and pandemic plans, or put plans in place if they do not exist. Delaying implementation is not advised and puts at risk the viability of the business and the health and safety of the employees.
6. In the modern economy, reliance on technology and just-in-time supply chains means that certain workers must be able to access certain sites, facilities, and assets to ensure continuity of functions.
7. Government employees, such as emergency managers, and the business community need to establish and maintain lines of communication.
8. When government and businesses engage in discussions about critical infrastructure workers, they need to consider the implications of business operations beyond the jurisdiction where the asset or facility is located. Businesses can have sizeable economic and societal impacts as well as supply chain dependencies that are geographically distributed.
9. Whenever possible, jurisdictions should align access and movement control policies related to critical infrastructure workers to lower the burden of workers crossing jurisdictional boundaries.

## IDENTIFYING ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS

The following list of sectors and identified essential critical infrastructure workers are an initial recommended set and are intended to be overly inclusive reflecting the diversity of industries across the United States. CISA will continually solicit and accept feedback on the list (both sectors/sub sectors and identified essential workers) and will evolve the list in response to stakeholder feedback. We will also use our various stakeholder engagement mechanisms to work with partners on how they are using this list and share those lessons learned and best practices broadly. We ask that you share your feedback, both positive and negative on this list so we can provide the most useful guidance to our critical infrastructure partners. **Feedback can be sent to [CISA.CAT@CISA.DHS.GOV](mailto:CISA.CAT@CISA.DHS.GOV).**



## HEALTHCARE / PUBLIC HEALTH

- Workers providing COVID-19 testing; Workers that perform critical clinical research needed for COVID-19 response
- Caregivers (e.g., physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists)
- Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.)
- Workers in other medical facilities (including Ambulatory Health and Surgical, Blood Banks, Clinics, Community Mental Health, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Long Term Care, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Rural Health Clinics and Federally Qualified Health Centers)
- Manufacturers, technicians, logistics and warehouse operators, and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products
- Public health / community health workers, including those who compile, model, analyze and communicate public health information
- Blood and plasma donors and the employees of the organizations that operate and manage related activities
- Workers that manage health plans, billing, and health information, who cannot practically work remotely
- Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely
- Workers performing cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely
- Workers conducting research critical to COVID-19 response
- Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely
- Workers who support food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, such as those residing in shelters
- Pharmacy employees necessary for filling prescriptions
- Workers performing mortuary services, including funeral homes, crematoriums, and cemetery workers
- Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident

## LAW ENFORCEMENT, PUBLIC SAFETY, FIRST RESPONDERS

- Personnel in emergency management, law enforcement, Emergency Management Systems, fire, and corrections, including front line and management
- Emergency Medical Technicians
- 911 call center employees
- Fusion Center employees
- Hazardous material responders from government and the private sector.
- Workers – including contracted vendors – who maintain digital systems infrastructure supporting law enforcement and emergency service operations.

## FOOD AND AGRICULTURE

- Workers supporting groceries, pharmacies and other retail that sells food and beverage products
- Restaurant carry-out and quick serve food operations - Carry-out and delivery food employees
- Food manufacturer employees and their supplier employees—to include those employed in food processing (packers, meat processing, cheese plants, milk plants, produce, etc.) facilities; livestock, poultry, seafood slaughter facilities; pet and animal feed processing facilities; human food facilities producing by-products for animal food; beverage production facilities; and the production of food packaging
- Farm workers to include those employed in animal food, feed, and ingredient production, packaging, and distribution; manufacturing, packaging, and distribution of veterinary drugs; truck delivery and transport; farm and fishery labor needed to produce our food supply domestically
- Farm workers and support service workers to include those who field crops; commodity inspection; fuel ethanol facilities; storage facilities; and other agricultural inputs
- Employees and firms supporting food, feed, and beverage distribution, including warehouse workers, vendor-managed inventory controllers and blockchain managers
- Workers supporting the sanitation of all food manufacturing processes and operations from wholesale to retail
- Company cafeterias - in-plant cafeterias used to feed employees
- Workers in food testing labs in private industries and in institutions of higher education
- Workers essential for assistance programs and government payments
- Employees of companies engaged in the production of chemicals, medicines, vaccines, and other substances used by the food and agriculture industry, including pesticides, herbicides, fertilizers, minerals, enrichments, and other agricultural production aids
- Animal agriculture workers to include those employed in veterinary health; manufacturing and distribution of animal medical materials, animal vaccines, animal drugs, feed ingredients, feed, and bedding, etc.; transportation of live animals, animal medical materials; transportation of deceased animals for disposal; raising of animals for food; animal production operations; slaughter and packing plants and associated regulatory and government workforce
- Workers who support the manufacture and distribution of forest products, including, but not limited to timber, paper, and other wood products
- Employees engaged in the manufacture and maintenance of equipment and other infrastructure necessary to agricultural production and distribution

## ENERGY

### Electricity industry:

- Workers who maintain, ensure, or restore the generation, transmission, and distribution of electric power, including call centers, utility workers, reliability engineers and fleet maintenance technicians
- Workers needed for safe and secure operations at nuclear generation
- Workers at generation, transmission, and electric blackstart facilities
- Workers at Reliability Coordinator (RC), Balancing Authorities (BA), and primary and backup Control Centers (CC), including but not limited to independent system operators, regional transmission organizations, and balancing authorities
- Mutual assistance personnel
- IT and OT technology staff – for EMS (Energy Management Systems) and Supervisory Control and Data Acquisition (SCADA) systems, and utility data centers; Cybersecurity engineers; cybersecurity risk management
- Vegetation management crews and traffic workers who support
- Environmental remediation/monitoring technicians
- Instrumentation, protection, and control technicians

### Petroleum workers:

- Petroleum product storage, pipeline, marine transport, terminals, rail transport, road transport
- Crude oil storage facilities, pipeline, and marine transport
- Petroleum refinery facilities
- Petroleum security operations center employees and workers who support emergency response services
- Petroleum operations control rooms/centers
- Petroleum drilling, extraction, production, processing, refining, terminal operations, transporting, and retail for use as end-use fuels or feedstocks for chemical manufacturing
- Onshore and offshore operations for maintenance and emergency response
- Retail fuel centers such as gas stations and truck stops, and the distribution systems that support them

### Natural and propane gas workers:

- Natural gas transmission and distribution pipelines, including compressor stations
- Underground storage of natural gas
- Natural gas processing plants, and those that deal with natural gas liquids
- Liquefied Natural Gas (LNG) facilities
- Natural gas security operations center, natural gas operations dispatch and control rooms/centers natural gas emergency response and customer emergencies, including natural gas leak calls
- Drilling, production, processing, refining, and transporting natural gas for use as end-use fuels, feedstocks for chemical manufacturing, or use in electricity generation
- Propane gas dispatch and control rooms and emergency response and customer emergencies, including propane leak calls
- Propane gas service maintenance and restoration, including call centers

- Processing, refining, and transporting natural liquids, including propane gas, for use as end-use fuels or feedstocks for chemical manufacturing
- Propane gas storage, transmission, and distribution centers

## WATER AND WASTEWATER

Employees needed to operate and maintain drinking water and wastewater/drainage infrastructure, including:

- Operational staff at water authorities
- Operational staff at community water systems
- Operational staff at wastewater treatment facilities
- Workers repairing water and wastewater conveyances and performing required sampling or monitoring
- Operational staff for water distribution and testing
- Operational staff at wastewater collection facilities
- Operational staff and technical support for SCADA Control systems
- Chemical disinfectant suppliers for wastewater and personnel protection
- Workers that maintain digital systems infrastructure supporting water and wastewater operations

## TRANSPORTATION AND LOGISTICS

- Employees supporting or enabling transportation functions, including dispatchers, maintenance and repair technicians, warehouse workers, truck stop and rest area workers, and workers that maintain and inspect infrastructure (including those that require cross-border travel)
- Employees of firms providing services that enable logistics operations, including cooling, storing, packaging, and distributing products for wholesale or retail sale or use.
- Mass transit workers
- Workers responsible for operating dispatching passenger, commuter and freight trains and maintaining rail infrastructure and equipment
- Maritime transportation workers - port workers, mariners, equipment operators
- Truck drivers who haul hazardous and waste materials to support critical infrastructure, capabilities, functions, and services
- Automotive repair and maintenance facilities
- Manufacturers and distributors (to include service centers and related operations) of packaging materials, pallets, crates, containers, and other supplies needed to support manufacturing, packaging staging and distribution operations
- Postal and shipping workers, to include private companies
- Employees who repair and maintain vehicles, aircraft, rail equipment, marine vessels, and the equipment and infrastructure that enables operations that encompass movement of cargo and passengers
- Air transportation employees, including air traffic controllers, ramp personnel, aviation security, and aviation management
- Workers who support the maintenance and operation of cargo by air transportation, including flight crews, maintenance, airport operations, and other on- and off- airport facilities workers

## **PUBLIC WORKS**

- Workers who support the operation, inspection, and maintenance of essential dams, locks and levees
- Workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water and sewer main breaks, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works operations, and other emergent issues
- Workers such as plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences
- Support, such as road and line clearing, to ensure the availability of needed facilities, transportation, energy and communications
- Support to ensure the effective removal, storage, and disposal of residential and commercial solid waste and hazardous waste

## **COMMUNICATIONS AND INFORMATION TECHNOLOGY**

### **Communications:**

- Maintenance of communications infrastructure- including privately owned and maintained communication systems- supported by technicians, operators, call-centers, wireline and wireless providers, cable service providers, satellite operations, undersea cable landing stations, Internet Exchange Points, and manufacturers and distributors of communications equipment
- Workers who support radio, television, and media service, including, but not limited to front line news reporters, studio, and technicians for newsgathering and reporting
- Workers at Independent System Operators and Regional Transmission Organizations, and Network Operations staff, engineers and/or technicians to manage the network or operate facilities
- Engineers, technicians and associated personnel responsible for infrastructure construction and restoration, including contractors for construction and engineering of fiber optic cables
- Installation, maintenance and repair technicians that establish, support or repair service as needed
- Central office personnel to maintain and operate central office, data centers, and other network office facilities
- Customer service and support staff, including managed and professional services as well as remote providers of support to transitioning employees to set up and maintain home offices, who interface with customers to manage or support service environments and security issues, including payroll, billing, fraud, and troubleshooting
- Dispatchers involved with service repair and restoration

### **Information Technology:**

- Workers who support command centers, including, but not limited to Network Operations Command Center, Broadcast Operations Control Center and Security Operations Command Center
- Data center operators, including system administrators, HVAC & electrical engineers, security personnel, IT managers, data transfer solutions engineers, software and hardware engineers, and database administrators
- Client service centers, field engineers, and other technicians supporting critical infrastructure, as well as

manufacturers and supply chain vendors that provide hardware and software, and information technology equipment (to include microelectronics and semiconductors) for critical infrastructure

- Workers responding to cyber incidents involving critical infrastructure, including medical facilities, SLTT governments and federal facilities, energy and utilities, and banks and financial institutions, and other critical infrastructure categories and personnel
- Workers supporting the provision of essential global, national and local infrastructure for computing services (incl. cloud computing services), business infrastructure, web-based services, and critical manufacturing
- Workers supporting communications systems and information technology used by law enforcement, public safety, medical, energy and other critical industries
- Support required for continuity of services, including janitorial/cleaning personnel

## **OTHER COMMUNITY-BASED GOVERNMENT OPERATIONS AND ESSENTIAL FUNCTIONS**

- Workers to ensure continuity of building functions
- Security staff to maintain building access control and physical security measures
- Elections personnel
- Federal, State, and Local, Tribal, and Territorial employees who support Mission Essential Functions and communications networks
- Trade Officials (FTA negotiators; international data flow administrators)
- Weather forecasters
- Workers that maintain digital systems infrastructure supporting other critical government operations
- Workers at operations centers necessary to maintain other essential functions
- Workers who support necessary credentialing, vetting and licensing operations for transportation workers
- Customs workers who are critical to facilitating trade in support of the national emergency response supply chain
- Educators supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other essential functions, if operating under rules for social distancing
- Hotel Workers where hotels are used for COVID-19 mitigation and containment measures

## **CRITICAL MANUFACTURING**

- Workers necessary for the manufacturing of materials and products needed for medical supply chains, transportation, energy, communications, food and agriculture, chemical manufacturing, nuclear facilities, the operation of dams, water and wastewater treatment, emergency services, and the defense industrial base.

## **HAZARDOUS MATERIALS**

- Workers at nuclear facilities, workers managing medical waste, workers managing waste from pharmaceuticals and medical material production, and workers at laboratories processing test kits
- Workers who support hazardous materials response and cleanup
- Workers who maintain digital systems infrastructure supporting hazardous materials management operations

## FINANCIAL SERVICES

- Workers who are needed to process and maintain systems for processing financial transactions and services (e.g., payment, clearing, and settlement; wholesale funding; insurance services; and capital markets activities)
- Workers who are needed to provide consumer access to banking and lending services, including ATMs, and to move currency and payments (e.g., armored cash carriers)
- Workers who support financial operations, such as those staffing data and security operations centers

## CHEMICAL

- Workers supporting the chemical and industrial gas supply chains, including workers at chemical manufacturing plants, workers in laboratories, workers at distribution facilities, workers who transport basic raw chemical materials to the producers of industrial and consumer goods, including hand sanitizers, food and food additives, pharmaceuticals, textiles, and paper products.
- Workers supporting the safe transportation of chemicals, including those supporting tank truck cleaning facilities and workers who manufacture packaging items
- Workers supporting the production of protective cleaning and medical solutions, personal protective equipment, and packaging that prevents the contamination of food, water, medicine, among others essential products
- Workers supporting the operation and maintenance of facilities (particularly those with high risk chemicals and/or sites that cannot be shut down) whose work cannot be done remotely and requires the presence of highly trained personnel to ensure safe operations, including plant contract workers who provide inspections
- Workers who support the production and transportation of chlorine and alkali manufacturing, single-use plastics, and packaging that prevents the contamination or supports the continued manufacture of food, water, medicine, and other essential products, including glass container manufacturing

## DEFENSE INDUSTRIAL BASE

- Workers who support the essential services required to meet national security commitments to the federal government and U.S. Military. These individuals, include but are not limited to, aerospace; mechanical and software engineers, manufacturing/production workers; IT support; security staff; security personnel; intelligence support, aircraft and weapon system mechanics and maintainers
- Personnel working for companies, and their subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense, and government-owned/contractor-operated and government-owned/government-operated facilities

**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** (b) (6) [@chickenusa.org](#)  
**Subject:** Fwd: DHS COVID-19 WHS Leadership Guidance Toolkit\_Version 3-0501120.pdf  
**Date:** Tuesday, May 26, 2020 1:22:22 PM  
**Attachments:** [FW DHS COVID-19 WHS Leadership Guidance Toolkit\\_Version 3-0501120.pdf.msg](#)

---

See attached document.

Get [Outlook for iOS](#)

---

**From:** Hale, Kis Robertson - FSIS <Kis.Robertson1@usda.gov>  
**Sent:** Tuesday, May 26, 2020 12:16 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC  
**Subject:** FW: DHS COVID-19 WHS Leadership Guidance Toolkit\_Version 3-0501120.pdf

Page 5 (on the left hand side) is about confirmed positives. These persons can return to work after 10 days of positive test and no symptoms.

I think the problem comes in when they are tested multiple times. They should only be tested if they've been identified as a contact of another case and/or show symptoms consistent with COVID-19.

**From:** [Pulz, Jessica - OHS, Washington, DC](#)  
**To:** [Hale, Kis Robertson - FSIS](#)  
**Subject:** DHS COVID-19 WHS Leadership Guidance Toolkit\_Version 3-0501120.pdf  
**Date:** Friday, May 15, 2020 8:56:03 AM  
**Attachments:** [DHS COVID-19 WHS Leadership Guidance Toolkit\\_Version 3-0501120.pdf](#)  
[image001.jpg](#)

---

Kis – hope this finds you well! I was on the CDC Interagency Food Systems Workgroup call on Wednesday and heard you mention that you were working on (b) (5), DPP [REDACTED]  
[REDACTED] The attached will not be helpful to that purpose, but just wanted to share for awareness. This is DHS-developed worker health and safety guidance for their leadership. The graphics may be helpful to think through how best to convey/explain some of the information and concepts.

Thanks,  
Jessica

**Jessica Pulz**

Office of Homeland Security  
United States Department of Agriculture



Office: (b) (6) [REDACTED]  
Mobile: (b) (6) [REDACTED]  
Email: [jessica.Pulz@usda.gov](mailto:jessica.Pulz@usda.gov)

USDA Operations Center:  
202.720.5711 and [OpsCenter@dm.usda.gov](mailto:OpsCenter@dm.usda.gov)



# COVID-19

## DHS GUIDANCE FOR COMPONENT LEADERSHIP, MEDICAL OFFICERS, & SUPERVISORS

MAY 11, 2020  
VERSION 3

(This version supersedes Version 2, released April 13, 2020.)



Workforce Health & Safety  
Office of the Chief Human Capital Officer

As COVID-19 continues to spread throughout the Homeland, the concentration of community spread will vary from state, city, and county. Our DHS mission is critical to national security and the pandemic response. The Management OCHCO Workforce Health and Safety Division (WHS) continues to focus on workforce protection measures to mitigate operational risk in coordination with Component Medical Officers and Component Occupational and Safety Offices.

To avoid illness and slow the spread, we continue to encourage good hand hygiene, covering your cough with your elbow, practicing social distancing, and teleworking whenever possible. In addition, employees' personal risk factors should be taken into account to reduce their risk of exposure.

State and local public health officials in affected regions may further close schools and institute other containment and mitigation measures to slow the spread. DHS employees should monitor all state and local public health direction; however, local shelter-in-place orders do not prevent DHS mission-critical employees from traveling to or from work.

This package of guidance is intended for Component leadership, Medical Officer, and supervisor interpretation and application to operational use, as appropriate. **It is provided as a Department-wide guideline expected to be tailored as needed by Operational Components and is meant to assist with decision-making for workforce management to ensure DHS mission continuity during this complex, novel, and evolving pandemic.**

The following guidance is included:

| MANAGEMENT DECISION TREE                                                                                                                                      | RETURN-TO-WORK GUIDANCE                                                                                                                                                                          | MISSION-CRITICAL, LOCATION-DEPENDENT GUIDANCE                                                                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| If a well employee is exposed to a laboratory-confirmed COVID-19 person at work or home, the updated Decision Tree will provide you with appropriate actions. | If an employee experiences symptoms consistent with COVID-19 or tests positive for COVID-19, the Return-to-Work Guidance will help guide you and the employee when it is safe to return to duty. | If a mission-critical, location-dependent employee has been exposed to COVID-19 but is not symptomatic, this guidance provides recommendations for having them continue to work in order to maintain the mission. |

These documents constitute minimum requirements based upon CDC guidance. Component Medical Officers may recommend implementation of more stringent guidelines.

Responding to this pandemic is a marathon, not a sprint. We need to remain flexible as the entire Nation recovers from this crisis. WHS will continue to monitor CDC COVID-19 guidance and update Department guidance as the situation evolves.

# CLOTH FACE COVERINGS

Cloth face coverings slow the spread of the virus by **protecting others** from those who may have the virus and don't know it (i.e., asymptomatic spread).

## HOW TO WEAR THEM

They should fit snugly but comfortably against the side of your face, with your mouth and nose fully covered, secured with ties or ear loops. They should NOT restrict your breathing.

## WHEN TO WEAR THEM

Face coverings should be worn when you have to be less than 6 feet away from someone, such as at the grocery checkout counter, when using public transportation, and any other situation where you cannot maintain social distancing. REMEMBER: Wearing a face covering does NOT mean you should stop social distancing.

## HOW TO REMOVE THEM

Be careful not to touch your eyes, nose, and mouth when removing face coverings. Wash your hands immediately after removing.

## HOW TO WASH THEM

Face coverings should be routinely washed depending on the frequency of use. They should be able to be laundered and machine-dried without damage or change to shape. Also, be sure to store them in a clean container or bag.

## HOW TO MAKE THEM

Anybody can make face coverings—there is no recognized criteria for making them. DHS OSH personnel do NOT review or approve them. Click [here](#) for CDC's step-by-step instructions on how to make your own.



CLOTH FACE COVERINGS SHOULD BE USED IN ADDITION TO EXISTING "SLOW THE SPREAD" GUIDELINES

Cloth face coverings are **NOT** a substitute for social distancing. Please continue to stay home as much as possible and continue **ALL** precautionary measures to slow the spread.

### MAINTAIN SOCIAL DISTANCING



### WASH YOUR HANDS



### STAY HOME IF YOU FEEL SICK



FACE COVERINGS ARE **NOT** PPE

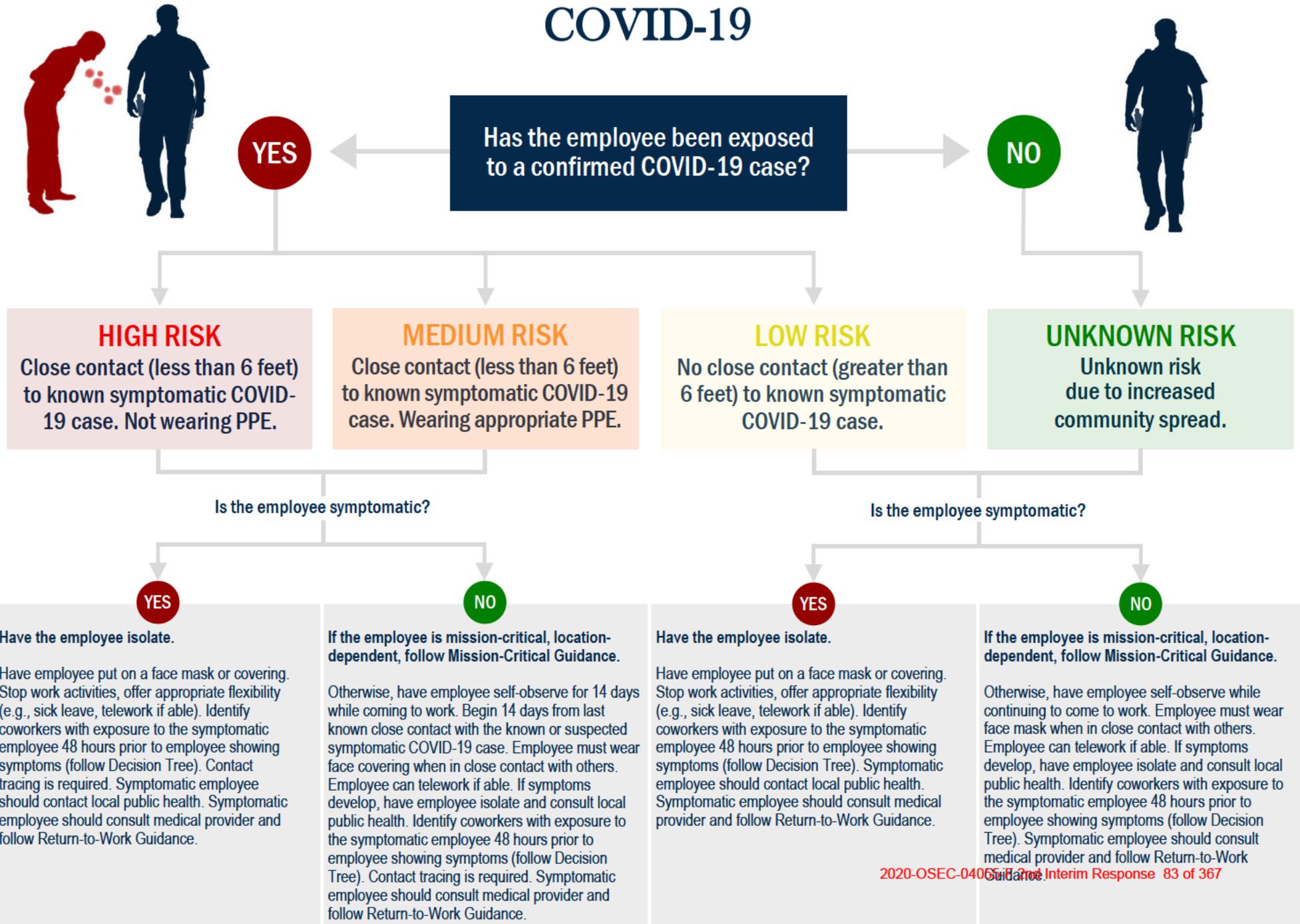
Personal protective equipment (PPE) **should be reserved for healthcare workers** and other employees whose occupations put them at risk for exposure. Employer-issued or mandated PPE always takes precedence in the workplace. Please refer to your Component's Job Hazard Analysis (JHA) for more information.

# GLOSSARY

| TERM                       | DEFINITION/NOTES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>ACTIVE MONITORING</b>   | Local public health authorities actively symptom-monitor close contact cases in the affected community/locale.<br><b>NOTE:</b> Involves daily phone, text, or in-person inquiries about fever or other symptoms for 14 days following last known exposure to a person with confirmed COVID-19.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>CLOSE CONTACT</b>       | Being within approximately 6 feet of a known COVID-19 case for a prolonged period; or having direct contact with infectious secretions of a COVID-19 case.<br>***Data are insufficient to precisely define the duration of time that constitutes a prolonged exposure. Recommendations vary on the length of time of exposure from 10 minutes or more to 30 minutes or more. Brief interactions are less likely to result in transmission; however, symptoms and the type of interaction (e.g., did the person cough directly into the face of the individual) remain important.<br><b>NOTE:</b> Includes living, visiting, working with, or sharing a healthcare waiting room with someone who is known to have COVID-19. If you have been coughed on (direct contact with infectious secretions) by a known COVID-19 case.                              |
| <b>CLOTH FACE COVERING</b> | Recommended for preventing community spread of disease. They are not surgical masks or N-95 respirators. When worn, cloth face coverings should cover nose and mouth and can be fashioned from household items or made at home from common materials at low cost, such as t-shirts, bandannas, and scarves.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>ISOLATION</b>           | The separation of a person or group of people known or reasonably believed to be infected with a communicable disease and potentially infectious from those not infected to prevent spread of the disease. Isolation for public health purposes may be voluntary or compelled by Federal, state, or local public health order.<br><b>NOTES:</b> <ul style="list-style-type: none"> <li>• In-home/quarters isolation – Staying home or in quarters; separating yourself from other people (i.e., trying not to be in the same room as other people at the same time; asking friends, family not to visit unless necessary).</li> <li>• In hospital isolation – When you are ill and receiving medical care, you may be placed in a specialized room designed to separate you from other patients and visitors, while decreasing risk of spread.</li> </ul> |
| <b>QUARANTINE</b>          | Separation of a person or group of people reasonably believed to have been exposed to a communicable disease but not yet symptomatic, from others who have not been so exposed, to prevent the possible spread of the communicable disease.<br><b>NOTES:</b> <ul style="list-style-type: none"> <li>• A quarantine may be instated in order to separate and restrict the movement of people who were exposed to a contagious disease to see if they become sick.</li> <li>• In addition to serving as medical functions, a quarantine also has “police power” functions, derived from the right of the state to take action affecting individuals for the benefit of society.</li> </ul>                                                                                                                                                                  |
| <b>SELF-OBSERVATION</b>    | Individuals stay alert for developing flu-like symptoms (e.g. fever, feeling feverish, cough, or difficulty breathing) during self-observation period. If symptoms develop during this time, check their temperature, self-isolate, limit contact with others, and seek medical advice by telephone or local public health department to determine if a medical evaluation is needed.<br><b>NOTE:</b> You can do short errands, but limit interactions and keep distance from people.                                                                                                                                                                                                                                                                                                                                                                     |
| <b>SELF-MONITORING</b>     | People should monitor themselves for fever by taking their temperatures twice daily and remain alert for cough or difficulty breathing.<br><b>NOTES:</b> <ul style="list-style-type: none"> <li>• Take temperature twice daily and record.</li> <li>• Make note of any changes in how you feel (particularly if you start to have trouble breathing).</li> <li>• Keep your health care provider’s contact information handy.</li> <li>• If your condition worsens, ask your healthcare provider to call the local or state health department.</li> </ul>                                                                                                                                                                                                                                                                                                  |
| <b>SOCIAL DISTANCING</b>   | Means remaining out of congregate settings, avoiding mass gatherings, and maintaining distance (approximately 6 feet or 2 meters) from others when possible.<br><b>NOTES:</b> <ul style="list-style-type: none"> <li>• Telework and teleconferences are an acceptable alternative.</li> <li>• Work space modifications for business transactions (glass barriers, moving workspace for added distance, etc.)</li> <li>• School closure (proactive or reactive)</li> <li>• Workplace closure including closure of “nonessential” businesses and social services</li> <li>• Cancellation of mass gathering events</li> <li>• Voluntary isolation of contacts</li> <li>• Voluntary quarantine of contacts</li> </ul>                                                                                                                                         |
| <b>SYMPTOMS</b>            | Per the CDC, the symptoms of COVID-19 may appear 2 to 14 days after exposure to the virus. Symptoms include: fever, cough, shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat, and new loss of taste or smell.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |



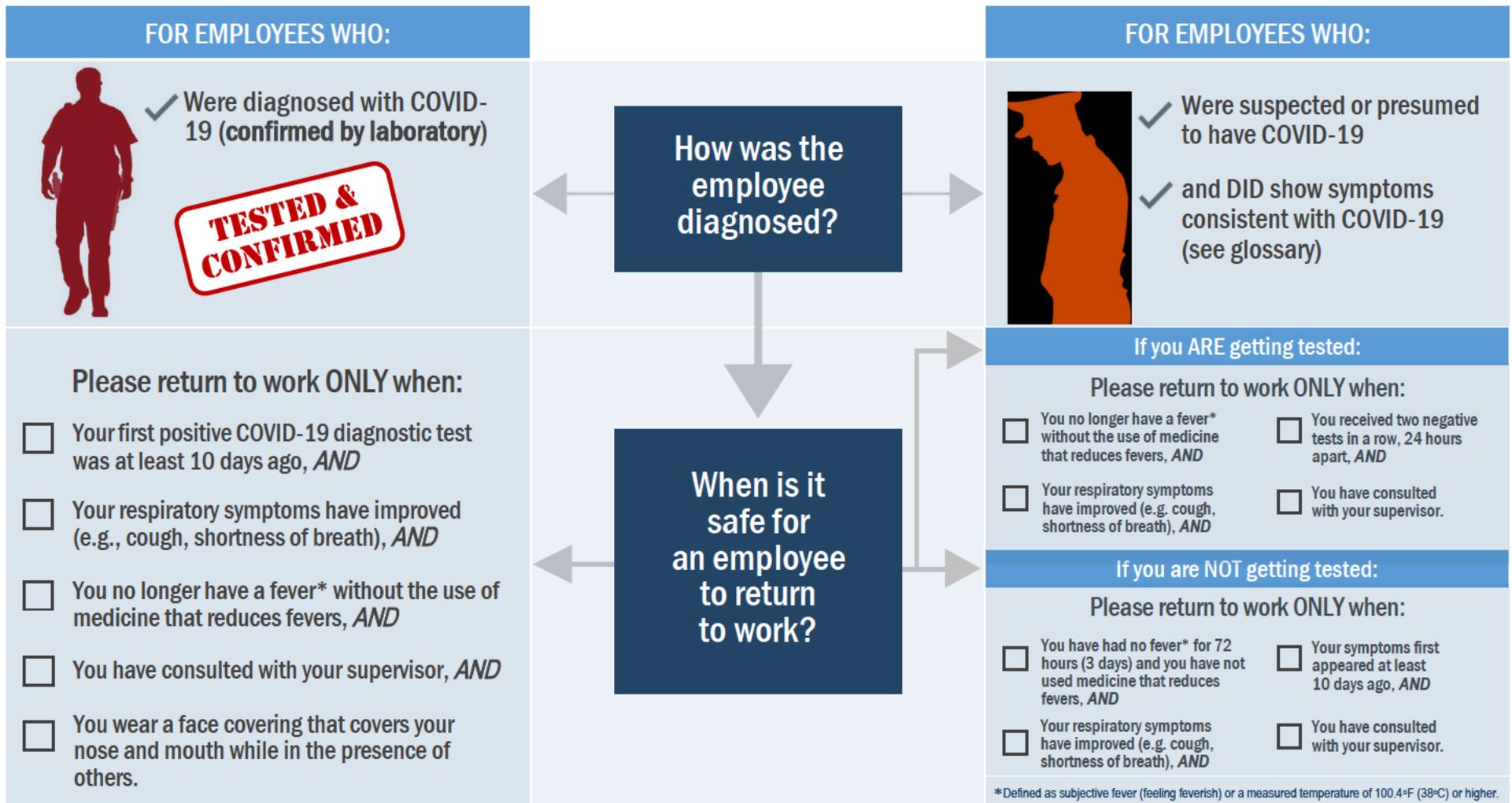
# MANAGEMENT DECISION TREE COVID-19





## RETURN-TO-WORK GUIDANCE COVID-19

### When should an employee who has recovered from COVID-19 return to work?



\*Defined as subjective fever (feeling feverish) or a measured temperature of 100.4°F (38°C) or higher.

**In ALL cases, please consult with your medical provider or local health department.**

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NOTE: Recommendations for discontinuing isolation in persons known to be infected with COVID-19 could, in some circumstances, appear to conflict with recommendations on when to discontinue quarantine for persons known to have been exposed to COVID-19. CDC recommends 14 days of quarantine after exposure based on the time it takes to develop illness if infected. Thus, it is possible that a person known to be infected could leave isolation earlier than a person who is quarantined because of the possibility of infection.



## MISSION-CRITICAL, LOCATION-DEPENDENT GUIDANCE COVID-19

### What if a mission-critical employee is exposed to COVID-19?

#### IF the employee:



- ✓ Performs mission-critical, location-dependent activities
- ✓ Has been in close contact (less than 6 feet) with a suspected or a confirmed symptomatic COVID-19 case in the last 14 days
- ✓ But has NOT had symptoms consistent with COVID-19

#### THEN the employee:

- CAN continue mission-critical, location-dependent activities at DHS facilities
- BUT he or she MUST meet all listed REQUIREMENTS specified in this guidance



#### REQUIREMENTS CHECKLIST

(Applies for the first 14 days after exposure.)

- Your work assignment must allow at least 6 feet away from coworkers and members of the public unless you wear an approved respirator (per your component OSH), surgical/procedure mask, or face covering.
- Prior to leaving for work, verify you do not have any symptoms consistent with COVID-19 (see glossary).
- Prior to leaving for work, you must take your temperature and it must be lower than 100.4°F (38°C) without fever-reducing medication. (If taking temperature by mouth, do not drink anything for 30 minutes prior to taking your temperature.) If you have a fever, do NOT go to work.
- When possible, avoid carpooling or taking public transportation to commute to and from work (e.g., bus, metro, train).
- Prior to entering the DHS facility, sanitize your hands (e.g., hand sanitizer liquid, hand wipes). As soon as possible, once in the facility, wash your hands with soap and water for at least 20 seconds.
- While in the DHS facility, limit your contacts and movement. Do not eat or socialize in the community kitchen, lounge, or cafeteria. Do not attend meetings in person.
- Maintain social distancing whenever possible, regardless of protective equipment or face covering.
- Prior to using communal bathrooms, sanitize your hands. Prior to leaving the restroom, wash your hands with soap and water and use a paper towel to open the door to leave the restroom.
- Prior to leaving for the day, wipe down your workstation (e.g., keyboard, monitor, mouse, desktop, phone, door knob, light fixtures, etc.) with disinfectant. Wash or sanitize your hands and leave the facility. Limit your contacts and avoid socializing in communal areas as you exit facility.

#### IF you develop flu-like symptoms while at work:

- Put on a face mask or covering, stop work activities, and notify your supervisor.
- Prior to leaving, wipe down workstation, door knobs, and light switches with disinfectant.
- Wash or sanitize your hands and leave the facility.
- Limit your contacts and avoid socializing in communal areas as you exit facility.
- Go directly home, do not stop for errands on the way home, consult your medical provider, and follow the Decision Tree. To prevent disease spread in your household, please follow the guidance found here: <https://www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-home-care.html>.

**From:** [Young, Joby - OSEC, Washington, DC](#)  
**To:** [Reeves, Paul W](#)  
**Subject:** Fwd: Meat and Poultry COVID-19 PPE Needs Form  
**Date:** Wednesday, April 15, 2020 3:05:06 PM  
**Attachments:** [PPE Survey Form 4.15.2020.xlsx](#)  
[image002.png](#)

---

Paul,

This was sent to your GR folks. Per our conversation this AM.

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

---

**From:** Beal, Mary Dee - OSEC, Washington, DC <MaryDee.Beal@usda.gov>  
**Sent:** Wednesday, April 15, 2020 11:19  
**To:** Young, Joby - OSEC, Washington, DC  
**Subject:** FW: Meat and Poultry COVID-19 PPE Needs Form

---

**From:** Willits, Ashley - OSEC, Washington, DC <ashley.willits@usda.gov>  
**Sent:** Wednesday, April 15, 2020 11:14 AM  
**Cc:** Beal, Mary Dee - OSEC, Washington, DC <MaryDee.Beal@usda.gov>; Newsome, Shawna - OSEC, Washington, DC <Shawna.Nesome@usda.gov>; Adcock, Rebeckah - OSEC, Washington, DC <Rebeckah.Adcock@usda.gov>; Brady, Lillie - OSEC, Washington, DC <lillie.brady@usda.gov>  
**Subject:** Meat and Poultry COVID-19 PPE Needs Form  
**Importance:** High

Good morning,

Following up from earlier, USDA continues to work within the federal family to address the Personal Protection Equipment (PPE) needs in the meat and poultry supply chain. The **attached Excel sheet details the sector specific information we are working to update** – in particular, we would need information on the PPE your company uses that would also be used by the medical or first responder community, for example, N95 face masks, or surgical face masks or gloves, etc. This request for information should be limited only to **unfulfilled** PPE needs required to maintain operational continuity over the next 60 days.

Your company's participation in providing this information is completely voluntary. In addition to USDA's use, the information provided will be shared with FEMA and the Supply Chain Stabilization Taskforce to better inform their understanding of supply needs in the meat and poultry industry.

Please note that USDA does *not* have access to critical equipment or supplies, and

collection of this information does not guarantee that the equipment will be available or provided.

If you choose to participate in providing this information, **please send the completed spreadsheet by email to [foodsupplychain@usda.gov](mailto:foodsupplychain@usda.gov) with the subject line “\_\_\_\_\_ Critical PPE Needs” by COB Wednesday, April 15.** If additional time is needed to complete this request, please provide the additional time frame needed.

Please call/email if we can answer any questions about this request.

Best,  
Ashley



**Ashley Willits**  
Deputy Director  
External and Intergovernmental Affairs  
Office of the Secretary

United States Department of Agriculture  
Cell: (b) (6)



Sonny Perdue alias email

**From:** (b) (6) - OSEC, Washington, DC  
**To:** (b) @state.sd.us  
**Bcc:** Young, Joby - OSEC, Washington, DC; Rollins, Blake - OSEC, Washington, DC  
**Subject:** Fwd: Smithfield Sioux Falls, SD Plant Info  
**Date:** Monday, April 13, 2020 11:33:16 AM  
**Attachments:** [image001.png](#)

---

Kristi,

(b) (5), DPP [Redacted]

Let me know best time for you today. (b) (5), DPP [Redacted]

Sonny

**Subject:** Smithfield Sioux Falls, SD Plant Info

- (b) (5), DPP [Redacted]
- [Redacted]
  - [Redacted]
  - [Redacted]
  - [Redacted]
  - [Redacted]





(b) (4)

The top portion of the page is redacted with four thick black horizontal bars. The first bar is the longest, followed by a slightly shorter one, then a much shorter one, and finally another long bar similar in length to the first one.

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This communication, including attachments, may contain confidential, privileged, copyrighted or other legally protected information. If you are not the intended recipient, you are hereby notified that any use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please immediately re-send this communication to the sender and delete the original message and any copy of it, including all attachments, from your computer system.

**From:** [Julie Anna Potts](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** Here is the reference to the FDA FAQ, etc.  
**Date:** Saturday, March 21, 2020 10:40:49 AM  
**Attachments:** [Final COVID-19 Sanitation Memo 20March20.pdf](#)

---

Dr. Brashears,

On FDA's website, this is one of their new Q&As: <https://www.fda.gov/food/food-safety-during-emergencies/food-safety-and-coronavirus-disease-2019-covid-19> (see second entry posted yesterday and pasted below).

**Where should I send questions if we are having problems moving food or getting food through areas that have curfews and restrictions because of the coronavirus?** If you are experiencing issues regarding your supply chain, delivery of goods, or business continuity, please contact the FEMA National Business Emergency Operations Center at [NBEOC@fema.dhs.gov](mailto:NBEOC@fema.dhs.gov). This is a 24/7 operation and they can assist in directing your inquiry to the proper contact.

On the USDA stakeholder call yesterday, the following was indicated:

- Secretary Perdue to lead a group effort across agencies to focus on food supply chain issues. The agencies include DOT, FDA, State, Commerce, DOL and others.
- Food supply chain questions and concerns may be directed to: [foodsupplychain@usda.gov](mailto:foodsupplychain@usda.gov)

(And USDA seeking input on which part of the food supply chain are in critical need of personal protective equipment? Respond to [foodsupplychain@usda.gov](mailto:foodsupplychain@usda.gov) ).

Attached is the memo we sent to members on sanitation resources to have at the ready. And Barb Glenn's email address is (b) (6) [@nasda.org](mailto: @nasda.org). She's a great resource and important link in our network.

Thanks! JAP

Julie Anna Potts  
President & CEO  
North American Meat Institute  
(b) [@meatinstitute.org](mailto: @meatinstitute.org)

(b) (6) (o)

(b) (6) (c)





**Memorandum**

**March 20, 2020**

**To: Board of Directors, General Members, Food Safety and Inspection Affairs Committee, and COVID-19 List**

**From: Dr. KatieRose McCullough and Mark Dopp**

**Re: COVID-19 Establishment Sanitation Support**

As state and local health authorities work to control the spread of COVID-19 infections, closing an establishment in which an infected individual has worked may be considered for environmental contamination concerns. Coronaviruses are enveloped viruses, meaning they are one of the easiest viruses to kill with the appropriate disinfectant product. Many of the sanitation procedures inspected establishments follow to ensure food safety will also help prevent the spread of respiratory illnesses like COVID-19.

To demonstrate establishments are sufficiently addressing potential environmental concerns of coronaviruses contamination, establishments should gather the following information in case local health authorities make inquiries.

- Outline of Sanitation Practices and Procedures
  - Steps for Sanitation May Include:
    - Dry Pickup
    - First Rinse
    - Apply Detergent to Surfaces and Scrub
    - Rinse
    - Sanitize
    - Documentation of Process
  - Gather information on detergent(s) and sanitizer(s) used.
  - Sanitation Standard Operating Procedures (Sanitation SOP), which are written procedures that an establishment develops and implements to prevent direct contamination or adulteration of product.
  - If you use outside contractors for sanitation, they should be able to provide this information.
- Environmental Protection Agency (EPA) Guidance
  - Justification that the sanitizers are effective against coronaviruses in the EPA [List N: Disinfectants for Use Against SARS-CoV-2](#)

- Active ingredients in common sanitizers effective at killing the coronavirus include:
    - Hydrogen Peroxide;
    - Peroxyacetic Acid;
    - Sodium Hypochlorite;
    - Isopropanol; and
    - Quaternary Ammonium.
- Outline the personal protective equipment (PPE) worn by employees
  - Information on what PPE is worn by employees can help illustrate the low risk of someone with the virus contaminating the environment.
  - PPE may include:
    - Frocks;
    - Gloves; and
    - Hairnets.
- Procedures for Sanitizing Common Areas Outside the Food Production Area
  - Cleaning and sanitizing common areas throughout the facility including:
    - Office areas;
    - Cafeteria;
    - Locker rooms; and
    - Other common touchpoints to address potential cross contamination
- Have Employee Sick Policy On hand
  - Many establishments have a modified sick policy.
  - [Centers for Disease Control and Prevention Guidance for Businesses and Employers](#)
- Have Visitor Policy On hand
  - Demonstrate the reduced risk of human traffic into the establishment.
- Have Government Guidance On hand
  - [Centers for Disease Control and Prevention: Environmental Cleaning and Disinfection Recommendations](#)
  - [United States Department of Agriculture Coronavirus Disease \(COVID-19\) Homepage](#)
  - [Coronavirus Disease 2019 \(COVID-19\) Food and Drug Administration Homepage](#)

If you have questions or need additional information please contact Mark Dopp at (b) (6) [meatinstitute.org](mailto:(b) (6)@meatinstitute.org) or (b) (6) [meatinstitute.org](mailto:(b) (6)@meatinstitute.org), or KatieRose McCullough at (b) (6) [meatinstitute.org](mailto:(b) (6)@meatinstitute.org) or (b) (6) [meatinstitute.org](mailto:(b) (6)@meatinstitute.org)

**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Day, Randy](#)  
**Subject:** HHS Contact  
**Date:** Thursday, April 23, 2020 5:34:00 PM

---

I just spoke with Dr. Beckham from HHS. She is a vet and familiar with the ag industry. She is helping manage technical assistance and testing needs. She is on call today until 7:30 pm and she is expecting you to reach out. Her number is (b) (6)

I can certainly give you an overview of our conversations but I want

I left a voice message for Lester.

Please let me know if you need further recommendations.

**From:** [Julie Anna Potts](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Cc:** [Newsome, Shawna - OSEC, Washington, DC](#)  
**Subject:** industry doc  
**Date:** Monday, March 23, 2020 2:39:50 PM  
**Attachments:** [3-23-20 Positive Test Protocol - Final \(003\).pdf](#)

---

Dr. Brashears, my understanding is that this was requested by Frank at FDA last week and will be posted on FDA's website soon, if not already. It was authored by 3-4 associations and tweaked by FDA over the weekend.

Best, JAP

Julie Anna Potts  
President & CEO  
North American Meat Institute

(b) [@meatinstitute.org](#)

(b) (6) (o)

(b) (6) (c)



# **Food Industry Recommended Protocols When Employee/Customer Tests Positive for COVID- 19**

*March 22, 2020*

## **Background**

Food production facilities, distributors and wholesalers are part of our nation's "critical infrastructure" and must remain operational to feed the country. Inconsistent approaches to reacting to an employee who tests positive for COVID-19 has the potential to jeopardize our food system. This document recommends a consistent approach in how a company can continue operations in the event an individual has tested positive, given the global COVID-19 pandemic and high transmissibility of this respiratory virus from person to person. This guidance relies on guidance from the Centers for Disease Control and Prevention and OSHA, and will cover recommendations on:

- Steps to be taken when an employee tests positive for COVID-19 (a confirmed case) or has symptoms associated with COVID-19—cough, fever, sore throat, shortness of breath (presumptive or suspected case)
- Steps to be taken when an employee/facility visitor is exposed (in close contact) to an individual who is positive for COVID-19

## **Steps to be taken when an employee tests positive for COVID-19**

- A. If an individual has the symptoms associated with COVID-19 or is diagnosed with COVID-19
  - And the employee is onsite at the facility send the employee home immediately; if the employee is at home, do not permit the employee to come to work
  - If the employee has not been tested but is symptomatic, encourage the employee to contact their local health department and physician to determine next steps
  - Employees who have symptoms of acute respiratory illness are recommended to stay home and not come to work until they are free of fever (100.4° F [38.0° C] or greater using an oral thermometer), signs of a fever, and any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants). Employees should notify their supervisor and stay home if they are sick. CDC guidance states that if an employee that has been tested and confirmed to be infected with COVID-19, and has not had a second test to determine if he/she are still contagious, the employee

should not return to work until s/he has had no fever for at least 72 hours, other symptoms have improved, and at least 7 days have passed since symptoms first appeared.

- i. If the employee will have a second test to determine if he/she is contagious, the employee can return to work if he/she no longer has a fever, other symptoms have improved, and he/she has received two negative test results in a row, 24 hours apart.
  - ii. A return to work note may or may not be needed as per CDC guidance (<https://www.cdc.gov/coronavirus/2019-ncov/healthcare-facilities/hcp-return-work.html>)
- o Investigate the nature and scope of exposure of employee confirmed positive or with symptoms for COVID-19 to other facility employees, working with state and/or local public health authorities as the situation dictates
- i. Investigate to determine where the employee confirmed positive or with symptoms for COVID-19 was working, and who they were in close contact with (less than 6 ft.) in the facility
    1. Talk to employee if possible, via telephone or other means to obtain this information; use any other sources available, such as other facility employees or family members to obtain this information
    2. Determine if possible whether or not the employee has told other employees about the positive test
  - ii. Understand the nature of your workplace
    1. Size and density of the facility
    2. Movement of employees
    3. Assembly line/processing line versus office settings
- o Inform appropriate personnel, third parties, and authorities;
- i. Tell other employees with whom the employee worked that you believe they may have been exposed to the virus (keep the identity of the ill worker confidential)
    1. Verbally and/or in writing
    2. Strongly consider sending those employees home for 14 days, using CDC and OSHA risk assessment guidance, in conjunction with the guidance of state and/or local public health authorities (<https://www.osha.gov/SLTC/covid-19/>)
  - ii. Work with local and/or state public health authorities to advise the potentially exposed employees of the symptoms of COVID -19 and how to conduct a personal risk assessment, based on

1. CDC – COVID-19 Symptoms  
(<https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>)
  2. Interim U.S. guidance for Risk Assessment and Public Health Management of Persons with Potential COVID-19  
(<https://www.cdc.gov/coronavirus/2019-ncov/php/risk-assessment.html>)
- iii. A company decision will need to be made, based on the results of the investigation, the scope of the workforce that needs to be informed
  - iv. Contact relevant third parties who may have been exposed
  - v. Make an OSHA record/report if required. OSHA's recent guidance says such a report is required if:
    1. There is a confirmed case of COVID-19
    2. It is contracted due to employee performing work-related duties, and
    3. It meets other standards for OSHA reporting (for example, more than one day away from work, or medical treatment beyond first aid)
  - vi. State OSHA authorities
  - vii. Notify workers' compensation carrier and provide claim form to employee
- o Take steps to protect the workplace
    - i. Immediately undertake appropriate cleaning measures of the affected workspace or entire facility
    - ii. Initiate cleaning and disinfection procedures in the impacted areas of the facility [See Cleaning and Disinfecting section below]
    - iii. Follow guidance from health officials
  - o Do not reveal the name of the sick employee
    - i. Adhere to HIPAA requirements regarding health information of the affected individual (<https://www.osha.gov/SLTC/covid-19/>)

**Steps to be taken when an employee/facility visitor is exposed (in close contact) with an individual who is positive for COVID-19**

- Identify potentially exposed individuals (e.g., those that were in close contact with the infected individual) *Unless advised by local authorities, other individuals in the facility should not be considered high risk for infection, do not require special treatment, and may continue working as normal (after surfaces are cleaned and disinfected, as described below).*

- Close contact is defined by CDC as—
  - Within approximately 6 feet (2 meters) of a COVID-19 case for a prolonged period of time; close contact can occur while caring for, living with, visiting, or sharing a healthcare waiting area or room with a COVID-19 case, OR,
  - Having direct contact with infectious secretions of a COVID-19 case (e.g., being coughed on)
- In accordance with HIPAA requirements, inform individuals of potential exposure, and, working with local authorities and the individuals' health care providers, consider if it is appropriate to quarantine, self-monitor or take a different action.
- For individuals in the workplace who learn that they have been exposed to the virus outside of the workplace, send exposed employee home.
- Individuals that have been exposed to someone that is confirmed to have COVID-19 or is showing the symptoms of this virus should stay home at least 14 days from the last exposure.

[According to CDC](#)

*Some personnel (e.g., emergency first responders) fill essential (critical) infrastructure roles within communities. Based on the needs of individual jurisdictions, and at the discretion of state or local health authorities, these personnel may be permitted to continue work following potential exposure to SARS-CoV-2 (either travel-associated or close contact to a confirmed case), provided they remain asymptomatic. Personnel who are permitted to work following an exposure should self-monitor under the supervision of their employer's occupational health program including taking their temperature before each work shift to ensure they remain afebrile. On days these individuals are scheduled to work, the employer's occupational health program could consider measuring temperature and assessing symptoms prior to their starting work. Exposed healthcare personnel who are considered part of critical infrastructure should follow existing CDC guidance.*

- Clean and disinfect surfaces to limit employee contact. (see cleaning and disinfection
- Because transmission occurs from person to person, a facility/ location does not need to shut down as a result of an employee, visitor, or other individual testing positive for COVID-19 if the steps above are followed and the ill and potentially exposed individuals are appropriately addressed.

**Cleaning and Disinfection Guidelines**

- Existing sanitation standard operating procedures should be effective to achieve adequate cleaning and disinfection of SARS-CoV-2 to prevent transmission to people

- As soon as an employee is identified that has tested positive for COVID-19 or has symptoms associated with this virus, clean and sanitize the facility according to CDC guidance at <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html>
- [CDC has issued specific guidance](#) regarding the cleaning and disinfection of facilities with suspected or confirmed cases of COVID-19.
- EPA registered disinfectants should be used.
  - There is a list of EPA-registered “disinfectant” products for COVID-19 on the [Disinfectants for Use Against SARS-CoV-2 list](#) that have qualified under EPA’s [emerging viral pathogen program](#) for use against SARS-CoV-2, the coronavirus that causes COVID-19.
  - **IMPORTANT:** Check the product label guidelines for if and where these disinfectant products are safe and recommended for use in food manufacturing areas or food establishments.
- Special attention should be paid to high contact surfaces such as: door knobs, touch screens, control panels, time clocks, table tops, breakroom/ cafeteria facilities, handwashing stations, and restroom facilities.

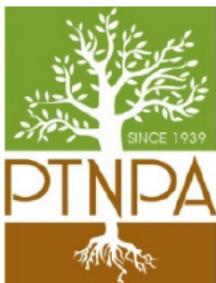
### **Disposition of Food**

- There is currently no evidence to support that the SARS-CoV-2 virus can be transmitted to humans through food or food packaging materials. The FDA does not anticipate that food will need to be held, recalled or withdrawn from the market due to possible exposure to SARS-CoV-2 through a person that has tested positive for the COVID-19 virus that works a food facility.  
<https://www.fda.gov/food/food-safety-during-emergencies/food-safety-and-coronavirus-disease-2019-covid-19>

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American Bakers Association



**From:** [Ashley Peterson](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** Interesting COVID-19 Information  
**Date:** Monday, April 27, 2020 6:49:20 PM  
**Attachments:** [Antibody tests may hold clues to COVID-19 exposure immunitybut its complicated.pdf](#)  
[Diagnostic Testing for Severe Acute Respiratory Syndrome-Related.pdf](#)

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See attached.

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# Diagnostic Testing for Severe Acute Respiratory Syndrome–Related Coronavirus-2

## A Narrative Review

Matthew P. Cheng, MDCM; Jesse Papenburg, MD, MSc; Michaël Desjardins, MD; Sanjat Kanjilal, MD, MPH; Caroline Quach, MD, MSc; Michael Libman, MD; Sabine Dittrich, PhD; and Cedric P. Yansouni, MD

Diagnostic testing to identify persons infected with severe acute respiratory syndrome–related coronavirus-2 (SARS-CoV-2) infection is central to control the global pandemic of COVID-19 that began in late 2019. In a few countries, the use of diagnostic testing on a massive scale has been a cornerstone of successful containment strategies. In contrast, the United States, hampered by limited testing capacity, has prioritized testing for specific groups of persons. Real-time reverse transcriptase polymerase chain reaction–based assays performed in a laboratory on respiratory specimens are the reference standard for COVID-19 diagnostics. However, point-of-care technologies and serologic immunoassays are rapidly emerging. Although excellent tools exist for the diagnosis of symptomatic patients in well-equipped laboratories, important gaps remain in screening asymptomatic

persons in the incubation phase, as well as in the accurate determination of live viral shedding during convalescence to inform decisions to end isolation. Many affluent countries have encountered challenges in test delivery and specimen collection that have inhibited rapid increases in testing capacity. These challenges may be even greater in low-resource settings. Urgent clinical and public health needs currently drive an unprecedented global effort to increase testing capacity for SARS-CoV-2 infection. Here, the authors review the current array of tests for SARS-CoV-2, highlight gaps in current diagnostic capacity, and propose potential solutions.

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Annals.org

In December 2019, a cluster of patients with pneumonia of unknown cause was reported in Wuhan, China (1). The causative pathogen was subsequently identified as severe acute respiratory syndrome–related coronavirus-2 (SARS-CoV-2) (2), a newly described betacoronavirus. This virus, now recognized as the etiologic agent of COVID-19 disease, is the seventh known coronavirus to infect humans (1). Since the recognition of COVID-19, there has been an exponential rise in the number of cases worldwide. As of 1 April 2020, the World Health Organization reported more than 926 000 cases in more than 195 countries, areas, or territories (3). Reasons for the rapid spread include high transmissibility of the virus (4, 5), especially among asymptomatic or minimally symptomatic carriers (6, 7); the apparent absence of any cross-protective immunity from related viral infections; and delayed public health response measures (8–10).

Age and the presence of comorbid illnesses increase the risk for death among persons with COVID-19 (11, 12). The clinical manifestations of COVID-19 in children are less severe compared with adults, yet age younger than 1 year seems to increase the risk for critical illness (13). Current case-fatality rate estimates range from 0.6% to 7.2% by region and seem to be substantially higher than the 0.1% mortality rate of seasonal influenza (12, 14, 15). However, current estimates of COVID-19 case-fatality rates are probably inflated because of preferential testing in many countries of persons with severe manifestations, who are at risk for death (12, 16). In Germany and South Korea, the case-fatality rates are less than 0.5%, probably because extensive testing revealed a large denominator of mild illness (17).

It has been estimated that before the wide-scale travel restrictions in China, undiagnosed SARS-CoV-2 represented the infection source for 79% of documented

cases (7). These observations underscore the critical importance of ample, accurate diagnostic testing in this pandemic. Here, we review the current array of tests for SARS-CoV-2, highlight gaps in current diagnostic capacity, and propose potential solutions.

## METHODS

We searched the PubMed database for articles on SARS-CoV-2 and diagnostics. The Medical Subject Headings (MeSH) search terms used were “Coronavirus”[MeSH]; “Coronavirus Infections”[MeSH]; “Severe Acute Respiratory Syndrome”[MeSH]; “Betacoronavirus”[MeSH]; “SARS Virus”[MeSH]; “Polymerase Chain Reaction”[MeSH]; “Reverse Transcriptase Polymerase Chain Reaction”[MeSH]; “High-Throughput Nucleotide Sequencing”[MeSH]; “Sensitivity and Specificity”[MeSH]; “Point-of-Care Testing”[MeSH]; “Antigens”[MeSH]; “Serology”[MeSH]; “Immunoglobulin G”[MeSH]; “Immunoglobulin M”[MeSH]; “Clustered Regularly Interspaced Short Palindromic Repeats”[MeSH]; “CRISPR-Cas Systems”[MeSH]; and “Diagnosis, Differential”[MeSH]. Non-MeSH search terms used were *covid*, *SARS*, *SARS-CoV*, *pcr*, *digital droplet PCR*, *next generation sequencing*, *point-of-care test*, *antigen*, *analyte*, *serology*, *immunoglobulin*, *CRISPR-CAS*, *Diagnos*, and *turn around time*. Only articles including human subjects and those published from 2003 to the present were included. Articles in languages other than English or French were excluded. We screened the results on title and abstract for relevant information. Starting from the articles found in this search, we used a snowball search strategy, scanning useful references and similar articles and retrieving those that were considered relevant. Furthermore, experts were consulted for additional literature. Guidelines and resources from international organizations were used where appropriate. This search was last updated on 1 April 2020.

**Key Summary Points**

The COVID-19 pandemic demonstrates the essential role of diagnostics in the control of communicable diseases.

Laboratory-based molecular assays for detecting SARS-CoV-2 in respiratory specimens are the current reference standard for COVID-19 diagnosis, but point-of-care technologies and serologic immunoassays are rapidly emerging.

Early, massive deployment of SARS-CoV-2 diagnostics for case finding helped curb the epidemic in several countries.

Urgent clinical and public health needs now drive an unprecedented global effort to increase testing capacity.

**THE ROLE OF DIAGNOSTIC TESTING IN THE SARS-CoV-2 PANDEMIC**

The primary goal of epidemic containment is to reduce disease transmission by reducing the number of susceptible persons in the population or by reducing the basic reproductive number ( $R_0$ ). This number is modulated by such factors as the duration of viral shedding, the infectiousness of the organism, and the contact matrix between infected and susceptible persons (18). Given the lack of effective vaccines or treatments (19), the only currently available lever to reduce SARS-CoV-2 transmission is to identify and isolate persons who are contagious.

Deployment of SARS-CoV-2 testing has varied widely across the globe. A few Asian countries have illustrated the power of preparedness, flexible isolation systems, and intensive case finding. South Korea dramatically slowed the epidemic by implementing an unprecedented testing effort (20). Using innovative measures, South Korea performed more than 300 000 tests (5828.6 tests per million persons) in the 9 weeks after the first case was identified (20, 21). Singapore used a broad case definition, aggressive contact tracing, and isolation (10). Moreover, to identify infected persons not meeting the case definition, Singapore screened patients with pneumonia and influenza-like illnesses in hospitals and primary care settings, severely ill patients in intensive care, and deaths with a possible infectious cause (10). Taiwan and Hong Kong used similar approaches (22). These countries rapidly deployed resource-intensive strategies that prioritized aggressive testing and isolation to interrupt transmission (20, 22).

In the face of widespread transmission, the role of diagnostic testing is contingent on the type of testing available, the resources required for testing, and time to obtain results. For example, rapidly identifying cases among hospitalized patients remains a high priority to properly allocate personal protective equipment and to prevent nosocomial spread with subsequent community transmission (23, 24). Likewise, specific treatment

decisions and enrollment in ongoing clinical trials require prompt diagnosis.

**DIAGNOSTIC TESTING: DEFINING KEY USE CASES**

Despite the remarkable speed with which accurate diagnostic tests have been developed and made available for SARS-CoV-2 (25), current tools only partially meet several clinically relevant needs. **Figure 1** illustrates different indications for diagnostic testing among persons with proven or suspected COVID-19. For each of these, the most important consideration is the clinical decision a test result will help to inform. Test designs must account for several parameters, such as whether the test detects infection directly (such as the virus itself) or indirectly (such as host antibodies), test turnaround time, the ability to perform many tests at the same time (that is, throughput), the need to have a minimum number of specimens before testing (that is, batching), and the ability to perform the test in low-infrastructure settings (such as on cruise ships or in remote communities). The potential for use at the point of care depends on test complexity. The U.S. Food and Drug Administration (FDA) categorizes diagnostic tests by their complexity: Waived tests are available for use at the point of care, whereas moderate- and high-complexity tests must be performed in a laboratory. The intended use also determines which specimen types are ideal or feasible. Finally, it is important to recognize that the acceptable diagnostic accuracy of a test may vary according to use case. For example, sensitivity and specificity requirements of an assay used to confirm results of a screening test need not be as stringent as those of a method used for standalone diagnosis, because the pool of persons being tested is already enriched with true infections. The Foundation for Innovative New Diagnostics has published a detailed assessment of priority use cases to be considered by test developers and policymakers (26).

**WHO TO TEST: CURRENT DIAGNOSTIC RECOMMENDATIONS IN THE UNITED STATES**

In response to the rapidly evolving COVID-19 pandemic, countries have used different testing approaches depending on testing capacity, public health resources, and the spread of the virus in the community. In the United States, diagnostic testing indications and capacity were limited at the beginning of the outbreak, largely because of regulatory hurdles for the use of new tests. To expand access to testing, the FDA released policies to allow laboratories to use their validated assays in a more timely manner (27). On 4 March, the Centers for Disease Control and Prevention (CDC) removed restrictive testing criteria, recommending that clinicians use their judgment to determine whether a test should be performed (28). Because testing capacity remains suboptimal (27), the implementation of this recommendation remains a challenge. The CDC still recommends priority for testing 3 groups: hospitalized

patients with presentations compatible with COVID-19, other symptomatic persons at risk for poor outcomes, and persons who had close contact with someone with suspected or confirmed COVID-19 within 14 days of illness onset or have a history of travel in an affected area (28). These patients should be evaluated with a molecular diagnostic test, as described later. The CDC does not recommend testing asymptomatic persons.

**HOW TO TEST: DIAGNOSTIC TESTS IN USE OR UNDER EVALUATION**

Although real-time reverse transcriptase polymerase chain reaction (RT-PCR)-based assays performed in the laboratory on respiratory specimens are the cornerstone of COVID-19 diagnostic testing, several novel or complementary diagnostic methods are being developed and evaluated (16). Figure 2 depicts the adequacy of the principal assay types used or proposed for COVID-19 for 4 key use cases. Among patients diagnosed with COVID-19, the occurrence of concomitant viral infections has been reported to range from below 6% (29) to greater than 60% (30). As a result, it is not possible to rule out SARS-CoV-2 infection merely by detecting another respiratory pathogen.

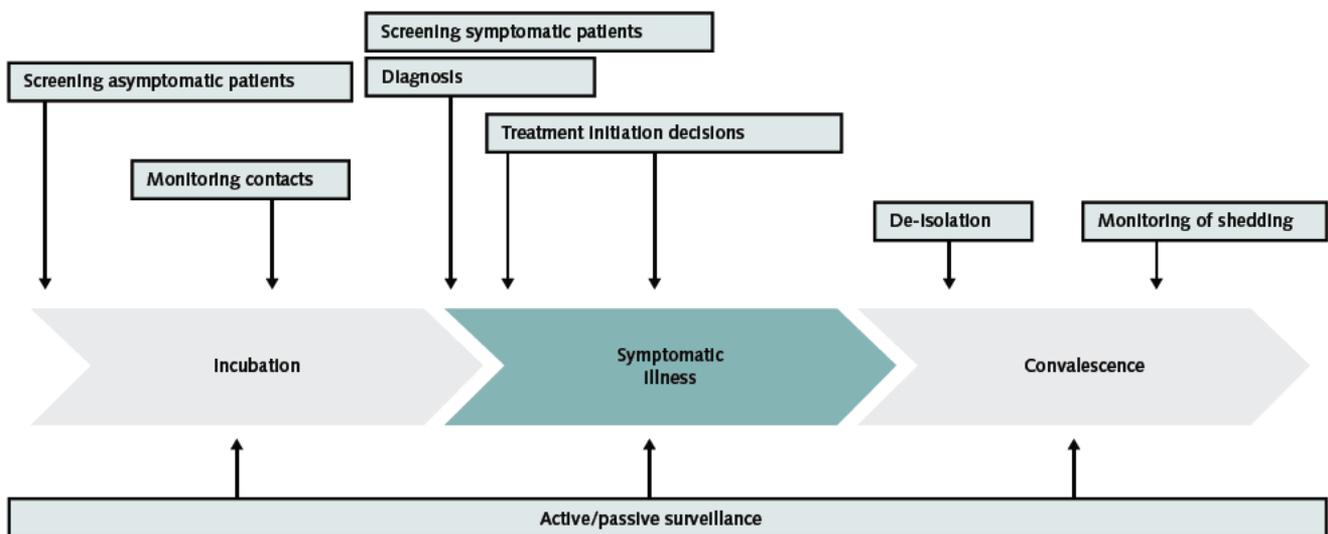
**Laboratory-Based Molecular Testing**

The current diagnostic strategy recommended by the CDC to identify patients with COVID-19 is to test samples taken from the respiratory tract to assess for the presence of 1 or several nucleic acid targets specific to SARS-CoV-2 (25). A nasopharyngeal specimen is the preferred choice for swab-based SARS-CoV-2 testing, but oropharyngeal, mid-turbinate, or anterior

nares samples also are acceptable (31, 32). Samples should be obtained by using a flocked swab, if available, to enhance the collection and release of cellular material. Swabs with an aluminum or plastic shaft are preferred. Swabs that contain calcium alginate, wood, or cotton should be avoided, because they may contain substances that inhibit PCR testing. Ideally, swabs should be transferred into universal transport medium immediately after sample collection to preserve viral nucleic acid. Samples taken from sputum, endotracheal aspirates, and bronchoalveolar lavage also may be sent directly to the microbiology laboratory for processing, and may have greater sensitivity than upper respiratory tract specimens (33). Inadequate sample collection may result in a false-negative test. After specimen collection, samples undergo RNA extraction followed by qualitative RT-PCR for target detection.

In the United States, the CDC has developed the most widely used SARS-CoV-2 assay. The kit contains PCR primer-probe sets for 2 regions of the viral nucleocapsid gene (N1 and N2), and for the human RNase P gene to ensure the RNA extraction was successful. This assay differs from the World Health Organization primer-probe sets, which target the SARS-CoV-2 RNA-dependent RNA polymerase (*RdRP*) and envelope (*E*) genes (25). Both assays have high analytic sensitivity and specificity for SARS-CoV-2, with minimal cross-reactivity with other circulating strains of coronaviruses, and both use a cycle threshold of less than 40 as the criterion for positivity. The CDC kit may be used by state public health laboratories, other laboratories determined by the state to be qualified, and clinical laboratories that meet the regulatory requirements of the

Figure 1. Examples of use cases for diagnostic testing among persons with proven or suspected COVID-19.



A test well suited for one use case (such as epidemiologic surveillance) may be completely inadequate for another (such as rapid screening of symptomatic patients for allocation of personal protective equipment). For test results to enable a specific clinical decision, test developers, policymakers, and clinicians need to consider each of these with respect to the intention of testing and the population being tested as specifically as possible. For the moment, most use cases placed above the green and gray bar are best met by nucleic acid amplification tests, whereas detection of host-derived antibodies directed against SARS-CoV-2 will be crucial for surveillance, epidemic forecasting, and determination of SARS-CoV-2 immunity. SARS-CoV-2 = severe acute respiratory syndrome-related coronavirus-2.

Figure 2. Heat map showing the adequacy of principal assay types (rows) for 4 key use cases.

|            |                                                       | Selected Use Case                              |                                         |                                                                                |                                                                                         |
|------------|-------------------------------------------------------|------------------------------------------------|-----------------------------------------|--------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
|            |                                                       | Screening during Incubation/asymptomatic phase | Diagnosis of symptomatic disease        | Screening for viral shedding in convalescence phase for de-isolation decisions | Epidemiologic surveillance                                                              |
| Assay Type | Laboratory-based RT-PCR or NAAT assay                 | Unknown/Insufficient negative predictive value | Current reference standard              | Unknown/Insufficient negative predictive value                                 | Passive surveillance<br>Unknown/Insufficient negative predictive value for case finding |
|            | POC sample-to-answer NAAT assay                       | Unknown/Insufficient negative predictive value | Likely comparable to reference standard | Unknown/Insufficient negative predictive value                                 | Passive surveillance<br>Unknown/Insufficient negative predictive value for case finding |
|            | Antigen detection POC*                                | Unknown/Insufficient negative predictive value | Yet to be developed                     | Likely insufficient negative predictive value                                  | Likely lower sensitivity than NAAT will hamper predictive value with low prevalence     |
|            | Serology IgM/IgG detection (POC or laboratory based)* | Likely false-negative in early disease         | Likely false-negative in early disease† | Typically do not mirror disease activity                                       | Serosurveys could assess individual and population immunity*                            |

Medium green cells are those for which currently available tools are well adapted for most intended uses within the use case in terms of diagnostic accuracy, format, and turnaround time. Light green cells are those for which assays that are available or projected in the short term are useful but have important limitations for their use (for example, current RT-PCR assays may yield false-negative results for persons in the incubation phase with a low viral load). Dark green cells are those for which the assay type does not meet the needs of the use case. NAAT, nucleic acid amplification test; POC = point of care; RT-PCR = reverse transcriptase polymerase chain reaction.

\* This assumes that assays in development or currently undergoing regulatory evaluation prove to be accurate.

† The utility of antibody detection assays for diagnosing acute infections is probably very limited around the time of symptom onset, when viral shedding and transmission risk seem to be highest. Thus, although such tests may have a role among persons presenting late in the course of their infection, the potential for misuse is high.

Clinical Laboratories Improvement Amendment (CLIA) to perform high-complexity testing (27). Dozens of laboratories have applied for Emergency Use Authorization (EUA) from the FDA for their own laboratory-developed assays (34). The FDA also has granted an EUA for several commercial assays (35), further expanding the ability of clinical laboratories to use these platforms (Table).

The lack of an established reference standard, use of differing sample collection and preparation methods, and an incomplete understanding of viral dynamics across the time course of infection hamper rigorous assessment of the diagnostic accuracy of the many newly introduced SARS-CoV-2 assays (36). Serum and urine are usually negative for the presence of viral nucleic acid, regardless of illness severity (33). Of importance, the ability of RT-PCR assays to rule out COVID-19 on the basis of upper respiratory tract samples obtained at a single time point remains unclear. Conversely, after a patient has had a positive test result, several authorities have recommended obtaining at least 2 negative upper respiratory tract samples, collected at intervals of

24 hours or longer, to document SARS-CoV-2 clearance (37, 38).

### Point-of-Care Molecular Diagnostics

Low-complexity, rapid (results within 1 hour) molecular diagnostic tests for respiratory viral infections that are CLIA waived (FDA approved for use outside the laboratory by nonlaboratory personnel) include cartridge-based assays on platforms that include the Abbott ID NOW (Abbott Laboratories), BioFire FilmArray (bioMérieux), cobas Liat (Roche Diagnostics), and GeneXpert (Cepheid) (39).

Rapid point-of-care assays for SARS-CoV-2 on instruments such as these will be critical to expand point-of-care testing. The Xpert Xpress SARS-CoV-2 test (Cepheid) has received an FDA EUA and is performed on the GeneXpert platform, which is already widely used for tuberculosis and HIV testing, especially in low- and middle-income countries. This capacity might be useful to scale up testing across the world as well as in settings where rapid results at the point of care would

enable clinical decisions, although testing throughput may be a limiting factor.

**Antigen Detection Tests**

Tests that detect respiratory syncytial virus or influenza virus antigens by immunoassay directly from clinical specimens have been commercially available for decades, are of low complexity, and may provide results within minutes at the point of care (40). Current tools for influenza and respiratory syncytial virus suffer from suboptimal sensitivity to rule out disease (41, 42); the same challenge would probably exist for SARS-CoV-2, and tests would need to be implemented with clear guidance on correct interpretation. Prototypes of such tests for other novel coronaviruses have not received regulatory approval (43, 44) but are under de-

velopment (45). Monoclonal antibodies against the nucleocapsid protein of SARS-CoV-2 have been generated, which might form the basis of a future rapid antigen detection test (20).

**Serology**

Serologic tests that identify antibodies (such as IgA, IgM, and IgG) to SARS-CoV-2 from clinical specimens (such as blood or saliva), such as enzyme-linked immunosorbent assays, may be less complex than molecular tests and have the potential to be used for diagnosis in certain situations (46). However, their utility for diagnosing acute infections is probably limited around the time of symptom onset, when viral shedding and transmission risk seem to be highest (32). Antibody responses to infection take days to weeks to be reliably

**Table.** The 28 Commercial SARS-CoV-2 in Vitro Diagnostic Assays Given an EUA From the FDA as of 4 April 2020

| Date in 2020 That EUA Was Issued*                                                   | Manufacturer                                                       | Test Name                                                                     | Test Type                                |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------|-------------------------------------------------------------------------------|------------------------------------------|
| <b>Currently FDA authorized for use in clinical laboratories</b>                    |                                                                    |                                                                               |                                          |
| 3 April                                                                             | Luminex Corporation                                                | ARIES SARS-CoV-2 Assay                                                        | NAAT                                     |
| 3 April                                                                             | Co-Diagnostics                                                     | Logix Smart Coronavirus Disease 2019 (COVID-19) kit                           | NAAT                                     |
| 3 April                                                                             | ScienCell Research Laboratories                                    | SARS-CoV-2 Coronavirus Real-time RT-PCR (RT-qPCR) Detection Kit               | NAAT                                     |
| 2 April                                                                             | Becton, Dickinson and Company (BD)                                 | BioGX SARS-CoV-2 Reagents for BD MAX System                                   | NAAT                                     |
| 1 April                                                                             | Ipsium Diagnostics                                                 | COV-19 IDx assay                                                              | NAAT                                     |
| 1 April                                                                             | Cellex                                                             | qSARS-CoV-2 IgG/IgM Rapid Test                                                | Lateral flow chromatographic immunoassay |
| 30 March                                                                            | NeuMoDx Molecular                                                  | NeuMoDx SARS-CoV-2 Assay                                                      | NAAT                                     |
| 30 March                                                                            | QIAGEN GmbH                                                        | QIAstat-Dx Respiratory SARS-CoV-2 Panel                                       | NAAT                                     |
| 27 March                                                                            | Luminex Molecular Diagnostics                                      | NxTAG CoV Extended Panel Assay                                                | NAAT                                     |
| 26 March                                                                            | BGI Genomics                                                       | Real-Time Fluorescent RT-PCR Kit for Detecting SARS-2019-nCoV                 | NAAT                                     |
| 25 March                                                                            | Avellino Lab USA                                                   | AvellinoCoV2 test                                                             | NAAT                                     |
| 24 March                                                                            | PerkinElmer                                                        | PerkinElmer New Coronavirus Nucleic Acid Detection Kit                        | NAAT                                     |
| 23 March                                                                            | BioFire Defense                                                    | BioFire COVID-19 test†                                                        | NAAT                                     |
| 20 March                                                                            | Primerdesign                                                       | COVID-19 genesig Real-Time PCR assay                                          | NAAT                                     |
| 19 March                                                                            | GenMark Diagnostics                                                | ePlex SARS-CoV-2 Test                                                         | NAAT                                     |
| 19 March                                                                            | DiaSorin Molecular                                                 | Simplexa COVID-19 Direct assay†                                               | NAAT                                     |
| 18 March                                                                            | Abbott Molecular                                                   | Abbott RealTime SARS-CoV-2 assay                                              | NAAT                                     |
| 17 March                                                                            | Quest Diagnostics Infectious Disease                               | Quest SARS-CoV-2 rRT-PCR                                                      | NAAT                                     |
| 17 March                                                                            | Quidel Corporation                                                 | Lyra SARS-CoV-2 Assay                                                         | NAAT                                     |
| 16 March                                                                            | LabCorp                                                            | COVID-19 RT-PCR test                                                          | NAAT                                     |
| 16 March                                                                            | Hologic                                                            | Panther Fusion SARS-CoV-2 Assay                                               | NAAT                                     |
| 13 March                                                                            | Thermo Fisher Scientific                                           | TaqPath COVID-19 Combo Kit                                                    | NAAT                                     |
| 12 March                                                                            | Roche Molecular Systems                                            | cobas SARS-CoV-2 Test                                                         | NAAT                                     |
| 29 February                                                                         | Wadsworth Center, New York State Department of Public Health (CDC) | New York SARS-CoV-2 Real-time Reverse Transcriptase (RT)-PCR Diagnostic Panel | NAAT                                     |
| 4 February                                                                          | CDC                                                                | 2019-nCoV Real-Time RT-PCR Diagnostic Panel                                   | NAAT                                     |
| <b>Currently FDA authorized for use outside the clinical laboratory environment</b> |                                                                    |                                                                               |                                          |
| 27 March                                                                            | Abbott Diagnostics Scarborough                                     | ID NOW COVID-19 assay                                                         | NAAT                                     |
| 23 March                                                                            | Mesa Biotech                                                       | Accula SARS-CoV-2 Test                                                        | NAAT                                     |
| 20 March                                                                            | Cepheid                                                            | Xpert Xpress SARS-CoV-2 test                                                  | NAAT                                     |

CDC = Centers for Disease Control and Prevention; EUA = Emergency Use Authorization; FDA = U.S. Food and Drug Administration; NAAT = nucleic acid simplification test; SARS-CoV-2 = severe acute respiratory syndrome-related coronavirus-2.

\* Dates of EUA are indicated to highlight the speed with which the diagnostic landscape is changing.

† Performed on instruments for which other assays from the same manufacturer have been FDA authorized for use outside the clinical laboratory environment, indicating the potential for a similar designation for SARS-CoV-2 assays in the future.

detectable (46). Negative results would not exclude SARS-CoV-2 infection, particularly among those with recent exposure to the virus. Cross-reactivity of antibody to non-SARS-CoV-2 coronavirus proteins is also a potential problem, whereby positive results may be the result of past or present infection with other human coronaviruses (47). Serologic assays might be more relevant in scenarios in which patients present to medical care with late complications of disease, when RT-PCR may be falsely negative, because viral shedding drops over time (48).

The development of serologic assays that accurately assess prior infection and immunity to SARS-CoV-2 will be essential for epidemiologic studies, ongoing surveillance, vaccine studies, and potentially for risk assessment of health care workers. Immunoassays are already on the market in some countries, but their diagnostic accuracy and optimal use remain undefined.

### ANCILLARY DIAGNOSTIC TESTS

The optimal use of diagnostic imaging, biomarkers, and other nonmicrobiologic tests is rapidly evolving.

#### Radiographic Tests

Many centers have evaluated the utility of chest imaging for diagnosis. On chest radiography, bilateral pneumonia is the most frequently reported feature (range, 11.8% to 100%) and is more common than a unilateral focus (49, 50). Computed tomography is regarded as more sensitive than radiography, with several cohort studies reporting that most patients (77.8% to 100%) had ground glass opacities. Other features commonly reported with COVID-19 on chest computed tomography include a peripheral distribution, fine reticular opacities, and vascular thickening (51). Compared with serial nasopharyngeal sampling, chest computed tomography may be more sensitive than an RT-PCR test at a single time point for the diagnosis of COVID-19 (52, 53). In addition, artificial intelligence may help distinguish COVID-19 from other etiologic agents of community-acquired pneumonia (54). However, these findings are not completely specific to COVID-19 and do not exclude a co-infection or an alternative diagnosis (55).

#### Biomarkers Associated With COVID-19 Patients

The most common laboratory features reported in patients with COVID-19 include decreased albumin (75.8% [95% CI, 30.5% to 100%]), elevated C-reactive protein (58.3% [CI, 21.8% to 94.7%]), and elevated lactate dehydrogenase levels (57.0% [CI, 38.0% to 76.0%]), and lymphopenia (43.1% [CI, 18.9% to 67.3%]) (56). Other biomarkers that have been reported include increased erythrocyte sedimentation rates; elevated aspartate aminotransferase, alanine aminotransferase, and creatinine kinase levels; leukopenia; leukocytosis; and increased bilirubin and creatinine levels (57–59). Such findings are not surprising, because these biomarkers represent an inflammatory host response to SARS-CoV-2 or are early markers of end-organ dysfunction, similar to that seen in patients with sepsis (60). No

biomarker or combination of biomarkers currently exists that is sensitive or specific enough to establish a diagnosis of COVID-19, or to pragmatically predict its clinical course.

### UNMET NEEDS AND THE DIAGNOSTIC TEST

#### PIPELINE

#### Scaling Up Access to Diagnostic Testing

In the face of a public health emergency, important first steps to expand testing capacity include relaxing and streamlining regulatory requirements and procedures. Local public health laboratories and academic diagnostic laboratories in the United States are being rapidly enabled to perform EUA-granted commercial assays and laboratory-developed tests using research use-only reagents (61). University research laboratories could also add capacity, although concerns exist regarding quality control and the absence of protocols for managing clinical specimens. Flexibility regarding nucleic acid extraction methods and amplification instruments when using CDC protocols is being introduced (34). National agencies are expeditiously making materials for test development and validation available to clinical laboratories and diagnostic test manufacturers.

Safely evaluating clinically stable persons for COVID-19 at traditional health care access points is resource intensive and slow, and risks exposing staff to infection. Many jurisdictions are enabling innovative testing venues, such as external tents or drive-through or “phone booth” testing, as well as home assessment teams to expedite specimen collection while limiting potential exposures (62). Telemedicine combined with at-home nasal swab self-testing also has been proposed (63). Of importance, in jurisdictions without universal health care coverage, policy solutions must be introduced to eliminate financial barriers to testing for uninsured and underinsured patients. Efforts to increase accessibility of testing for multiple use cases need to be coupled to appropriate public health interventions to isolate infected persons and their contacts.

#### Alternatives to Usual Specimen Types, Collection Devices, and Transport Media

Nasopharyngeal swabs are the recommended specimen for molecular analysis. The sudden demand for flocked nasopharyngeal swabs and viral transport medium generated by the pandemic has put enormous pressures on supply chain capacities for these products. As of 19 March 2020 the CDC made oropharyngeal, mid-turbinate, and nasal swabs acceptable specimen types if nasopharyngeal swabs are not available (31). Early-morning posterior oropharyngeal saliva samples (coughed up by clearing the throat) also have been assessed as useful specimen types and would not require use of a swab (48). The CDC has released a standard operating procedure for laboratories to create their own viral transport medium (64); other solutions also may be used if viral transport medium is unavailable, including phosphate-buffered saline, liquid Amies, and normal saline (65). The FDA has provided

guidance on its Web site for alternative materials to collect and transport samples for RT-PCR SARS-CoV-2 assays (34). The diagnostic value of molecular testing of nonrespiratory specimens currently is unclear.

### Diagnosics Pipeline in the Short and Medium Term

Although excellent tools exist for the diagnosis of symptomatic patients in well-equipped laboratories, important gaps remain in screening asymptomatic persons in the incubation phase, as well as for the accurate determination of live viral shedding among patients in the convalescence phase to inform de-isolation decisions (Figure 2). Further, it is critical to advance solutions that require less well-equipped laboratories to curb the pandemic globally. The Foundation for Innovative New Diagnostics (FIND) and others have created online resources to collate the rapidly evolving set of assays at various stages of development, from proof of concept to full regulatory approval (20, 53). Simple antigen-based tests, if sensitive enough, might be useful in lower-resource and home settings to inform quarantine and spatial distancing measures for patients without severe illness and their contacts. Novel technologies, such as Clustered Regularly Interspersed Short Palindromic Repeats (CRISPR)-based diagnostics are being used to develop rapid, simple, low-cost, portable, temperature-stable assays for deployment in the field in nontraditional and resource-limited settings, such as airports and border crossings (20, 51, 54). Other technologies might be deployed to lower-resource settings if they can be standardized. For example, it might be possible to leverage existing loop-mediated isothermal amplification testing networks established for other diseases, such as human African trypanosomiasis surveillance (66).

### OTHER CONSIDERATIONS

Critical considerations for diagnostics used for epidemic diseases of public health importance include the quality assurance and regulatory frameworks surrounding testing. Mature regulatory agencies have developed mechanisms to account for emergencies, such as the FDA's EUA stream, but pragmatic solutions must be found to facilitate wide-scale, independent evaluation of emerging tests.

Initially, the need for elaborate biosafety precautions and inconsistent recommendations for their application across regions severely hampered COVID-19 testing. Although these continue to evolve, current recommendations in Canada and the United States acknowledge that nonpropagative work for molecular testing may be performed in containment level 2 conditions found in routine diagnostic laboratories and provide specific guidance on diagnostic testing of specimens conducted outside a biosafety level 2 laboratory, such as rapid respiratory testing performed at the point of care (67).

### CONCLUSION

The COVID-19 pandemic has dramatically highlighted the essential role of diagnostics in the control of communicable diseases. Intensive diagnostics deployment probably contributed to the success of a few countries in controlling transmission. Urgent clinical and public health needs now drive an unprecedented global effort to increase SARS-CoV-2 testing capacity. Finally, the blinding speed with which COVID-19 has spread illustrates the need for preparedness and long-term investments in diagnostic testing.

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Dr. Quach: Division of Infectious Diseases, CHU Sainte-Justine, 3175, ch. Côte Ste-Catherine, B.17.102, Montreal, Quebec, Canada H3T 1C5.

Dr. Libman: Division of Infectious Diseases, McGill University Health Centre, 1001 Decarie Boulevard, E05.1830, Montreal, Quebec, Canada H4A 3J1.

Dr. Dittrich: Foundation of Innovative New Diagnostics (FIND), Campus Biotech, Chemin des Mines 91 202, Geneva, Switzerland.

Dr. Yansouni: Division of Infectious Diseases, McGill University Health Centre, 1001 Decarie Boulevard, EM3.3242, Montreal, Quebec, Canada H4A 3J1.

**Author Contributions:** Conception and design: M.P. Cheng, J. Papenburg, M. Desjardins, M. Libman, S. Dittrich, C.P. Yansouni.

Analysis and interpretation of the data: M.P. Cheng, J. Papenburg, S. Dittrich, C.P. Yansouni.

Drafting of the article: M.P. Cheng, J. Papenburg, M. Desjardins, S. Kanjilal, M. Libman, S. Dittrich, C.P. Yansouni.

Critical revision for important intellectual content: M.P. Cheng, J. Papenburg, M. Desjardins, S. Kanjilal, C. Quach, M. Libman, C.P. Yansouni.

Final approval of the article: M.P. Cheng, J. Papenburg, M. Desjardins, S. Kanjilal, C. Quach, M. Libman, S. Dittrich, C.P. Yansouni.

Obtaining of funding: C.P. Yansouni.

Administrative, technical, or logistic support: C.P. Yansouni.

Collection and assembly of data: M.P. Cheng, J. Papenburg, C.P. Yansouni.

# Antibody tests may hold clues to COVID-19 exposure, immunity—but it's complicated

 [cidrap.umn.edu/news-perspective/2020/04/antibody-tests-may-hold-clues-covid-19-exposure-immunity-its-complicated](https://cidrap.umn.edu/news-perspective/2020/04/antibody-tests-may-hold-clues-covid-19-exposure-immunity-its-complicated)

Chris Dall | News Reporter | CIDRAP News | Apr 15, 2020

As the nation looks for ways to emerge from the shelter-in-place orders instituted across the country, there's growing hope that our blood might hold clues for how we move forward.

Late last week, the National Institutes of Health (NIH) announced that it has begun recruiting volunteers for a study to determine how many Americans without a confirmed COVID-19 diagnosis have been exposed to the SARS-CoV-2 virus, based on the presence of antibodies in their blood.

This "serosurvey" will analyze blood samples from more than 10,000 volunteers for the presence of two antibodies, immunoglobulin M (IgM) and immunoglobulin G (IgG), that the body produces in response to a virus. Researchers may also perform further analysis on some volunteers' blood to determine what kind of immune response was generated.

The primary aim of the study is to provide researchers with a better idea of how far the novel coronavirus has spread throughout the country. While nearly 600,000 people in the US have tested positive for COVID-19, that figure is based solely on the results of the molecular tests that look for the viral RNA, which have mainly been conducted in people who are sick or have had known exposure to infected people.

Antibody tests, while not useful for diagnostic purposes because of the time it takes to produce an antibody response, could indicate those who've had the illness at some point but never received official confirmation of infection, and those who've had very mild or even asymptomatic (symptom-free) infections.

"It basically is a way of saying who has been infected at any time in the past," says Gregory Storch, MD, an infectious disease specialist at Washington University School of Medicine in St. Louis.

Scientists also hope that proof of an immune response to the coronavirus could help determine who can safely go back to work while the virus remains a threat.

"Serological tests will enable us to determine what percentage of the population has been exposed to the virus," says Joanne Bartkus, PhD, director of the Minnesota Department of Health's (MDH's) Public Health Laboratory Division. "If we understand or find that a certain

level of antibody does confer immunity to further infection, well, then that can be used to determine maybe who can go back to work, or who is less likely to be able to transmit the virus."

But Storch, Bartkus, and other experts say there remains a numbers of unknowns that need to be addressed.

## The question of immunity

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The unknowns begin with how much an immune response to SARS-CoV-2—the virus that causes COVID-19—tells us. Early studies suggest the production of IgM and IgG in COVID-19 patients typically occurs between 7 and 11 days after exposure, with IgM antibodies appearing first, followed by IgG antibodies.

The presence of these antibodies, which respond to specific antigens on the surface of the SARS-CoV-2 virus, indicate that a person has been exposed and their immune system has reacted. But does that necessarily mean a person is immune to getting re-infected?

"Often, but not always, the presence of antibodies corresponds to immunity to that agent, and if that turns out to be the case for COVID-19, that would be extremely important," says Storch.

The hope that exposure to SARS-CoV-2 confers some type of immunity is based on the findings of a [preprint study from China](#), in which rhesus monkeys who had been infected and recovered were re-challenged with the virus. The results, which showed no recurrence of COVID-19 in the re-challenged monkeys, suggested some level of protective immunity after infection.

"That's a very encouraging finding, but we don't know yet whether that is true yet in humans, and we certainly don't know how long is the duration of immunity," Storch says.

Conducting antibody testing could help answer that question, says Bill Hanage, PhD, a professor of epidemiology at Harvard's T.H. Chan School of Public Health. "We don't know what exact antibody titers will ensure immunity, but this is the way to start studying it," he says.

If some level of protective immunity for people who've had COVID-19 does exist, serologic testing could also be a way to predict what the coming months will look like across the country, as states try to figure how, or whether, shelter-in-place orders can be eased, more people can return to work, and children can return to school.

"Serologic testing...will give us an idea of who is left in our community who is at risk of developing an infection," said Brown University professor of medicine Angela Caliendo, MD, PhD, in a recent media briefing for the Infectious Diseases Society of America. "Knowing

how many people in a given community are still susceptible to the virus will be very important for us to decide what to do next winter, and how to manage both testing and whether we need to limit people's social interactions again in a preventive way."

"Together with sensible milder methods of physical distancing (maybe including masks) and good testing and contact tracing of active infections, we might hope to resume activity in a more 'normal' way in the coming months if a substantial fraction of the population show immunity," says Hanage via email, though he adds that he believes it's unlikely a substantial fraction will show immunity.

## Widespread testing needed

---

Some countries, like Germany and the United Kingdom, have even floated the idea of "immunity passports" that could be issued to people based on results of antibody tests. While that might seem like science fiction, Storch says we're entering into a new world.

"You could imagine this being applied essentially to everybody who might need to be in the workforce, or might need to go to school, and people who are positive could go forth and do critical jobs that involve exposure, and they would be at no risk, or much reduced risk, compared to people who are negative," he says. "And then the people who are negative could be held back and protected as appropriate."

But figuring out how many Americans have been exposed to the coronavirus and might have some level of immunity will require widespread serologic testing across the country, and that's a long way off. As with a lot of COVID-19 testing, there's a gap between the projections of how many people could be tested, and how much testing is actually occurring.

Right now, antibody testing is in its early stages. While the NIH begins enrolling participants for its study, several states and cities are just starting to roll out their own antibody testing. Among them is Minnesota, where the University of Minnesota and the Mayo Clinic have developed antibody tests that are reserved initially for frontline healthcare workers. State officials hope to eventually have antibody testing available statewide.



Storch says one of the benefits of antibody testing, which can be performed on just a pinprick of blood and can return results quickly, is that it lends itself to scaling up. "Every hospital has instruments that perform serological tests for various viruses," he says. "The tests can be automated and they can be run on high volumes of samples, so it certainly will be feasible to test large numbers of samples."

For COVID-19 antibody tests to be useful for helping map out a pandemic strategy going forward, however, they will have to be able to distinguish an antibody response that is specific to the novel coronavirus, and doesn't pick up responses to the other human coronaviruses that cause infections. They'll also need to be sensitive enough to determine who's had even a mild immune response to infection, and specific enough to rule out those who haven't been exposed.

"This might tell us a lot about the true spectrum of the disease when it comes to severity," says Hanage. "Early work suggests some people who are seropositive were not aware they had been infected."

## Test accuracy is unclear

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But at the moment, the true accuracy of serologic tests for SARS-CoV-2 is another unknown. So far, the Food and Drug Administration (FDA) has granted an emergency use authorization (EUA) for only one antibody test—the qSARS-CoV-2 IgG/IgM Rapid Test from Cellex. The EUA allows a company to market unapproved diagnostic and therapeutic products during a declared emergency. According to Cellex, the test was 93.8% sensitive in testing on 128 samples from Chinese COVID-19 patients confirmed by reverse transcription polymerase chain reaction (RT-PCR), and 96.4% specific.

Those impressive-looking numbers, though still leave the possibility of a significant number of people having false-positive and false-negative tests. For example, if 5% of the US population actually had the virus, a test with 95% sensitivity and 95% specificity conducted in a million people would correctly detect 47,500 cases, along with 2,500 false-negatives (those who were infected but were missed).

But it would also produce 47,500 false-positives. So, if only 5% of the population was infected, the number of true-positives and false-positives would be the same.

"Imagine going to a healthcare worker and saying 'we're going to test you for antibodies right now, and if you're positive, you have a 1 in 2 chance it's not real,'" says Michael Osterholm, PhD, MPH, director of the Center for Infectious Disease Research and Policy (publisher of CIDRAP News). "Are you actually going to use that test in a meaningful way?"

Under another pathway established by the FDA to accelerate the availability of diagnostic tests in response to the pandemic, known as "Policy D," serologic tests for SARS-CoV-2 can be marketed and sold to clinical labs and hospitals as long as manufacturers have generated some level of validation data, even though the FDA has not reviewed those data.

The MDH's Bartkus says there are currently more than 70 vendors that have notified the FDA of their intent to market antibody tests that look for some combination of IgM, IgG, and immunoglobulin A (IgA) response. And little is known about these tests.

"What we're going to have to do is weed through which of these serologic tests are going to be useful and which ones are not, and we don't know at this point which clinical laboratories are going to adopt these tests," she says. "It's actually quite confusing, because there are so many of them and they have not undergone any review by the FDA."

Bartkus says this is just one of the issues that public health officials are trying to figure out on the fly as they respond to the pandemic.

"We're building the plane as we're flying it," she says.

**From:** [Skahill, Michael P.](#)  
**To:** [Newsome, Shawna - OSEC, Washington, DC](#)  
**Cc:** [Brashears, Mindy - OSEC, Washington, DC](#); [Lombardo, Keira](#); [McClure, Amy](#); [Flemming, Michael](#); [Brubaker, Tad A.](#); [Scheetz, Tim](#)  
**Subject:** Kane County St Charles - Smithfield  
**Date:** Friday, May 8, 2020 4:22:20 PM  
**Attachments:** [ATT00001.png](#)

---

Shawna

Thank you for all your support today with the Smithfield St. Charles Kane County issue. I think we have a resolution that will allow us to process next week and put protein on America's table.

Have a good weekend, Mike



Michael P. Skahill  
Vice President, Government Affairs

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**From:** [KatieRose McCullough](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Cc:** [Newsome, Shawna - OSEC, Washington, DC](#); [Sweatt, Loren E. - OSHA](#); [Julie Anna Potts](#); [\(b\) \(6\) @meatinstitute.org](#); [\(b\) \(6\) @meatinstitute.org](#)  
**Subject:** Letter from NAMI on COVID-19 EO  
**Date:** Monday, May 4, 2020 7:32:55 PM  
**Attachments:** [Brashears letter May 4 2020.cmr. With Sig.pdf](#)

---

Good Evening,

Please see the attached letter on behalf of Julie Anna Potts and the North American Meat Institute.  
Thank you.

KR

**KatieRose McCullough PhD, MPH**

Director of Scientific and Regulatory Affairs

**North American Meat Institute**

Office: [\(b\) \(6\)](#) / Cell: [\(b\) \(6\)](#)

Fax: 202.587-4300 / Email: [\(b\) \(6\) @meatinstitute.org](#)

1150 Connecticut Ave., NW 12<sup>th</sup> Floor  
Washington, D.C. 20036



May 4, 2020

Dr. Mindy Brashears  
Under Secretary for Food Safety  
United States Department of Agriculture  
1400 Independence Avenue, SW  
Room 210-W Whitten Building  
Washington, D.C. 20250-3700

Dear Dr. Brashears:

President Trump's April 28, 2020, Executive Order (Order) directed the Secretary of Agriculture "to ensure that meat and poultry processors continue operations consistent with the guidance for their operations jointly issued by the CDC and OSHA," given the role those companies play in the nation's critical infrastructure. It is imperative that the United States Department of Agriculture (USDA) communicate with the industry regarding how USDA will ensure that meat and poultry processors are operating in a "consistent" manner with the joint CDC and OSHA guidance.

The meat industry is committed to ensuring the safety of the men and women working on the front lines in processing facilities. We understand that healthcare workers and first responders are, and must remain, priority one with regard to the distribution of personal protective equipment (PPE). However, because PPE is a critical component of the joint CDC and OSHA guidance, we respectfully request that the meat and poultry industry receive the requisite prioritization for PPE and testing supplies for employees.

To the extent that the Order directs USDA to work with other executive departments and agencies to, "determine the proper nationwide priorities and allocation of all the materials, services, and facilities necessary to ensure the continued supply of meat and poultry," we ask that USDA work with the Federal Emergency Management Agency and other departments or agencies to ensure that the meat and poultry industry can obtain the requisite PPE, and therefore achieve the recommendations outlined in the joint CDC and OSHA guidance. We believe Section 2B of the Order makes it possible for that prioritization to occur.

We appreciate USDA's commitment to ensuring the continuity of operations for our critical industry, while also managing the coordination across the federal government to ensure the safety of all those working in meat and poultry facilities. We look forward to USDA's expeditious issuance of its plan to ensure companies are complying with the joint CDC and OSHA guidance, and prioritization of the meat and poultry industry with regard to PPE. It is imperative we have USDA's guidance and support as we move forward, and I look forward to working with you as you manage USDA's response.

Respectfully submitted,



Julie Anna Potts  
President and CEO  
North American Meat Institute

Cc: Loren E. Sweatt, Deputy Assistant Secretary for U.S. Department of Labor, Occupational Safety and Health Administration

**From:** [Dale Moore](#)  
**To:** [Young, Joby - OSEC, Washington, DC](#); [Rollins, Blake - OSEC, Washington, DC](#); [Hoskins, Dudley - OSEC, Washington, DC](#); [Brady, Lillie - OSEC, Washington, DC](#); [Boswell, Kristi - OSEC, Washington, DC](#)  
**Cc:** [Barbic, Ken - OSEC, Washington, DC](#); [Zippy Duvall](#); (b) (6)@beef.org; (b) (6)@chickenusa.org; [Neil Dierks](#); (b) (6)@turkeyfed.org; [Julie Anna Potts](#)  
**Subject:** Letter to President re Packing/Processing  
**Date:** Saturday, April 18, 2020 12:49:23 PM  
**Attachments:** [Trump Processing Plants 041720 v2.docx](#)

---

TO: Joby Young  
Blake Rollins  
Kristi Boswell  
Dudley Hoskins  
Lillie Brady  
FR: Dale Moore  
DT: April 18, 2020  
RE: Letter to President Trump regarding Packing and Processing Plants

The attached letter will soon be on its way to the President. The actions of the past week that have resulted in plant closures and the expansion of such actions that are occurring this weekend has our organizations, on behalf of our members, asking/seeking help in declaring that these plants are essential and critical to our food and national security.

We recognize and appreciate that you all are working around the clock on so many issues related to mitigating the impacts of the pandemic. This one is certainly on the critical list and we look forward to working with you to find safe, efficient solutions to this growing situation.

Thank you,  
dwm

April 17, 2020

President Donald Trump  
The White House  
Washington, DC 20500

Dear Mr. President:

As you are well aware, the nation's food supply is critical to the security and welfare of America. And, as you have recognized, the food chain – from farm and ranch to table – has a special responsibility to maintain operations to the fullest extent possible during this national emergency. Key links in the livestock food chain are facing substantial challenges to their ability to protect their workers, while also maintaining operations.

More than a million cattle, hog, and poultry producers and growers rely on meat and poultry packers and processors to convert their livestock and birds into food. Those processors have taken – and are taking – actions to ensure the safety of their employees. Yet there have been circumstances where plants have been threatened with closures or forced to close for indefinite and varying periods of time, in part because of the inconsistency from state to state in governing health and safety actions when employees are not at work.

To ensure livestock producers, poultry growers, and all food processors and their workers can continue to feed the nation, we respectfully request you emphasize the importance of allowing critical infrastructure food companies to responsibly and safely continue their operations to the fullest extent possible without undue disruption. Doing so will ensure that these crucial businesses can continue to process, produce, and deliver food to our nation.

We continue to support the strongest, most effective methods to protect these critical workers. Their health and safety must remain a top priority. We urge government health experts to work with the processing industry to continue developing and refining guidance specific to these critical plants to ensure the safest procedures are followed. Their continued operation is critical to the nourishment of American consumers now and when America is reopened.

Conveying a clear and strong message about the importance of consistently following federal health and safety guidelines will help ensure consistent, responsible decision-making at the state level that allows food production to safely continue. In addition, we ask that you continue to reinforce a message of calm among all Americans to help quell the fear-driven absenteeism that is also impacting the food industry's ability to operate. We are grateful to the workers ensuring America's families continue to be fed, from packing plant staff to grocery store clerks.

We appreciate your leadership and all the great support from you, from the Vice President, and from Secretary Perdue.

Respectfully submitted,

American Farm Bureau Federation

National Cattlemen's Beef Association

National Chicken Council

National Pork Producers Council

National Turkey Federation

North American Meat Institute

**From:** [Skahill, Michael P.](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Cc:** [Young, Joby - OSEC, Washington, DC](#); [Ibach, Greg - OSEC, Washington, DC](#); [Cole, Michael](#)  
**Subject:** Letter to USDA Secretary Brashears from Smithfield Foods Re Sioux Falls  
**Date:** Monday, May 4, 2020 8:32:37 PM  
**Attachments:** [IMG2Logo\\_png.png](#)  
[ATT00001.png](#)  
[LETTER TO USDA Requesting Order to Open, May 4, 2020, V.2.pdf](#)

---

Good evening Dr. Brashears,

Please see attached letter from Michael Cole of Smithfield Foods.

If you have any questions, please feel free to call me on my cell this evening or tomorrow. Cell is

(b) (6)

Thank you for your leadership at the United States Department of Agriculture.

Mike



**Michael P. Skahill**  
Vice President, Government Affairs  
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May 4, 2020

U.S. Department of Agriculture  
Food Safety and Inspection Service  
1400 Independence Ave., SW  
Washington, D.C. 20250-3700  
Attn: Dr. Mindy Brashears  
Deputy Undersecretary of Agriculture

Dear Dr. Brashears:

With reference to the planned reopening of its Sioux Falls Processing Facility in Sioux Falls, South Dakota (the "Sioux Falls Facility"), Smithfield Foods, Inc. hereby confirms that representatives from CDC and NIOSH completed a follow-up walkthrough and inspection of the Sioux Falls Facility on May 4, 2020.

Subject to your receiving written confirmation from CDC and NIOSH that the Sioux Falls Facility conforms with the CDC's and OSHA's Joint Guidance for Meat and Poultry Processing Workers and Employers issued on April 26, 2020, Smithfield requests that USDA issue an order to open the Sioux Falls Facility effective as of May 5, 2020.

Very truly yours,



Michael Cole  
Senior Advisor to the CEO

Cc: Mr. Gregg Ibach, Undersecretary of Agriculture  
Mr. Joby Young, USDA Chief of Staff

**From:** [Nathan Fretz](#)  
**To:** [Martin, John D](#); [Brashears, Mindy - OSEC, Washington, DC](#); [Beal, Mary Dee - OSEC, Washington, DC](#)  
**Cc:** [Newsome, Shawna - OSEC, Washington, DC](#); [Julie Anna Potts](#); (b) [@meatinstitute.org](#)  
**Subject:** Meat and poultry industry critical infrastructure components  
**Date:** Wednesday, March 18, 2020 5:31:02 PM  
**Attachments:** [COVID Essential Support Industries memo March 2020.pdf](#)

---

Good afternoon Mr. Martin,

The North American Meat Institute is the association representing the packers and processors of beef, pork, turkey and lamb. The Meat Institute drafted the attached memo (written to our CEO, Julie Anna Potts), which details the support industries we believe are critical to the operation of meat and poultry packing and processing establishments. As DHS determines the scope of critical infrastructure for the food and agriculture sector, please consider the essential role these support industries play in the meat and poultry industry.

I have included Dr. Mindy Brashears, Deputy Under Secretary for Food Safety at USDA, and other USDA personnel working on food safety and food/ag infrastructure on this message.

Thanks in advance for your consideration. Please let us know if you have any questions or would like additional information.

Regards,  
Nathan Fretz



March 18, 2020

**MEMORANDUM**

**TO: JULIE ANNA POTTS**  
**FROM: RSA, ANNE HALAL AND ERIC ZITO**  
**SUBJECT: ESSENTIAL SUPPLIER MEAT AND POULTRY SECTOR**  
**SUPPORT INDUSTRIES**

Provided below is a compilation of support industries that are critical to the operation of meat and poultry packing and processing establishments. In several ways the meat and poultry industry is unlike any other sector of the food industry. In others, it does not differ from companies that produce bread or fruits and vegetables.

Unlike food production facilities subject to the jurisdiction of the Food and Drug Administration (FDA), federally inspected meat and poultry processors are subject to daily inspection conducted by the United States Department of Agriculture's Food Safety and Inspection Service (FSIS) employees. Unlike FDA regulated plants, FSIS must be in meat and poultry plants daily and for slaughter facilities their presence must be constant. That is why FSIS inspectors have always been deemed essential.

To operate a livestock slaughter facility or a further processing facility takes more, however, than just the packer/processors employees. It takes: a transportation system that can deliver livestock to the slaughter facility; the necessary equipment and support to keep it running; the necessary chemicals to implement pathogen intervention programs; third party technical engineering experts to maintain or repair equipment; cleaning crews to sanitize a packing or processing facility during third shift to prepare the facility for next day's production; and a lot more. A detailed list follows.

### **Live Animal Side**

- Livestock into slaughter plants
- Bedding
- Feed if animals held >24 hours
- Pharma supplies
- CO2 stunning capability
- Remote video auditing

### **Sanitation**

- Third party sanitation crew
- Sanitation chemicals
- Other sanitation supplies (e.g., gloves, masks, aprons)
- Chemical inspection services/ chemical management ensuring proper concentration throughout plant from one main source.

### **Facility Operations and Maintenance**

- Regulators: Food Safety and Inspection Service and Agricultural Marketing Service - Processed Verified Programs, Animal and Plant Health Inspection Service
- Labor
- Labor transportation (bussing services)
- Ammonia/CO2/ Nitrogen suppliers (refrigeration) and contractors
- Plumbers/ waste water/ drains
- Pest control service providers
- Personal Protective Equipment: Soap, Sanitizer, Face Mask, paper towels, aprons
- Waste pick up services: Trash, Inedible, Rendering
- Equipment service technicians (e.g., conveyors, dumpers, metal detectors, etc. – not every day but if equipment breaks the plant is down until repaired)
- 3<sup>rd</sup> party IT support companies and services to help keep company running digitally
- Calibration companies- scales, metal detector, x ray
- Security guards

### **Transportation**

- Trucks and drivers to deliver livestock or meat
  - a. Adequate access for truck drivers to rest stops or areas to fill up and obtain food
  - b. Access for trucks to and from necessary locations to supply goods described above

## **Production**

- Packaging material suppliers (e.g., meat from carcass needs to be packaged properly for transport)
- Ingredient suppliers (spices, vegetables, etc.)
- Laundry services (*i.e.*, clean smocks are needed daily or more often and may outsourced)
- Laboratories (many companies outsource microbiological testing activity, *E. coli*, *Listeria*, etc., and if done in house supplies are needed.)
- Labeling supplies
- Paper - documentation requirements HACCP food safety

## **Sales**

- Bio diesel plants to operate
- Ports open for export
- Transload station open at ports
- Container services
- Transportation-Open interstate travel
  - Truck
  - Rail service

## **Corporate**

- Telecommunications
- Banking services for payments and collections

Please let us know if you have questions.

**From:** [Phouth Gonzalez](#) on behalf of [Mike Brown](#)  
**To:** [SM.OSEC.AGSEC.OES](#); [Boswell, Kristi - OSEC, Washington, DC](#); [Brady, Lillie - OSEC, Washington, DC](#); [Young, Joby - OSEC, Washington, DC](#); [Summers, Bruce - AMS](#); [Morris, Erin - AMS](#); [Tuckwiller, David - AMS](#); [Porter, Jennifer - AMS](#)  
**Cc:** [\(b\) \(6\) @chickenusa.org](#); [Tom Super](#); [Harrison Kircher](#); [David Elrod](#)  
**Subject:** National Chicken Council – Special Purchase Request  
**Date:** Monday, April 6, 2020 3:34:27 PM  
**Attachments:** [NCC Special Purchase Request Apr2020 \(003\).pdf](#)

---

Good afternoon –

We hope that this email finds everyone healthy during these unprecedented times. We appreciate all that USDA is doing to ensure the safety and availability of protein for the American public. Please find attached a request from the National Chicken Council for a special purchase of chicken in light of COVID-19. Should you have any questions, please contact me directly.

Respectfully submitted,  
Mike Brown

Attachment

**Mike Brown** | President  
NATIONAL CHICKEN COUNCIL  
1152 Fifteenth Street, Suite 430 | Washington, DC 20005  
T: [\(b\) \(6\)](#)  
[www.nationalchickencouncil.org](http://www.nationalchickencouncil.org) | [www.ChickenCheck.In](http://www.ChickenCheck.In)  
[Sign up for NCC News](#) | [Chicken's Sustainability Story](#)



1152 FIFTEENTH STREET NW, SUITE 430  
WASHINGTON, DC 20005  
PHONE: 202-296-2622

April 6, 2020

Mr. Sonny Perdue  
Secretary of Agriculture  
U. S. Department of Agriculture  
1400 Pennsylvania Avenue, SW  
Washington, DC 20250

Dear Mr. Secretary:

National Chicken Council members are most grateful for the on-going support your Department has provided during this fiscal year. This assistance has been key to providing for a more stable poultry market. Despite USDA's help, the chicken market is suffering greatly from the unexpected and devastating effects of the COVID-19 pandemic that continues to seriously impact human health, livelihoods, and food consumption patterns. Even with the best scenario that the United States can somehow experience an end to this pandemic in the near future, the negative fallout will continue for some time thereafter. As President Trump has often said at his COVID-19 news conferences, "We have never seen anything like this before." We could not agree more.

About one-half of the chicken sold domestically last year was to the foodservice or the away-from-home market. With the restrictions imposed on these food establishments, this marketing channel essentially disappeared overnight. Many chicken companies are heavily oriented to serving the foodservice sector. Converting their operations to shift from foodservice products and packaging to retail grocery formats is an option that requires much time, investment, and risk. If supermarkets and other similar retail outlets are willing to take on new suppliers, there is no assurance that the demand destruction in foodservice will be replaced by stepped-up purchases for the at-home market.

Clear evidence of the damage being imposed by the COVID-19 pandemic on the chicken market is seen in the Department's Poultry Market News report for April 3, 2020. The national composite weighted average price was reported at 66.61 cents per pound with significant volumes being sold at prices well below that level. This price is a decrease of more than 17 cents per pound or 20 percent from the previous week and 30 cents per pound or 31 percent below the same week in 2019. This price and magnitude of week-to-week and year-over-year decline is unprecedented. Diverting on-going production to cold storage is not a realistic option since the freezers are essentially at capacity and frozen inventory are at record levels.

Action is needed to help stabilize the market which will support continued employment for workers at processing plants, hatcheries, feedmills, and other links in the production/processing chain. Also, companies have made long term commitments to contract growers and are dedicated to honoring those arrangements. The broiler industry is a critical economic engine for many rural communities.

Prospective planting intentions for corn and soybeans indicate another abundant harvest this Fall. Maintaining chicken production at a level planned-for before the pandemic will better allow for the anticipated huge crop harvest to find a more robust grain/oilseed commodity market this year and beyond.

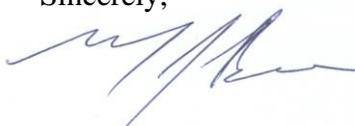
Overly-abundant chicken supplies from current production and in cold storage offer an excellent opportunity for the Department to obtain high quality, wholesome chicken for distribution to a vast array of worthy recipients. Food banks across the country are in desperate need of products, especially animal protein. Whole-bodied chicken with and without neck/giblets can offer consumers and the Department protein at most favorable values. Similarly, both white and dark meat parts are available at bargain levels.

The National Chicken Council appreciates the hard and tireless work of the Administration that resulted in the reopening of the Chinese market for U.S. poultry. The evidence so far appears that this export market will be slow to develop and will provide only modest, at best, support for the overall U.S. chicken market. Nonetheless, we remain optimistic that over the longer-term China can return to an overseas market that can import an ongoing significant quantity of U.S. chicken. Our optimism is balanced by recognition that the Chinese market is risky, given China's track record.

With these above serious concerns in mind, the National Chicken Council requests that your office give full consideration to having chicken, especially whole-bodied birds and products usually prepared for foodservice, included in a special purchase program that is launched as soon as feasibly possible. Such a timely bonus buy is truly warranted and a most worthwhile initiative. Given the unfortunate situation where chicken producers/processors find themselves, the National Chicken Council respectfully requests and recommends a program funded at \$150 million for commodity purchases. Previous initiatives have proven successful and beneficial. Providing chicken through this initiative, especially to food banks, will be an important step to easing the hunger being experienced by many communities serviced by food banks and similar hunger relief operations. We can assure you the recipients will be most appreciative and will more fully recognize that their government has not forgotten them in this time of great need.

The National Chicken Council eagerly looks forward to working with you, your office, and the many dedicated officials in the Department, especially at the Agricultural Marketing Service and Food and Nutrition Service. Please advise how best we can help facilitate the implementation of this initiative in a timely and constructive way.

Sincerely,



Mike Brown  
President

Cc: Bruce Summers, Administrator, AMS  
Erin Morris, Associate Administrator, AMS  
Dave Tuckwiller, Deputy Administrator, Commodity Procurement Program, AMS  
Jennifer Porter, Deputy Administrator, Livestock and Poultry Program, AMS

**From:** [Ashley Peterson](#)  
**To:** [Smith, Ashley - OSEC, Washington, DC](#); [Boswell, Kristi - OSEC, Washington, DC](#); [Brady, Lillie - OSEC, Washington, DC](#); [Young, Joby - OSEC, Washington, DC](#); [Hoskins, Dudley - OSEC, Washington, DC](#)  
**Cc:** [\(b\) \(6\)@chickenusa.org](#)  
**Subject:** National Chicken Council Letter on Line Speeds: Public Health Emergency  
**Date:** Monday, April 13, 2020 2:40:58 PM  
**Attachments:** [NCC Letter to FSIS Re Waiver of Line Speed Requirements During COVID-19 Public Health Emergency \(003\).pdf](#)

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Good afternoon to you all –

Thank you again for your time last week to discuss several pertinent industry issues. One of the issues that we discussed was regarding the current line speed limits and how flexibility in those limits would help us ensure we can maintain production during these uncertain times. We sent the attached letter to Dr. Brashears but wanted to ensure you had a copy as well. Thank you again for all you are doing to help maintain a safe, wholesome, and available food supply. Please feel free to contact me should you have any questions.

Respectfully,  
Ashley

**Ashley B. Peterson, Ph.D.** | Senior Vice President, Scientific and Regulatory Affairs

NATIONAL CHICKEN COUNCIL

1152 Fifteenth Street, NW Suite 430 | Washington, DC 20005

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[www.nationalchickencouncil.org](http://www.nationalchickencouncil.org) | [www.ChickenCheck.In](http://www.ChickenCheck.In)

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1152 FIFTEENTH STREET NW, SUITE 430  
WASHINGTON, DC 20005  
PHONE: 202-296-2622

April 13, 2020

Dr. Mindy M. Brashears  
Deputy Under Secretary for Food Safety  
Food Safety and Inspection Service  
U.S. Department of Agriculture  
1400 Independence Avenue SW  
Washington, DC 20250-3700

Dear Under Secretary Brashears:

The National Chicken Council (NCC) appreciates the U.S. Department of Agriculture's (USDA) leadership in protecting the American food supply during the COVID-19 crisis. Now more than ever, it is critically important that Americans have ready access to wholesome, nutritious, and affordable protein. America's chicken processors are working hard to ensure a steady supply of chicken while looking out for the safety of their workers and USDA's poultry inspectors. Despite the Food Safety and Inspection Service's (FSIS) efforts, the novel coronavirus (COVID-19) epidemic has led to disruptions in inspector staffing – and thus the ability to produce – at chicken slaughter establishments. These disruptions exacerbate existing challenges in maintaining appropriate staffing to keep up production in a responsible manner. It is critically important to put in place mechanisms to ensure that inspector staffing disruptions do not adversely affect an establishment's overall operations or impede industry-wide ability to keep chicken on store shelves.

NCC requests that FSIS exercise its waiver authority under 9 C.F.R. § 381.3(b) to temporarily waive the New Poultry Inspection System (NPIS) evisceration line speed limits at 9 C.F.R. § 381.69(a) for the duration of the Presidential National Emergency Declaration, so that establishments can adjust production as needed to accommodate downtime due to inspector staffing shortages and potential establishment-staffing challenges. This waiver action is necessary to ensure that industry-wide chicken production can remain consistent despite FSIS inspector shortages.

Issuing this waiver would be fully consistent with FSIS's regulatory and statutory authority, would continue to protect food safety, and is necessary in light of the public health emergency facing the nation. In this letter, we briefly discuss the impacts of inspector shortages, review FSIS's broad waiver authority, and explain why the requested waiver is consistent with FSIS's regulatory and statutory authorities.

## **I. Background: Inspector Staffing Issues and NPIS Line Speeds**

### *A. Current State of Inspector Staffing and Consequences on Industry Production*

FSIS is required by law to provide inspection whenever needed by a poultry slaughter establishment. Under the Poultry Products Inspection Act (PPIA), "[t]he Secretary, whenever processing operations are being

conducted, shall cause to be made by inspectors post mortem inspection of the carcass of each bird processed.”<sup>1</sup> Similarly, by law, FSIS “shall” provide ante mortem bird inspection when FSIS deems it is necessary.<sup>2</sup> USDA has long recognized this statutory obligation to provide inspection when requested.<sup>3</sup>

We appreciate that FSIS has tried to work proactively and collaboratively with industry to maintain inspection during the COVID-19 crisis. Continued collaboration will be essential to weathering this storm. However, we understand that the available inspectional force is significantly reduced due to quarantines and self-certification by inspectors who feel their health history places them at increased risk. We are aware of multiple instances in which NCC member companies have been denied inspectional coverage for a regular shift or, in some cases, one or more days of scheduled production. As you know, FSIS does not permit a poultry slaughter or processing establishment to operate a line without FSIS inspectors. As the COVID-19 situation continues, we are concerned these situations may become increasingly common.

These gaps in inspection coverage pose significant harm to public health and to the companies and employees affected. Individual establishments lose that day’s production and thus lose revenue. Employees might lose work hours. Customers do not get a shipment. Loss of processing capacity creates bird welfare risks, as flocks planned for and placed months ago continue to reach harvest age regardless of whether FSIS has inspectors available. Most importantly, left unchecked, increasing inspector shortages risk compromising the nation’s supply of chicken protein and consumers’ confidence in the food supply. Making matters more difficult, inspector shortages further complicate production processes that are already being stressed by establishment staffing challenges.

Chicken processors are part of the nation’s critical infrastructure, and it is imperative that we work together to avoid disruptions to the chicken market. Temporarily waiving NPIS line speed limits will allow the industry to modify operations as needed to absorb the impact of intermittent disruptions to FSIS inspection.

### *B. NPIS Line Speeds*

In 2014, FSIS finalized a rule to modernize poultry inspection. Based on the demonstrated success of the long-running HACCP-Based Inspection Models Project (HIMP) pilot (which itself involved a years-long waiver of numerous regulatory requirements for participating establishments, including for line speeds), NPIS reconfigured inspection expectations to place on establishments the burden of sorting and evaluating carcasses for presentation to the FSIS online carcass inspector. Inspectors freed of carcass sorting and basic quality control tasks were reassigned under NPIS to conduct rigorous science-based offline inspection tasks. The majority of large chicken slaughter plants now operate under NPIS. The NPIS final rule established a maximum line speed of 140 birds per minute (bpm) for evisceration lines.<sup>4</sup> It is this line speed limit that we are asking FSIS to temporarily waive.

<sup>1</sup> 21 U.S.C. § 455(b).

<sup>2</sup> 21 U.S.C. § 455(a).

<sup>3</sup> See, e.g., Memorandum from USDA General Counsel to Carol Tucker Foreman, Re: Docket No, 77-701, Overtime or Holiday Inspection Service, Hours Inspectors May Work, Schedules of Operations, Filling (August 9, 1978).

<sup>4</sup> 9 C.F.R. § 381.69(a).

## II. FSIS's Broad and Often-Used Waiver Authority

FSIS's poultry inspection regulations have long provided the Administrator with the authority to waive regulatory requirements in the event of a public health emergency. Specifically, FSIS regulations at 9 C.F.R. § 381.3(b) state:

**The Administrator may in specific classes of cases waive for limited periods any provisions of the regulations in this subchapter in order to permit appropriate and necessary action in the event of a public health emergency** or to permit experimentation so that new procedures, equipment, and/or processing techniques may be tested to facilitate definite improvements: Provided, That such waivers of the provisions of such regulations are not in conflict with the purposes or provisions of the Act.<sup>5</sup>

FSIS has exercised its waiver authority under 9 C.F.R. § 381.3(b) and parallel waiver authority under the meat inspection regulations<sup>6</sup> numerous times, including through the NPIS line speed waiver program, online and offline reprocessing waivers, NPIS sampling frequency waivers, the Salmonella Initiative Program, and the HIMP pilots, to name a few. The FSIS New Technology table runs 35 pages and provides numerous examples of specific regulatory requirements being waived.<sup>7</sup>

Understandably, most of FSIS's regulatory waivers have involved the new technology prong of Section 381.3(b). However, the same regulatory authority allows FSIS to waive regulatory requirements in response to a public health emergency.

Today, our nation faces an ongoing and serious "public health emergency." It is "appropriate and necessary" to adjust line speed limits to accommodate anticipated inspector shortages, with the goal of ensuring the public continues to have access to ample and affordable chicken protein for the duration of the COVID-19 crisis.

To issue a waiver for a public health emergency, FSIS's regulation requires that four factors be met:

1. There must be a public health emergency;
2. The waiver must be for a limited period;
3. The waiver must be to permit "appropriate and necessary action in the event of a public health emergency"; and
4. The waiver may not conflict with the PPIA.<sup>8</sup>

As explained in the rest of this letter, all four criteria are met due to the COVID-19 epidemic.

## III. The Requested Waiver Meets FSIS's Public Health Emergency Waiver Criteria

We request that FSIS use its waiver authority under 9 C.F.R. § 381.3(b) to waive the maximum line speed limit for NPIS establishments found at 9 C.F.R. § 381.69(a) for the duration of the Presidential National Emergency declaration. Waiving these line speed limits will allow establishments to accommodate potential

<sup>5</sup> 9 C.F.R. § 381.3(b) (emphasis added).

<sup>6</sup> 9 C.F.R. § 303.1(h).

<sup>7</sup> See Food Safety and Inspection Service New Technology Information Table (last update October 2019), <https://www.fsis.usda.gov/wps/wcm/connect/849de831-41cb-4e72-bbb4-4265240af51e/new-technologies-table.pdf?MOD=AJPERES>.

<sup>8</sup> 9 C.F.R. § 381.3(b).

periodic inspector shortages to maintain overall output without compromising food safety. All products produced under the waiver would remain in full compliance with the PPIA.

*A. The COVID-19 Crisis Presents a Grave Public Health Emergency*

We are in the midst of the greatest public health emergency in living memory. In March, President Trump declared a national emergency to address the growing COVID-19 crisis.<sup>9</sup> Governors and local leaders across the country have issued emergency declarations at the state and local level. The federal and state governments are taking unprecedented steps to mitigate COVID-19 transmission while keeping critical infrastructure functioning and helping Americans make ends meet. As millions of Americans shelter in place and practice social distancing, it is more important than ever that food production continues uninterrupted, as emphasized in *The President's Coronavirus Guidelines for America*.<sup>10</sup>

*B. The Requested Waiver Would Be for a Limited Time Period*

We are requesting that FSIS waive line speed limits for NPIS plants for the duration of the President's COVID-19 National Emergency declaration. The waiver would therefore be limited to a defined time period.

*C. The Requested Waiver is Appropriate and Necessary Considering the COVID-19 Emergency*

Taking steps to ensure overall chicken production remains consistent despite inspector staffing shortages is an "appropriate and necessary action"<sup>11</sup> as part of our national response to the COVID-19 crisis. As discussed earlier, FSIS is obligated under the PPIA to provide inspection when requested. When FSIS is unable to provide statutorily mandated inspection due to inspector shortages caused by COVID-19, establishments are forced to drop shifts or skip entire days through no fault of their own. This risks disrupting supply chains and creating animal welfare problems for birds in the field. By temporarily waiving line speed limits for NPIS plants, FSIS can empower establishments to adjust for this lost production.

*i. An Illustration Using a Hypothetical Inspection-Shortage Scenario Demonstrates the Necessity of the Requested Waiver*

The chart below (Table 1) illustrates how, in a hypothetical scenario, an establishment could use this temporary flexibility to ensure continued operations and consistent overall output. In this example, assume an NPIS plant ordinarily operates three evisceration lines at 140 bpm. Each line runs for two 8-hour shifts, five days a week. Under normal operations (Scenario 1), each line can process 8,400 birds in one hour (140 bpm x 60 minutes). Across all three lines, operating at two 8-hour shifts per day, the plant can process 2,016,000 birds in a week. Scenario 2 shows the effect of a hypothetical inspector shortage in which FSIS can provide enough inspectors for only two of the plant's evisceration lines. Even if the plant adds a Saturday shift, production still falls 403,200 birds short of planned output. That equates to approximately 20 broiler grow-out houses of birds that still need to be processed. As outlined in Scenario 3, however, if the

<sup>9</sup> President of the United States, Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak (March 13, 2020), <https://www.whitehouse.gov/presidential-actions/proclamation-declaring-national-emergency-concerning-novel-coronavirus-disease-covid-19-outbreak/>.

<sup>10</sup> The President's Coronavirus Guidelines for America (March 16, 2020), [https://www.whitehouse.gov/wp-content/uploads/2020/03/03.16.20\\_coronavirus-guidance\\_8.5x11\\_315PM.pdf](https://www.whitehouse.gov/wp-content/uploads/2020/03/03.16.20_coronavirus-guidance_8.5x11_315PM.pdf).

<sup>11</sup> 9 C.F.R. § 381.3(b).

establishment can use a waiver to operate the two remaining lines at 175 bpm and add Saturday production, it can make up for the lost inspector staffing.

**Table 1: Plant Production Under Inspector Shortages**

|                                             | <b>Scenario 1</b>                                   | <b>Scenario 2</b>                                                        | <b>Scenario 3</b>                                                                |
|---------------------------------------------|-----------------------------------------------------|--------------------------------------------------------------------------|----------------------------------------------------------------------------------|
|                                             | Regular Operations<br><i>Three lines at 140 bpm</i> | No Inspection for One Line<br><i>Two lines at 140 bpm, plus Saturday</i> | No Inspection for One Line; Waiver<br><i>Two lines at 175 bpm, plus Saturday</i> |
| No. Lines / Line Speed                      | 3 Lines / 140 bpm                                   | 2 Lines / 140 bpm                                                        | 2 Lines / 175 bpm                                                                |
| Birds per hour per line                     | 8,400                                               | 8,400                                                                    | 10,500                                                                           |
| Birds per line per shift                    | 67,200                                              | 67,200                                                                   | 84,000                                                                           |
| Birds per line per day (two shifts)         | 134,400                                             | 134,400                                                                  | 168,000                                                                          |
| Birds per line per week (5 day workweek)    | 672,000                                             | 806,400                                                                  | 1,008,000                                                                        |
| <b>Birds per week</b>                       | <b>2,016,000</b>                                    | <b>1,612,800</b>                                                         | <b>2,016,000</b>                                                                 |
| <b>Production Shortage (birds per week)</b> | <b>n/a</b>                                          | <b>(403,200)</b>                                                         | <b>0</b>                                                                         |

Various permutations of these scenarios might also occur: an establishment might lose one entire shift for one or more days, or it might not have inspector staffing at all for one or more days. In each instance, however, the establishment could make up for a significant amount of the lost operating capacity by temporarily increasing line speeds to ensure it can continue to process birds over the course of a week. Similarly, this flexibility can help establishments accommodate production disruptions due to establishment staffing issues. If, for example, a large number of establishment employees are quarantined, which could require that a line be taken down until staffing can be rearranged, the establishment could increase output on other production lines to make up for the lost capacity. This would have the added benefit of potentially avoiding overtime or weekend processing, which would help conserve the need for FSIS inspectors.

Importantly, as this example suggests, a temporary line speed waiver must be in place before an inspector shortage occurs. Establishments must be able to quickly adjust line speeds, sometimes with only a few hours' notice, to accommodate unexpected changes to inspection staffing during the COVID-19 crisis. There is insufficient time for establishments to secure individual waivers on a case-by-case basis, and such a process would needlessly drain FSIS's resources.

*ii. The Requested Waiver is Appropriately Tailored and Self-Limiting*

The requested waiver is appropriate for addressing the problem of inspector shortages and production disruption. First, as explained in the following section, food safety will continue to be protected under the waiver.

Second, the requested waiver is focused on establishments operating under NPIS. NPIS is FSIS's modernized inspection system, designed to flexibly accommodate innovation and change. These establishments would most easily be able to increase line speeds, and the inspection processes at these establishment are best suited for higher line speeds. Although the NPIS regulations limit line speeds to 140 bpm, in reality, plants configured to operate under NPIS are typically capable of operating at line speeds significantly higher than 140 bpm. Indeed, HIMP plants had long been operating at speeds of up to 175 bpm, and FSIS has issued a number of waivers to allow NPIS plants to operate at line speeds of up to 175

bpm.<sup>12</sup> In fact, much of the equipment and technology used at NPIS plants would allow for even faster operation while still maintaining process control.

Third, this waiver would not compromise establishment or FSIS inspector safety. The evisceration process is highly automated and involves little human interaction with birds moving on the line. There is no material difference in how employees or inspectors interact with carcasses at 140 bpm, 175 bpm, or faster. To the extent a plant might use a manual debone or portioning process, that occurs after birds exit the chiller and on an entirely different set of equipment and under separate process flows than the evisceration line; the NPIS line speed limit applies to the evisceration line. Experience with HIMP plants and NPIS plants with line speed waivers has established that evisceration lines may be operated safely at speeds of 175 bpm. Further, federal and state worker safety oversight would continue to apply.

Fourth, line speeds will be inherently self-limiting under this waiver. It takes several months from the time chick placements are planned to when those birds are ready for harvesting. Establishments will only be able to process birds that are ready for harvest at a given time, and those birds were placed with the currently scheduled production outputs in mind. Even if an establishment would want to run at exceedingly high line speeds, it simply would not have birds available to process. Plants will also be constrained by supply-and-demand based market signals. In other words, establishments would be expected to increase line speeds as necessary to ensure continued output at planned levels despite inspector shortages.

#### *D. The Requested Waiver Does Not Conflict with the PPIA*

Temporarily waiving line speed limits for NPIS plants is “not in conflict with the purposes or provisions of the Act.”<sup>13</sup> Chicken produced under a temporary line speed waiver would not be adulterated or misbranded and would be fully compliant with the PPIA.

First, the NPIS line speed limits reflect a regulatory decision, not a statutory requirement. The PPIA imposes no line speed limits, nor does it instruct FSIS to do so. Moreover, carcass-by-carcass inspection would continue, consistent with the statute.

Second, the requested action would not compromise food safety and would not result in the production of adulterated products. Although NPIS line speeds currently are capped by regulation at 140 bpm, there is ample evidence that establishments may operate evisceration lines safely at significantly higher speeds. Based on its experience with HIMP, FSIS initially proposed a 175 bpm line speed cap for NPIS plants.<sup>14</sup> When it issued the NPIS final rule, FSIS did not dispute that establishments could operate safely at higher speeds.<sup>15</sup> In fact, FSIS reinforced that HIMP data “demonstrate that establishments operating under HIMP are able to maintain process control at line speeds of up to 175 bpm”<sup>16</sup> and that “HIMP establishments operating at the line speeds authorized under HIMP were capable of consistently producing safe, wholesome, and unadulterated product, and that they consistently met pathogen reduction and other

<sup>12</sup> See Food Safety and Inspection Service New Technology Information Table (last update October 2019), <https://www.fsis.usda.gov/wps/wcm/connect/849de831-41cb-4e72-bbb4-4265240af51e/new-technologies-table.pdf?MOD=AJPERES>.

<sup>13</sup> 9 C.F.R. § 381.3(b).

<sup>14</sup> 77 Fed. Reg. 4408, 4454 (Jan. 27, 2012).

<sup>15</sup> Instead, FSIS cited evidence that HIMP plants on average operated their evisceration lines at speeds well below 175 bpm. See 79 Fed. Reg. 49566, 49567 (Aug. 21, 2014).

<sup>16</sup> *Id.* at 49591.

performance standards.”<sup>17</sup> As part of the NPIS final rule, FSIS expressly allowed the former HIMP plants to continue operating at up to 175 birds per minute, and FSIS has issued a number of line speed waivers allowing other NPIS plants to operate at up to that same speed. All of those establishments are currently in FSIS *Salmonella* Performance Standard category 1 or 2 for whole birds. In reality, many NPIS plants have equipment and technologies that would allow for even faster operation while maintaining process control.

Third, NPIS’s more efficient use of inspectors means that offline inspectors could continue to perform verification inspection tasks to ensure that the chicken continues to be produced safely.

Finally, FSIS has a long history of waiving line speed limits using this same regulatory provision to allow for technological innovation, including under the decades-long HIMP program and the current NPIS line speed waivers. Those waivers were all fully consistent with the PPIA. The requested temporary emergency waiver would be no different.

### **Conclusion**

NCC appreciates USDA’s leadership during these challenging times. While we have confidence that American resiliency will once more prevail, we recognize this will remain a challenging process, and the nation must have a plan in place to ensure that America’s supply of chicken remains steady. To be clear, today we have an ample supply of chicken. NCC members are working hard to keep it that way, and we respectfully request FSIS exercise its waiver authority to support this effort.

Thank you for your attention and please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Brown", is positioned above the typed name and title.

Mike Brown  
President  
National Chicken Council

<sup>17</sup> *Id.*

**From:** [Smith, Ashley - OSEC, Washington, DC](#)  
**To:** (b) (6)@chickenusa.org; [Boswell, Kristi - OSEC, Washington, DC](#); [Johansson, Robert - OCE, Washington, DC](#); [Brady, Lillie - OSEC, Washington, DC](#); [Young, Joby - OSEC, Washington, DC](#); [Harrison Kircher](#);  
(b) (6)@chickenusa.org; [Willits, Ashley - OSEC, Washington, DC](#); [Hoskins, Dudley - OSEC, Washington, DC](#); [Rollins, Blake - OSEC, Washington, DC](#); [Walker, Lorren - OSEC, Washington, DC](#); [Crosswhite, Caleb - APHIS](#)  
**Cc:** [Arita, Shawn - OCE, Washington, DC](#); [Hungerford, Ashley - OCE, Washington, DC](#)  
**Subject:** National Chicken Council/ USDA Call  
**Date:** Thursday, April 9, 2020 3:26:45 PM  
**Attachments:** [image001.png](#)

---

Please use (b) (6) as the security code. The line is now open. Thank you!

**Ashley Smith**

Confidential Assistant  
Office of the Secretary



United States Department of Agriculture

Office: (b) (6)

Cell: (b) (6)

**From:** [Harrison Kircher](#)  
**To:** [Boswell, Kristi - OSEC, Washington, DC](#); [Johansson, Robert - OCE, Washington, DC](#); [Brady, Lillie - OSEC, Washington, DC](#); [Young, Joby - OSEC, Washington, DC](#); [Hoskins, Dudley - OSEC, Washington, DC](#)  
**Cc:** [David Elrod \(b\) \(6\)@chickenusa.org](#); [Tom Super; \(b\) \(6\)@chickenusa.org](#); [John Watson](#)  
**Subject:** NCC Grower Support Letter  
**Date:** Friday, April 10, 2020 3:22:56 PM  
**Attachments:** [FINAL - NCC Farmer Relief Letter - Secretary Perdue.pdf](#)

---

Good Afternoon Kristi and Team,

Thank you very much for sharing your valuable time with NCC on yesterday's call. We very much appreciate all the continued efforts and partnership as we navigate these uncertain times.

One of the issues discussed was support for growers. Please find attached a letter to Secretary Perdue, copying Vice President Pence, regarding COVID's impact on the supply chain, and potential opportunities to support growers in the future.

We look forward to continuing working together in the months ahead.

Thank you for your continued support and please don't hesitate to contact us with any questions.

-Harrison

**Harrison Kircher** | Vice President, Government Affairs  
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1152 FIFTEENTH STREET NW, SUITE 430  
WASHINGTON, DC 20005  
PHONE: 202-296-2622

April 10, 2020

Mr. Sonny Perdue  
Secretary of Agriculture  
U.S. Department of Agriculture  
1400 Pennsylvania Avenue, SW  
Washington, D.C. 20250

Dear Mr. Secretary:

National Chicken Council members are grateful for the ongoing support the U.S. Department of Agriculture (USDA) has provided during the COVID-19 outbreak. Your leadership has been critical to providing for a more stable chicken supply chain. America's chicken producers and processors have a long history of adapting to difficult situations and meeting changing demand to provide a safe, secure food supply and we are confident this time will be no different. However, despite current efforts, the chicken supply chain is suffering greatly from the unexpected and devastating effects of the COVID-19 outbreak that has seriously impacted livelihoods and food consumption patterns.

As a result of reduced workforce at processing plants, foodservice demand vanishing virtually overnight, historically high cold storage supply levels and a potential loss of international trade market access due to the recent detection of highly pathogenic avian influenza (HPAI), some chicken processors have begun to reduce eggs set to reflect decreased demand and to avoid any potential animal welfare concerns. One implication of trying to manage the supply chain in this way is the potential of delayed bird placements to family farmers that chicken processors partner with to raise chickens.

These cutbacks are not the fault of the farmers or chicken processors, but instead are merely a reflection of truly unprecedented and trying market conditions due to COVID-19. We expect processors to stand by our family farmers during this time and to honor their contracts, however we urge USDA to provide targeted aid to these producers through resources available to the Department.

We understand that Congress included within the Coronavirus Aid, Response and Economic Security (CARES) Act \$14 billion in funding authorized to the Commodity Credit Corporation as well as \$9.5 billion authorized at your discretion to assist distressed agricultural producers as a result of COVID-19. We also understand there are other tools and monies at the government's disposal to address these and similar situations during this time of economic uncertainty. We are also aware of President Trump's recent directive to provide relief to farmers and ask that you include relief for chicken farmers who may be directly impacted by reduced demand for chicken. These farmers are faced with overhead costs and any downtime will bring great financial pressure upon them.

The essential and critical industries have exhibited extreme resilience – working to care for, feed, and protect Americans – and are selflessly serving the nation by showing up to work during this time of

crisis. While the value of the work by our public health professionals, first responders, and public safety employees is unquestioned, we must also adequately recognize the service of our farmers who wake up every day to protect our food security.

NCC eagerly looks forward to partnering with you and Vice President Pence's Task Force and the many dedicated officials at the Department to continue to work toward creative solutions to target help to America's family farmers, including those who raise broilers in partnership with NCC processor members. Please advise how best we can help facilitate the implementation of such relief efforts in a timely and constructive way.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mike Brown', is centered below the text.

Mike Brown  
President, National Chicken Council

cc: The Honorable Mike Pence, Vice President of the United States

**From:** [Ashley Peterson](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Cc:** [Newsome, Shawna - OSEC, Washington, DC](#)  
**Subject:** NCC Letter on Line Speeds: Public Health Emergency  
**Date:** Monday, April 13, 2020 2:28:54 PM  
**Attachments:** [NCC Letter to FSIS Re Waiver of Line Speed Requirements During COVID-19 Public Health Emergency \(003\).pdf](#)

---

Good afternoon Dr. Brashears –

I hope this email finds you well. Attached you will find a letter encouraging that the Agency consider removing the current line speed cap in light of business disruptions caused by COVID-19. Please feel free to contact me directly should you have any questions.

Thank you in advance for your consideration,  
Ashley

**Ashley B. Peterson, Ph.D.** | Senior Vice President, Scientific and Regulatory Affairs

NATIONAL CHICKEN COUNCIL

1152 Fifteenth Street, NW Suite 430 | Washington, DC 20005

C: (b) (6)

D: (b) (6)

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**From:** [Julie Anna Potts](#)  
**To:** [Ibach, Greg - OSEC, Washington, DC](#); [Brashears, Mindy - OSEC, Washington, DC](#)  
**Cc:** [Newsome, Shawna - OSEC, Washington, DC](#); [Walker, Lorren - OSEC, Washington, DC](#)  
**Subject:** new CA guidance  
**Date:** Friday, May 15, 2020 9:51:01 AM  
**Attachments:** [California COVID-19 Industry Guidance for Food Packing and Processing.pdf](#)

---

Good morning, we just received this CA guidance this morning, but it looks like it was published on May 12. Please see the statement at the bottom of page 7: “Practice six-foot physical distancing to the greatest extent possible, **even if this means production slows down.**”

JAP

Julie Anna Potts  
President & CEO  
North American Meat Institute

(b) [@meatinstitute.org](#)

(b) (6) o)

(b) (6) c)





# COVID-19 INDUSTRY GUIDANCE: Food Packing and Processing

May 12, 2020

[covid19.ca.gov](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/industry-guidance-food-packing-and-processing.aspx)



# OVERVIEW

On March 19, 2020, the State Public Health Officer and Director of the California Department of Public Health issued an order requiring most Californians to stay at home to disrupt the spread of COVID-19 among the population.

The impact of COVID-19 on the health of Californians is not yet fully known. Reported illness ranges from very mild (some people have no symptoms) to severe illness that may result in death. Certain groups, including people aged 65 or older and those with serious underlying medical conditions, such as heart or lung disease or diabetes, are at higher risk of hospitalization and serious complications. Transmission is most likely when people are in close contact with an infected person, even if that person does not have any symptoms or has not yet developed symptoms.

Precise information about the number and rates of COVID-19 by industry or occupational groups, including among critical infrastructure workers, is not available at this time. There have been multiple outbreaks in a range of workplaces, indicating that workers are at risk of acquiring or transmitting COVID-19 infection. Examples of these workplaces include long-term care facilities, prisons, food production, warehouses, meat processing plants, and grocery stores.

As stay-at-home orders are modified, it is essential that all possible steps be taken to ensure the safety of workers and the public.

Key prevention practices include:

- ✓ physical distancing to the maximum extent possible,
- ✓ use of face coverings by employees (where respiratory protection is not required) and customers/clients,
- ✓ frequent handwashing and regular cleaning and disinfection,
- ✓ training employees on these and other elements of the COVID-19 prevention plan.

In addition, it will be critical to have in place appropriate processes to identify new cases of illness in workplaces and, when they are identified, to intervene quickly and work with public health authorities to halt the spread of the virus.

## Purpose

This document provides guidance for facilities that process or pack meat, dairy, or produce to support a safe, clean environment for workers. The guidance is not intended to revoke or repeal any employee rights, either statutory, regulatory or collectively bargained, and is not exhaustive, as it does not include county health orders, nor is it a substitute for any existing safety and health-related regulatory requirements such as those of Cal/OSHA.<sup>1</sup> Stay current on changes to public health guidance and state/local orders, as the COVID-19 situation continues. Cal/OSHA has more comprehensive guidance on their [Cal/OSHA Interim General Guidelines on Protecting Workers from COVID-19 webpage](#). CDC and federal OSHA have specific guidelines for [Meat and Poultry Processing](#).



## Worksite Specific Plan

- Establish a written, worksite-specific COVID-19 prevention plan at every facility, perform a comprehensive risk assessment of all work areas, and designate a person at each facility to implement the plan.
- Identify contact information for the local health department where the facility is located, for communicating information about COVID-19 outbreaks among employees.
- Train and communicate with employees and employee representatives on the plan.
- Regularly evaluate the workplace for compliance with the plan and document and correct deficiencies identified.
- Investigate any COVID-19 illness and determine if any work-related factors could have contributed to risk of infection. Update the plan as needed to prevent further cases.
- Identify close contacts (within six feet for 15 minutes or more) of an infected employee and take steps to isolate COVID-19 positive employee(s) and close contacts.
- Adhere to the guidelines below. Failure to do so could result in workplace illnesses that may cause operations to be temporarily closed or limited.



## Topics for Employee Training

- Information on [COVID-19](#), how to prevent it from spreading, and which underlying health conditions may make individuals more susceptible to contracting the virus.
- Self-screening at home, including temperature and/or symptom checks using [CDC guidelines](#).
- The importance of not coming to work if employees have a frequent cough, fever, difficulty breathing, chills, muscle pain, headache, sore throat, recent loss of taste or smell, or if they or someone they live with have been diagnosed with COVID-19.
- To seek medical attention if their symptoms become severe, including persistent pain or pressure in the chest, confusion, or bluish lips or face. Updates and further details are available on [CDC's webpage](#).

- The importance of frequent handwashing with soap and water, including scrubbing with soap for 20 seconds (or using hand sanitizer with at least 60% ethanol or 70% isopropanol when employees cannot get to a sink or handwashing station, per [CDC guidelines](#)).
- The importance of physical distancing, both at work and off work time (see Physical Distancing section below).
- Proper use of face coverings, including:
  - Face coverings do not protect the wearer and are not personal protective equipment (PPE).
  - Face coverings can help protect people near the wearer, but do not replace the need for physical distancing and frequent handwashing.
  - Employees should wash or sanitize hands before and after using or adjusting face coverings.
  - Avoid touching eyes, nose, and mouth.
  - Face coverings should be washed after each shift.
- Ensure temporary or contract workers at the facility are also properly trained in COVID-19 prevention policies and have necessary PPE. Discuss these responsibilities ahead of time with organizations supplying temporary and/or contract workers.
- Information on employer or government-sponsored leave benefits the employee may be entitled to receive that would make it financially easier to stay at home. See additional information on [government programs supporting sick leave and worker's compensation for COVID-19](#), including employee's sick leave rights under the [Families First Coronavirus Response Act](#) and the Governor's [Executive Order N-51-20](#), and employee's rights to workers' compensation benefits and presumption of the work-relatedness of COVID-19 pursuant to the Governor's [Executive order N-62-20](#).



## Individual Control Measures and Screening

- Provide temperature and/or symptom screenings for all workers at the beginning of their shift and any personnel entering the facility. Make sure the temperature/symptom screener avoids close contact with workers to the extent possible. Both screeners and employees should wear face coverings for the screening.

- If requiring self-screening at home, which is an appropriate alternative to providing it at the establishment, ensure that screening was performed prior to the worker leaving the home for their shift and follows [CDC guidelines](#), as described in the Topics for Employee Training section above.
- Encourage workers who are sick or exhibiting symptoms of COVID-19 to stay home.
- Employers should provide and ensure workers use all required protective equipment, including face coverings and gloves where necessary.
- Employers should consider where disposable glove use may be helpful to supplement frequent handwashing or use of hand sanitizer; examples are for workers who are screening others for symptoms or handling commonly touched items.
- Workers (including contractors, temporary workers, and visitors) who are not otherwise required to wear respiratory protection are strongly recommended to wear face coverings at all times while on-site (e.g., production and processing rooms, offices, test kitchens, product or process development pilot plants/kitchens, walk-in freezers and coolers, laboratories, welfare areas, maintenance shops, distribution centers, barns, farms, feed mills, hatcheries). Face coverings must not be shared.
- Non-employees entering the facility should be restricted to only those classified as essential by management and should complete a temperature and/or symptom screening before entering. Contractors, drivers, and all U.S. Department of Agriculture (USDA) or U.S. Food and Drug Administration (FDA) inspectors, and other regulatory officials entering the plant should wear face coverings.



## Cleaning and Disinfecting Protocols

- Perform thorough cleaning in high traffic areas, such as break rooms, lunch areas, changing areas, work stations and areas of ingress and egress including stairways, stairwells, handrails, and elevator controls. Frequently disinfect commonly used surfaces, including timeclocks, bathroom fixtures, break room tables and chairs, locker rooms, and vending machines.
- Implement disinfection procedures in non-production areas (welfare areas, hallways, etc.) to support enhanced hand hygiene practices.

- All tools, equipment and controls should be cleaned between shifts or between users, whichever is more frequent. Coordinate cleaning product use with the USDA and/or FDA if used in food production areas.
- Ensure delivery vehicles and equipment are cleaned before and after delivery routes, carry additional sanitation materials during deliveries, and use clean personal protective equipment for each delivery stop.
- Avoid sharing phones, desks, offices, or other work tools and equipment, when possible. If necessary, clean and disinfect them before and after each use.
- Hard hats and face shields must be sanitized at the end of each shift. Clean the inside of the face shield, then the outside, then wash hands.
- Ensure sanitary facilities (restrooms and handwashing stations with soap and hand sanitizer) are provided at all workplaces. Ensure that these facilities stay operational and stocked at all times and provide additional soap, paper towels, and hand sanitizer when needed. No-touch sinks, soap dispensers, sanitizer dispensers, and paper towel dispensers should be installed whenever possible.
- Provide time for workers to implement cleaning practices during their shift. Cleaning assignments should be assigned during working hours as part of the employee's job duties.
- Stagger breaks and provide additional sanitary facilities if feasible and necessary to maintain physical distancing during scheduled breaks.
- When choosing cleaning chemicals, employers should use products approved for use against COVID-19 included on the [Environmental Protection Agency \(EPA\)-approved](#) list and follow product instructions. Use disinfectants labeled to be effective against emerging viral pathogens, diluted household bleach solutions (5 tablespoons per gallon of water), or alcohol solutions with at least 70% alcohol that are appropriate for the surface. Provide employees training on manufacturer's directions and Cal/OSHA requirements for safe use. Workers using cleaners or disinfectants should wear gloves as required by the product instructions.
- Consider installing portable high-efficiency air cleaners, upgrading the building's air filters to the highest efficiency possible, and making other modifications to increase the quantity of outside air and ventilation in offices and other spaces.

- If fans are used in the facility, ensure that fans blow clean air at the workers' breathing zone.
- Modify offerings in on-site cafeterias, including using prepackaged foods, and safe options for drink, condiment, and flatware dispensing.



## Physical Distancing Guidelines

- Food processing workers often work in close proximity on industrial equipment and lines. In order to ensure these workers' safety, physical distancing in the workplace must be practiced. Implement measures to ensure physical distancing of at least six feet between workers whenever possible. This can include use of physical partitions or visual cues (e.g., floor markings, colored tape, or signs to indicate to where workers should stand).
- Modify the alignment of workstations, including along processing lines, if feasible, so that workers are at least six feet apart in all directions (e.g., side-to-side and when facing one another). Ideally, modify the alignment of workstations so that workers do not face one another. Consider using markings and signs to remind workers to maintain their location at their station away from each other and practice physical distancing on breaks.
- Use physical barriers, such as strip curtains, Plexiglas or similar materials, or other impermeable dividers or partitions, to separate packing or processing workers from each other, if feasible.
- Designate workers to monitor and facilitate distancing on processing floor lines.
- If necessary to ensure physical distancing, increase the number of shifts in a day, slow down the line speeds, and space out workers in accordance with CDC guidelines. Practice six-foot physical distancing to the greatest extent possible, even if this means production slows down.
- Employers may determine that adjusting processing or production lines, shifts, and staggering workers across shifts would help to maintain overall packing or processing capacity while measures to minimize exposure to the virus are in place. For example, a plant that normally operates on one daytime shift may be able to split workers into two or three shifts throughout a 24-hour period. In packing or processing plants, one shift may need to be reserved for cleaning and sanitization.

- Consider offering workers who request modified duties options that minimize their contact with customers and other employees (e.g., managing inventory rather than working as a cashier or managing administrative needs through telework).
- Consider cohorting (grouping together) workers. This can increase the effectiveness of altering the plant's normal shift schedules by making sure that groups of workers are always assigned to the same shifts with the same coworkers. Cohorting may reduce the spread of workplace transmission by minimizing the number of different individuals who come into close contact with each other over the course of a week. Cohorting may also reduce the number of workers quarantined because of exposure to the virus.
- Place additional limitations on the number of workers in enclosed areas to ensure at least six feet of separation to limit transmission of the virus.
- One-way pathways should be delineated to avoid employees coming into close contact in narrow hallways.
- Modify or stagger start times and alternate locker locations to increase physical distancing inside locker rooms and at the time clock.
- Because food processing workers often have uniform break times, which can mean hundreds of workers congregating in break rooms and cafeteria spaces at once, stagger breaks to limit the number of workers in a break room or cafeteria at the same time.
- Add barriers, remove or rearrange chairs and tables, or add partitions to tables, in break rooms and other areas workers may frequent to increase worker separation and ensure workers do not face each other. Identify alternative areas to accommodate overflow volume such as training and conference rooms or using outside tents for break and lunch areas.
- Limit the number of individuals in meetings and limit the number of participants in new hire orientations and other trainings. Provide virtual meeting and training opportunities wherever possible.
- Implement protocols to keep drivers in their trucks while on property, providing them a non-contact delivery protocol at the security gate.
- Designate drop-off locations to receive deliveries away from on-site high traffic areas. Maintain physical distance of at least six feet from delivery drivers. Do not shake hands.

- Call recipients ahead when making deliveries. Deliver to confirmed drop-off locations that eliminate physical contact with recipients.
- Encourage workers to avoid carpooling to and from work, if possible. If carpooling or using company shuttle vehicles is a necessity for workers, the following control practices should be used:
  - Limit the number of people per vehicle as much as possible. This may mean using more vehicles.
  - Encourage employees to maintain physical distancing as much as possible within the vehicle.
  - Encourage employees to use hand hygiene before entering the vehicle and when arriving at the destination.
  - Encourage employees in a shared van or car space to wear cloth face coverings.
  - Clean and disinfect commonly touched surfaces after each carpool or shuttle trip (e.g., door handles, handrails, seat belts, seat belt buckles).
  - Encourage employees to follow coughing and sneezing etiquette when in the vehicle.



## Additional Guidelines

- Visit the [California Department of Food and Agriculture COVID-19 Website](#) for additional guidance on:
  - Livestock Markets,
  - Farmers Markets,
  - Farms and Ranches,
  - Nurseries
  - Other related facilities
- See the [CDC's update on Meat and Poultry Processing Facilities](#) for additional guidance.

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<sup>1</sup>Additional requirements must be considered for vulnerable populations. The food packing and processing industry must comply with all [Cal/OSHA](#) standards and be prepared to adhere to its guidance as well as guidance from the [Centers for Disease Control and Prevention \(CDC\)](#) and the [California Department of Public Health \(CDPH\)](#). Additionally, employers must be prepared to alter their operations as those guidelines change.



**From:** [Ashley Peterson](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** Poultry Testing Options  
**Date:** Sunday, April 26, 2020 3:32:08 PM  
**Attachments:** (b) (4)

---

Just a draft – focused on (b) (4)

**Ashley B. Peterson, Ph.D.** | Senior Vice President, Scientific and Regulatory Affairs

NATIONAL CHICKEN COUNCIL

1152 Fifteenth Street, NW Suite 430 | Washington, DC 20005

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**From:** [Young, Joby - OSEC, Washington, DC](#)  
**To:** [\(b\) \(6\)@smithfield.com](#)  
**Cc:** [Willits, Ashley - OSEC, Washington, DC](#)  
**Subject:** PPE  
**Date:** Tuesday, April 14, 2020 10:48:55 AM

---

Sir-

Can you please share with me the list of PPE needs that you just mentioned?

Thank you-

Joby

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

From: [Brashears, Mindy - OSEC, Wash npton, DC](#)  
To: [John K Berry](#)  
Cc: [\[REDACTED\]@jbssa.com](#)  
Subject: [\[REDACTED\]](#)  
Date: [Wednesday, March 25, 2020 5:49:00 PM](#)

---

John,  
Thank you so much. I am grateful for the confirmation and I am excited to continue leading at FSIS. Our relationship with our international stakeholders is important and I look forward to continuing to work with you.  
Please stay safe and have a good day!

Mindy

-----Original Message-----  
From: John K Berry [\[REDACTED\]@jbssa.com.au](#)>  
Sent: Wednesday, March 25, 2020 5:48 PM  
To: 'Brashears, Mindy - OSEC, Washington, DC' <[Mindy.Brashears@usda.gov](#)>  
Cc: [\[REDACTED\]@jbssa.com](#)  
Subject: [\[REDACTED\]](#)

Dear Mindy

Woke up down here in Australia this morning to see the great news of your confirmed appointment as Undersecretary of Food Safety.

Congratulations and well done.

Regards

John

John Berry  
Head of Corporate and Regulatory Affairs E. John.Berry@jbssa.com.au <[mailto:\[REDACTED\]@jbssa.com.au](#)>

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LinkedIn-<https://gc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.linkedin.com%2Fcompany%2Fjbssa-australia&data=02%7C01%7C%7C1596b1352503412d88ba08d7d0f56107%7Ced5b36e701ce4ebc867ec03fa0d4697%7C0%7C637207624648022150&data=keYgu4cXkCRHsm9GzMy4KqQgSz8JCv4vuM56k7G%2BU%3D&reserved=0>

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**From:** [Herzfeld\\_Shannon](#)  
**To:** [Young Joby - OSEC, Washington, DC](#); [Randy Russell \(b\) \(6\) @russellgroupdc.com](#); [Chuck Conner \(b\) \(6\) @ncfc.org](#); [Dykes Michael - FASContact \(b\) \(6\) @cargill.com](#)  
**Subject:** RE: [EXTERNAL] Fwd: Critical Infrastructure Guidance Amplification  
**Date:** Thursday, March 19, 2020 5:43:02 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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Thanks, Joby.

I was able to participate in a briefing on this held by DHS/CISA this afternoon. The Administrator stressed that they are socializing this guidance to their state and local stakeholders. But he stressed that if we hit a snag relating to a state or local official not understanding that food/feed ag is a designated essential critical workforce, to let them know at:

[CISA.CAT@CISA.GOV](mailto:CISA.CAT@CISA.GOV)

He indicated that they monitor this continuously and they seemed primed and anxious to help. He also indicated in the Q&A part that they are also liaising closely with the Coast Guard so if there are concerns about the functioning of our ports, to also let them know.

Very helpful. Thanks, Joby.

Shannon



**Shannon S.S. Herzfeld**  
Vice President – Global Government Relations

**ADM**  
1212 New York Avenue, NW  
Suite 1275  
Washington, DC 20005 USA

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[adm.com](http://adm.com)

---

**From:** Young, Joby - OSEC, Washington, DC [mailto:joby.young@usda.gov]  
**Sent:** Thursday, March 19, 2020 5:35 PM  
**To:** Randy Russell (b) (6) @russellgroupdc.com (b) (6) @russellgroupdc.com; Chuck Conner (b) (6) @ncfc.org (b) (6) @ncfc.org; Herzfeld, Shannon (b) (6) @adm.com; Dykes Michael - FASContact (b) (6) @idfa.org; (b) (6) @cargill.com  
**Subject:** [EXTERNAL] Fwd: Critical Infrastructure Guidance Amplification

I hope you all have seen this. Closing the loop with folks I've spoken to personally on this issue. Please let me know if you have any other questions or feedback.

<https://www.cisa.gov/news/2020/03/19/cisa-releases-guidance-essential-critical-infrastructure-workers-during-covid-19>

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

---

**From:** Brady, Lillie - OSEC, Washington, DC <lillie.brady@usda.gov>  
**Sent:** Thursday, March 19, 2020 3:40 PM  
**Cc:** Willits, Ashley - OSEC, Washington, DC <ashley.willits@usda.gov>  
**Subject:** Critical Infrastructure Guidance Amplification

Good afternoon!

Attached is the final DHS memo and guidance regarding Essential Critical Infrastructure combined both into one PDF for ease. These will be posted on CISA's website at [CISA.gov](http://CISA.gov). CISA's press release is also below.

Let us know if you have any questions!

Best,

Lillie

|  |                                                                                                                                                                                                  |
|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <b>Lillie J. Brady   Director</b>                                                                                                                                                                |
|  | External and Intergovernmental Affairs<br>United States Department of Agriculture<br>Office of the Secretary<br>Cell: (b) (6)   <a href="mailto:Lillie.Brady@usda.gov">Lillie.Brady@usda.gov</a> |



### CISA Releases Guidance on Essential Critical Infrastructure Workers During COVID-19

WASHINGTON – Today, the Cybersecurity and Infrastructure Security Agency (CISA) [released guidance](#) to help state and local jurisdictions and the private sector identify and manage their essential workforce while responding to COVID-19.

As the Nation comes together to slow the spread of COVID-19, on March 16, the President issued updated Coronavirus Guidance for America. This guidance states that:

*“If you work in a critical infrastructure industry, as defined by the Department of Homeland Security, such as healthcare services and pharmaceutical and food supply, you have a special responsibility to maintain your normal work schedule.”*

CISA executes the Secretary of Homeland Security’s responsibilities as assigned under the Homeland Security Act of 2002 to provide strategic guidance, promote a national unity of effort, and coordinate the overall Federal effort to ensure the security and resilience of the Nation’s critical infrastructure. The list of Essential Critical Infrastructure Workers was developed in coordination with Federal agencies and the private sector as a guide to help decision-makers within communities understand how to ensure continuity of essential functions and critical workforce as they consider COVID-related restrictions in certain communities (e.g., shelter-in-place). The list can also inform critical infrastructure community decision-making to determine the sectors, sub sectors, segments, or critical functions that should continue normal operations, appropriately modified to account for Centers for Disease Control (CDC) workforce and customer protection guidance. These critical functions include, but are not limited to, systems that support healthcare personnel (e.g., doctors, nurses, laboratory personnel, etc.), the food industry (e.g., retail groceries and pharmacies), communication providers (e.g., operator, call centers, IT data centers), defense systems support, law enforcement, public works, and other essential operations. Workers who support these critical functions are necessary to keep critical systems and assets working.

“As the nation comes together to slow the spread of COVID-19, everyone has a role to play in protecting public health and safety. Many of the men and women who work across our nation’s critical infrastructure industries are hard at work keeping the lights on, water flowing from the tap, groceries on the shelves, among other countless essential services,” said Christopher Krebs, CISA Director. “As the nation’s risk advisor, this list is meant to provide additional guidance to state and local partners, as well as industry, building on the President’s statement that critical infrastructure industries have a special responsibility to keep normal operations. We’re providing recommendations for these partners as they carry out their mission to keep their communities safe, healthy, and resilient. And on behalf of CISA, we thank the brave men and women who continue these essential jobs in challenging times.”

The list of Essential Critical Infrastructure Workers was developed using existing data and analysis, including publicly available analysis done by the [President’s National Infrastructure Advisory Council in 2007](#). The list does not impose any mandates on state or local jurisdictions or private companies.

CISA will use this list to support federal, state, local, tribal, and territorial government response to COVID-19. To view the full list of Essential Critical Infrastructure Workers and to learn more about our efforts, visit [www.cisa.gov/coronavirus](http://www.cisa.gov/coronavirus).

###

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**From:** [Kiecker, Paul - FSIS](#)  
**To:** [Tiffany Lee](#)  
**Cc:** [Julie Anna Potts; \(b\) \(6\) @meatinstitute.org; \(b\) \(6\) @meatinstitute.org; Norm Robertson; Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** RE: Carbon dioxide for stunning of hogs  
**Date:** Saturday, March 28, 2020 11:40:00 AM

---

Thanks, we are looking into this. If you could provide anything that shows what the chemical breakdown is of the many different variations that would be appreciated and I will pass that along to those working on the request. Since it is the responsibility of the industry to support the safety of the product I would expect to see supporting documentation for this request that clearly explains the difference in products and the possible safety concerns for product and the effectiveness of the various chemicals on stunning effectiveness. I believe that would be required from you as an absolute minimum. This is your responsibility to support and provide that information to FSIS for review.

Thanks,

Paul Kiecker  
Administrator  
Food Safety and Inspection Service  
1400 Independence Avenue, SW  
Room 331-E, J.L. Whitten Building  
Washington, DC 20250  
Office: (b) (6)  
Cell: (b) (6)  
[paul.kiecker@usda.gov](mailto:paul.kiecker@usda.gov)

---

**From:** Tiffany Lee (b) (6) @meatinstitute.org>  
**Sent:** Saturday, March 28, 2020 11:14 AM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>; Kiecker, Paul - FSIS <[paul.kiecker@usda.gov](mailto:paul.kiecker@usda.gov)>  
**Cc:** Julie Anna Potts (b) (6) @meatinstitute.org>; (b) (6) @meatinstitute.org; (b) (6) @meatinstitute.org; Norm Robertson (b) (6) @meatinstitute.org>  
**Subject:** Carbon dioxide for stunning of hogs  
**Importance:** High

Good morning Mindy and Paul,  
I'm contacting you regarding a question we've received from several members in the last day or so. Apologies for the lengthy email, but I want to give you as much information as possible.

Many companies are concerned that the availability of carbon dioxide (CO<sub>2</sub>) will drop significantly in the next week or two weeks due to ethanol plants slowing or completely stopping production, since oil prices have taken a nose-dive. An important byproduct of ethanol production is CO<sub>2</sub>. Approximately 25% of CO<sub>2</sub> is produced from ethanol plants, and they are an important source for member companies, as they are located in the same geographic region as many pork slaughter

establishments. However, CO<sub>2</sub> is a byproduct of the ethanol production process, and the ethanol producers will not keep plants open just to help produce a byproduct.

Most CO<sub>2</sub> produced is considered “food grade” rather than “commercial grade” because food grade CO<sub>2</sub> simply makes more money than commercial grade (which is 10-20% of all production, if the numbers I hear are correct). However, there are no regulatory requirements I can find stating what level of purity constitutes “food grade.” Please see [21 CFR 184.1240](#) for reference. The regulation states the ingredient is used in food with no limitations other than current good manufacturing practice. It appears that many manufacturing companies follow the International Society of Beverage Technologists (ISBT) Carbon Dioxide (CO<sub>2</sub>) Guidelines or the Food Chemicals Codex, but those are not publicly available. What I can find is that there appears to be a minimal difference in purity (99.9% or 99.5% vs. 99.0%, depending on the source) in food grade vs. commercial grade CO<sub>2</sub>.

My request to you is that the agency exercise flexibility when considering food grade vs. commercial grade CO<sub>2</sub> for CO<sub>2</sub> stunning of hogs. With the miniscule difference in purity percentages, we should see no difference in the effectiveness of the compound, and there should be no differences regarding any food safety matters, as the metabolism of the compound remains the same (in this case, it remains localized mainly to the lungs and the brain, as with any short-term anesthesia).

I’m happy to discuss further or answer any questions.

Thank you,

Tiffany

Tiffany Lee, DVM, PhD  
Director, Scientific & Regulatory Affairs  
North American Meat Institute

(b) [@meatinstitute.org](#)

(b) (6)

**From:** [Young, Joby - OSEC, Washington, DC](#)  
**To:** [Jake Kuhns](#)  
**Cc:** [Kathryn Unger](#); [Newsome, Shawna - OSEC, Washington, DC](#); [Shuford, Campbell - OSEC, Washington, DC](#)  
**Subject:** Re: Cargill begins to idle Schuyler, NE Beef Facility  
**Date:** Monday, May 4, 2020 4:39:16 PM

---

Got it. Thanks Jake. Some of our team copied.

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

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**From:** Jake Kuhns (b) (6) @cargill.com>  
**Sent:** Monday, May 4, 2020 4:25:06 PM  
**To:** Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>  
**Cc:** Kathryn Unger (b) (6) @cargill.com>  
**Subject:** Cargill begins to idle Schuyler, NE Beef Facility

Hi Joby – Some developments in Schuyler to be aware of.

We will begin the process to temporarily idle effective today, May 4. As we prioritize the health of our workers and collaborate with health officials, we are tentatively working toward the week of May 18 to resume operation. In partnership with the union, our employees will be paid the 36 hours per week as outlined in our collective agreement.

Please reach out with any questions,  
Jake

**Below is a comment attributable to Jon Nash, Cargill Protein – North America Lead**

“As we continue to prioritize the health and safety of Cargill employees, we have decided to temporarily idle our Schuyler protein facility. This was a difficult decision for our team as we operate an essential service, but our values are guiding our actions. Our focus now is continuing to keep our employees safe and getting our facility back to normal operations as soon as we can.

This was a difficult decision for our team who are operating an essential service and are committed to delivering food for local families and access to markets for farmers and ranchers. We care deeply about our employees and their safety. They are everyday heroes on the frontlines of our food system.

To prevent food waste, we will process nearly 8 million meals-worth of protein currently in our facility as quickly as possible. We greatly appreciate our employees who are working to complete this effort.

While this location is idled and we adapt to operating during a pandemic, our work doesn't stop. Cargill provides an essential service to the world—providing the ingredients, feed and food that nourishes people and animals. We are working with farmers and ranchers, our customers and our employees to supply food in this time of crisis and keep markets moving.”

Jake Kuhns  
Director, Federal Government Relations



direct: (b) (6) | mobile: (b) (6)  
[www.cargill.com](http://www.cargill.com)

**From:** [Lindsay, Sally - OSEC Washington, DC](#)  
**To:** [Jake Kuhns](#)  
**Cc:** [Young, Joby - OSEC, Washington, DC](#)  
**Subject:** RE: Cargill Plants Reopen  
**Date:** Tuesday, May 19, 2020 7:00:46 PM

---

Hi Jake,

Thanks for your email bearing great news. Joby asked me to let you know that he received it, and that it'll be circulated to the appropriate folks in the department.

Sally

Sally Q. Lindsay  
Office of the Secretary

(b) (6)

---

**From:** Jake Kuhns (b) (6) @cargill.com>

**Sent:** Tuesday, May 19, 2020 6:15 PM

**To:** Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>; Walker, Lorren - OSEC, Washington, DC <Lorren.Walker@usda.gov>; Newsome, Shawna - OSEC, Washington, DC <Shawna.Nesome@usda.gov>

**Subject:** Cargill Plants Reopen

Good evening – I am writing to let you know that our Schuyler, Neb., protein facility reopened this week, following a 14-day idle period. Cargill currently has no fully-idled plants. Below, I am sharing a statement attributable to Sammy Renteria, General Manager for the Schuyler facility as well as additional background details on the restart.

Please let me know if you have any questions. I hope you're all well.

Jake

### **Statement attributable to Sammy Renteria, General Manager**

"In partnership with local health, regulatory and labor officials, we will reopen our facility in Schuyler, following a 14-day idle. We look forward to welcoming our employees back and are focused on their health and safety as we resume operations. We know being an essential worker is challenging and we thank our team for working so hard to deliver food for local families, access to markets for ranchers and products for our customers' shelves.

During the time the plant was idled, Cargill further enhanced safety measures in the plant. We installed work station barriers to create more distance between employees. In addition, we had the National Guard onsite to improve employee access to COVID-19 testing.

We continue to consult with health experts on implementing new protocols as they are identified to protect our employees from the community-wide impacts of the virus. These actions are taken in addition to the extensive safety measures already implemented at our facility for over a month. We welcomed the Union, East Central District Health Department, city and county emergency services and the Mayor to our facility for review of our practices and to validate the enhanced safety measures in our facility.

We care about our employees and this community because we live and work here. Our hearts are with our friends and colleagues who have been impacted by the virus. We will continue to put people first and do the right thing as we navigate this difficult time together.”

### **Background details**

Cargill’s Schuyler, Neb., Protein Facility resumed operations beginning May 18. We will increase capacity in a measured way as our employees return to work.

The facility was temporarily idled on May 4 out of an abundance of caution as our local workforce deals with the community-wide impact of COVID-19. In partnership with the union, our employees were paid the 36 hours per week as outlined in our collective agreement during the idle.

Cargill has encouraged employees to be tested. We have also stressed the importance of social distancing for those across the community who have been impacted by the virus. We have encouraged any employees who are sick or have been in contact with anyone with COVID-19 in the last 14 days to stay home. While operational, Cargill offers up to 80 hours of additional paid leave related to COVID-19.

We continue to work closely with local health officials to ensure appropriate prevention, testing, cleaning and quarantine protocols are followed within our facilities. For several weeks, we have taken extra steps to focus on safety and remain at normal operations – including temporary wage increases and bonuses for our employees who are on the frontlines of the food system.

We also implemented additional safety measures like temperature testing, enhanced cleaning and sanitizing, face coverings, screening between employee stations, prohibiting visitors, adopting social

distancing practices where possible and offering staggered breaks and shift flexibility. These measures will remain in place when we resume full operation. You can read more about our actions here: <https://www.cargill.com/story/statement-on-safety-in-cargill-north-american-protein-facilities>

*Jake Kuhns*  
*Director, Federal Government Relations*



direct: (b) (6) mobile: (b) (6)  
[www.cargill.com](http://www.cargill.com)

**From:** [Beal, Mary Dee - OSEC, Washington, DC](#)  
**To:** [Kathryn Unger](#); [Young, Joby - OSEC, Washington, DC](#); [Brady, Lillie - OSEC, Washington, DC](#)  
**Subject:** RE: Cargill Request for Additional Clarifications in CISA Guidance  
**Date:** Wednesday, March 25, 2020 7:25:50 PM

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Thank you, Kathryn. Helpful info to have.

And thanks for taking my call tonight!

MDB

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**From:** Kathryn Unger (b) (6) @cargill.com>  
**Sent:** Wednesday, March 25, 2020 6:06 PM  
**To:** Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>; Beal, Mary Dee - OSEC, Washington, DC <MaryDee.Beaal@usda.gov>; Brady, Lillie - OSEC, Washington, DC <lillie.brady@usda.gov>  
**Subject:** FW: Cargill Request for Additional Clarifications in CISA Guidance

Good evening. Since we are trying to follow the channels we have been given for providing feedback, this went out to CISA today. Passing along to you as an FYI so that you have complete information.

Regards,  
KU

*Kathryn Graves Unger  
Vice President, North America  
Government Relations*



direct: (b) (6)

mobile: (b) (6)

*Everyone has the obligation to STOP an unsafe activity.*

---

**From:** Ashley McKeon <(b) (6) @cargill.com>  
**Sent:** Wednesday, March 25, 2020 5:30 PM  
**To:** [CISA.CAT@cisa.dhs.gov](mailto:CISA.CAT@cisa.dhs.gov)  
**Cc:** Kathryn Unger (b) (6) @cargill.com>; Sarah Hargadon (b) (6) @cargill.com>  
**Subject:** Cargill Request for Additional Clarifications in CISA Guidance

To Whom It May Concern:

Cargill operates beef and poultry plants, animal feed and supplement plants, soybean crush and wet corn milling plants, other food ingredient, salt (food, industrial, road), and bioindustrial operations, financial services, and transportation and logistics operations throughout the U.S. and across our

northern and southern borders. We appreciate that these operations and workers are considered part of the critical infrastructure industry as defined the Department of Homeland Security Cybersecurity and Infrastructure Security Agency (CISA) in its March 19, 2020 guidance.

However, as we continue to review our operations and needs during this critical time, we request that CISA provide additional clarifications on other parts of our supply chain critical to us continuing to provide adequate supplies of food, feed and essential industrial products:

- Many of our sites across the country are engaging in capital expansion projects to increase capacity or add critical functionality to our facilities to grow the supply of food and feed we can provide to meet a growing global population. Cargill hires contractors to fulfill these projects. While we believe the current guidance would consider these contractors as essential workforce, we would like clarification that these contractors can continue to assist us in these capital expansion projects.
- We have many plants that make a product or ingredient that goes into a variety of food and industrial uses, most of which are covered by CISA but some not. We request clarification that so long as a substantial portion of an operation qualifies under CISA, we can keep operating the entire facility as essential.
- As many states have suspended school and childcare, our workers who, like medical professionals, are covered by CISA guidance and are dutifully reporting to work, are finding themselves without adequate child care arrangements. We request that childcare providers who are serving the children of essential workers be included under CISA guidance.
- We are seeing state-by-state orders addressing safety protocol in exempt locations. For instance, some localities are requiring 6ft social distancing for all operations with no exceptions. Please note that we have some facilities where it is not possible for us to meet the 6 foot separation guidance (e.g. meat production). We would like CISA to encourage a uniform standard that states/localities can apply with respect to how to properly contain the spread at exempt operations, including appropriate flexibilities for when we can't meet the current safety protocols while still continuing to operate, and to make these a requirement to maintain essential operations.
- Independent commercial truck wash facilities that are used for trailer and container wash outs are not currently covered by CISA guidance, and are treated inconsistently in existing state orders. These stations allow truck operators to meet biosecurity protocols by washing and sanitizing trailers and containers that haul products for food production. Washing these containers is necessary to protect the food safety, quality, and integrity of the agricultural supply chain and if they close it could have a huge impact on our ability to load and haul products for food production.
- The DHS guidance on the U.S. Canada Initiative and the U.S. Mexico Initiative to ensure continued cross border trade and facilitation of cross-border essential business is helpful, but carriers in our supply chain could use clearer guidance stating that Mexico, Canada, and the U.S. will not quarantine truck drivers crossing the border in the course of essential business.

Finally, we request that you continue to urge states and localities to rely on CISA guidance for any shelter-in-place or stay-at-home orders to ensure consistency across our supply chain and minimize disruptions in our ability to deliver critical food, feed and industrial products during this pandemic.

Thank you for CISA's support and leadership to date, We appreciate your review and consideration of these additional requests in any future CISA guidance. Please contact me with any questions.

Sincerely,

*Ashley Martin McKeon*  
*Director, Federal Government Relations*



direct: (b) (6) mobile: (b) (6)  
1030 15<sup>th</sup> St NW Suite 650 W  
Washington, D.C. 20005

**From:** [Skahill, Michael P.](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#); [Newsome, Shawna - OSEC, Washington, DC](#)  
**Cc:** [Young, Joby - OSEC, Washington, DC](#); [Rollins, Blake - OSEC, Washington, DC](#)  
**Subject:** RE: CDC & NIOSH Tour Sioux Falls in Monday  
**Date:** Monday, May 4, 2020 3:49:47 PM  
**Attachments:** [ATT00001.png](#)

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Dr. Brashears,

CDC and NIOSH just left the facility. Felt all things went well. What is next? Do we need a sign off from USDA FSIS? We would like to discuss protocol. Mike



Michael P. Skahill  
Vice President, Government Affairs

p: (b) (6) c: (b) (6)  
e: (b) (6)@smithfield.com

111 Commerce St.  
Smithfield, VA 23430

[smithfieldfoods.com](http://smithfieldfoods.com)

---

**From:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Sent:** Sunday, May 3, 2020 8:38 PM  
**To:** Skahill, Michael P. (b) (6)@smithfield.com>; Newsome, Shawna - OSEC, Washington, DC <Shawna.Newsomed@usda.gov>; Kiecker, Paul - FSIS <paul.kiecker@usda.gov>  
**Cc:** Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>; Rollins, Blake - OSEC, Washington, DC <blake.rollins@usda.gov>  
**Subject:** Re: CDC & NIOSH Tour Sioux Falls in Monday

Mike,

Thank you for reaching out. We are in close contact with CDC and NIOSH on the evaluation. The team has my cell number and I have asked to be notified directly if there are any concerns so they have direct access to USDA at a high level.

Please reach out to me if you encounter any concerns as well. I will be happy to discuss if needed.

Thank you.

Mindy.

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---

**From:** Skahill, Michael P. (b) (6)@smithfield.com>

**Sent:** Sunday, May 3, 2020 7:04:26 PM

**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>; Newsome, Shawna - OSEC, Washington, DC <[Shawna.Newsome@usda.gov](mailto:Shawna.Newsome@usda.gov)>; Kiecker, Paul - FSIS <[paul.kiecker@usda.gov](mailto:paul.kiecker@usda.gov)>

**Cc:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>; Rollins, Blake - OSEC, Washington, DC <[blake.rollins@usda.gov](mailto:blake.rollins@usda.gov)>

**Subject:** CDC & NIOSH Tour Sioux Falls in Monday

Dr. Brashears and team USDA

Thank you for the call on Saturday. I just learned that CDC and NIOSH will tour Sioux Falls plant on Monday at 11:00 AM and maybe earlier. They are arriving tonight.

Ken Sullivan asked if someone from USDA FSIS could attend the tour. I know this is late notice but perhaps someone from the district office. I think it is Des Moines but not sure.

Ross Dokken will be hosting the team.

Please advise if this is possible.

Mike



**Michael P. Skahill**  
**Vice President, Government Affairs**

**(b) (6)** **c: (b) (6)**

**e: (b) (6) @smithfield.com**

**111 Commerce St.**  
**Smithfield, VA 23430**

**[smithfieldfoods.com](http://smithfieldfoods.com)**

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## Stephen Censky alias email

**From:** [Sullivan, Ken](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Cc:** [Skahill, Michael P.; \(b\) \(6\) - OSEC, Washington, DC; Newsome, Shawna - OSEC, Washington, DC; Beal, Mary Dee - OSEC, Washington, DC; Shuford, Campbell - OSEC, Washington, DC; Young, Joby - OSEC, Washington, DC; Rollins, Blake - OSEC, Washington, DC; Rodgers, Meghan - OC, Washington, DC](#)  
**Subject:** RE: CDC Report  
**Date:** Wednesday, May 6, 2020 3:39:56 PM  
**Attachments:** [image001.png](#)

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Thank you Mindy. We have an internal meeting in 45 minutes to review this. We have been working for weeks to reopen the plant and, pending receipt of employee test results and our evaluation of your letter, believe we will be able to begin that process within the next 48 hours. You can expect feedback and an updated plan for the reopening later today. Thank you again, Ken

---

**From:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Sent:** Wednesday, May 6, 2020 2:46 PM Stephen Censky alias email  
**To:** Sullivan, Ken (b) (6) @smithfield.com>  
**Cc:** Skahill, Michael P. (b) (6) @smithfield.com>; (b) (6) - OSEC, Washington, DC (b) (6) @usda.gov>; Newsome, Shawna - OSEC, Washington, DC <Shawna.Nesome@usda.gov>; Beal, Mary Dee - OSEC, Washington, DC <MaryDee.Beal@usda.gov>; Shuford, Campbell - OSEC, Washington, DC <campbell.shuford@usda.gov>; Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>; Rollins, Blake - OSEC, Washington, DC <blake.rollins@usda.gov>; Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>; Rodgers, Meghan - OC, Washington, DC <meghan.rodgers@usda.gov>  
**Subject:** CDC Report

Dear Mr. Sullivan,  
Attached please find a document with the CDC findings.

As mentioned to Mr. Skahill, we expect operations to resume immediately.

Let me know if you need additional information.

Mindy Brashears



**Mindy M. Brashears, Ph.D.**

Under Secretary  
Food Safety  
United States Department of Agriculture

Office: (b) (6)  
[mindy.brashears@usda.gov](mailto:mindy.brashears@usda.gov)

*"Do Right and Feed Everyone... Safely!"*

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**From:** [Ashley Peterson](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** RE: (b) (4)  
**Date:** Friday, May 15, 2020 7:28:39 AM

---

Good morning Dr. Brashears –

I wanted to provide you an update on the situation in (b) (4) with (b) (4). They had the county health department in their facility again yesterday for a very productive meeting – at least on the outset. It was determined that (b) (4). It is my understanding that (b) (4) offered up a testing plan based off risk and data focusing on (b) (4) but after much deliberation between the facility and the health department, no agreement was reached.

After the meeting it is my understanding that the health department got the ear of the mayor of the county and now we are back to square one. Here are a few new items I learned about their requirements but please note I have none of this in writing:

- Test – Nasal swab
- Time to results – 24 to 72 hours
- Asymptomatic employees can continue to work while waiting on test results
- Employees who test positive, even if asymptomatic, must quarantine for 10 days from on-set of and 72 hours with no symptoms (this did not make sense to me but I am working on clarification)

We want to push back on 100% testing and would like your assistance. It seems that the issue may be in (b) (4) and (b) (4) is happy to focus on those areas. They have been following CDC/OSHA guidelines throughout the entire plant.

I will keep you apprised of anything I learn and would appreciate your availability for a call at some point today.

Thank you,  
Ashley

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**From:** Ashley Peterson  
**Sent:** Thursday, May 14, 2020 7:37 AM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Subject:** (b) (4)

Good morning Dr. Brashears –

I am writing you this morning regarding (b) (4). They were contacted yesterday by Dr. Paul Hendricks who is a (b) (4) Health Officer. The county health department in a letter indicated that they believe the company is “operating with an imminent health hazard.” (b) (4)

They are demanding 100% testing of all employees as the health department “has reasonable cause to suspect possible disease transmission by your employees.” The county health department has provided no information regarding the type of tests that will be used, time to results, how asymptomatic employees will be handled, quarantine requirements, etc. Instead they are citing (b) (4) requiring that the establishment make all employees available for testing. The letter requires that a discussion be held today (Thursday May 14, 2020) so testing can be arranged.

They also make several threatening statements about complete facility closure and using public notices and contacting the local media should the facility not cooperate completely.

The company will try to obtain information from the (b) (4) Health Department today. Hopefully the county health department, too, will follow CDC/OSHA guidance. The only contact information that was provided is pasted below.

Thank you for your attention to this matter and I will follow-up with you as soon as more details are obtained.

Ashley

***Via Email only*** (b) (4)

Lisa Piercy, M.D.  
State Commissioner of Health  
Tim Jones, M.D.  
Chief Medical Officer

(b) (4)

**Ashley B. Peterson, Ph.D.** | Senior Vice President, Scientific and Regulatory Affairs

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C: (b) (6)

D: 2 (b) (6)

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**From:** [Kathryn Unger](#)  
**To:** [Boswell, Kristi - OSEC, Washington, DC](#); [Beal, Mary Dee - OSEC, Washington, DC](#); [Brady, Lillie - OSEC, Washington, DC](#)  
**Cc:** [Young, Joby - OSEC, Washington, DC](#)  
**Subject:** RE: Clarification on cross border trade  
**Date:** Wednesday, March 25, 2020 10:48:55 AM

---

Got it!

*Kathryn Graves Unger  
Vice President, North America  
Government Relations*



direct: (b) (6)

mobile: (b) (6)

*Everyone has the obligation to STOP an unsafe activity.*

---

**From:** Boswell, Kristi - OSEC, Washington, DC <kristi.boswell@usda.gov>  
**Sent:** Wednesday, March 25, 2020 10:46 AM  
**To:** Kathryn Unger (b) (6) @cargill.com>; Beal, Mary Dee - OSEC, Washington, DC <MaryDee.Beal@usda.gov>; Brady, Lillie - OSEC, Washington, DC <lillie.brady@usda.gov>  
**Cc:** Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>  
**Subject:** RE: Clarification on cross border trade

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To clarify – if an individual is NOT symptomatic they are only providing the CDC guidance and not doing screenings.

Thanks!

**Kristi J. Boswell**  
Senior Advisor to the Secretary  
United States Department of Agriculture  
Office (b) (6)  
Cell: (b) (6)

---

**From:** Kathryn Unger (b) (6) @cargill.com>  
**Sent:** Wednesday, March 25, 2020 9:43 AM  
**To:** Boswell, Kristi - OSEC, Washington, DC <[kristi.boswell@usda.gov](mailto:kristi.boswell@usda.gov)>; Beal, Mary Dee - OSEC, Washington, DC <[MaryDee.Beal@usda.gov](mailto:MaryDee.Beal@usda.gov)>; Brady, Lillie - OSEC, Washington, DC <[lillie.brady@usda.gov](mailto:lillie.brady@usda.gov)>

**Cc:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>

**Subject:** RE: Clarification on cross border trade

This is incredibly helpful. Of course, if someone is symptomatic, that would be a different case. I feel as though I am saying "thank you" to the USDA multiple times a day but, at the risk of sounding like a broken record, thank you very much.

KU

*Kathryn Graves Unger  
Vice President, North America  
Government Relations*



direct: (b) (6)

mobile: (b) (6)

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---

**From:** Boswell, Kristi - OSEC, Washington, DC <[kristi.boswell@usda.gov](mailto:kristi.boswell@usda.gov)>

**Sent:** Wednesday, March 25, 2020 9:24 AM

**To:** Kathryn Unger <(b) (6)@cargill.com>; Beal, Mary Dee - OSEC, Washington, DC <[MaryDee.Beal@usda.gov](mailto:MaryDee.Beal@usda.gov)>; Brady, Lillie - OSEC, Washington, DC <[lillie.brady@usda.gov](mailto:lillie.brady@usda.gov)>

**Cc:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>

**Subject:** RE: Clarification on cross border trade

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Kathryn,

Thanks for your email. CBP has issued guidance to all their officers that all workers cross the border are essential and so long as individuals are coming in for work there *shouldn't* be an issue in crossing. It may be a best practice to carry the guidance and any supporting documentation of the purpose for entry (note from employer etc). In regard to quarantine, CBP has informed me that they are checking individuals that are symptomatic and working with local health officials and the CDC to carry any of those screenings out. If an individual is symptomatic, they are sharing the CDC guidance but are not quarantining those individuals at this time.

Let me know if you had additional questions or if there are specific issues I could communicate back to CBP.

Best,

**Kristi J. Boswell**

Senior Advisor to the Secretary  
United States Department of Agriculture  
Office: (b) (6)  
Cell: (b) (6)

---

**From:** Kathryn Unger <(b) (6)@cargill.com>  
**Sent:** Tuesday, March 24, 2020 8:49 PM  
**To:** Beal, Mary Dee - OSEC, Washington, DC <MaryDee.Beaal@usda.gov>; Brady, Lillie - OSEC, Washington, DC <lillie.brady@usda.gov>  
**Cc:** Boswell, Kristi - OSEC, Washington, DC <kristi.boswell@usda.gov>; Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>  
**Subject:** Re: Clarification on cross border trade

Thank you. Mary Dee.

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---

**From:** Beal, Mary Dee - OSEC, Washington, DC <MaryDee.Beaal@usda.gov>  
**Sent:** Tuesday, March 24, 2020 8:04:51 PM  
**To:** Kathryn Unger <Kathryn\_Unger@cargill.com>; Brady, Lillie - OSEC, Washington, DC <lillie.brady@usda.gov>  
**Cc:** Boswell, Kristi - OSEC, Washington, DC <kristi.boswell@usda.gov>; Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>  
**Subject:** RE: Clarification on cross border trade

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Hi Kathryn –

I have copied our colleague, Kristi Boswell, who’s been leading USDA’s work in this space. She would have the most up-to-date insights. We’ve been working through this issue with CBP and other federal partners.

Please continue to reach out as issues arise!

Mary Dee

---

**From:** Kathryn Unger <Kathryn\_Unger@cargill.com>  
**Sent:** Tuesday, March 24, 2020 7:19 PM  
**To:** Beal, Mary Dee - OSEC, Washington, DC <MaryDee.Beaal@usda.gov>; Brady, Lillie - OSEC, Washington, DC <lillie.brady@usda.gov>

**Subject:** FW: Clarification on cross border trade

I should have copied you both on this, now that I think about it. Apologies, but please see below.

Regards,  
KU

*Kathryn Graves Unger*  
*Vice President, North America*  
*Government Relations*



direct: (b) (6)

mobile: (b) (6)

*Everyone has the obligation to STOP an unsafe activity.*

---

**From:** Kathryn Unger  
**Sent:** Tuesday, March 24, 2020 5:44 PM  
**To:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>  
**Subject:** Clarification on cross border trade

Hi Joby.

Thank you for taking the time to talk with me this morning. Your office has done a wonderful job remaining connected with the agriculture community throughout this crisis. As I mentioned on the phone, we have seen some issues arise as it relates to the shipment of food across the borders.

- Cross Border Transportation
  - Request
    - We would greatly appreciate if additional clarification could be communicated as it relates to cross border transportation and the DHS “Guidance on the Essential Critical Infrastructure Workforce”, specifically with respect to what should happen to drivers upon return to the US from Canada, etc.
  - Reason
    - We are hearing reports that at US-Canadian border crossings, quarantines may be imposed. Carriers are concerned about whether they should haul goods across the border for fear they will be required to self-quarantine for 14 days. We heard that one carrier was applying their own interpretation to the guidelines and requiring quarantine upon return to the US. Clarification outlining that this is not the case would be extremely helpful.
    - The interpretation of the “essential travel” has been a concern as it is up to individual Customs Agents at the border and there is not consistency with how they are executing on the guidance. There are reports from multiple companies experiencing issues, in particular out of Detroit, with some saying they are being

denied re-entry.

If you need any further information, please let me know. As always, thank you for the USDA's efforts to support the food industry during this emergency. We appreciate your steadfast leadership as we work to nourish the world in a safe and sustainable way. Anything you can do to raise awareness and help with additional clarification on this issue would be very much appreciated.

Regards,  
KU

*Kathryn Graves Unger*  
*Vice President, North America*  
*Government Relations*



direct: (b) (6)

mobile: 1 (b) (6)

*Everyone has the obligation to STOP an unsafe activity.*

Dear Joby:

I first want to want to say thank you for all the USDAs efforts to support American families and businesses. We appreciate your steadfast leadership during these times.

As we continue to operate as a business and service provider that supports the essential infrastructure needed to successfully combat this pandemic, I wanted to raise a pressing issue as it relates to the shipment of food across the borders.

We kindly ask for your help with the following issue that we are currently facing:

- **Cross Border Transportation:**

- *Request:*

- We respectfully ask for additional clarification to be communicated as it relates to cross border transportation and the DHS "Guidance on the Essential Critical Infrastructure Workforce".

- *Reason:*

- We are experiencing some issues and concerns with US-Canadian border crossings and quarantines that may be imposed. Carriers are concerned to haul goods across the border for fear they will be required to self-quarantine for 14 days. Clarification outlining that this is not the case would be extremely helpful during these times.

- The interpretation of the “essential travel” has been a concern as it is up to individual Customs Agents at the border and some are not making the correct call. There are reports from multiple companies experiencing issues specially out of Detroit. With some saying they are being asked to turn around in some instances.

Anything you can do to raise awareness and help with additional clarification would be very much appreciated.

Thanks,

*Broderick Lewis*  
*Government Relations*



Mobile: (b) (6)

Washington, D.C.

[www.cargill.com](http://www.cargill.com)

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**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Booren, Betsy](#)  
**Subject:** RE: COVID Resources  
**Date:** Tuesday, March 17, 2020 12:42:00 PM

---

Thanks so much.

---

**From:** Booren, Betsy (b) (6) @consumerbrandsassociation.org>  
**Sent:** Tuesday, March 17, 2020 12:40 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Subject:** COVID Resources

Mindy – here is what we have and its not a lot. Like I mentioned I’m asking members for additional resources as well. I will share what I get.

- [Persistence of coronaviruses on inanimate surfaces and their inactivation with biocidal agents](#)
- [Aerosol and surface stability of HCoV-19 \(SARS-CoV-2\) compared to SARS-CoV-1](#)
- [World Health Organization database of publications on coronavirus disease – Consumer Brands staff will be culling this list of resources for the most pertinent articles to your facilities as it is updated daily.](#)

**Betsy Booren, Ph.D.**  
Senior Vice President, Regulatory and Technical Affairs  
Consumer Brands Association  
(b) (6) (office)  
(b) (6) (mobile)

New agenda, new organization. [Learn more](#) about the Consumer Brands Association.

*\*Note: Please update your contacts with my new email address*

**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Day, Randy](#)  
**Subject:** RE: COVID-19 Testing  
**Date:** Thursday, April 23, 2020 1:33:00 PM  
**Attachments:** [NAMI COVID-19 Testing Guidance FINAL.pdf](#)  
[image001.png](#)

---

Randy,

It was great to speak to you today.

I have attached a document put together by the North American Meat Institute on testing. It describes the various types of tests and some context on interpretation.

Please do not hesitate to reach out if you need anything.

Have a great and SAFE day!

Mindy



**Mindy M. Brashears, Ph.D.**

Under Secretary of Food Safety  
United States Department of Agriculture

Office: (b) (6)

Mobile: (b) (6)

[mindy.brashears@usda.gov](mailto:mindy.brashears@usda.gov)

---

**From:** Day, Randy (b) (6) @Perdue.com>  
**Sent:** Thursday, April 23, 2020 11:31 AM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Subject:** RE: COVID-19 Testing

Dr. Brashears,

By the way, the Secretary of HHS (Alex Azar) is from our home town of Salisbury, MD.

Randy

---

**From:** Day, Randy  
**Sent:** Thursday, April 23, 2020 11:28 AM  
**To:** [mindy.brashears@usda.gov](mailto:mindy.brashears@usda.gov)  
**Subject:** COVID-19 Testing

Dr. Brashears,

(b) (4)

Thank you!

Regards,



Randy Day

---

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## Meat and Poultry Industry COVID-19 Testing Guidance

### *Introduction*

As the SARS-CoV-2 (COVID-19) pandemic continues to spread, there is increased pressure on the meat and poultry industry to implement employee COVID-19 testing protocols. Although testing provides a snapshot of COVID-19 incidence at a single point in time, it is not a “silver-bullet” solution for COVID-19 control and monitoring in establishments.

### *Types of COVID-19 Tests Available<sup>1</sup>*

There are two types of tests for COVID-19 detection. The first is molecular based testing, which works by identifying the virus’s genetic material. The second is immunoassays, which measures the presence or concentration of small viral specific molecules using antibodies or antigens.

Molecular based tests look for the virus’s genetic material using nucleic acid amplification tests (NAAT) or polymerase chain reaction (PCR) tests. NAATs or PCRs work by detecting the virus's genetic material, typically directly from a patient's respiratory system (e.g. nasal or throat swab). The Food and Drug Administrations (FDA) approves molecular based tests for SARS-CoV-2, ensuring they meet the Emergency Use Authorization (EUA) statutory standard and yield highly accurate results.

Immunoassays measure the presence or concentration of small viral specific molecules using antibodies or antigens. These tests are often called serology or antibody tests. Specific antibodies form when the body responds to an infection, like COVID-19. Immunoassays often evaluate the body's immune response to COVID-19 infection rather than detecting the virus itself. Tests based on the body’s immune response are less accurate in evaluating an individual’s current disease status than those testing for the genetic material of the virus. Early on, the body's immune response is still building, and antibodies may not be detected. This may result in a false *negative*. There also can be issues with false *positives*, because antibodies related to COVID-19 can remain in the body after infection is over and someone is no longer contagious. This limits the test's effectiveness for diagnosing COVID-19. In fact, FDA specifically says that serology or antibody tests alone should not be used to diagnose COVID-19.

The two most common COVID-19 related response antibodies that immunoassays test for are the IgM antibody response and the IgG antibody. However, these antibodies take time to build up in the body of a sick individual. Therefore, it can

<sup>1</sup> For more information, see FDA’s [FAQs on Diagnostic Testing for SARS-CoV-2](#).

take time before immunoassay, serology, or antibody tests can detect the antibody and result in a positive test.

The body's initial immune response produces IgM antibodies that attack many infections, not just SARS-CoV-2. IgM antibodies can indicate an active or recent infection. Because IgM antibodies take time to build up in the body in response to SARS-CoV-2, a negative test result for IgM antibodies does not mean that someone is not infected. Over time, the body develops IgG antibodies in response to SARS-CoV-2 infection, which are more specific to the virus. Many antibody-based tests detect IgG. However, both IgM and IgG antibodies take time to develop. Typically, the IgM antibody response does not peak until approximately nine days after initial infection and for approximately 11 days for the IgG antibody response.<sup>2</sup>

***Due to the limited effectiveness of immunoassay, serology, or antibody tests, to ensure confidence in the results and current disease status only molecular based tests detecting the virus's genetic material should be utilized where testing for COVID-19 is appropriate.***

#### *Determining When to Test*

According to the Centers for Disease Control and Prevention (CDC) guidance<sup>3</sup>, not everyone needs to be tested for COVID-19. When evaluating whether to seek medical care or testing, CDC advises that:

- Most people have [mild illness](#) and are able to [recover at home](#) without medical care. They may not need to be tested.
- There is no treatment specifically approved for people with COVID-19.

CDC also advises that, in the coming months, most of the U.S. population will be exposed to COVID-19, due to the reality of community transmission throughout the country. Establishments should continue to employ preventive and control measures outlined in industry guidance.

According to CDC, public health decisions that restrict an individual's or group's movements or impose specific monitoring requirements should be based on an assessment of risk for the individual or group. Individual establishments should use science-based approaches to assess risk and determine if there is a need for employee testing and work restrictions.

<sup>2</sup> Liu, L., Liu, W., Wang, S., & Zheng, S. (2020). A preliminary study on serological assay for severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in 238 admitted hospital patients. medRxiv. Li, Z., Yi, Y., Luo, X., Xiong, N., Liu, Y., Li, S., ... & Zhang, Y. (2020). Development and clinical application of a rapid IgM-IgG combined antibody test for SARS-CoV-2 infection diagnosis. Journal of medical virology.

<sup>3</sup> <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/testing.html>

When evaluating whether testing or work restrictions are appropriate, an establishment may want to use these categories to assess the risk exposure.

*High-Risk* exposure refers to an employee who had prolonged close contact with an individual with COVID-19. The individual with COVID-19 was not wearing a cloth face covering or facemask during the close contact, and the employee's nose and mouth were exposed to material potentially infectious with the virus causing COVID-19.

**EXAMPLE:** An employee at an establishment finds out today that his wife has been diagnosed with COVID-19. The employee lives with, and has had prolonged close contact with, his wife. This employee is at high risk, due to his exposure.

**EXAMPLE:** An employee at an establishment has been the primary caretaker for an ill family member for the last two weeks. When she has not been at the plant, the employee has had prolonged close contact with the family member – meaning she has been physically caring for the person for hours per day. Neither the employee nor the family member have worn a face mask during these interactions. Although the symptoms did not initially suggest COVID-19, testing by the family member's physician resulted in a positive diagnosis of COVID-19. Because of the prolonged close contact, the employee has had with the ill family member, this employee is at high risk.

*Low-risk* exposure refers to brief interactions an employee has with an individual with COVID-19, or prolonged close contact with an individual with COVID-19 wearing a cloth face covering or facemask, while the employee was also wearing a facemask. (Use of eye protection in addition to a facemask would further lower the risk of exposure).

**EXAMPLE:** An employee at an establishment carpools to work with a friend, who works at a nearby medical center. The employee and her friend each wear a face mask when commuting. The employee notifies you that her friend has been diagnosed with COVID-19. Your employee is at low risk, due to the circumstance of exposure (*i.e.* may have been close prolonged contact, but both the employee and her friend were wearing face masks).

**EXAMPLE:** On his way into work, Employee A waves to Employee B a few cars away and engages in brief small talk as they walk to the plant. Neither employee is wearing a face mask. Employee A leaves work later that day due to COVID-19 symptoms. Employee B is at low risk for exposure, due to the brief interaction.

*Instances where testing may be appropriate*

- When the entire community is being tested as part of a community-wide surveillance effort. In this scenario, the testing would NOT be limited to only establishment employees.
- To aid an establishment in making its decision about return to work for an employee with confirmed or suspected COVID-19. (In this case, if testing is required, it must be a molecular based test looking for active infection of the virus)<sup>4</sup>.
- When an individual has had a known high-risk exposure (as defined above) to the COVID-19 virus and is not showing symptoms.

*Instances where testing is NOT appropriate.*

- Testing all employees, regardless of exposure risk, unless part of a community-wide surveillance effort.
- Testing employees not showing symptoms and have not had a high-risk exposure to COVID-19, unless part of a community-wide surveillance effort.

Please remember that anytime an employee exhibits symptoms of COVID-19, the employee should be sent home from work and required to follow up with his or her physician.

Regardless of whether an establishment chooses to test its employees in certain scenarios, the establishment should refer to [CDC guidance](#) for when employees can discontinue isolation and return to work.

<sup>4</sup> CDC offers isolation discontinuation guidance without having to test, accessible here: <https://www.cdc.gov/coronavirus/2019-ncov/hcp/disposition-in-home-patients.html>

**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Booren, Betsy](#)  
**Subject:** RE: CPG Data  
**Date:** Monday, May 18, 2020 10:28:00 AM

---

Thanks Betsy.

---

**From:** Booren, Betsy (b) (6) @consumerbrandsassociation.org>  
**Sent:** Monday, May 18, 2020 9:13 AM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Subject:** CPG Data

Under Secretary Brashears – I hope you are doing well and thank you (and your team) for your leadership during this time. I wanted to share with you consumer data regarding CPG products and demand. <https://advantage.iriworldwide.com/Engineering/covid19/> This dashboard allows you drill into the data (each box) and provides addition specificity on demand, but also inflation, supply index, etc.

I hope this is helpful.

Betsy

**Betsy Booren, Ph.D.**

Senior Vice President, Regulatory and Technical Affairs  
Consumer Brands Association

(b) (6) (office)  
(b) (6) (mobile)

Visit our [coronavirus resource page](#) for timely insights and information.

*\*Note: Please update your contacts with my new email address*

**From:** [Kathryn Unger](#)  
**To:** [Young, Joby - OSEC, Washington, DC](#); [Randy Russell \(b\) \(6\) @russellgroupdc.com](#); [Chuck Conner \(b\) \(6\) @ncfc.org](#); [Shannon.Herzfeld-Contact](#); [Dykes Michael - FASContact](#)  
**Subject:** RE: Critical Infrastructure Guidance Amplification  
**Date:** Thursday, March 19, 2020 6:26:59 PM  
**Attachments:** [image002.png](#)

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Hi Joby. Yes, we saw this and thought the document was very helpful and timely. **Thank you** to both you and the Secretary! We are working with our business leaders and may have a few questions tomorrow so will email if we do.

Best regards,  
KU

*Kathryn Graves Unger*  
*Vice President, North America*  
*Government Relations*



direct: (b) (6)

mobile: (b) (6)

*Everyone has the obligation to STOP an unsafe activity.*

---

**From:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>  
**Sent:** Thursday, March 19, 2020 5:35 PM  
**To:** Randy Russell (b) (6) @russellgroupdc.com (b) (6) @russellgroupdc.com>; Chuck Conner (b) (6) @ncfc.org (b) (6) @ncfc.org>; Shannon.Herzfeld-Contact (b) (6) @adm.com>; Dykes Michael - FASContact (b) (6) @idfa.org>; Kathryn Unger (b) (6) @cargill.com>  
**Subject:** Fwd: Critical Infrastructure Guidance Amplification

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I hope you all have seen this. Closing the loop with folks I've spoken to personally on this issue. Please let me know if you have any other questions or feedback.

<https://www.cisa.gov/news/2020/03/19/cisa-releases-guidance-essential-critical-infrastructure-workers-during-covid-19>

Joby Young  
Chief of Staff

U.S. Dept. of Agriculture

---

**From:** Brady, Lillie - OSEC, Washington, DC <[lillie.brady@usda.gov](mailto:lillie.brady@usda.gov)>  
**Sent:** Thursday, March 19, 2020 3:40 PM  
**Cc:** Willits, Ashley - OSEC, Washington, DC <[ashley.willits@usda.gov](mailto:ashley.willits@usda.gov)>  
**Subject:** Critical Infrastructure Guidance Amplification

Good afternoon!

Attached is the final DHS memo and guidance regarding Essential Critical Infrastructure combined both into one PDF for ease. These will be posted on CISA's website at [CISA.gov](http://CISA.gov). CISA's press release is also below.

Let us know if you have any questions!

Best,  
Lillie

|  |                                                                                |
|--|--------------------------------------------------------------------------------|
|  | <b>Lillie J. Brady   Director</b>                                              |
|  | External and Intergovernmental Affairs                                         |
|  | United States Department of Agriculture                                        |
|  | Office of the Secretary                                                        |
|  | Cell: (b) (6) <a href="mailto:Lillie.Brady@usda.gov">Lillie.Brady@usda.gov</a> |



## CISA Releases Guidance on Essential Critical Infrastructure Workers During COVID-19

WASHINGTON - Today, the Cybersecurity and Infrastructure Security Agency (CISA) [released guidance](#) to help state and local jurisdictions and the private sector identify and manage their essential workforce while responding to COVID-19.

As the Nation comes together to slow the spread of COVID-19, on March 16, the President issued updated Coronavirus Guidance for America. This guidance states that:

*"If you work in a critical infrastructure industry, as defined by the Department of Homeland Security, such as healthcare services and pharmaceutical and food supply, you have a special responsibility to maintain your normal work schedule."*

CISA executes the Secretary of Homeland Security's responsibilities as assigned under the Homeland Security Act of 2002 to provide strategic guidance, promote a national unity of effort, and coordinate the overall Federal effort to ensure the security and resilience of the Nation's critical infrastructure. The list of Essential Critical Infrastructure Workers was developed in coordination with Federal agencies and the private sector as a guide to help

decision-makers within communities understand how to ensure continuity of essential functions and critical workforce as they consider COVID-related restrictions in certain communities (e.g., shelter-in-place). The list can also inform critical infrastructure community decision-making to determine the sectors, sub sectors, segments, or critical functions that should continue normal operations, appropriately modified to account for Centers for Disease Control (CDC) workforce and customer protection guidance. These critical functions include, but are not limited to, systems that support healthcare personnel (e.g., doctors, nurses, laboratory personnel, etc.), the food industry (e.g., retail groceries and pharmacies), communication providers (e.g., operator, call centers, IT data centers), defense systems support, law enforcement, public works, and other essential operations. Workers who support these critical functions are necessary to keep critical systems and assets working.

“As the nation comes together to slow the spread of COVID-19, everyone has a role to play in protecting public health and safety. Many of the men and women who work across our nation’s critical infrastructure industries are hard at work keeping the lights on, water flowing from the tap, groceries on the shelves, among other countless essential services,” said Christopher Krebs, CISA Director. “As the nation’s risk advisor, this list is meant to provide additional guidance to state and local partners, as well as industry, building on the President’s statement that critical infrastructure industries have a special responsibility to keep normal operations. We’re providing recommendations for these partners as they carry out their mission to keep their communities safe, healthy, and resilient. And on behalf of CISA, we thank the brave men and women who continue these essential jobs in challenging times.”

The list of Essential Critical Infrastructure Workers was developed using existing data and analysis, including publicly available analysis done by the [President’s National Infrastructure Advisory Council in 2007](#). The list does not impose any mandates on state or local jurisdictions or private companies.

CISA will use this list to support federal, state, local, tribal, and territorial government response to COVID-19. To view the full list of Essential Critical Infrastructure Workers and to learn more about our efforts, visit [www.cisa.gov/coronavirus](http://www.cisa.gov/coronavirus).

###

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**From:** [Randy Russell](#)  
**To:** [Young, Joby - OSEC, Washington, DC](#)  
**Cc:** [Chuck Conner \(b\) \(6\) @ncfc.org](#); [Shannon.Herzfeld-Contact](#); [Dykes Michael - FASContact](#); [\(b\) \(6\) @cargill.com](#)  
**Subject:** Re: Critical Infrastructure Guidance Amplification  
**Date:** Thursday, March 19, 2020 6:15:43 PM  
**Attachments:** [image002.png](#)  
[image002.png](#)  
[ATT00001.htm](#)  
[Guidance on the Essential Critical Infrastructure Workforce.pdf](#)  
[ATT00002.htm](#)

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Joby, the final document is outstanding! Folks are already using it at the state level. Many thx to you and the Secretary and the team for making this happen! This document is going to be invaluable for folks up and down the ag and food value chain. Randy

Sent from my iPhone

On Mar 19, 2020, at 5:35 PM, Young, Joby - OSEC, Washington, DC  
<[joby.young@usda.gov](mailto:joby.young@usda.gov)> wrote:

I hope you all have seen this. Closing the loop with folks I've spoken to personally on this issue. Please let me know if you have any other questions or feedback.

<https://www.cisa.gov/news/2020/03/19/cisa-releases-guidance-essential-critical-infrastructure-workers-during-covid-19>

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

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**From:** Brady, Lillie - OSEC, Washington, DC <[lillie.brady@usda.gov](mailto:lillie.brady@usda.gov)>  
**Sent:** Thursday, March 19, 2020 3:40 PM  
**Cc:** Willits, Ashley - OSEC, Washington, DC <[ashley.willits@usda.gov](mailto:ashley.willits@usda.gov)>  
**Subject:** Critical Infrastructure Guidance Amplification

Good afternoon!

Attached is the final DHS memo and guidance regarding Essential Critical Infrastructure combined both into one PDF for ease. These will be posted on CISA's website at CISA.gov. CISA's press release is also below.

Let us know if you have any questions!

Best,

Lillie



**Lillie J. Brady | Director**

External and Intergovernmental Affairs

United States Department of Agriculture

Office of the Secretary

Cell: (b) (6) | [Lillie.Brady@usda.gov](mailto:Lillie.Brady@usda.gov)



**CISA**  
CYBER+INFRASTRUCTURE

March 19, 2020

## MEMORANDUM ON IDENTIFICATION OF ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS DURING COVID-19 RESPONSE

FROM: Christopher C. Krebs  
Director  
Cybersecurity and Infrastructure Security Agency (CISA)

---

As the Nation comes together to slow the spread of COVID-19, on March 16<sup>th</sup>, the President issued updated Coronavirus Guidance for America. This guidance states that:

*“If you work in a critical infrastructure industry, as defined by the Department of Homeland Security, such as healthcare services and pharmaceutical and food supply, you have a special responsibility to maintain your normal work schedule.”*

The Cybersecurity and Infrastructure Security Agency (CISA) executes the Secretary of Homeland Security’s responsibilities as assigned under the Homeland Security Act of 2002 to provide strategic guidance, promote a national unity of effort, and coordinate the overall federal effort to ensure the security and resilience of the Nation’s critical infrastructure. CISA uses trusted partnerships with both the public and private sectors to deliver infrastructure resilience assistance and guidance to a broad range of partners.

In accordance with this mandate, and in collaboration with other federal agencies and the private sector, CISA developed an initial list of “Essential Critical Infrastructure Workers” to help State and local officials as they work to protect their communities, while ensuring continuity of functions critical to public health and safety, as well as economic and national security. The list can also inform critical infrastructure community decision-making to determine the sectors, sub-sectors, segments, or critical functions that should continue normal operations, appropriately modified to account for Centers for Disease Control (CDC) workforce and customer protection guidance.

The attached list identifies workers who conduct a range of operations and services that are essential to continued critical infrastructure viability, including staffing operations centers, maintaining and repairing critical infrastructure, operating call centers, working construction, and performing management functions, among others. The industries they support represent, but are not necessarily limited to, medical and healthcare, telecommunications, information technology systems, defense, food and agriculture, transportation and logistics, energy, water and wastewater, law enforcement, and public works.

We recognize that State, local, tribal, and territorial governments are ultimately in charge of implementing and executing response activities in communities under their jurisdiction, while the Federal Government is in a supporting role. As State and local communities consider COVID-19-related restrictions, CISA is offering this list to assist prioritizing activities related to continuity of operations and incident response, including the appropriate movement of critical infrastructure workers within and between jurisdictions.

**Accordingly, this list is advisory in nature. It is not, nor should it be considered to be, a federal directive or standard in and of itself.**

In addition, these identified sectors and workers are not intended to be the authoritative or exhaustive list of critical infrastructure sectors and functions that should continue during the COVID-19 response. Instead, State and local officials should use their own judgment in using their authorities and issuing implementation directives and guidance. Similarly, critical infrastructure industry partners will use their own judgment, informed by this list, to ensure continued operations of critical infrastructure services and functions. All decisions should appropriately balance public safety while ensuring the continued delivery of critical infrastructure services and functions.

CISA will continue to work with you and our partners in the critical infrastructure community to update this list as the Nation's response to COVID-19 evolves. We also encourage you to submit how you might use this list so that we can develop a repository of use cases for broad sharing across the country.

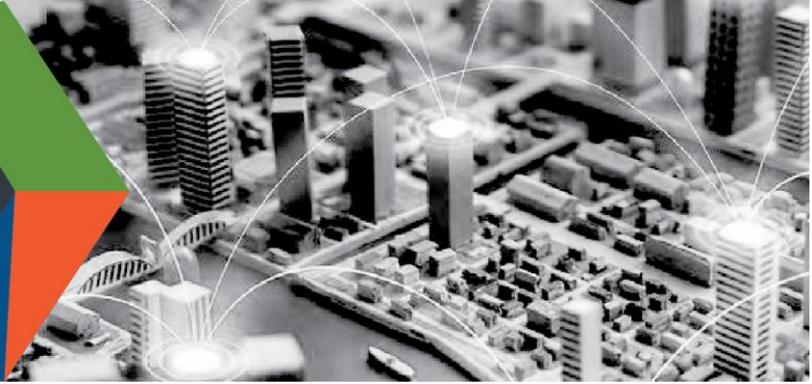
Should you have questions about this list, please contact CISA at [CISA.CAT@cisa.dhs.gov](mailto:CISA.CAT@cisa.dhs.gov).

**Attachment:** "Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response"



**CISA**  
CYBER+INFRASTRUCTURE

DEFEND TODAY, SECURE TOMORROW



# Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response

Version 1.0 (March 19, 2020)

## THE IMPORTANCE OF ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS

Functioning critical infrastructure is imperative during the response to the COVID-19 emergency for both public health and safety as well as community well-being. Certain critical infrastructure industries have a special responsibility in these times to continue operations.

This guidance and accompanying list are intended to support State, Local, and industry partners in identifying the critical infrastructure sectors and the essential workers needed to maintain the services and functions Americans depend on daily and that need to be able to operate resiliently during the COVID-19 pandemic response.

This document gives guidance to State, local, tribal, and territorial jurisdictions and the private sector on defining essential critical infrastructure workers. Promoting the ability of such workers to continue to work during periods of community restriction, access management, social distancing, or closure orders/directives is crucial to community resilience and continuity of essential functions.

## CONSIDERATIONS FOR GOVERNMENT AND BUSINESS

This list was developed in consultation with federal agency partners, industry experts, and State and local officials, and is based on several key principles:

1. Response efforts to the COVID-19 pandemic are locally executed, State managed, and federally supported
2. Everyone should follow guidance from the CDC, as well as State and local government officials, regarding strategies to limit disease spread.
3. Workers should be encouraged to work remotely when possible and focus on core business activities. In-person, non-mandatory activities should be delayed until the resumption of normal operations.
4. When continuous remote work is not possible, businesses should enlist strategies to reduce the likelihood of spreading the disease. This includes, but is not necessarily limited to, separating staff by off-setting shift hours or days and/or social distancing. These steps can preserve the workforce and allow operations to continue.

5. All organizations should implement their business continuity and pandemic plans, or put plans in place if they do not exist. Delaying implementation is not advised and puts at risk the viability of the business and the health and safety of the employees.
6. In the modern economy, reliance on technology and just-in-time supply chains means that certain workers must be able to access certain sites, facilities, and assets to ensure continuity of functions.
7. Government employees, such as emergency managers, and the business community need to establish and maintain lines of communication.
8. When government and businesses engage in discussions about critical infrastructure workers, they need to consider the implications of business operations beyond the jurisdiction where the asset or facility is located. Businesses can have sizeable economic and societal impacts as well as supply chain dependencies that are geographically distributed.
9. Whenever possible, jurisdictions should align access and movement control policies related to critical infrastructure workers to lower the burden of workers crossing jurisdictional boundaries.

## IDENTIFYING ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS

The following list of sectors and identified essential critical infrastructure workers are an initial recommended set and are intended to be overly inclusive reflecting the diversity of industries across the United States. CISA will continually solicit and accept feedback on the list (both sectors/sub sectors and identified essential workers) and will evolve the list in response to stakeholder feedback. We will also use our various stakeholder engagement mechanisms to work with partners on how they are using this list and share those lessons learned and best practices broadly. We ask that you share your feedback, both positive and negative on this list so we can provide the most useful guidance to our critical infrastructure partners. **Feedback can be sent to [CISA.CAT@CISA.DHS.GOV](mailto:CISA.CAT@CISA.DHS.GOV).**



## HEALTHCARE / PUBLIC HEALTH

- Workers providing COVID-19 testing; Workers that perform critical clinical research needed for COVID-19 response
- Caregivers (e.g., physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists)
- Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.)
- Workers in other medical facilities (including Ambulatory Health and Surgical, Blood Banks, Clinics, Community Mental Health, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Long Term Care, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Rural Health Clinics and Federally Qualified Health Centers)
- Manufacturers, technicians, logistics and warehouse operators, and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products
- Public health / community health workers, including those who compile, model, analyze and communicate public health information
- Blood and plasma donors and the employees of the organizations that operate and manage related activities
- Workers that manage health plans, billing, and health information, who cannot practically work remotely
- Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely
- Workers performing cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely
- Workers conducting research critical to COVID-19 response
- Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely
- Workers who support food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, such as those residing in shelters
- Pharmacy employees necessary for filling prescriptions
- Workers performing mortuary services, including funeral homes, crematoriums, and cemetery workers
- Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident

## LAW ENFORCEMENT, PUBLIC SAFETY, FIRST RESPONDERS

- Personnel in emergency management, law enforcement, Emergency Management Systems, fire, and corrections, including front line and management
- Emergency Medical Technicians
- 911 call center employees
- Fusion Center employees
- Hazardous material responders from government and the private sector.
- Workers – including contracted vendors – who maintain digital systems infrastructure supporting law enforcement and emergency service operations.

## FOOD AND AGRICULTURE

- Workers supporting groceries, pharmacies and other retail that sells food and beverage products
- Restaurant carry-out and quick serve food operations - Carry-out and delivery food employees
- Food manufacturer employees and their supplier employees—to include those employed in food processing (packers, meat processing, cheese plants, milk plants, produce, etc.) facilities; livestock, poultry, seafood slaughter facilities; pet and animal feed processing facilities; human food facilities producing by-products for animal food; beverage production facilities; and the production of food packaging
- Farm workers to include those employed in animal food, feed, and ingredient production, packaging, and distribution; manufacturing, packaging, and distribution of veterinary drugs; truck delivery and transport; farm and fishery labor needed to produce our food supply domestically
- Farm workers and support service workers to include those who field crops; commodity inspection; fuel ethanol facilities; storage facilities; and other agricultural inputs
- Employees and firms supporting food, feed, and beverage distribution, including warehouse workers, vendor-managed inventory controllers and blockchain managers
- Workers supporting the sanitation of all food manufacturing processes and operations from wholesale to retail
- Company cafeterias - in-plant cafeterias used to feed employees
- Workers in food testing labs in private industries and in institutions of higher education
- Workers essential for assistance programs and government payments
- Employees of companies engaged in the production of chemicals, medicines, vaccines, and other substances used by the food and agriculture industry, including pesticides, herbicides, fertilizers, minerals, enrichments, and other agricultural production aids
- Animal agriculture workers to include those employed in veterinary health; manufacturing and distribution of animal medical materials, animal vaccines, animal drugs, feed ingredients, feed, and bedding, etc.; transportation of live animals, animal medical materials; transportation of deceased animals for disposal; raising of animals for food; animal production operations; slaughter and packing plants and associated regulatory and government workforce
- Workers who support the manufacture and distribution of forest products, including, but not limited to timber, paper, and other wood products
- Employees engaged in the manufacture and maintenance of equipment and other infrastructure necessary to agricultural production and distribution

## ENERGY

### Electricity industry:

- Workers who maintain, ensure, or restore the generation, transmission, and distribution of electric power, including call centers, utility workers, reliability engineers and fleet maintenance technicians
- Workers needed for safe and secure operations at nuclear generation
- Workers at generation, transmission, and electric blackstart facilities
- Workers at Reliability Coordinator (RC), Balancing Authorities (BA), and primary and backup Control Centers (CC), including but not limited to independent system operators, regional transmission organizations, and balancing authorities
- Mutual assistance personnel
- IT and OT technology staff – for EMS (Energy Management Systems) and Supervisory Control and Data Acquisition (SCADA) systems, and utility data centers; Cybersecurity engineers; cybersecurity risk management
- Vegetation management crews and traffic workers who support
- Environmental remediation/monitoring technicians
- Instrumentation, protection, and control technicians

### Petroleum workers:

- Petroleum product storage, pipeline, marine transport, terminals, rail transport, road transport
- Crude oil storage facilities, pipeline, and marine transport
- Petroleum refinery facilities
- Petroleum security operations center employees and workers who support emergency response services
- Petroleum operations control rooms/centers
- Petroleum drilling, extraction, production, processing, refining, terminal operations, transporting, and retail for use as end-use fuels or feedstocks for chemical manufacturing
- Onshore and offshore operations for maintenance and emergency response
- Retail fuel centers such as gas stations and truck stops, and the distribution systems that support them

### Natural and propane gas workers:

- Natural gas transmission and distribution pipelines, including compressor stations
- Underground storage of natural gas
- Natural gas processing plants, and those that deal with natural gas liquids
- Liquefied Natural Gas (LNG) facilities
- Natural gas security operations center, natural gas operations dispatch and control rooms/centers natural gas emergency response and customer emergencies, including natural gas leak calls
- Drilling, production, processing, refining, and transporting natural gas for use as end-use fuels, feedstocks for chemical manufacturing, or use in electricity generation
- Propane gas dispatch and control rooms and emergency response and customer emergencies, including propane leak calls
- Propane gas service maintenance and restoration, including call centers

- Processing, refining, and transporting natural liquids, including propane gas, for use as end-use fuels or feedstocks for chemical manufacturing
- Propane gas storage, transmission, and distribution centers

## WATER AND WASTEWATER

Employees needed to operate and maintain drinking water and wastewater/drainage infrastructure, including:

- Operational staff at water authorities
- Operational staff at community water systems
- Operational staff at wastewater treatment facilities
- Workers repairing water and wastewater conveyances and performing required sampling or monitoring
- Operational staff for water distribution and testing
- Operational staff at wastewater collection facilities
- Operational staff and technical support for SCADA Control systems
- Chemical disinfectant suppliers for wastewater and personnel protection
- Workers that maintain digital systems infrastructure supporting water and wastewater operations

## TRANSPORTATION AND LOGISTICS

- Employees supporting or enabling transportation functions, including dispatchers, maintenance and repair technicians, warehouse workers, truck stop and rest area workers, and workers that maintain and inspect infrastructure (including those that require cross-border travel)
- Employees of firms providing services that enable logistics operations, including cooling, storing, packaging, and distributing products for wholesale or retail sale or use.
- Mass transit workers
- Workers responsible for operating dispatching passenger, commuter and freight trains and maintaining rail infrastructure and equipment
- Maritime transportation workers - port workers, mariners, equipment operators
- Truck drivers who haul hazardous and waste materials to support critical infrastructure, capabilities, functions, and services
- Automotive repair and maintenance facilities
- Manufacturers and distributors (to include service centers and related operations) of packaging materials, pallets, crates, containers, and other supplies needed to support manufacturing, packaging staging and distribution operations
- Postal and shipping workers, to include private companies
- Employees who repair and maintain vehicles, aircraft, rail equipment, marine vessels, and the equipment and infrastructure that enables operations that encompass movement of cargo and passengers
- Air transportation employees, including air traffic controllers, ramp personnel, aviation security, and aviation management
- Workers who support the maintenance and operation of cargo by air transportation, including flight crews, maintenance, airport operations, and other on- and off- airport facilities workers

## **PUBLIC WORKS**

- Workers who support the operation, inspection, and maintenance of essential dams, locks and levees
- Workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water and sewer main breaks, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works operations, and other emergent issues
- Workers such as plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences
- Support, such as road and line clearing, to ensure the availability of needed facilities, transportation, energy and communications
- Support to ensure the effective removal, storage, and disposal of residential and commercial solid waste and hazardous waste

## **COMMUNICATIONS AND INFORMATION TECHNOLOGY**

### **Communications:**

- Maintenance of communications infrastructure- including privately owned and maintained communication systems- supported by technicians, operators, call-centers, wireline and wireless providers, cable service providers, satellite operations, undersea cable landing stations, Internet Exchange Points, and manufacturers and distributors of communications equipment
- Workers who support radio, television, and media service, including, but not limited to front line news reporters, studio, and technicians for newsgathering and reporting
- Workers at Independent System Operators and Regional Transmission Organizations, and Network Operations staff, engineers and/or technicians to manage the network or operate facilities
- Engineers, technicians and associated personnel responsible for infrastructure construction and restoration, including contractors for construction and engineering of fiber optic cables
- Installation, maintenance and repair technicians that establish, support or repair service as needed
- Central office personnel to maintain and operate central office, data centers, and other network office facilities
- Customer service and support staff, including managed and professional services as well as remote providers of support to transitioning employees to set up and maintain home offices, who interface with customers to manage or support service environments and security issues, including payroll, billing, fraud, and troubleshooting
- Dispatchers involved with service repair and restoration

### **Information Technology:**

- Workers who support command centers, including, but not limited to Network Operations Command Center, Broadcast Operations Control Center and Security Operations Command Center
- Data center operators, including system administrators, HVAC & electrical engineers, security personnel, IT managers, data transfer solutions engineers, software and hardware engineers, and database administrators
- Client service centers, field engineers, and other technicians supporting critical infrastructure, as well as

manufacturers and supply chain vendors that provide hardware and software, and information technology equipment (to include microelectronics and semiconductors) for critical infrastructure

- Workers responding to cyber incidents involving critical infrastructure, including medical facilities, SLTT governments and federal facilities, energy and utilities, and banks and financial institutions, and other critical infrastructure categories and personnel
- Workers supporting the provision of essential global, national and local infrastructure for computing services (incl. cloud computing services), business infrastructure, web-based services, and critical manufacturing
- Workers supporting communications systems and information technology used by law enforcement, public safety, medical, energy and other critical industries
- Support required for continuity of services, including janitorial/cleaning personnel

## **OTHER COMMUNITY-BASED GOVERNMENT OPERATIONS AND ESSENTIAL FUNCTIONS**

- Workers to ensure continuity of building functions
- Security staff to maintain building access control and physical security measures
- Elections personnel
- Federal, State, and Local, Tribal, and Territorial employees who support Mission Essential Functions and communications networks
- Trade Officials (FTA negotiators; international data flow administrators)
- Weather forecasters
- Workers that maintain digital systems infrastructure supporting other critical government operations
- Workers at operations centers necessary to maintain other essential functions
- Workers who support necessary credentialing, vetting and licensing operations for transportation workers
- Customs workers who are critical to facilitating trade in support of the national emergency response supply chain
- Educators supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other essential functions, if operating under rules for social distancing
- Hotel Workers where hotels are used for COVID-19 mitigation and containment measures

## **CRITICAL MANUFACTURING**

- Workers necessary for the manufacturing of materials and products needed for medical supply chains, transportation, energy, communications, food and agriculture, chemical manufacturing, nuclear facilities, the operation of dams, water and wastewater treatment, emergency services, and the defense industrial base.

## **HAZARDOUS MATERIALS**

- Workers at nuclear facilities, workers managing medical waste, workers managing waste from pharmaceuticals and medical material production, and workers at laboratories processing test kits
- Workers who support hazardous materials response and cleanup
- Workers who maintain digital systems infrastructure supporting hazardous materials management operations

## FINANCIAL SERVICES

- Workers who are needed to process and maintain systems for processing financial transactions and services (e.g., payment, clearing, and settlement; wholesale funding; insurance services; and capital markets activities)
- Workers who are needed to provide consumer access to banking and lending services, including ATMs, and to move currency and payments (e.g., armored cash carriers)
- Workers who support financial operations, such as those staffing data and security operations centers

## CHEMICAL

- Workers supporting the chemical and industrial gas supply chains, including workers at chemical manufacturing plants, workers in laboratories, workers at distribution facilities, workers who transport basic raw chemical materials to the producers of industrial and consumer goods, including hand sanitizers, food and food additives, pharmaceuticals, textiles, and paper products.
- Workers supporting the safe transportation of chemicals, including those supporting tank truck cleaning facilities and workers who manufacture packaging items
- Workers supporting the production of protective cleaning and medical solutions, personal protective equipment, and packaging that prevents the contamination of food, water, medicine, among others essential products
- Workers supporting the operation and maintenance of facilities (particularly those with high risk chemicals and/or sites that cannot be shut down) whose work cannot be done remotely and requires the presence of highly trained personnel to ensure safe operations, including plant contract workers who provide inspections
- Workers who support the production and transportation of chlorine and alkali manufacturing, single-use plastics, and packaging that prevents the contamination or supports the continued manufacture of food, water, medicine, and other essential products, including glass container manufacturing

## DEFENSE INDUSTRIAL BASE

- Workers who support the essential services required to meet national security commitments to the federal government and U.S. Military. These individuals, include but are not limited to, aerospace; mechanical and software engineers, manufacturing/production workers; IT support; security staff; security personnel; intelligence support, aircraft and weapon system mechanics and maintainers
- Personnel working for companies, and their subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense, and government-owned/contractor-operated and government-owned/government-operated facilities

**From:** [Chuck Conner](#)  
**To:** [Young, Joby - OSEC, Washington, DC](#)  
**Cc:** [Randy Russell \(b\) \(6\) @russellgroupdc.com](#); [Shannon.Herzfeld-Contact](#); [Dykes Michael - FASContact](#); [\(b\) \(6\) @cargill.com](#)  
**Subject:** Re: Critical Infrastructure Guidance Amplification  
**Date:** Thursday, March 19, 2020 5:41:13 PM  
**Attachments:** [image002.png](#)

---

Great work Joby! Secretary Perdue has delivered once again!

Sent from my iPhone

On Mar 19, 2020, at 5:35 PM, Young, Joby - OSEC, Washington, DC  
<[joby.young@usda.gov](mailto:joby.young@usda.gov)> wrote:

I hope you all have seen this. Closing the loop with folks I've spoken to personally on this issue. Please let me know if you have any other questions or feedback.

<https://www.cisa.gov/news/2020/03/19/cisa-releases-guidance-essential-critical-infrastructure-workers-during-covid-19>

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

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**From:** Brady, Lillie - OSEC, Washington, DC <[lillie.brady@usda.gov](mailto:lillie.brady@usda.gov)>  
**Sent:** Thursday, March 19, 2020 3:40 PM  
**Cc:** Willits, Ashley - OSEC, Washington, DC <[ashley.willits@usda.gov](mailto:ashley.willits@usda.gov)>  
**Subject:** Critical Infrastructure Guidance Amplification

Good afternoon!

Attached is the final DHS memo and guidance regarding Essential Critical Infrastructure combined both into one PDF for ease. These will be posted on CISA's website at CISA.gov. CISA's press release is also below.

Let us know if you have any questions!

Best,  
Lillie

|

 **Lillie J. Brady | Director**  
External and Intergovernmental Affairs  
United States Department of Agriculture  
Office of the Secretary  
Cell: (b) (6) | [Lillie.Brady@usda.gov](mailto:Lillie.Brady@usda.gov)

<image002.png>

## CISA Releases Guidance on Essential Critical Infrastructure Workers During COVID-19

WASHINGTON – Today, the Cybersecurity and Infrastructure Security Agency (CISA) [released guidance](#) to help state and local jurisdictions and the private sector identify and manage their essential workforce while responding to COVID-19.

As the Nation comes together to slow the spread of COVID-19, on March 16, the President issued updated Coronavirus Guidance for America. This guidance states that:

*“If you work in a critical infrastructure industry, as defined by the Department of Homeland Security, such as healthcare services and pharmaceutical and food supply, you have a special responsibility to maintain your normal work schedule.”*

CISA executes the Secretary of Homeland Security’s responsibilities as assigned under the Homeland Security Act of 2002 to provide strategic guidance, promote a national unity of effort, and coordinate the overall Federal effort to ensure the security and resilience of the Nation’s critical infrastructure. The list of Essential Critical Infrastructure Workers was developed in coordination with Federal agencies and the private sector as a guide to help decision-makers within communities understand how to ensure continuity of essential functions and critical workforce as they consider COVID-related restrictions in certain communities (e.g., shelter-in-place). The list can also inform critical infrastructure community decision-making to determine the sectors, sub sectors, segments, or critical functions that should continue normal operations, appropriately modified to account for Centers for Disease Control (CDC) workforce and customer protection guidance. These critical functions include, but are not limited to, systems that support healthcare personnel (e.g., doctors, nurses, laboratory personnel, etc.), the food industry (e.g., retail groceries and pharmacies), communication providers (e.g., operator, call centers, IT data centers), defense systems support, law enforcement, public works, and other essential operations. Workers who support these critical functions are necessary to keep critical systems and assets working.

“As the nation comes together to slow the spread of COVID-19, everyone has a role to play in protecting public health and safety. Many of the men and women who work across our nation’s critical infrastructure industries are hard at work keeping the lights on, water flowing from the tap, groceries on the shelves, among other countless essential services,” said Christopher Krebs, CISA Director. “As the nation’s risk advisor, this list is meant to provide

additional guidance to state and local partners, as well as industry, building on the President's statement that critical infrastructure industries have a special responsibility to keep normal operations. We're providing recommendations for these partners as they carry out their mission to keep their communities safe, healthy, and resilient. And on behalf of CISA, we thank the brave men and women who continue these essential jobs in challenging times."

The list of Essential Critical Infrastructure Workers was developed using existing data and analysis, including publicly available analysis done by the [President's National Infrastructure Advisory Council in 2007](#). The list does not impose any mandates on state or local jurisdictions or private companies.

CISA will use this list to support federal, state, local, tribal, and territorial government response to COVID-19. To view the full list of Essential Critical Infrastructure Workers and to learn more about our efforts, visit [www.cisa.gov/coronavirus](http://www.cisa.gov/coronavirus).

###

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<Guidance on the Essential Critical Infrastructure Workforce.pdf>

**From:** [Ashley Peterson](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Cc:** [Newsome, Shawna - OSEC, Washington, DC](#)  
**Subject:** Re: (b) (4) Information  
**Date:** Wednesday, April 29, 2020 2:19:21 PM

---

Good afternoon again -

I forgot to mention in my previous email that it is my understanding that the (b) (4) Department of Health is requiring 100% testing of all employees regardless if they are symptomatic or not. This is a decision that we have been unable to change.

Thank you,  
Ashley

Ashley Peterson  
National Chicken Council

On Apr 29, 2020, at 1:16 PM, Ashley Peterson (b) (6) @chickenusa.org> wrote:

Good afternoon Dr. Brashears –

The impacted NCC member plants in (b) (4) include the following:

- (b) (4)
- (b) (4)
- (b) (4)
- (b) (4)

These plants are currently running at or less than (b) (4) of normal attendance depending on the day and shift. If we look at the impact on antibody testing that has already been done in several locations in (b) (4) and assuming a (b) (4) positive rate, this combined with the already suppressed attendance and the simple fear caused by 100% testing will put these plants well below (b) (4) attendance. These plants cannot physically operate with so few employees. In fact, it is unlikely these plants can physically operate with less than (b) (4) attendance. When the proposed (b) (4) Health Department testing protocol is implemented as written this Friday, these plants will be forced to shut their doors for a minimum of seven days.

Thank you for your attention to this matter and we look forward to speaking with you about the details this afternoon.

Ashley

**Ashley B. Peterson, Ph.D.** | Senior Vice President, Scientific and Regulatory Affairs  
NATIONAL CHICKEN COUNCIL  
1152 Fifteenth Street, NW Suite 430 | Washington, DC 20005

C: (b) (6)  
D: (b) (6)

[www.nationalchickencouncil.org](http://www.nationalchickencouncil.org) | [www.ChickenCheck.In](http://www.ChickenCheck.In)  
[Sign up for NCC News](#) | [Chicken's Sustainability Story](#)

**From:** [Julie Anna Potts](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Cc:** [\(b\) \(6\) @meatinstitute.org](#); [Newsome, Shawna - OSEC, Washington, DC](#); [\(b\) \(6\) @meatinstitute.org](#)  
**Subject:** RE: Draft letter from Hill to USDA  
**Date:** Monday, March 16, 2020 12:47:04 PM  
**Attachments:** [3-15-20 F B Industry Essential Services - Final1 \(002\).pdf](#)

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Dr. Brashears, here is the list of essential services one-pager. Thank you for your time today.

Best, Julie Anna

---

**From:** Nathan Fretz [\(b\) \(6\) @meatinstitute.org](#)>  
**Sent:** Monday, March 16, 2020 12:32 PM  
**To:** [Mindy.Brashears@usda.gov](#)  
**Cc:** Julie Anna Potts [\(b\) \(6\) @meatinstitute.org](#)>; Pete Thomson [\(b\) \(6\) @meatinstitute.org](#)>;  
Shawna Newsome <[shawna.newsome@usda.gov](#)>  
**Subject:** Draft letter from Hill to USDA

Dr. Brashears,

I understand Julie Anna just mentioned to you a draft Hill letter urging Secretary Perdue to use available authorities to minimize disruptions in the animal agriculture supply chain. The draft letter is attached. Let us know if you have any thoughts.

Best,  
Nathan

# Food and Beverage Trade Association CEOs Group

## **STRONGLY ENCOURAGE A WHITE HOUSE POINT PERSON FOR THE FOOD AND BEVERAGE INDUSTRY**

**Essential components of the value chain to ensure an uninterrupted supply of food/products to consumers:**

- Continuity of waste management services, especially if provided by local government or third parties
- Water/sewer/utilities/electricity/gas
- Telecommunications/internet/wifi services
- Trucking
  - Inbound and Outbound transportation routes must not be impeded due to containment or quarantines
  - Need local municipalities to lift delivery curfews so trucks can deliver when possible
- Railroad
- Ports must remain open and functional for exports to avoid products backing up in the system and for critical delivery of inputs to food production facilities. Inputs include ingredients, sanitation products, packaging, equipment, tools, etc.
- Border inspection facilities (Canada/Mexico) must prioritize entry of foodstuffs and have mechanism in place to allow drivers and vehicles expedited screening and entry
- Need mechanism to secure rapid access to maintenance services of all critical infrastructures, especially if those services are external to the food production/distribution facility
- Labor must have expedited access to food production/distribution facilities, even if that means passing through/into quarantined areas
- Food production facilities must be encouraged to continue operations if located in quarantined/lockdown areas
  - Need guidance to standardize safety of operations and reassure workers and consumers of safety of operations
- Food production facilities must have continued access to inputs including ingredients, cleaning/sanitizing products, normal food safety testing products, and packaging supplies; the facilities that produce these products must be allowed to continue operations with some operational flexibility to increase production while ensuring food safety
- Distribution facilities that must continue to operate as critical infrastructure in the food system include warehouses, retailers, e-commerce distribution, etc.
- Consistent coverage from inspectors and other government representatives essential to the production or movement of food
- Priority access to refrigerated containers and trailers
- Priority access to pallets

**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Julie Anna Potts](#)  
**Cc:** [\(b\) \(6\) @meatinstitute.org](#); [Newsome, Shawna - OSEC, Washington, DC](#); [\(b\) \(6\) @meatinstitute.org](#)  
**Subject:** RE: Draft letter from Hill to USDA  
**Date:** Monday, March 16, 2020 1:21:00 PM

---

Thank you for sharing. Have a wonderful afternoon.  
Mindy

---

**From:** Julie Anna Potts [\(b\) \(6\) @meatinstitute.org](#)>  
**Sent:** Monday, March 16, 2020 12:47 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Cc:** [\(b\) \(6\) @meatinstitute.org](#); [Newsome, Shawna - OSEC, Washington, DC](#) <[Shawna.Newsome@usda.gov](mailto:Shawna.Newsome@usda.gov)>; [\(b\) \(6\) @meatinstitute.org](#)  
**Subject:** RE: Draft letter from Hill to USDA

Dr. Brashears, here is the list of essential services one-pager. Thank you for your time today.

Best, Julie Anna

---

**From:** Nathan Fretz [\(b\) \(6\) @meatinstitute.org](#)>  
**Sent:** Monday, March 16, 2020 12:32 PM  
**To:** [Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)  
**Cc:** Julie Anna Potts <[\(b\) \(6\) @meatinstitute.org](#)>; Pete Thomson [\(b\) \(6\) @meatinstitute.org](#)>; Shawna Newsome <[shawna.newsome@usda.gov](mailto:shawna.newsome@usda.gov)>  
**Subject:** Draft letter from Hill to USDA

Dr. Brashears,

I understand Julie Anna just mentioned to you a draft Hill letter urging Secretary Perdue to use available authorities to minimize disruptions in the animal agriculture supply chain. The draft letter is attached. Let us know if you have any thoughts.

Best,

Nathan

**From:** [Hoskins, Dudley - OSEC, Washington, DC](#)  
**To:** [Barb Glenn](#); [Dr. Kent McClure](#); (b) (6)@beef.org; [Ethan Lane](#); [Harrison Kircher](#); (b) (6)@turkeyfed.org; [Nick Giordano](#); [Cliff Williamson](#); [Paul Schlegel](#)  
**Cc:** [Young, Joby - OSEC, Washington, DC](#); [Rollins, Blake - OSEC, Washington, DC](#); [Brady, Lillie - OSEC, Washington, DC](#); [Walker, Lorren - OSEC, Washington, DC](#); [Crosswhite, Caleb - APHIS](#)  
**Subject:** Re: Embargoed Until Publication: USDA Statement on the Confirmation of COVID-19 in a Tiger in New York  
**Date:** Sunday, April 5, 2020 4:26:52 PM

---

It's now posted:

[https://www.aphis.usda.gov/aphis/newsroom/news/sa\\_by\\_date/sa-2020/ny-zoo-covid-19](https://www.aphis.usda.gov/aphis/newsroom/news/sa_by_date/sa-2020/ny-zoo-covid-19)

---

**From:** Hoskins, Dudley - OSEC, Washington, DC <dudley.hoskins@usda.gov>  
**Sent:** Sunday, April 5, 2020 4:04 PM  
**To:** Barb Glenn; Dr. Kent McClure; (b) (6)@beef.org; Ethan Lane; Harrison Kircher; (b) (6)@turkeyfed.org; Nick Giordano; Cliff Williamson; Paul Schlegel  
**Cc:** Young, Joby - OSEC, Washington, DC; Rollins, Blake - OSEC, Washington, DC; Brady, Lillie - OSEC, Washington, DC; Walker, Lorren - OSEC, Washington, DC; Crosswhite, Caleb - APHIS  
**Subject:** Embargoed Until Publication: USDA Statement on the Confirmation of COVID-19 in a Tiger in New York

**Embargoed Until Publication** — likely momentarily.

Apologies for the short notice, want to share the attached for your immediate awareness.

Please let us know if you have questions or would like to discuss further at any point.

My apologies if I am leaving any key points of contact off.

---

**From:** Rodgers, Meghan - OC, Washington, DC <meghan.rodgers@usda.gov>  
**Sent:** Sunday, April 5, 2020 3:48 PM  
**To:** Hoskins, Dudley - OSEC, Washington, DC; Walker, Lorren - OSEC, Washington, DC; Curlett, Ed C - APHIS; Fillpot, Dirk - OC, Washington, DC; Cole, Lyndsay M - APHIS  
**Subject:** FINAL STATEMENT



**Meghan Rodgers**  
Deputy Communications Director  
United States Department of Agriculture  
Office: (b) (6)

Cell: (b) (6)

**From:** [Julie Anna Potts](#)  
**To:** [Hoskins, Dudley - OSEC, Washington, DC](#)  
**Cc:** [Young, Joby - OSEC, Washington, DC](#); [Rollins, Blake - OSEC, Washington, DC](#); [Adcock, Rebeckah - OSEC, Washington, DC](#); [Shuford, Campbell - OSEC, Washington, DC](#); [Newsome, Shawna - OSEC, Washington, DC](#); [Beal, Mary Dee - OSEC, Washington, DC](#); [Boswell, Kristi - OSEC, Washington, DC](#); [Brady, Lillie - OSEC, Washington, DC](#)  
**Subject:** RE: Follow-Up & Contact Information  
**Date:** Friday, April 3, 2020 5:08:14 PM

---

Thanks to all of you! Great call and many thanks for the ongoing hard work.

---

**From:** Hoskins, Dudley - OSEC, Washington, DC <dudley.hoskins@usda.gov>  
**Sent:** Friday, April 3, 2020 4:58 PM  
**To:** Julie Anna Potts (b) (6) @meatinstitute.org>  
**Cc:** Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>; Rollins, Blake - OSEC, Washington, DC <blake.rollins@usda.gov>; Adcock, Rebeckah - OSEC, Washington, DC <Rebeckah.Adcock@usda.gov>; Shuford, Campbell - OSEC, Washington, DC <campbell.shuford@usda.gov>; Newsome, Shawna - OSEC, Washington, DC <Shawna.Newsme@usda.gov>; Beal, Mary Dee - OSEC, Washington, DC <MaryDee.Beal@usda.gov>; Boswell, Kristi - OSEC, Washington, DC <kristi.boswell@usda.gov>; Brady, Lillie - OSEC, Washington, DC <lillie.brady@usda.gov>  
**Subject:** Follow-Up & Contact Information

Hi Julie Anna – you may have already connected with Blake, but I am copying a few colleagues and our Chief of Staff, Joby Young, who was on the call today.

Many thanks to you, your members, and the entire NAMI Family for your time and efforts throughout this pandemic. - dudley

**Dudley Hoskins**

(b) (6) (direct)

(b) (6) (cell)

[dudley.hoskins@osec.usda.gov](mailto:dudley.hoskins@osec.usda.gov)

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person), you may not read it, copy it or deliver or forward it to anyone. If this message has been received in error, you should destroy this message and notify us immediately.

---

**From:** [Julie Anna Potts](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** RE: food industry letter  
**Date:** Thursday, March 19, 2020 11:28:41 AM

---

She did and it was incredibly helpful. I told her it made perfect sense and I'm delighted that USDA is in the leadership role. Thank you so much for this open line of communication. My cell is (b) (6) [REDACTED] We appreciate all you and your team are doing for the industry.

Best, JAP

---

**From:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Sent:** Thursday, March 19, 2020 11:25 AM  
**To:** Julie Anna Potts (b) (6) [REDACTED]@meatinstitute.org>  
**Subject:** RE: food industry letter

Thanks for sharing this. Shawna said she clarified the task force info with you. Let me know if you have any questions.

My cell numbers are:

(b) (6) [REDACTED] (work)

(b) (6) [REDACTED] (personal)

Reach out if needed.

Stay safe and healthy.

Mindy

---

**From:** Julie Anna Potts (b) (6) [REDACTED]@meatinstitute.org>  
**Sent:** Wednesday, March 18, 2020 5:35 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>; Newsome, Shawna - OSEC, Washington, DC <[Shawna.Newsome@usda.gov](mailto:Shawna.Newsome@usda.gov)>  
**Subject:** food industry letter

FYI. Thank you.

Best regards, JAP

Julie Anna Potts  
President & CEO  
North American Meat Institute  
(b) [REDACTED]@meatinstitute.org

(b) (6) [REDACTED] (o)

(b) (6) [REDACTED] (c)



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---

**From:** (b) (6) @hklaw.com  
**To:** Young, Joby - OSEC, Washington, DC (b) (6) @smithfield.com  
**Subject:** RE: Food supply PPE  
**Date:** Tuesday, April 14, 2020 11:18:23 AM

Thank you, Joby, appreciate your sending Hope you re well

---

**From:** Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>  
**Sent:** Tuesday, April 14, 2020 11:15 AM  
**To:** (b) (6) @smithfield.com  
**Cc:** Armstrong, Christopher J (WAS - X75490) (b) (6) @hklaw.com>  
**Subject:** Fwd: Food supply PPE

[External email]

Joby Young  
Chief of Staff  
U S Dept of Agriculture

---

**From:** Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>  
**Sent:** Tuesday, April 14, 2020 10:58:53 AM  
**To:** (b) (6) @smithfield.com (b) (6) @smithfield.com  
**Subject:** Fwd: Food supply PPE

Sir,

See below and attached

Joby Young  
Chief of Staff  
U S Dept of Agriculture

---

**From:** Julia Lovett (b) (6) @framebridge.com>  
**Sent:** Tuesday, April 14, 2020 10:50  
**To:** Young, Joby - OSEC, Washington, DC  
**Cc:** ppe@framebridge.com  
**Subject:** Re: Food supply PPE

Hi Joby,

Thanks so much for reaching out! We'd love to help provide face shields to help protect workers on the frontlines of food supply!

We're proud to have no order minimums and to be selling our face shields at cost for \$4.50/each. Replacement shields are available for \$0.80/each in packs of 25 for \$20/pack. We're producing up to 3,000 face shields a day and orders should ship in 1-2 days. We're also working to ramp production for a more traditional face shield with an elastic headband, and we'll have more details on capacity for that model in coming days.

I've attached our two spec sheets here. Additionally, my phone number is (b) (6) if you'd prefer to visit over the phone.

Let me know what additional information would be helpful!

Julia

On Tue, Apr 14, 2020 at 10:43 AM 'Young, Joby - OSEC, Washington, DC' via Framebridge Personal Protective Equipment <ppe@framebridge.com> wrote:

Hi guys-

Saw your email about switching to face mask production. I'd like to talk more. Please email or call me. Mobile is (b) (6)

-Joby

Joby Young  
Chief of Staff  
U S Dept of Agriculture

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To unsubscribe from this group and stop receiving emails from it, send an email to [unsubscribe@framebridge.com](mailto:unsubscribe@framebridge.com)

To post to this group, send email to [ppe@framebridge.com](mailto:ppe@framebridge.com)

To view this discussion on the web visit

[https://groups.google.com/a/framebridge.com/d/msgid/ppe/BL0PR0901MB43565BC9BD4A1E9B8481D8F4F3DA0%40BL0PR0901MB4356\\_namprd09\\_prod\\_outlook.com](https://groups.google.com/a/framebridge.com/d/msgid/ppe/BL0PR0901MB43565BC9BD4A1E9B8481D8F4F3DA0%40BL0PR0901MB4356_namprd09_prod_outlook.com)

--

Julia Lovett | [Framebridge](#)

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**From:** [Kiecker, Paul - FSIS](#)  
**To:** [Booren, Betsy](#)  
**Cc:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** RE: FSIS's Position  
**Date:** Tuesday, March 17, 2020 8:46:00 AM

---

Hopefully the industry has been working to provide support for their decisions and not just looking for others to provide their specific support. We have been very clear on our position regarding a food safety system but specifics need to be reviewed and assessed by the manufacturer as well. From the message below it doesn't appear that industry has done anything other than to wait. That is not a good position for them to be in. We will be in touch.

Thanks,

Paul Kiecker  
Administrator  
Food Safety and Inspection Service  
1400 Independence Avenue, SW  
Room 331-E, J.L. Whitten Building  
Washington, DC 20250  
Office: (b) (6)  
Cell: (b) (6)  
paul.kiecker@usda.gov

---

**From:** Booren, Betsy (b) (6) @consumerbrandsassociation.org>  
**Sent:** Tuesday, March 17, 2020 8:40 AM  
**To:** Kiecker, Paul - FSIS <paul.kiecker@usda.gov>; Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Subject:** RE: FSIS's Position

Also, these are the common questions we are receiving from industry.

- If a facility worker that did not quarantine himself/herself tests positive for coronavirus what is FSIS's expectation for facility action? Shutdown of food facility and full clean and sanitation?
- Since this virus can not being transmitted by food or food packaging materials, is it safe to assume that even if a sick worker is identified in a food facility that was involved in the production of food, that no action needs to be taken relative to the food produced when that worker was in the facility?
- What is the **Time/Temperature** lethality treatment for this virus?
- What should be done if annual supplier verification

audits cannot be performed  
due to travel restrictions  
etc. and need to be  
delayed?

- If the virus is on food packaging material, and then goes into the freezer what is the survivability of the virus through the freeze/thaw cycle? Would freezing and thawing of product kill any coronavirus that may be present on packaging, in the product? Is there data to support?
- If a plant worker reports that they have come into contact with someone that has tested positive for COVID-19 – but that worker has not tested positive and is asymptomatic, is there a recommended response (e.g., shut down facility, deep clean and notify your local health department). Again, what about the disposition of the product?
- What is the recommended course of action for a manufacturing facility that manufactures food or beverages if a company worker is confirmed positive for coronavirus, what actions should that food company take, i.e., do they need to quarantine all workers and if yes for how long? If the employee manufactured food what should be done with the food?
- What are the precautions a food manufacturing company can take, in addition to good manufacturing practices, to help reduce the introduction or spread of coronavirus?
- Is air treatment for facilities as offices, labs, manufacturing sites, etc., effective in controlling spread of the virus? Such as enhanced filtering, or light treatment, but not to extent as a positive air room.

**Betsy Booren, Ph.D.**

Senior Vice President, Regulatory and Technical Affairs  
Consumer Brands Association

New agenda, new organization. [Learn more](#) about the Consumer Brands Association.

*\*Note: Please update your contacts with my new email address*

---

**From:** Booren, Betsy

**Sent:** Tuesday, March 17, 2020 8:23 AM

**To:** [paul.kiecker@usda.gov](mailto:paul.kiecker@usda.gov); Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>

**Subject:** FSIS's Position

I'm sure you have seen. Any official information on FSIS' position and a statement on this risk and actions for companies to take is critically needed. Let me know how we can help spread FSIS's position

**An Anheuser-Busch plant employee in Georgia has tested positive for the novel coronavirus, the company announced in a statement on Tuesday.**

<https://www.foxnews.com/health/anheuser-busch-plant-employee-georgia-tests-positive-coronavirus>

**Betsy Booren, Ph.D.**

Senior Vice President, Regulatory and Technical Affairs  
Consumer Brands Association

(b) (6) (office)  
(b) (6) (mobile)

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*\*Note: Please update your contacts with my new email address*

**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Booren, Betsy](#); [Kiecker, Paul - FSIS](#)  
**Subject:** RE: FSIS's Position  
**Date:** Tuesday, March 17, 2020 8:40:00 AM

---

Thanks Betsy. We will be back in touch.

---

**From:** Booren, Betsy (b) (6) @consumerbrandsassociation.org>  
**Sent:** Tuesday, March 17, 2020 8:40 AM  
**To:** Kiecker, Paul - FSIS <paul.kiecker@usda.gov>; Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Subject:** RE: FSIS's Position

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what should be done with the food?

- What are the precautions a food manufacturing company can take, in addition to good manufacturing practices, to help reduce the introduction or spread of coronavirus?
- Is air treatment for facilities as offices, labs, manufacturing sites, etc., effective in controlling spread of the virus? Such as enhanced filtering, or light treatment, but not to extent as a positive air room.

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Senior Vice President, Regulatory and Technical Affairs  
Consumer Brands Association

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*\*Note: Please update your contacts with my new email address*

---

**From:** Booren, Betsy

**Sent:** Tuesday, March 17, 2020 8:23 AM

**To:** [paul.kiecker@usda.gov](mailto:paul.kiecker@usda.gov); Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>

**Subject:** FSIS's Position

I'm sure you have seen. Any official information on FSIS' position and a statement on this risk and actions for companies to take is critically needed. Let me know how we can help spread FSIS's position

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<https://www.foxnews.com/health/anheuser-busch-plant-employee-georgia-tests-positive-coronavirus>

**Betsy Booren, Ph.D.**

Senior Vice President, Regulatory and Technical Affairs  
Consumer Brands Association

(b) (6) (office)  
(b) (6) (mobile)

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*\*Note: Please update your contacts with my new email address*

**From:** [Sullivan, Ken](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Cc:** [Young, Joby - OSEC, Washington, DC](#)  
**Subject:** Re: Industry feedback  
**Date:** Tuesday, May 5, 2020 11:30:31 AM

---

Thank you.

---

**From:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Sent:** Tuesday, May 5, 2020 11:24:38 AM  
**To:** Sullivan, Ken (b) (6) @smithfield.com>  
**Cc:** Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>  
**Subject:** Re: Industry feedback

Ken,  
Thank you so much for your feedback. We will certainly take this into consideration.

We are awaiting the final CDC report and I will be in touch once received. We can discuss both issues at that time.

Talk soon!  
Mindy

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---

**From:** Sullivan, Ken (b) (6) @smithfield.com>  
**Sent:** Tuesday, May 5, 2020 10:21:33 AM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Subject:** Industry feedback

Hi Mindy

(b) (4)  
[Redacted]

[Redacted]

(b) (4)  
[Redacted]

(b) (4)

(b) (4)

. Thank you, Ken cell# (b) (6)

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**From:** [Lindsay, Sally - OSEC Washington, DC](#)  
**To:** [Sullivan, Ken](#); [Brashears, Mindy - OSEC, Washington, DC](#)  
**Cc:** [Young, Joby - OSEC, Washington, DC](#)  
**Subject:** RE: Industry feedback  
**Date:** Tuesday, May 5, 2020 2:47:37 PM

---

Ken –

Thanks for your email. Joby asked me to let you know that he received it, and that it'll be circulated to the appropriate folks in the department.

Sally

Sally Q. Lindsay  
Office of the Secretary  
(b) (6)

---

**From:** Sullivan, Ken (b) (6) @smithfield.com>  
**Sent:** Tuesday, May 5, 2020 2:32 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Cc:** Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>  
**Subject:** RE: Industry feedback

Governor Noem is making intentionally misleading statements that completely mischaracterize our willingness to respond to their joint South Dakota Dept of Health/CDC April 23<sup>rd</sup> report. As you know, we prepared a response and are perfect happy to deliver it. We are caught squarely in the middle of a tug of war, in which we have no interest in being a participant. WE NEED HELP!

### **Governor Noem “disappointed” Smithfield Foods didn’t share plan on implementing recommendations**

by: Travis Fossing, KELO (IA)  
May 4, 2020

SIOUX FALLS, S.D. (KELO) — Smithfield Foods in Sioux Falls is one day closer to being back online, but is no longer working directly with the state of South Dakota.

Governor Kristi Noem says she talked with Smithfield Foods on Saturday, but the Executive Order signed by President Donald Trump last week says the plant no longer answers to the state.

“USDA, CDC, and OEHS will be conducting any future reviews of Smithfield’s practices. Because of this we know we won’t expect a response to the letter we sent to Smithfield on April 23<sup>rd</sup>,” Governor Kristi Noem said.

Noem says the CDC did a walkthrough of the plant Monday morning.

“I’m disappointed we never received Smithfield management’s plan on how they’re going to implement CDC’s recommendations for a safe reopening, but despite that, we’ll continue to do all that we can to protect the health of the Smithfield workforce,” Noem said.

Noem’s team worked with Smithfield in recent weeks to identify needs, acquiring 4,000 face shields and 20,000 face masks through FEMA.

Noem is also keeping an eye on the state revenue...

more, including video report [1:26 min.]

<https://www.keloland.com/news/healthbeat/coronavirus/governor-noem-disappointed-smithfield-foods-didnt-share-plan-on-implementing-recommendations/>

---

**From:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Sent:** Tuesday, May 5, 2020 11:25 AM  
**To:** Sullivan, Ken (b) (6) <[ken.sullivan@smithfield.com](mailto:ken.sullivan@smithfield.com)>  
**Cc:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>  
**Subject:** Re: Industry feedback

Ken,

Thank you so much for your feedback. We will certainly take this into consideration.

We are awaiting the final CDC report and I will be in touch once received. We can discuss both issues at that time.

Talk soon!

Mindy

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---

**From:** Sullivan, Ken (b) (6) <[ken.sullivan@smithfield.com](mailto:ken.sullivan@smithfield.com)>  
**Sent:** Tuesday, May 5, 2020 10:21:33 AM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Subject:** Industry feedback

Hi Mindy

(b) (4)  
[Redacted text block]

(b) (4)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

(b) (4)

[Redacted]

[Redacted]

Thank you, Ken cell# (b) (6)

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**From:** [Young, Joby - OSEC, Washington, DC](#)  
**To:** [Sullivan, Ken](#)  
**Cc:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** Re: Industry feedback  
**Date:** Tuesday, May 5, 2020 11:36:26 AM

---

Thanks Ken.

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

---

**From:** Sullivan, Ken (b) (6) @smithfield.com>  
**Sent:** Tuesday, May 5, 2020 11:23:36 AM  
**To:** Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>  
**Cc:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Subject:** FW: Industry feedback

Joby

I meant to copy you. I forgot. Thank you both again for everything you're doing. Its cliché but true--  
- we are in this together. Ken

---

**From:** Sullivan, Ken  
**Sent:** Tuesday, May 5, 2020 11:22 AM  
**To:** Mindy.Brashears@usda.gov  
**Subject:** Industry feedback

Hi Mindy

(b) (4)  
[Redacted]

[Redacted]

[Redacted]

(b) (4)

[Redacted]

[Redacted]

Thank you, Ken cell# (b) (6)

This communication (including any attachments) is confidential and is intended to be privileged pursuant to applicable law. If you are not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, then you are hereby notified that the dissemination, distribution or copying of this communication is prohibited. If you received this communication in error, please notify Smithfield Foods, Inc. immediately by telephone (+1 757-365-3000) and then delete this communication and destroy all copies thereof.

**From:** [Lindsay, Sally - OSEC Washington, DC](#)  
**To:** [Hourican, Kevin 000](#); [Young, Joby - OSEC, Washington, DC](#); [Nelson Peltz](#); [Russell, Neil 000](#)  
**Subject:** RE: intro  
**Date:** Monday, May 11, 2020 4:02:10 PM

---

Sir-

I just sent an invitation for a call at 11:00 a.m. EDT tomorrow. Additional USDA folks may be added to the invitation.

Sally

---

**From:** Hourican, Kevin 000 (b) (6) @corp.sysco.com>  
**Sent:** Monday, May 11, 2020 3:35 PM  
**To:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>; Nelson Peltz (b) (6) @trianpartners.com>; Russell, Neil 000 (b) (6) @corp.sysco.com>  
**Cc:** Lindsay, Sally - OSEC Washington, DC <[Sally.Lindsay@usda.gov](mailto:Sally.Lindsay@usda.gov)>  
**Subject:** RE: intro

Joby,

Thank you for the quick response. Neil Russell and I would be available tomorrow at both of the times that Sally just provided. Sally, please send an invite for either 30 minute slot. We look forward to connecting.

As you are most likely aware, we had a conversation on Saturday afternoon with your team on the status of the bid. We appreciate your team being available over the weekend. It is clear that the bid awards are providing much needed support to farmers and producers. We are thankful that the awards will do meaningful work to help farmers and producers in need. Our confusion is how the product itself is going to get from those farmers/producers to the food banks / food shelters across the country. We seek clarity into how the actual supply chain distribution of the goods will be completed. At Sysco, we stand ready to serve in assistance of that food distribution. We have donated more than 21 mm meals to food shelters since the beginning of this crisis and we desire to help the USDA/CFAP get the product you are purchasing from the farms to those shelters.

We appreciate your time and look forward to connecting tomorrow.

Kevin

---

**From:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>  
**Sent:** Monday, May 11, 2020 2:09 PM  
**To:** Hourican, Kevin 000 <(b) (6) @corp.sysco.com>; Nelson Peltz <(b) (6) @trianpartners.com>

**Cc:** Lindsay, Sally - OSEC Washington, DC <[Sally.Lindsay@usda.gov](mailto:Sally.Lindsay@usda.gov)>

**Subject:** Re: intro

**EXTERNAL EMAIL:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe

Thanks Avi.

Happy to connect. BCCing you and copying Sally to schedule a call.

Thanks,

Joby

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

---

**From:** Berkowitz, Avrahm J. EOP/WHO (b) (6) <[\[REDACTED\]@who.eop.gov](mailto:[REDACTED]@who.eop.gov)>

**Sent:** Monday, May 11, 2020 3:06:36 PM

**To** ( [REDACTED] <[\[REDACTED\]@corp.sysco.com](mailto:[REDACTED]@corp.sysco.com)> (b) (6) [REDACTED] <[\[REDACTED\]@corp.sysco.com](mailto:[REDACTED]@corp.sysco.com)>; Nelson Peltz (b) (6) <[\[REDACTED\]@trianpartners.com](mailto:[REDACTED]@trianpartners.com)>; Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>

**Subject:** intro

Joby,

Please meet Kevin Hourican, Ceo of Sysco and Nelson Peltz. Hopefully you three can connect.

Best,

Avi

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**From:** [Peltz, Nelson](#)  
**To:** [Berkowitz, Avrahm J. EOP/WHO](#)  
**Cc:** (b) (6) @corp.sysco.com; [Young, Joby - OSEC, Washington, DC](#)  
**Subject:** Re: intro  
**Date:** Monday, May 11, 2020 3:08:47 PM

---

Avi  
Thank you.  
Joby, nice to meet you.  
Kevin has some questions  
Appreciate your time!  
Stay safe!  
Nelson

On May 11, 2020, at 3:06 PM, Berkowitz, Avrahm J. EOP/WHO (b) (6) @who.eop.gov> wrote:

Joby,  
Please meet Kevin Hourican, Ceo of Sysco and Nelson Peltz. Hopefully you three can connect.  
Best,  
Avi

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**From:** [Michael Taylor](#)  
**To:** [Booren, Betsy](#); [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** Re: Introduction  
**Date:** Monday, April 13, 2020 10:42:00 AM  
**Attachments:** [Member Slide March 2020.pptx](#)

---

Thanks so much for the introduction, Betsy.

Hello, Dr. Brashears.

First, congratulations on your confirmation. I spent almost two years as *acting* under secretary, so I can only imagine how good that felt!

As Betsy outlined, I've been around food safety quite a while and have been fortunate to witness close up the tremendous progress the community has made in building the knowledge and frameworks for prevention across the food system. This includes the transformation from the Jack in the Box era of finger pointing and blame to today's collaboration within industry through GFSI and other vehicles.

I'm also excited about the opportunities for collaboration between consumers and food safety leaders in government and industry. In my role with Stop Foodborne Illness, a major initiative on which I'm spending time is our Alliance to Stop Foodborne Illness, which includes 11 major food retailing and manufacturing companies (see attached slide). These companies are working with us because they see the value of incorporating the personal stories of individuals and families seriously harmed by foodborne illness into their training and food safety culture programs, to put a human face on food safety.

It's in that spirit of collaboration that I'd very much appreciate an opportunity to talk with you. I'd like to let you know more about Stop and the Alliance, but I'd also like to compare notes on the persistence of *Salmonella* and *Campylobacter* as public health concerns. I don't want to discuss the Marler petition, but rather longstanding questions about how to address pre-harvest practices, especially in poultry, and possibly modernize the *Salmonella* performance standards based on today's knowledge about the serotypes of greatest public health concern.

I of course recognize that an in-person meeting isn't in the cards for the foreseeable future, but how about a virtual coffee via Zoom or some other video channel?

Please let me know what's possible for you. With travel off the table, my schedule is pretty flexible these days!

In the meantime, be well.

Mike

On Apr 13, 2020, at 8:33 AM, Booren, Betsy  
(b) (6) [@consumerbrandsassociation.org](mailto:booren@consumerbrandsassociation.org) wrote:

Under Secretary Brashears – I hope you and your family are safe and healthy.

I would like to virtually introduce Mike Taylor. You may recall Mike was FDA's deputy commissioner for foods and veterinary from 2009-2016, where he led

FSMA implementation. He also served at USDA in the post-Jack in the Box period (1994-1996) as FSIS administrator and acting Under Secretary for Food Safety, where he led the HACCP/Pathogen Reduction rulemaking. Mike is now doing food safety-related work in both the commercial and non-profit sectors, including as co-chair of the board of Stop Foodborne Illness. He is also looking at the issues raised by Bill Marler's petition and, in both his former FSIS and current STOP role, is interested in finding pathways to address the persistence of *Salmonella* and *Campylobacter* as public health concerns and regulatory challenges.

I think it would be mutually productive and interesting for you two to get acquainted.

Betsy

**Betsy Booren, Ph.D.**

Senior Vice President, Regulatory and Technical Affairs  
Consumer Brands Association

(b) (6) (office)  
(b) (6) (mobile)

New agenda, new organization. [Learn more](#) about the Consumer Brands Association.

*\*Note: Please update your contacts with my new email address*

# Alliance to Stop Foodborne Illness

## Food Industry Members



**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Michael Taylor](#); [Booren, Betsy](#)  
**Cc:** [Newsome, Shawna - OSEC, Washington, DC](#); [Laing, Maggie - OSEC, Washington, DC](#)  
**Subject:** RE: Introduction  
**Date:** Monday, April 13, 2020 3:22:00 PM

---

Mike,

Thanks so much for reaching out. Thank you for the kind words. I am very grateful for the confirmation and excited to continue to serve in the roll. Betsy...thanks for the introduction.

I am very interested in hearing about your activities with STOP and the alliance. I am not sure if you are aware, but I have a very strong interest in consumer education and how to achieve behavior changes. I would also like to hear your thoughts on the other items Betsy mentioned below.

I have copied my chief-of-staff, Shawna Newsome and my confidential assistant, Maggie Laing so we can get a meeting set up. We generally use skype for security purposes so we can set up a video meeting via that platform.

Thanks for reaching out. Stay safe and healthy.

Mindy

---

**From:** Michael Taylor (b) (6) @gmail.com>  
**Sent:** Monday, April 13, 2020 10:40 AM  
**To:** Booren, Betsy (b) (6) @consumerbrandsassociation.org>; Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Subject:** Re: Introduction

Thanks so much for the introduction, Betsy.

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(b) (6) <[@consumerbrandsassociation.org](mailto:(b) (6)@consumerbrandsassociation.org)> wrote:

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**Betsy Booren, Ph.D.**  
Senior Vice President, Regulatory and Technical Affairs  
Consumer Brands Association  
(b) (6) (office)  
(b) (6) (mobile)

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*\*Note: Please update your contacts with my new email address*

**From:** [Michael Taylor](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Cc:** [Booren, Betsy](#); [Newsome, Shawna - OSEC, Washington, DC](#); [Laing, Maggie - OSEC, Washington, DC](#)  
**Subject:** Re: Introduction  
**Date:** Monday, April 13, 2020 3:46:15 PM

---

Thanks so much for getting back to me, Mindy. I'll look forward to our Skype conversation, including on consumer education, which is of course a classic area for broad collaborative efforts.

For the benefit of your team, my Skype address is (b) (6). And my schedule is flexible, so whatever works at your end should work for me.

I'm so glad we can connect!

Take care,

Mike

On Apr 13, 2020, at 3:22 PM, Brashears, Mindy - OSEC, Washington, DC  
<[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)> wrote:

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Thanks for reaching out. Stay safe and healthy.

Mindy

---

**From:** Michael Taylor <(b) (6)@gmail.com>  
**Sent:** Monday, April 13, 2020 10:40 AM  
**To:** Booren, Betsy <(b) (6)@consumerbrandsassociation.org>; Brashears, Mindy -

OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>

**Subject:** Re: Introduction

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In the meantime, be well.

Mike

On Apr 13, 2020, at 8:33 AM, Booren, Betsy

**(b) (6)** <[\[REDACTED\]@consumerbrandsassociation.org](mailto:[REDACTED]@consumerbrandsassociation.org)> wrote:

Under Secretary Brashears – I hope you and your family are safe and healthy.

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Betsy

**Betsy Booren, Ph.D.**

Senior Vice President, Regulatory and Technical Affairs  
Consumer Brands Association

(b) (6) (office)  
(b) (6) (mobile)

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**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Julie Anna Potts](#)  
**Cc:** [Newsome, Shawna - OSEC, Washington, DC](#); [Kiecker, Paul - FSIS](#); [Beal, Mary Dee - OSEC, Washington, DC](#)  
**Subject:** Re: issues  
**Date:** Thursday, March 26, 2020 7:18:19 PM

---

Never hesitate to reach out. We are here to serve and will continue to do all we can.

Stay safe and healthy.

Mindy

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---

**From:** Julie Anna Potts (b) (6) @meatinstitute.org>  
**Sent:** Thursday, March 26, 2020 7:01:58 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Cc:** Newsome, Shawna - OSEC, Washington, DC <Shawna.Newsme@usda.gov>; Kiecker, Paul - FSIS <paul.kiecker@usda.gov>; Beal, Mary Dee - OSEC, Washington, DC <MaryDee.Beal@usda.gov>  
**Subject:** RE: issues

Thank you so much! I know you are fielding these nonstop. We appreciate this. Best, JAP

---

**From:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Sent:** Thursday, March 26, 2020 6:59 PM  
**To:** Julie Anna Potts (b) (6) @meatinstitute.org>  
**Cc:** Newsome, Shawna - OSEC, Washington, DC <Shawna.Newsme@usda.gov>; Kiecker, Paul - FSIS <paul.kiecker@usda.gov>; Beal, Mary Dee - OSEC, Washington, DC <MaryDee.Beal@usda.gov>  
**Subject:** RE: issues

Julie Anna,

I appreciate you reaching out to us. I want to assure you that we are committed to addressing the needs of the industry and the entire agriculture sector. We are having conversations daily, even multiple times each day, on the issues you have brought to us. I want to address your points as follows and other members of the team can add to my comments if needed.

- With respect to masks (any type), the priority at this time is for health care workers. They are on the front line of fighting this crisis and must be the priority for masks. Today we made a decision to allow our inspectors to wear a mask if they provide it themselves and if the plant approves, however, we are not providing the masks. We face a similar situation with thermometers. Healthcare must be prioritized. For sanitizers, USDA is working with ethanol producers to help meet the demand and we hope this supply chain catches up soon. Other companies producing sanitizers have assured us that they will catch up with the demand soon. Food workers can continue to wash their hands as the primary line of protection. Additionally, FDA has put out the following guidelines for

the use of alternatives (this information has been copied/pasted from their FAQs).

“...the FDA has issued guidance for the temporary compounding of certain alcohol-based hand sanitizers by pharmacists in state-licensed pharmacies or federal facilities and registered outsourcing facilities. See [Immediately in Effect Guidance for Industry: Policy for Temporary Compounding of Certain Alcohol-Based Hand Sanitizer Products During the Public Health Emergency](#). FDA has also issued guidance for the temporary preparation of certain alcohol-based hand sanitizer products by firms during the public health emergency (COVID-19). See [Guidance for Industry: Temporary Policy for Preparation of Certain Alcohol-Based Hand Sanitizer Products During the Public Health Emergency \(COVID-19\)](#).”

- To address questions on social distancing, we have worked with FDA to develop guidelines on social distancing in food plants. We are working on clearance of the FAQ to be on the USDA website and it should be up soon. In the absence of any illness, I suggest utilizing our guidelines to ask the health department to follow our federal recommendations for this situation. On the call Frank and I had with the local health authorities, we asked them to follow the guidance we have put out. However, I want to emphasize that the jurisdiction of health issues will be left to the local health departments. The requirements might change in areas of increased illness and/or if there is a confirmed illness in the processing facility. If there are illnesses they may require more stringent social distancing recommendations and/or quarantines. We will rely on them to make the best decisions based on public health.

This is a fluid situation and we must address the needs on a day to day basis. We are doing this each day and even each hour as issues arise. I assure you that we are working on these topics and we will continue to be committed to meeting the industry needs to keep our food supply flowing.

Please do not hesitate to reach out again and we will work together to get through this.

Mindy

---

**From:** Julie Anna Potts (b) (6) [@meatinstitute.org](mailto:JulieAnnaPotts@meatinstitute.org)  
**Sent:** Thursday, March 26, 2020 5:26 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Cc:** Newsome, Shawna - OSEC, Washington, DC <[Shawna.Nesome@usda.gov](mailto:Shawna.Nesome@usda.gov)>  
**Subject:** issues

Under Secretary Brashears, I wanted to make you aware of some concerns we are hearing from some of our members and know that you are likely hearing similar challenges from others. This is not in the vein of the FSIS call this morning, rather more in your role as part of the WH food supply chain task force. Please let me know if there's anything more we can be doing to assist in smoothing some of these challenges or how to help us manage expectations. Two items for this afternoon:

- We are pushing our members to drive their supply chain issues to the [foodsupplychain@usda.gov](mailto:foodsupplychain@usda.gov) email address. In one case, there was an immediate acknowledgement that a request for supplies was received, but after 48 hours, no additional follow up on what might be made available or when. The specific list of PPE and other items needed in this case: medical style ear loop masks; infrared no-touch forehead thermometers; bulk hand sanitizer; pump sprayers for 1 gallon jugs; and N-95 masks. I can forward contact and other info as needed, but the issue is likely larger than the one example.
- We have had reported instances of local health officials insisting that the 6-foot social distancing rule should be applied in the plants in at least two different states. So far, there has not been an order to shut down a plant and plants have made use of this CDC risk assessment guidance: <https://www.cdc.gov/coronavirus/2019-ncov/php/risk-assessment.html>. I know you and others had a call with health officials earlier this week... wondering what more NAMI can do to help guide our members through this when local health authorities have jurisdiction. Again, I can supply more specific info about the counties involved if you need it.

Thank you for the FSIS call this morning and for everything you are doing on the TF.

Best, JAP

Julie Anna Potts  
President & CEO  
North American Meat Institute

(b) [redacted]@meatinstitute.org

(b) (6) [redacted] (o)

(b) (6) [redacted] (c)



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---

**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Lombardo, Keira](#)  
**Subject:** Re: Kane County Health mitigation  
**Date:** Wednesday, May 6, 2020 9:15:50 PM  
**Attachments:** [image001.png](#)  
[ATT00001.png](#)

---

Of course!  
Happy to help!

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---

**From:** Lombardo, Keira (b) (6) @smithfield.com>  
**Sent:** Wednesday, May 6, 2020 9:14:40 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Subject:** Re: Kane County Health mitigation

Dr. Brashears,  
I wanted to reach out and personally thank you for your help in Sioux Falls and across the board. We really appreciate it.  
Best,  
Keira

**Smithfield.**  
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Keira Lombardo  
Executive Vice President, Corporate Affairs and Compliance  
p: (b) (6) c: (b) (6)  
e: (b) (6) @smithfield.com  
200 Commerce St.  
Smithfield, VA 23430  
[smithfieldfoods.com](#)

---

**From:** "Brashears, Mindy - OSEC, Washington, DC" <Mindy.Brashears@usda.gov>  
**Date:** Wednesday, May 6, 2020 at 9:01 PM  
**To:** "Skahill, Michael P." (b) (6) @smithfield.com>  
**Cc:** "McClure, Amy" (b) (6) @smithfield.com>, (b) (6) @hklaw.com"  
(b) (6) @hklaw.com>, "Lombardo, Keira" (b) (6) @smithfield.com>, Christopher  
DeLacy (b) (6) @hklaw.com>  
**Subject:** Re: Kane County Health mitigation

Thanks. We will be in touch tomorrow.

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---

**From:** Skahill, Michael P. (b) (6) @smithfield.com>

**Sent:** Wednesday, May 6, 2020 9:00:00 PM

**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>

**Cc:** McClure, Amy (b) (6) @smithfield.com>; (b) (6) @hklaw.com  
(b) (6) @hklaw.com>; Lombardo, Keira (b) (6) @smithfield.com>;  
(b) (6) @hklaw.com (b) (6) @hklaw.com>

**Subject:** Kane County Health mitigation

Dr Brashears, Mindy,

Promised I would not bother you this evening so just a heads up

1. Thanks for the Ag Secretary Perdue quote regarding S Falls. Thank you thank you
2. The Kane County Illinois health department continues to be a challenge regarding our St. Charles processing facility. We have worked as a team relentlessly with them for the past 2 weeks. Amy, who is on for copy, will give us a brief summary of the situation. I really did not want to have to get you involved but it has now come to the point where we need you to referee. We have been very cooperative with Kane County health department. Amy McClure is Associate General Counsel, Regulatory Affairs, for Smithfield. Look for an email in the AM

Good night. Mike



**Michael P. Skahill**  
Vice President, Government Affairs  
p: (b) (6) c: (b) (6)  
e: (b) (6) @smithfield.com  
111 Commerce St.  
Smithfield, VA 23430  
[smithfieldfoods.com](http://smithfieldfoods.com)

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**From:** [Julie Anna Potts](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** RE: meat plant comp initiatives  
**Date:** Tuesday, March 24, 2020 12:27:21 PM

---

Under Secretary Brashears, NAMI is supportive of any efforts by FSIS to offer “hazard pay” or the like to FSIS employees as we face this situation together. Thank you and all your staff for the critical work you are doing to keep the food supply chain intact and functional during this emergency.

Best regards, JAP

---

**From:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Sent:** Tuesday, March 24, 2020 12:15 PM  
**To:** Julie Anna Potts <(b) (6)@meatinstitute.org>  
**Subject:** Re: meat plant comp initiatives

Thank you!

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---

**From:** Julie Anna Potts <(b) (6)@meatinstitute.org>  
**Sent:** Tuesday, March 24, 2020 11:56:02 AM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Subject:** meat plant comp initiatives

Under Secretary Brashears, I wanted to pass along some specific initiatives undertaken already by several large members. These represent four different companies’ approaches:

- a \$600 payment in mid-May to qualifying plant employees
- increased hourly pay by \$2 for the month of April plus \$500 bonus
- Additional weekly pay of \$55 per week
- Cash bonuses of \$300 for FT and \$150 PT

See: <https://www.msn.com/en-us/finance/companies/hormel-maple-leaf-pay-worker-bonuses-to-keep-plants-going/ar-BB11APk5>. I’m hearing anecdotes of other temporary adjustments as well as other companies that have these changes under discussion. I will pass along anything concrete.

Thank you.

Julie Anna Potts  
President & CEO  
North American Meat Institute

(b) [REDACTED]@meatinstitute.org

(b) (6) [REDACTED] (o)

(b) (6) [REDACTED] (c)



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**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Julie Anna Potts](#)  
**Subject:** RE: meat plant comp initiatives  
**Date:** Tuesday, March 24, 2020 2:50:00 PM

---

Thanks for continuing to update!

---

**From:** Julie Anna Potts (b) (6) @meatinstitute.org>  
**Sent:** Tuesday, March 24, 2020 1:57 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Subject:** FW: meat plant comp initiatives

Further to the info below, several more members have responded with information:

- \$1-2/hour increase for hourly workers under consideration (2 sizable packers)
  - Small processor paying \$200 per week bonus
- 

**From:** Julie Anna Potts  
**Sent:** Tuesday, March 24, 2020 11:56 AM  
**To:** Mindy Brashears ([mindy.brashears@usda.gov](mailto:mindy.brashears@usda.gov)) <[mindy.brashears@usda.gov](mailto:mindy.brashears@usda.gov)>  
**Subject:** meat plant comp initiatives

Under Secretary Brashears, I wanted to pass along some specific initiatives undertaken already by several large members. These represent four different companies' approaches:

- a \$600 payment in mid-May to qualifying plant employees
- increased hourly pay by \$2 for the month of April plus \$500 bonus
- Additional weekly pay of \$55 per week
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See: <https://www.msn.com/en-us/finance/companies/hormel-maple-leaf-pay-worker-bonuses-to-keep-plants-going/ar-BB11APk5>. I'm hearing anecdotes of other temporary adjustments as well as other companies that have these changes under discussion. I will pass along anything concrete.

Thank you.

Julie Anna Potts  
President & CEO  
North American Meat Institute

(b) (6) @meatinstitute.org

(b) (6) (o)

(b) (6) (c)



**From:** [Ashley Peterson](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#); [Frank.Yiannas@fda.hhs.gov](mailto:Frank.Yiannas@fda.hhs.gov)  
**Subject:** RE: National Chicken Council - Broiler Eggs  
**Date:** Monday, April 6, 2020 3:12:55 PM

---

Good afternoon to you both –

I wanted to follow up with you on ways by which the industry could assure that broiler eggs are going to breaking establishments, only. One of the easiest way for industry to assure these eggs are going into the appropriate channel would be to add a statement of limited distribution on the shipping container, shipping conveyance, or bill of lading. This language could include some of the following options:

- “For USDA inspected egg breaking only”
- “For USDA inspected egg products establishments only”
- “Must be pasteurized to full lethality”
- “Not for the table egg market”

Companies could also do a self-attestation or ask their customers to provide, on a regular basis, assurance that eggs are broken and pasteurized to full lethality. We use similar letters of guarantee with regard to mechanically separated chicken that goes into making hot dogs or other fully-cooked products.

With that said, statements of limited distribution on shipping material may be the most timely way to ensure these eggs are going to the correct destination. The self-attestation could be a longer term solution, however.

Thank you again for your attention to this matter and please let me know if you have any questions, Ashley

---

**From:** Ashley Peterson

**Sent:** Friday, April 3, 2020 1:22 PM

**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>; [Frank.Yiannas@fda.hhs.gov](mailto:Frank.Yiannas@fda.hhs.gov)

**Subject:** National Chicken Council - Broiler Eggs

Good afternoon Dr. Brashears and Deputy Commissioner Yiannas –

I first want to thank you and your teams for your tireless work during these unprecedented times. We appreciate everything that you are doing to ensure that our nation’s food supply is safe and plentiful.

As you are both aware, the National Chicken Council [petitioned](#) FSIS in 2018 asking for FSIS to coordinate with FDA to exercise enforcement discretion to allow for surplus broiler eggs to be processed into egg products at FSIS-inspected egg breaking plants. The National Chicken Council has made this request directly to FDA several times as well. In light of COVID-19, we are respectfully asking that you consider allowing for this valuable protein to be made into egg products. I am sure you have both heard of the current egg shortages in grocery stores across the U.S. While we are confident that the shell egg industry will meet the needs of the American consumers, the broiler industry can help fill that protein gap today by augmenting the supply of eggs sent to breaking. Given the current situation in the broiler industry, we estimate that approximately 10 million surplus broiler eggs are currently being destroyed every week. These eggs could easily be diverted to breaking plants and processed into pasteurized egg products under strict FSIS regulations, which will ensure they are free of Salmonella. To be clear, these eggs would be sent only for pasteurization by egg breakers; they would not be sold into the table egg market.

We also understand that a risk assessment has recently been conducted which demonstrates the safety of diverting these eggs to become pasteurized egg products. While we know the risk assessment has yet to be published, time is of the essence. Given that there is minimal risk in diverting these eggs, we respectfully request that FDA exercise enforcement discretion to promptly allow the broiler industry's surplus broiler eggs to be sent to FSIS-regulated egg breaking facilities, ensuring they are available as a safe and healthy protein for the American consumer.

Thank you in advance for your consideration and please contact me directly should you have any questions,

Ashley

**Ashley B. Peterson, Ph.D.** | Senior Vice President, Scientific and Regulatory Affairs

NATIONAL CHICKEN COUNCIL

1152 Fifteenth Street, NW Suite 430 | Washington, DC 20005

D: (b) (6)

C: (b) (6)

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**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** (b) (6) @chickenusa.org; [Frank.Yiannas@fda.hhs.gov](mailto:Frank.Yiannas@fda.hhs.gov)  
**Cc:** [Newsome, Shawna - OSEC, Washington, DC](#)  
**Subject:** Re: National Chicken Council - Broiler Eggs  
**Date:** Friday, April 3, 2020 1:35:28 PM

---

Dear Dr. Peterson,

Thank you for reaching out and sharing these numbers. Deputy Commissioner Yiannis and I have had some preliminary discussions on this topic. We will be back in touch with you soon after considering the information you have shared.

Stay safe.

Mindy Brashears

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---

**From:** Ashley Peterson (b) (6) @chickenusa.org>  
**Sent:** Friday, April 3, 2020 1:22 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC; [Frank.Yiannas@fda.hhs.gov](mailto:Frank.Yiannas@fda.hhs.gov)  
**Subject:** National Chicken Council - Broiler Eggs

Good afternoon Dr. Brashears and Deputy Commissioner Yiannas –

I first want to thank you and your teams for your tireless work during these unprecedented times. We appreciate everything that you are doing to ensure that our nation's food supply is safe and plentiful.

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allow the broiler industry's surplus broiler eggs to be sent to FSIS-regulated egg breaking facilities, ensuring they are available as a safe and healthy protein for the American consumer.

Thank you in advance for your consideration and please contact me directly should you have any questions,  
Ashley

**Ashley B. Peterson, Ph.D.** | Senior Vice President, Scientific and Regulatory Affairs

NATIONAL CHICKEN COUNCIL

1152 Fifteenth Street, NW Suite 430 | Washington, DC 20005

D: (b) (6)

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**From:** [Boswell, Kristi - OSEC, Washington, DC](#)  
**To:** (b) (6)@chickenusa.org; [SM.OSEC.AGSEC.OES](#); [Brady, Lillie - OSEC, Washington, DC](#); [Young, Joby - OSEC, Washington, DC](#); [Summers, Bruce - AMS](#); [Morris, Erin - AMS](#); [Tuckwiller, David - AMS](#); [Porter, Jennifer - AMS](#)  
**Cc:** (b) (6)@chickenusa.org; [Tom Super](#); [Harrison Kircher](#); [David Elrod](#)  
**Subject:** RE: National Chicken Council – Special Purchase Request  
**Date:** Monday, April 6, 2020 4:35:44 PM

---

Thanks Mike!

**Kristi J. Boswell**

Senior Advisor to the Secretary  
United States Department of Agriculture  
Office: (b) (6)  
Cell: (b) (6)

---

**From:** Phouth Gonzalez (b) (6)@chickenusa.org> **On Behalf Of** Mike Brown  
**Sent:** Monday, April 6, 2020 3:34 PM  
**To:** SM.OSEC.AGSEC.OES <SM.OSEC.AGSEC.OES@usda.gov>; Boswell, Kristi - OSEC, Washington, DC <kristi.boswell@usda.gov>; Brady, Lillie - OSEC, Washington, DC <lillie.brady@usda.gov>; Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>; Summers, Bruce - AMS <Bruce.Summers@usda.gov>; Morris, Erin - AMS <Erin.Morris@usda.gov>; Tuckwiller, David - AMS <David.Tuckwiller@usda.gov>; Porter, Jennifer - AMS <jennifer.porter@usda.gov>  
**Cc:** (b) (6)@chickenusa.org; Tom Super (b) (6)@chickenusa.org; Harrison Kircher (b) (6)@chickenusa.org; David Elrod (b) (6)@chickenusa.org>  
**Subject:** National Chicken Council – Special Purchase Request

Good afternoon –

We hope that this email finds everyone healthy during these unprecedented times. We appreciate all that USDA is doing to ensure the safety and availability of protein for the American public. Please find attached a request from the National Chicken Council for a special purchase of chicken in light of COVID-19. Should you have any questions, please contact me directly.

Respectfully submitted,  
Mike Brown

Attachment

**Mike Brown** | President  
NATIONAL CHICKEN COUNCIL  
1152 Fifteenth Street, Suite 430 | Washington, DC 20005  
T: (b) (6)  
[www.nationalchickencouncil.org](http://www.nationalchickencouncil.org) | [www.ChickenCheck.In](http://www.ChickenCheck.In)  
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**From:** [Brady, Lillie - OSEC, Washington, DC](#)  
**To:** (b) (6) @chickenusa.org; [Smith, Ashley - OSEC, Washington, DC](#); [Boswell, Kristi - OSEC, Washington, DC](#); [Young, Joby - OSEC, Washington, DC](#); [Hoskins, Dudley - OSEC, Washington, DC](#)  
**Cc:** (b) (6) @chickenusa.org  
**Subject:** RE: National Chicken Council Letter on Line Speeds: Public Health Emergency  
**Date:** Monday, April 13, 2020 3:33:40 PM

---

Thanks, Ashley! We will make sure the right folks are aware.

Best,  
Lillie

---

**From:** Ashley Peterson (b) (6) @chickenusa.org>  
**Sent:** Monday, April 13, 2020 2:41 PM  
**To:** Smith, Ashley - OSEC, Washington, DC <Ashley.Smith3@usda.gov>; Boswell, Kristi - OSEC, Washington, DC <kristi.boswell@usda.gov>; Brady, Lillie - OSEC, Washington, DC <lillie.brady@usda.gov>; Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>; Hoskins, Dudley - OSEC, Washington, DC <dudley.hoskins@usda.gov>  
**Cc:** (b) (6) @chickenusa.org  
**Subject:** National Chicken Council Letter on Line Speeds: Public Health Emergency

Good afternoon to you all –

Thank you again for your time last week to discuss several pertinent industry issues. One of the issues that we discussed was regarding the current line speed limits and how flexibility in those limits would help us ensure we can maintain production during these uncertain times. We sent the attached letter to Dr. Brashears but wanted to ensure you had a copy as well. Thank you again for all you are doing to help maintain a safe, wholesome, and available food supply. Please feel free to contact me should you have any questions.

Respectfully,  
Ashley

**Ashley B. Peterson, Ph.D.** | Senior Vice President, Scientific and Regulatory Affairs

NATIONAL CHICKEN COUNCIL  
1152 Fifteenth Street, NW Suite 430 | Washington, DC 20005

C: (b) (6)

D: (b) (6)

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**From:** [John Watson](#)  
**To:** [Young, Joby - OSEC, Washington, DC](#)  
**Cc:** [Boswell, Kristi - OSEC, Washington, DC](#); [Brady, Lillie - OSEC, Washington, DC](#); (b) (6) @chickenusa.org  
**Subject:** Re: National Chicken Council  
**Date:** Monday, April 6, 2020 12:24:16 PM

---

Thanks Joby. Appreciate it!

Biggest issues to specifically discuss/ consider are the following:

1. For companies with production/ shift issues caused by Covid, can there be consideration for temporary line-speed waiver that would allow for overall production averages to be sustained.
2. Flexibility or streamlining of application for companies looking to provide product for purchases by AMF.

Copying Ashely Peterson of NCC for any others to put on your radar and for discussion.

Thanks again.

John K. Watson

(b) (6)

On Apr 6, 2020, at 11:59 AM, Young, Joby - OSEC, Washington, DC  
<joby.young@usda.gov> wrote:

Hey John,

Happy to set up a call with the right folks. SP hasn't been necessarily doing sector specific calls though our team is. I've copied Kristi who is point on these communications.

-Joby

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

---

**From:** John Watson (b) (6) @impactpublic.com>  
**Sent:** Monday, April 6, 2020 10:56  
**To:** Young, Joby - OSEC, Washington, DC  
**Subject:** National Chicken Council

Joby, I hope you and family are as well as possible under the current circumstances.

Are you and the Secretary doing industry calls to touch bases and, if so, would you

consider doing one with some of the leaders/ board members of NCC?

We would like to update on what our folks are saying, seeing and doing in the field and socialize a couple items under the Secretary's purview that might be considered on a short-term basis to help everyone weather the storm. Obviously, would provide written comments in advance to make sure there were no surprises.

Thanks in advance for your consideration and stay safe.

John K. Watson

(b) (6)

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**From:** [Mike Brown](#)  
**To:** [Harrison Kircher](#)  
**Cc:** [Boswell, Kristi - OSEC, Washington, DC](#); [Johansson, Robert - OCE, Washington, DC](#); [Brady, Lillie - OSEC, Washington, DC](#); [Young, Joby - OSEC, Washington, DC](#); [Hoskins, Dudley - OSEC, Washington, DC](#); [David Elrod; APeterson@chickenusa.org](#); [Tom Super](#); [John Watson](#)  
**Subject:** Re: NCC Grower Support Letter  
**Date:** Friday, April 10, 2020 3:25:06 PM

---

**Mike Brown** | President  
National Chicken Council  
[1152 Fifteenth Street, NW Suite 430 | Washington, DC 20005](#)  
O: (b) (6)  
[www.nationalchickencouncil.org](#) | [www.ChickenCheck.In](#)  
[Chicken's Sustainability Story](#)

On Apr 10, 2020, at 3:22 PM, Harrison Kircher (b) (6) @chickenusa.org> wrote:

Good Afternoon Kristi and Team,

Thank you very much for sharing your valuable time with NCC on yesterday's call. We very much appreciate all the continued efforts and partnership as we navigate these uncertain times.

One of the issues discussed was support for growers. Please find attached a letter to Secretary Perdue, copying Vice President Pence, regarding COVID's impact on the supply chain, and potential opportunities to support growers in the future.

We look forward to continuing working together in the months ahead.

Thank you for your continued support and please don't hesitate to contact us with any questions.

-Harrison

**Harrison Kircher** | Vice President, Government Affairs  
NATIONAL CHICKEN COUNCIL  
1152 Fifteenth Street, NW Suite 430 | Washington, DC 20005  
D: (b) (6) | C: (b) (6)  
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[Chicken's Sustainability Story](#)

<FINAL - NCC Farmer Relief Letter - Secretary Perdue.pdf>

**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Julie Anna Potts](#); [Ibach, Greg - OSEC, Washington, DC](#)  
**Cc:** [Newsome, Shawna - OSEC, Washington, DC](#); [Walker, Lorren - OSEC, Washington, DC](#)  
**Subject:** Re: new CA guidance  
**Date:** Friday, May 15, 2020 9:53:34 AM

---

Thanks so much. We will discuss ASAP and get back to you.

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---

**From:** Julie Anna Potts (b) (6) @meatinstitute.org>  
**Sent:** Friday, May 15, 2020 9:50:40 AM  
**To:** Ibach, Greg - OSEC, Washington, DC <Greg.Ibach@usda.gov>; Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Cc:** Newsome, Shawna - OSEC, Washington, DC <Shawna.Newsomed@usda.gov>; Walker, Lorren - OSEC, Washington, DC <Lorren.Walker@usda.gov>  
**Subject:** new CA guidance

Good morning, we just received this CA guidance this morning, but it looks like it was published on May 12. Please see the statement at the bottom of page 7: "Practice six-foot physical distancing to the greatest extent possible, even if this means production slows down."

JAP

Julie Anna Potts  
President & CEO  
North American Meat Institute  
(b) (6) @meatinstitute.org  
(b) (6) (o)  
(b) (6) (c)



**From:** [Lombardo, Keira](#)  
**To:** [Young, Joby - OSEC, Washington, DC](#); [ian.fury@state.sd.us](mailto:ian.fury@state.sd.us)  
**Subject:** Re: News article  
**Date:** Monday, April 20, 2020 6:30:41 PM  
**Attachments:** [ATT00001.png](#)

---

Thanks, Joby and Ian. Happy to connect tomorrow to discuss.



**Keira Lombardo**  
Executive Vice President, Corporate Affairs and Compliance  
p: (b) (6) c: (b) (6)  
e: (b) (6) @smithfield.com  
200 Commerce St.  
Smithfield, VA 23430  
[smithfieldfoods.com](http://smithfieldfoods.com)

---

**From:** "Young, Joby - OSEC, Washington, DC" <[joby.young@usda.gov](mailto:joby.young@usda.gov)>  
**Date:** Monday, April 20, 2020 at 6:04 PM  
**To:** "Lombardo, Keira" (b) (6) @smithfield.com>, "ian.fury@state.sd.us" <[ian.fury@state.sd.us](mailto:ian.fury@state.sd.us)>  
**Subject:** FW: News article

FYI.



**Joby Young**  
Chief of Staff  
United States Department of Agriculture

Governor Ricketts worked with JBS and Nebraska Cattlemen to get a local TV station and newspaper to the plant in Grand Island. These stories are the result.

It seems these stories were effective in managing the community concerns about the plant. Don't know if we can use this as a template in other communities or not.

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---

**From:** Steven White <(b) (6) @sbgvtv.com>

**Sent:** Monday, April 13, 2020 9:25 AM  
**To:** Ibach, Greg - OSEC, Washington, DC  
**Subject:** News article

Greg,

Here's my report from the other day:

<https://nebraska.tv/news/coronavirus/jbs-offers-look-inside-plant-to-see-steps-taken-to-slow-virus>

And from the Grand Island Independent:

[https://www.theindependent.com/news/local/jbs-says-it-s-always-looking-for-ways-to-keep-employees-safe/article\\_f2c73f64-7acc-11ea-9db2-8311d0200e27.html](https://www.theindependent.com/news/local/jbs-says-it-s-always-looking-for-ways-to-keep-employees-safe/article_f2c73f64-7acc-11ea-9db2-8311d0200e27.html)

Steve

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**From:** [Julie Anna Potts](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** RE: Olymel  
**Date:** Monday, March 30, 2020 3:04:59 PM

---

No, we will reply to Chris. I just wanted you to see what was said about the decision to shutter for two weeks. Thanks!

---

**From:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Sent:** Monday, March 30, 2020 3:03 PM  
**To:** Julie Anna Potts <(b) (6)@meatinstitute.org>  
**Subject:** Re: Olymel

Did you reply or do you want a comment from us?

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---

**From:** Julie Anna Potts <(b) (6)@meatinstitute.org>  
**Sent:** Monday, March 30, 2020 3:01:22 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Subject:** FW: Olymel

Dr. Brashears, FYI.

-----Original Message-----

**From:** Chris White <(b) (6)@cmc-cvc.com>  
**Sent:** Monday, March 30, 2020 2:45 PM  
**To:** Mark Dopp <(b) (6)@meatinstitute.org>  
**Cc:** Jorge Correa <(b) (6)@cmc-cvc.com>; Julie Anna Potts <(b) (6)@meatinstitute.org>  
**Subject:** Re: Olymel

Afternoon Mark.

I have been dealing with his all weekend.

It was a decision initiated by Olymel. They had 9 positive cases and were waiting for the results from 25 others.

They advised the local health authorities and they agreed.

It was not a decision of or by CFIA but suspect had they not, CFIA inspectors would have indicted they did not feel safe and not reported to work. And that would have effectively closed the plant.

What are the policies in the US? My sense is you won't see any closers given federal direction?

Is that correct?

Have any closed?

Appreciate any line of sight.

Best,

Chris

Christopher White  
President and CEO  
Canadian Meat Council

(b) (6)

Sent from my iPhone

> On Mar 30, 2020, at 14:37, Mark Dopp (b) (6) @meatinstitute.org> wrote:  
>

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**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Brittingham, Kim](#)  
**Subject:** RE: On behalf of Randy Day: conf call info / COVID-19 Testing  
**Date:** Thursday, April 23, 2020 2:51:00 PM  
**Attachments:** [image002.png](#)

---

Thank you so much.

---

**From:** Brittingham, Kim (b) (6) @Perdue.com>  
**Sent:** Thursday, April 23, 2020 2:36 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Subject:** On behalf of Randy Day: conf call info / COVID-19 Testing

Hello Dr. Brashears:

Following up on Randy's instruction, I sent an Outlook invite for today at 3:30 for this conference call:

Dial: (b) (6)  
ID #: (b) (6)

Thank you.



Kim Brittingham | Assistant to the Chief Executive Officer  
PERDUE FARM | Old Ocean City Road | Salisbury, MD 21804  
Email: (b) (6) @perdue.com

---

**From:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Sent:** Thursday, April 23, 2020 1:59 PM  
**To:** Day, Randy <(b) (6) @Perdue.com>  
**Subject:** [EXTERNAL] RE: COVID-19 Testing

Would 3:30 work for you?

---

**From:** Day, Randy (b) (6) @Perdue.com>  
**Sent:** Thursday, April 23, 2020 1:49 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Cc:** Day, Randy <(b) (6) @Perdue.com>  
**Subject:** RE: COVID-19 Testing

Dr. Brashears,

(b) (4)

(b) (4)

Randy

---

**From:** Brashears, Mindy - OSEC, Washington, DC [<mailto:Mindy.Brashears@usda.gov>]

**Sent:** Thursday, April 23, 2020 1:33 PM

**To:** Day, Randy <(b) (6)@Perdue.com>

**Subject:** [EXTERNAL] RE: COVID-19 Testing

Randy,

It was great to speak to you today.

I have attached a document put together by the North American Meat Institute on testing. It describes the various types of tests and some context on interpretation.

Please do not hesitate to reach out if you need anything.

Have a great and SAFE day!

Mindy



**Mindy M. Brashears, Ph.D.**

Under Secretary of Food Safety  
United States Department of Agriculture

Office: (b) (6)

Mobile: (b) (6)

[mindy.brashears@usda.gov](mailto:mindy.brashears@usda.gov)

---

**From:** Day, Randy <(b) (6)@Perdue.com>

**Sent:** Thursday, April 23, 2020 11:31 AM

**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>

**Subject:** RE: COVID-19 Testing

Dr. Brashears,

By the way, the Secretary of HHS (Alex Azar) is from our home town of Salisbury, MD.

Randy

---

**From:** Day, Randy

**Sent:** Thursday, April 23, 2020 11:28 AM

**To:** [mindy.brashears@usda.gov](mailto:mindy.brashears@usda.gov)

**Subject:** COVID-19 Testing

Dr. Brashears,

(b) (4)  
[Redacted]  
[Redacted]  
[Redacted]

Thank you!

Regards,



Randy Day

---

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**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [KatieRose McCullough](#); [Kiecker, Paul - FSIS](#)  
**Subject:** RE: Other Associations?  
**Date:** Friday, March 20, 2020 12:17:00 PM

---

I have no objection.

---

**From:** KatieRose McCullough (b) (6) @meatinstitute.org>  
**Sent:** Friday, March 20, 2020 12:13 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>; Kiecker, Paul - FSIS <paul.kiecker@usda.gov>  
**Subject:** Other Associations?

A few other associations (AFFI, CBA, etc.) have expressed interest in this issues. We would like to invite them to the call at 1, unless you have objections. Let me know. Thank you.

KR

**From:** [Day, Randy](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Cc:** [Day, Randy](#)  
**Subject:** RE: Poultry Plant Documents  
**Date:** Sunday, April 26, 2020 3:36:41 PM

---

Mindy,

[REDACTED] (b) (4)  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Thanks!  
Randy

---

**From:** Brashears, Mindy - OSEC, Washington, DC [mailto:Mindy.Brashears@usda.gov]  
**Sent:** Sunday, April 26, 2020 3:24 PM  
**To:** Day, Randy (b) (6) @Perdue.com>  
**Subject:** [EXTERNAL] Re: Poultry Plant Documents  
Thank you. Please keep me posted.  
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---

**From:** Day, Randy (b) (6) @Perdue.com>  
**Sent:** Sunday, April 26, 2020 1:14:06 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Subject:** RE: Poultry Plant Documents

(b) (4)  
[REDACTED]  
[REDACTED]  
• [REDACTED]  
• [REDACTED]  
• [REDACTED]  
• [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

---

**From:** Brashears, Mindy - OSEC, Washington, DC [mailto:Mindy.Brashears@usda.gov]  
**Sent:** Sunday, April 26, 2020 1:10 PM  
**To:** Day, Randy (b) (6) @Perdue.com>  
**Cc:** Day, Randy (b) (6) @Perdue.com>  
**Subject:** [EXTERNAL] Re: Poultry Plant Documents  
Any updates?

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---

**From:** Day, Randy <(b) (6)@Perdue.com>  
**Sent:** Saturday, April 25, 2020 5:45:39 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Cc:** Day, Randy <(b) (6)@Perdue.com>  
**Subject:** RE: Poultry Plant Documents

(b) (4)

Best,  
Randy

---

**From:** Brashears, Mindy - OSEC, Washington, DC [<mailto:Mindy.Brashears@usda.gov>]  
**Sent:** Saturday, April 25, 2020 5:18 PM  
**To:** Day, Randy <(b) (6)@Perdue.com>  
**Subject:** [EXTERNAL] Re: Poultry Plant Documents

Randy,

Thanks for sharing this. I'm glad they have a path forward that will allow you to operate. If the availability of test kits becomes an issue, please let me know. We can help with that.

Mindy.

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---

**From:** Day, Randy <(b) (6)@Perdue.com>  
**Sent:** Saturday, April 25, 2020 4:46:39 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Subject:** FW: Poultry Plant Documents

Dr. Brashears,

(b) (4)

Randy

---

**From:** Scuse, Michael (DDA) [<mailto:Michael.Scuse@delaware.gov>]  
**Sent:** Saturday, April 25, 2020 4:15 PM  
**To:** Phillip Plylar <(b) (6)@mountaire.com>; Day, Randy <(b) (6)@Perdue.com>  
**Subject:** [EXTERNAL] Fwd: Poultry Plant Documents

Here is the plan. Sheila will be scheduling a call for 7:30 tonight. If you have any concerns with the plan, call me. Sheila and I will be the only ones from the Governors office on the call.

Sent from my iPhone

Begin forwarded message:

**From:** "Grant, Sheila (Governor)" <[Sheila.Grant@delaware.gov](mailto:Sheila.Grant@delaware.gov)>  
**Date:** April 25, 2020 at 4:05:32 PM EDT  
**To:** "Scuse, Michael (DDA)" <[Michael.Scuse@delaware.gov](mailto:Michael.Scuse@delaware.gov)>  
**Subject:** Poultry Plant Documents

---

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**From:** [Skahill, Michael P.](#)  
**To:** [Young, Joby - OSEC, Washington, DC](#); (b) (6) [@hklaw.com](#)  
**Subject:** RE: PPE  
**Date:** Tuesday, April 14, 2020 5:24:33 PM  
**Attachments:** [ATT00001.png](#)

---

Joby, we have just secured some masks and sanitizers moments ago. I just learned this from internal procurement. Joby, I really cannot express enough thanks for your leadership and willingness to help. Even when this is over, I will always remember the support we got from Blake and you. Mike

**Smithfield.**

Good food. Responsibly.®

Michael P. Skahill  
Vice President, Government Affairs  
p: (b) (6) c: (b) (6)  
e: (b) (6) [@smithfield.com](#)  
111 Commerce St.  
Smithfield, VA 23430  
[smithfieldfoods.com](#)

---

**From:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>  
**Sent:** Tuesday, April 14, 2020 5:11 PM  
**To:** (b) (6) [@hklaw.com](#); Skahill, Michael P. (b) (6) [@smithfield.com](#)>  
**Subject:** Fwd: PPE

Are you able to provide this? Thanks guys.

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

---

**From:** Young, Joby - OSEC, Washington, DC  
**Sent:** Tuesday, April 14, 2020 10:48:54 AM  
**To:** (b) (6) [@smithfield.com](#) <(b) (6) [@smithfield.com](#)>  
**Cc:** Willits, Ashley - OSEC, Washington, DC <[ashley.willits@usda.gov](mailto:ashley.willits@usda.gov)>  
**Subject:** PPE

Sir-

Can you please share with me the list of PPE needs that you just mentioned?

Thank you-

Joby

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

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**From:** [Young, Joby - OSEC, Washington, DC](#)  
**To:** [Skahill, Michael P.](#); (b) (6) [@hklaw.com](#)  
**Subject:** Re: PPE  
**Date:** Tuesday, April 14, 2020 5:57:51 PM  
**Attachments:** [ATT00001.png](#)

---

Ok. Good to hear. Thanks for your work to keep Americans fed!

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

---

**From:** Skahill, Michael P. (b) (6) [@smithfield.com](#)>  
**Sent:** Tuesday, April 14, 2020 17:24  
**To:** Young, Joby - OSEC, Washington, DC; (b) (6) [@hklaw.com](#)  
**Subject:** RE: PPE

Joby, we have just secured some masks and sanitizers moments ago. I just learned this from internal procurement. Joby, I really cannot express enough thanks for your leadership and willingness to help. Even when this is over, I will always remember the support we got from Blake and you. Mike



Michael P. Skahill  
Vice President, Government Affairs  
p: (b) (6) c: (b) (6)  
e: (b) (6) [@smithfield.com](#)  
111 Commerce St.  
Smithfield, VA 23430  
[smithfieldfoods.com](#)

---

**From:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>  
**Sent:** Tuesday, April 14, 2020 5:11 PM  
**To:** (b) (6) [@hklaw.com](#); Skahill, Michael P. (b) (6) [@smithfield.com](#)>  
**Subject:** Fwd: PPE

Are you able to provide this? Thanks guys.

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

---

**From:** Young, Joby - OSEC, Washington, DC  
**Sent:** Tuesday, April 14, 2020 10:48:54 AM  
**To:** [@smithfield.com](#) (b) (6) [@smithfield.com](#)>  
**Cc:** Willits, Ashley - OSEC, Washington, DC <[ashley.willits@usda.gov](mailto:ashley.willits@usda.gov)>

**Subject:** PPE

Sir-

Can you please share with me the list of PPE needs that you just mentioned?

Thank you-

Joby

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

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**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** (b) (6) @meatinstitute.org; [Newsome, Shawna - OSEC, Washington, DC](#)  
**Cc:** (b) (6) @meatinstitute.org  
**Subject:** Re: Quaternary Ammonium Shortage  
**Date:** Saturday, April 18, 2020 7:14:22 PM

---

Thanks Katie Rose. We will get this info to the supply chain task force.  
Mindy.

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**From:** KatieRose McCullough (b) (6) @meatinstitute.org>  
**Sent:** Saturday, April 18, 2020 4:35:31 PM  
**To:** Newsome, Shawna - OSEC, Washington, DC <Shawna.Newsome@usda.gov>; Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Cc:** mdopp@meatinstitute.org (b) (6) @meatinstitute.org>  
**Subject:** Quaternary Ammonium Shortage

Good Afternoon,

Some of our supplier members has brought an urgent matter to our attention regarding Quaternary Ammonium. As I am sure you are aware, Quaternary Ammonium is one of the key raw materials in the disinfectants we use to clean food establishments (as well as many consumer disinfectants you buy). Raw Quaternary Ammonium is manufactured by three large chemical companies. As food industry demand for disinfectants has skyrocketed, these three manufacturers have been unable to keep up with industry needs and according to some of our members who use raw Quaternary Ammonium, seem to be allocating what they can manufacture to **non-critical** business including for consumer products. Also according to our members, these raw material suppliers have acknowledged that they have excess capacity but have refused to turn on additional chemical reactors due to the cost associated with this and the fear of having excess supply when this crisis ends. This has caused a major shortage in a key raw material used to keep our critical food industry operational.

As of next week, at least one of our members will have to shut down and will no longer be able to supply disinfectants – and we are confident they are not the only food industry disinfectant supplier in this situation. **Is there any help we can get with the raw materials suppliers? We think the items below need to be addressed.**

1. **Increase capacity of Quaternary Ammonium immediately**
2. **Prioritize customers who are providing products to critical industries such as food and healthcare**

I wanted to send your way as well for guidance and an FYI. We are reaching out to Clay Detlefsen and the Food Industry Supply Chain Task Force. Thank you!

KR

**KatieRose McCullough PhD, MPH**

Director of Scientific and Regulatory Affairs

**North American Meat Institute**

Office: (b) (6) Cell: (b) (6)

Fax: 202.587-4300 / Email (b) (6) [@meatinstitute.org](mailto:(b) (6)@meatinstitute.org)

1150 Connecticut Ave., NW 12<sup>th</sup> Floor

Washington, D.C. 20036



**From:** [KatieRose McCullough](#)  
**To:** [Kiecker, Paul - FSIS](#); [Brashears, Mindy - OSEC, Washington, DC](#); [Newsome, Shawna - OSEC, Washington, DC](#)  
**Cc:** [Julie Anna Potts](#); [Norm Robertson](#); (b) (6) [@meatinstitute.org](#)  
**Subject:** RE: retail and foodservice.  
**Date:** Thursday, March 19, 2020 4:48:10 PM  
**Attachments:** [COVID-19 Foodservice Product 19March20.pdf](#)

---

Good Afternoon,

I am following up on an earlier request to allow temporary approval for foodservice/HRI products to be diverted to retail. Please see the attached document. Given the ongoing COVID-19 crisis, we prepared an outline of options for items that have a statement of limited distribution to be sent to retail. This is a *high priority* for many packers and processors as the demand in retail markets has skyrocketed, and we have a surplus of foodservice items that will have to be sent to the landfill if we cannot find a solution.

In light of these extraordinary circumstances, we would like to discuss the attached document with you as soon as possible. If we can better understand the roadblocks, we will be able to develop a solution to meet the needs of consumers by providing them with a wholesome product and not waste significant quantities of meat and poultry items.

Please let me know when you are available to discuss the attached document. Thank you for your consideration, and do not hesitate to reach out to me with questions. I look forward to visiting with you.

KR

**KatieRose McCullough PhD, MPH**

Director of Scientific and Regulatory Affairs

**North American Meat Institute**

Office: (b) (6) / Cell: (b) (6)

Fax: 202.587-4300 / Email: (b) (6) [@meatinstitute.org](#)

1150 Connecticut Ave., NW 12<sup>th</sup> Floor  
Washington, D.C. 20036



---

**From:** Mark Dopp

**Sent:** Tuesday, March 17, 2020 2:52 PM

**To:** 'paul.kiecker@usda.gov' <paul.kiecker@usda.gov>

**Cc:** Julie Anna Potts (b) (6) [@meatinstitute.org](#); 'mindy.brashears@usda.gov' <mindy.brashears@usda.gov>

**Subject:** retail and foodservice.

Paul, I appreciate the concerns you raised and we are working to get examples from the members to share and discuss, as well as some other scenarios. Hopefully, we can use those to start a conversation about whether there are options available. Quite a few companies are trying to find a home for a lot of product that 1) can meet a demand and 2) they prefer not to landfill. Regards.

## **Foodservice/HRI Product for Retail Ideas for Temporary Approval**

### Overview of Request:

Currently many items are produced for limited distribution (foodservice/HRI) use only. These products are fully labeled on the outside shipping container and may have a statement of limited distribution (example: Food Service Use Only<sup>1</sup>). In light of the current needs in the market place as a result of COVID-19, the industry needs to redistribute wholesome product that is intended for limited foodservice/HRI distribution in retail.

### There are two buckets of products we need to consider options for:

1. Product that has already been processed for foodservice/HRI and is sitting in storage/distribution centers.
2. Product that has not been produced yet but can only be processed with typical foodservice/HRI packaging due to establishment infrastructure.

### There are three options for product that is generally packaged and sold into foodservice/HRI.

1. Distribute existing product that is missing the Nutrition Facts panel as is. Manufacturers could make this information available to the retailer and/or on a website. This could include 10 lb bulk packages of hot dogs.
2. For product that has all the information on the box or shipping container but not the individual packages inside the box, a modified retail label (described below) can be applied to individual units by the retailer.<sup>2</sup>
3. Bulk product that may or may not have all the nutrition information on the outside can be sent to the retailer and repackaged for sale like they already do in a full-service meat case. Repackaged contents would have to have a retail label or modified retail label described below on each unit being sold.

### Modified Retail Labels:

HRI products should be eligible for retail if they contain all the mandatory features on the shipping container and the requirements in the Food Code retail labeling section (3-602.11) excluding the nutritional labeling (see list below). Nutrition information would not be required similar to the nutrition

(b) (4)



<sup>2</sup> This includes products in unmarked protective coverings with no labeling. While a retailer could open such packages and repack them, and then apply a retail label under current policy, the retailer should be allowed to apply retail labeling to product in clear protective coverings without opening the packages. This has no impact on traceability and simply limits the unnecessary step of exposing the product in the retail environment.

exemptions found in 9 CFR 317.400 (a)(7). This is often done with multi-ingredient fresh sausage that is shipped to the retailer in bulk and re portioned and packaged in store. Labels should be able to be printed by the retailer or the producing establishment, (who would then ship labels in the box for the retailer to adhere to each individual package, note: these labels would not have the mark of inspection). As is typically the province of retailers, the net weight would also be added to individual packages by the retailer.

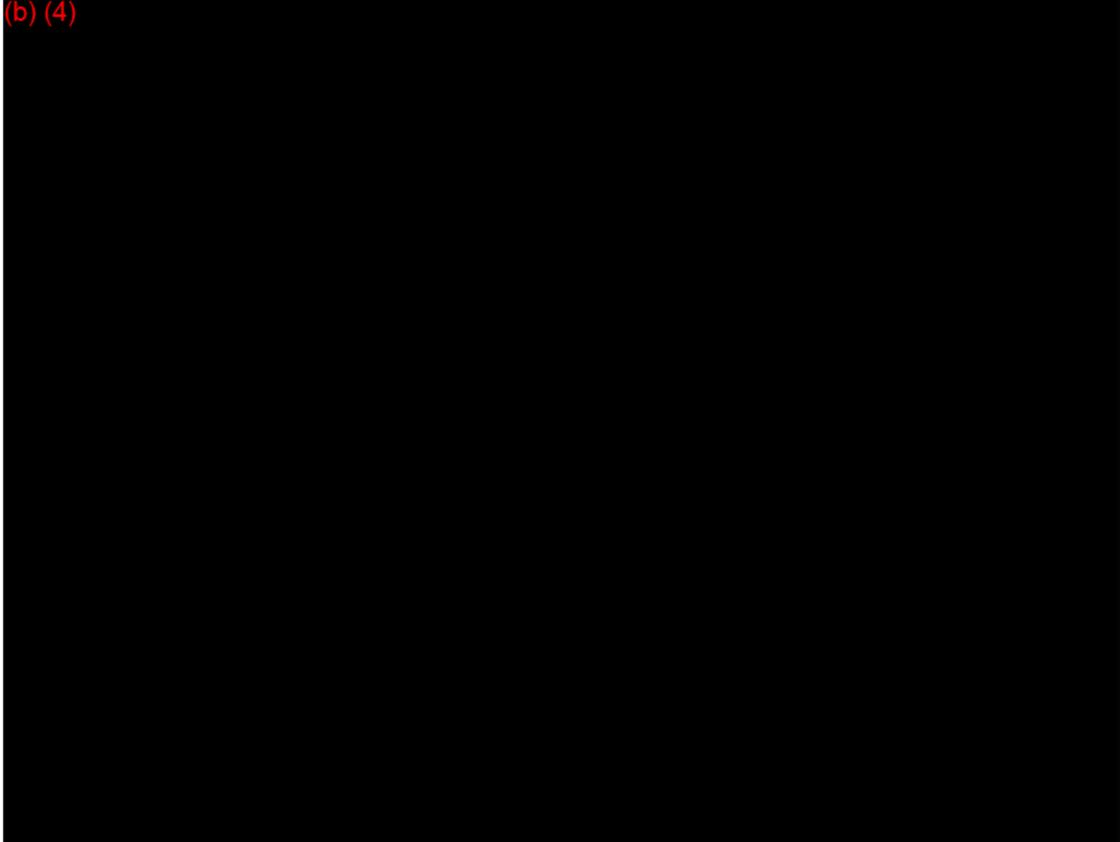
- (1) The common name of the food, or absent a common name, an adequately descriptive identity statement;
- (2) If made from two or more ingredients, a list of ingredients and sub-ingredients in descending order of predominance by weight,
- (3) An accurate declaration of the net quantity of contents;
- (4) The name and place of business of the manufacturer, packer, or distributor; and
- (5) Except as exempted in the Federal Food, Drug, and Cosmetic Act § 403(q)(3) - (5), nutrition labeling as specified in 21 CFR 101 - Food Labeling and 9 CFR 317 Subpart B Nutrition Labeling.

General considerations for temporary labels:

1. Do not require bacon packaging to be transparent (9 CFR 317.8 (b) (5) (ii)).
2. Do not need temporary approval from DC to transfer packaging between facilities that has establishment numbers on them. If allowed, unique identifiers would be added to differentiate the establishment where the product was produced.

Examples Under Option 1:

(b) (4)



(b) (4)



**Examples Under Option 2:**

Note: A modified retail label will need to be added.





**Examples Under Option 3:**

Note: A modified retail label will need to be added.









**From:** [Kiecker, Paul - FSIS](#)  
**To:** [\(b\) \(6\) @meatinstitute.org](#); [Brashears, Mindy - OSEC, Washington, DC](#); [Newsome, Shawna - OSEC, Washington, DC](#)  
**Cc:** [Julie Anna Potts](#); [Norm Robertson](#); [\(b\) \(6\) @meatinstitute.org](#); [Canavan, Jeff - FSIS](#); [Hunter, Karen - FSIS](#); [Khan, Atiya - FSIS](#); [Murphy-Jenkins, Rosalyn - FSIS](#); [Bronstein, Philip - FSIS](#); [Sidrak, Hany - FSIS](#); [Edelstein, Rachel - FSIS](#); [Regonlinski, April - FSIS](#); [Nintemann, Terri - FSIS](#)  
**Subject:** RE: retail and foodservice.  
**Date:** Thursday, March 19, 2020 5:06:57 PM

---

We can schedule for tomorrow, but as I stated earlier, I do not see this being supportable by placing the responsibility on the retailer to provide labels or notification to customers. Give that some thought before tomorrow. You should all be receiving a notice of the call shortly.

Thanks,

Paul Kiecker  
Administrator  
Food Safety and Inspection Service  
1400 Independence Avenue, SW  
Room 331-E, J.L. Whitten Building  
Washington, DC 20250  
Office: [\(b\) \(6\)](#)  
Cell: [\(b\) \(6\)](#)  
[paul.kiecker@usda.gov](mailto:paul.kiecker@usda.gov)

---

**From:** KatieRose McCullough [\(b\) \(6\) @meatinstitute.org](#)>  
**Sent:** Thursday, March 19, 2020 4:48 PM  
**To:** Kiecker, Paul - FSIS <[paul.kiecker@usda.gov](mailto:paul.kiecker@usda.gov)>; Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>; Newsome, Shawna - OSEC, Washington, DC <[Shawna.Newsome@usda.gov](mailto:Shawna.Newsome@usda.gov)>  
**Cc:** Julie Anna Potts [\(b\) \(6\) @meatinstitute.org](#)>; Norm Robertson [\(b\) \(6\) @meatinstitute.org](#)>; [\(b\) \(6\) @meatinstitute.org](#)  
**Subject:** RE: retail and foodservice.

Good Afternoon,

I am following up on an earlier request to allow temporary approval for foodservice/HRI products to be diverted to retail. Please see the attached document. Given the ongoing COVID-19 crisis, we prepared an outline of options for items that have a statement of limited distribution to be sent to retail. This is a *high priority* for many packers and processors as the demand in retail markets has skyrocketed, and we have a surplus of foodservice items that will have to be sent to the landfill if we cannot find a solution.

In light of these extraordinary circumstances, we would like to discuss the attached document with you as soon as possible. If we can better understand the roadblocks, we will be able to develop a solution to meet the needs of consumers by providing them with a wholesome product and not waste significant quantities of meat and poultry items.

Please let me know when you are available to discuss the attached document. Thank you for your consideration, and do not hesitate to reach out to me with questions. I look forward to visiting with you.

KR

**KatieRose McCullough PhD, MPH**

Director of Scientific and Regulatory Affairs

**North American Meat Institute**

Office: (b) (6) / Cell: (b) (6)

Fax: 202.587-4300 / Email: (b) (6) @meatinstitute.org

1150 Connecticut Ave., NW 12<sup>th</sup> Floor

Washington, D.C. 20036



---

**From:** Mark Dopp

**Sent:** Tuesday, March 17, 2020 2:52 PM

**To:** 'paul.kiecker@usda.gov' <paul.kiecker@usda.gov>

**Cc:** Julie Anna Potts (b) (6) @meatinstitute.org; 'mindy.brashears@usda.gov' <mindy.brashears@usda.gov>

**Subject:** retail and foodservice.

Paul, I appreciate the concerns you raised and we are working to get examples from the members to share and discuss, as well as some other scenarios. Hopefully, we can use those to start a conversation about whether there are options available. Quite a few companies are trying to find a home for a lot of product that 1) can meet a demand and 2) they prefer not to landfill. Regards.

**From:** [Lisa Wallenda Picard](#)  
**To:** [Newsome, Shawna - OSEC, Washington, DC](#)  
**Cc:** [Brashears, Mindy - OSEC, Washington, DC](#); [Bronstein, Philip - FSIS](#); [Kiecker, Paul - FSIS](#); [\(b\) \(6\) @meatinstitute.org](#)  
**Subject:** Re: sanitation crews not being allowed to work  
**Date:** Wednesday, March 18, 2020 11:24:49 AM

---

Thank you!

Lisa Wallenda Picard  
National Turkey Federation  
office: (b) (6)  
mobile: (b) (6)

On Mar 18, 2020, at 11:24 AM, Newsome, Shawna - OSEC, Washington, DC <Shawna.Newsme@usda.gov> wrote:

Hi Lisa,

Thank you for flagging. This has been flagged up to the White House and we will make sure to reiterate the issue in our supply chain conversations today.

**Shawna Newsome**  
Office of Food Safety  
Cell: (b) (6)

---

**From:** Lisa Wallenda Picard (b) (6) @turkeyfed.org>  
**Sent:** Wednesday, March 18, 2020 11:19 AM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>; Newsome, Shawna - OSEC, Washington, DC <Shawna.Newsme@usda.gov>; Bronstein, Philip - FSIS <philip.bronstein@usda.gov>; Kiecker, Paul - FSIS <paul.kiecker@usda.gov>  
**Cc:** (b) (6) @meatinstitute.org  
**Subject:** sanitation crews not being allowed to work

Hi all:

We've got an issue with sanitation crews being told they are not allowed to work. We've shared the White House info, as well as the SF order (which specifically mentioned cleaning services) but doesn't seem to be enough. Is there any way to communicate these companies are part of the food supply channel? Or does something

else already exist?

Appreciate any ideas –

Lisa

Lisa Wallenda Picard  
Senior Vice President, Policy, Trade and Regulatory Affairs  
National Turkey Federation  
Office (b) (6)  
Mobile: (b) (6)

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**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Skahill, Michael P.](#)  
**Subject:** Re: Sioux Falls, SD Reopening Plan  
**Date:** Wednesday, May 6, 2020 6:43:24 PM  
**Attachments:** [ATT00001.png](#)

---

Thank you. Please keep us notified of any changes in the plan.

Mindy.

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---

**From:** Skahill, Michael P. (b) (6) @smithfield.com>  
**Sent:** Wednesday, May 6, 2020 6:29:53 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Subject:** FW: Sioux Falls, SD Reopening Plan

Dr. Brashears, please see attached and call me if you have any questions. Thank you for all your assistance. Mike



Michael P. Skahill  
Vice President, Government Affairs  
p: (b) (6) c: (b) (6)  
e: (b) (6) @smithfield.com  
111 Commerce St.  
Smithfield, VA 23430  
[smithfieldfoods.com](http://smithfieldfoods.com)

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**From:** [Willits, Ashley - OSEC, Washington, DC](#)  
**To:** [Censky, Stephen - OSEC, Washington, DC](#); [Venhuizen, Tony](#)  
**Cc:** [Newsome, Shawna - OSEC, Washington, DC](#); [Tkacz, Kailee - OSEC, Washington, DC](#)  
**Subject:** RE: Sioux Falls, SD Smithfield plant  
**Date:** Friday, May 1, 2020 2:09:16 PM  
**Attachments:** [image002.png](#)

---

Hi Tony,

I will be sure to make sure you receive a copy.

Thanks,  
Ashley Willits



**Ashley Willits**  
Deputy Director  
External and Intergovernmental Affairs  
Office of the Secretary

United States Department of Agriculture  
Cell: (b) (6)

Stephen Censky alias email

---

**From:** (b) (6) - OSEC, Washington, DC (b) (6)@usda.gov> **On Behalf Of** Censky, Stephen - OSEC, Washington, DC  
**Sent:** Friday, May 1, 2020 2:07 PM  
**To:** Venhuizen, Tony <Tony.Venhuizen@state.sd.us>; Censky, Stephen - OSEC, Washington, DC <Stephen.Censky@usda.gov>  
**Cc:** Willits, Ashley - OSEC, Washington, DC <ashley.willits@usda.gov>; Newsome, Shawna - OSEC, Washington, DC <Shawna.Newsme@usda.gov>; Tkacz, Kailee - OSEC, Washington, DC <kailee.tkacz@usda.gov>  
**Subject:** RE: Sioux Falls, SD Smithfield plant

Tony,

We will do so. Hopefully going out soon. Copying Ashley Willits of our Intergovernmental Affairs shop on this note so she can be sure to get a copy to you as soon as it goes out.

Best regards,

Steve

Stephen L. Censky  
Deputy Secretary

## U.S. Department of Agriculture

(b) (6)

[Stephen.Censky@usda.gov](mailto:Stephen.Censky@usda.gov)

---

**From:** Venhuizen, Tony <[Tony.Venhuizen@state.sd.us](mailto:Tony.Venhuizen@state.sd.us)>

**Sent:** Friday, May 1, 2020 11:42 AM

**To:** Censky, Stephen - OSEC, Washington, DC <[Stephen.Censky@usda.gov](mailto:Stephen.Censky@usda.gov)>

**Subject:** Re: Sioux Falls, SD Smithfield plant

Steve - Let me know when USDA sends that letter to Smithfield, and if I can get a copy that would be great. We want to be ready to react. Thanks so much.

thv

~

**Tony Venhuizen**

*Chief of Staff to Gov. Kristi Noem*

500 E. Capitol Ave. ~ Pierre, South Dakota 57501

telephone ~ (b) (6)

---

**From:** Venhuizen, Tony

**Sent:** Thursday, April 30, 2020 6:12 PM

**To:** Steve Censky

**Subject:** Fwd: Sioux Falls, SD Smithfield plant

Steve - thanks for the call just now. Attached is the letter we received this afternoon from Smithfield, for your reference. Please let us know when you have sent them your letter tomorrow, as we do not intend to respond to this letter until that has happened.

This is my email; my cell is (b) (6)

Thanks again.

Tony Venhuizen

Chief of staff

**From:** [Cole, Michael](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** RE: SMITHFIELD FOODS, INC.: Question Concerning Secretary Perdue's May 5 Letter to Stakeholders  
**Date:** Wednesday, May 6, 2020 5:58:40 PM  
**Attachments:** [image001.png](#)  
[ATT00001.png](#)

---

I now get it. I thought it was a web portal but it's just an email address. Thanks.



Michael Cole  
Senior Advisor to the CEO and Secretary  
p: (b) (6) c: (b) (6)  
e: (b) (6)@smithfield.com  
200 Commerce St.  
Smithfield, VA 23430  
[smithfieldfoods.com](http://smithfieldfoods.com)

---

**From:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Sent:** Wednesday, May 6, 2020 5:55 PM  
**To:** Cole, Michael (b) (6)@smithfield.com>  
**Subject:** Re: SMITHFIELD FOODS, INC.: Question Concerning Secretary Perdue's May 5 Letter to Stakeholders

Michael,

The [foodsupplychain@usda.gov](mailto:foodsupplychain@usda.gov) inbox is active and no further documents are necessary for Sioux Falls, but please keep us posted on timeline for reopening.

You can send your documents to me directly as well.

Thanks.

Mindy

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---

**From:** Cole, Michael (b) (6)@smithfield.com>  
**Sent:** Wednesday, May 6, 2020 5:45:21 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Subject:** SMITHFIELD FOODS, INC.: Question Concerning Secretary Perdue's May 5 Letter to Stakeholders

Dear Dr. Brashears:

Smithfield is reviewing the two letters issued last night by USDA Secretary Sonny Perdue, including one addressed to leadership of major meat processing companies. A copy of that letter to stakeholders is attached. We have questions concerning the first sentence of the fourth paragraph of the stakeholders letter, which is highlighted in yellow on the attached copy.

First, I have been unsuccessful connecting to [foodsupplychain@usda.gov](mailto:foodsupplychain@usda.gov). Is this an active page on the USDA website or is it still under construction?

Second, is there anything further you expect us to submit to USDA using [foodsupplychain@usda.gov](mailto:foodsupplychain@usda.gov) or otherwise in connection with the planned reopening of the Sioux Falls Facility other than a timeline for reopening and continued operation as referenced in your letter this afternoon to Smithfield CEO Ken Sullivan? With respect to a timeline, is it satisfactory to submit this to you via email?

Thank you for your continued assistance.

Very truly yours,

Michael Cole  
Senior Advisor to the CEO  
Smithfield Foods, Inc.



**Michael Cole**  
Senior Advisor to the CEO and Secretary  
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**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Cole, Michael](#)  
**Subject:** RE: SMITHFIELD FOODS, INC.: Question Concerning Secretary Perdue's May 5 Letter to Stakeholders  
**Date:** Thursday, May 7, 2020 12:58:00 PM  
**Attachments:** [image001.png](#)

---

Thank you. Please keep me posted.

---

**From:** Cole, Michael (b) (6) @smithfield.com>  
**Sent:** Thursday, May 7, 2020 10:11 AM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Subject:** RE: SMITHFIELD FOODS, INC.: Question Concerning Secretary Perdue's May 5 Letter to Stakeholders

That's a helpful clarification, Mindy. We can work with that. I understand that this is a new, and evolving process. We will err on the side of over-communicating early on.

Mike Skahill will be reaching out to you this morning about our St. Charles, Illinois plant, which was ordered to temporarily close by the Kane County Health Department due to concerns about COVID-19 back on April 25<sup>th</sup>. We have fully implemented the recommendations of the CDC/OSHA joint guidance at St. Charles and will be ready to reopen as soon as Monday, May 11<sup>th</sup>. But county health department officials have not yet released us from their April 25 order. They acknowledge that we are compliant with the joint guidance but they are demanding that we do more. We are sensitive to the politics and have been trying to work this out with Kane County without involving USDA but we are running short of time. If we don't have a breakthrough in our negotiations this morning, we may need USDA intervention.



**Michael Cole**  
Senior Advisor to the CEO and Secretary  
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e: (b) (6)@smithfield.com  
200 Commerce St.  
Smithfield, VA 23430  
[smithfieldfoods.com](http://smithfieldfoods.com)

---

**From:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Sent:** Wednesday, May 6, 2020 6:54 PM  
**To:** Cole, Michael (b) (6) @smithfield.com>  
**Subject:** Re: SMITHFIELD FOODS, INC.: Question Concerning Secretary Perdue's May 5 Letter to Stakeholders

Don't worry about asking questions. We want to provide clear information.

We understand there will be day to day variations. Those do not need to be reported.

If there are significant reductions for a sustained amount of time then we would like for you to notify us. This information is gathered indirectly through FSIS inspection needs/reports and AMS data.

I prefer to trust that alarming changes would be reported (loss of shift/line). I think we can try to work together for now and not impose absolutes, but rather you let us know when something major occurs.

Clearly, if this approach doesn't work, we will re-evaluate.

Is this an acceptable approach to begin?

Thanks.

Mindy

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---

**From:** Cole, Michael <(b) (6)@smithfield.com>

**Sent:** Wednesday, May 6, 2020 6:39:00 PM

**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>

**Subject:** RE: SMITHFIELD FOODS, INC.: Question Concerning Secretary Perdue's May 5 Letter to Stakeholders

Mindy,

One further question to confirm your expectations. As you know, Smithfield operates eleven harvest plants and numerous other processing plants around the country. Many of those plants currently operate, or will from time to time operate, at less than full capacity for a variety of COVID-related reasons, including quarantining of COVID positive or symptomatic employees, absenteeism and operational changes we implement to achieve social distancing. Like everyone in the industry, we have been adjusting plant operations on an almost daily basis to manage these issues and will continue to do so as the COVID crisis plays out. It is our understanding that you do not expect Smithfield to submit documentation about these day-to-day matters but to advise you about plant closures or suspensions of plant operations that are expected to significantly reduce production. Could you confirm or clarify this?

Thanks again.

Michael



**Michael Cole**  
Senior Advisor to the CEO and Secretary  
p: (b) (6) c: (b) (6)  
e: (b) (6)@smithfield.com  
200 Commerce St.  
Smithfield, VA 23430  
[smithfieldfoods.com](http://smithfieldfoods.com)

---

**From:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Sent:** Wednesday, May 6, 2020 5:55 PM  
**To:** Cole, Michael (b) (6) <[@smithfield.com](mailto:(b) (6)@smithfield.com)>  
**Subject:** Re: SMITHFIELD FOODS, INC.: Question Concerning Secretary Perdue's May 5 Letter to Stakeholders

Michael,

The [foodsupplychain@usda.gov](mailto:foodsupplychain@usda.gov) inbox is active and no further documents are necessary for Sioux Falls, but please keep us posted on timeline for reopening.

You can send your documents to me directly as well.

Thanks.

Mindy

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---

**From:** Cole, Michael <(b) (6)@smithfield.com>  
**Sent:** Wednesday, May 6, 2020 5:45:21 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Subject:** SMITHFIELD FOODS, INC.: Question Concerning Secretary Perdue's May 5 Letter to Stakeholders

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on the USDA website or is it still under construction?

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Thank you for your continued assistance.

Very truly yours,

Michael Cole  
Senior Advisor to the CEO  
Smithfield Foods, Inc.



**Michael Cole**  
Senior Advisor to the CEO and Secretary  
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e: (b) (6)@smithfield.com  
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Smithfield, VA 23430  
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**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Cole, Michael](#)  
**Subject:** Re: SMITHFIELD FOODS, INC.: Question Concerning Secretary Perdue's May 5 Letter to Stakeholders  
**Date:** Wednesday, May 6, 2020 6:53:40 PM  
**Attachments:** [image001.png](#)  
[ATT00001.png](#)

---

Don't worry about asking questions. We want to provide clear information.

We understand there will be day to day variations. Those do not need to be reported.

If there are significant reductions for a sustained amount of time then we would like for you to notify us. This information is gathered indirectly through FSIS inspection needs/reports and AMS data.

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Clearly, if this approach doesn't work, we will re-evaluate.

Is this an acceptable approach to begin?

Thanks.

Mindy

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---

**From:** Cole, Michael (b) (6) @smithfield.com>  
**Sent:** Wednesday, May 6, 2020 6:39:00 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Subject:** RE: SMITHFIELD FOODS, INC.: Question Concerning Secretary Perdue's May 5 Letter to Stakeholders

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Thanks again.

Michael



Michael Cole  
Senior Advisor to the CEO and Secretary  
p: (b) (6) c: (b) (6)  
e: (b) (6)@smithfield.com  
200 Commerce St.  
Smithfield, VA 23430  
smithfieldfoods.com

---

**From:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Sent:** Wednesday, May 6, 2020 5:55 PM  
**To:** Cole, Michael (b) (6)@smithfield.com>  
**Subject:** Re: SMITHFIELD FOODS, INC.: Question Concerning Secretary Perdue's May 5 Letter to Stakeholders

Michael,

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**From:** Cole, Michael <(b) (6)@smithfield.com>  
**Sent:** Wednesday, May 6, 2020 5:45:21 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Subject:** SMITHFIELD FOODS, INC.: Question Concerning Secretary Perdue's May 5 Letter to Stakeholders

Dear Dr. Brashears:

Smithfield is reviewing the two letters issued last night by USDA Secretary Sonny Perdue, including one addressed to leadership of major meat processing companies. A copy of that letter to

stakeholders is attached. We have questions concerning the first sentence of the fourth paragraph of the stakeholders letter, which is highlighted in yellow on the attached copy.

First, I have been unsuccessful connecting to [foodsupplychain@usda.gov](mailto:foodsupplychain@usda.gov). Is this an active page on the USDA website or is it still under construction?

Second, is there anything further you expect us to submit to USDA using [foodsupplychain@usda.gov](mailto:foodsupplychain@usda.gov) or otherwise in connection with the planned reopening of the Sioux Falls Facility other than a timeline for reopening and continued operation as referenced in your letter this afternoon to Smithfield CEO Ken Sullivan? With respect to a timeline, is it satisfactory to submit this to you via email?

Thank you for your continued assistance.

Very truly yours,

Michael Cole  
Senior Advisor to the CEO  
Smithfield Foods, Inc.



**Michael Cole**  
Senior Advisor to the CEO and Secretary  
p: (b) (6) c: (b) (6)  
e: (b) (6)@smithfield.com  
200 Commerce St.  
Smithfield, VA 23430  
[smithfieldfoods.com](http://smithfieldfoods.com)

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**From:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**To:** [Skahill, Michael P.](#)  
**Cc:** [Young, Joby - OSEC, Washington, DC](#); [Ibach, Greg - OSEC, Washington, DC](#)  
**Subject:** Re: Smithfield Sioux Falls Update  
**Date:** Tuesday, May 5, 2020 5:59:38 PM  
**Attachments:** [ATT00001.png](#)

---

I do not have the memo and I have reached out to our contacts.

Get [Outlook for iOS](#)

---

**From:** Skahill, Michael P. (b) (6) @smithfield.com>  
**Sent:** Tuesday, May 5, 2020 4:58:14 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <Mindy.Brashears@usda.gov>  
**Cc:** Young, Joby - OSEC, Washington, DC <joby.young@usda.gov>; Ibach, Greg - OSEC, Washington, DC <Greg.Ibach@usda.gov>  
**Subject:** Smithfield Sioux Falls Update

Dr. Brashears,

I have heard from Smithfield management that a memo was sent today that states Smithfield Sioux Falls is in compliance with CDC/OSHA. We heard this today from a CDC official that was at our plant. Mike



Michael P. Skahill  
Vice President, Government Affairs  
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Smithfield, VA 23430  
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**From:** [Skahill, Michael P.](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** RE: Smithfield Sioux Falls Update  
**Date:** Tuesday, May 5, 2020 8:07:53 PM  
**Attachments:** [image001.png](#)  
[ATT00001.png](#)

---

Senior management will meet Wednesday morning to discuss reopening plan. I will advise. Mike



**Michael P. Skahill**  
Vice President, Government Affairs  
p: (b) (6) c: (b) (6)  
e: (b) (6)@smithfield.com  
111 Commerce St.  
Smithfield, VA 23430  
[smithfieldfoods.com](#)

---

**From:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Sent:** Tuesday, May 5, 2020 7:55 PM  
**To:** Skahill, Michael P. <(b) (6)@smithfield.com>  
**Subject:** Re: Smithfield Sioux Falls Update

We expect you to re-open as soon as possible.

Thanks.

Mindy

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---

**From:** Skahill, Michael P. <(b) (6)@smithfield.com>  
**Sent:** Tuesday, May 5, 2020 7:12:21 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Subject:** Re: Smithfield Sioux Falls Update

Is this essentially an order  
To reopen ?

Sent from my iPhone



**Michael P. Skahill**  
Vice President, Government Affairs  
p: (b) (6) c: (b) (6)  
e: (b) (6)@smithfield.com  
111 Commerce St.

Smithfield, VA 23430

[smithfieldfoods.com](http://smithfieldfoods.com)

On May 5, 2020, at 7:02 PM, Brashears, Mindy - OSEC, Washington, DC  
<[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)> wrote:

Mike,

I just received notification that you are in compliance with CDC guidelines.

Because you are meeting the recommendations, you can re-open. Please share with us how your plan to proceed.

Thank you.

Mindy Brashears

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---

**From:** Skahill, Michael P. <(b) (6)@smithfield.com>  
**Sent:** Tuesday, May 5, 2020 4:58:14 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Cc:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>; Ibach, Greg - OSEC, Washington, DC <[Greg.Ibach@usda.gov](mailto:Greg.Ibach@usda.gov)>  
**Subject:** Smithfield Sioux Falls Update

Dr. Brashears,

I have heard from Smithfield management that a memo was sent today that states Smithfield Sioux Falls is in compliance with CDC/OSHA. We heard this today from a CDC official that was at our plant. Mike

<ATT00001.png>

**Michael P. Skahill**  
Vice President, Government Affairs  
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## Sonny Perdue alias email

**From:** [Ibach, Greg - OSEC, Washington, DC](#)  
**To:** (b) (6) [OSEC, Washington, DC](#); [Kristi Noem - Member Of Congress \(b\) \(6\)@state.sd.us](#)  
**Cc:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** RE: State inspected meat plants  
**Date:** Thursday, May 7, 2020 9:09:29 AM  
**Attachments:** [image002.png](#)  
[image004.png](#)  
[image001.png](#)

---

Sir,

I just visited with Mike Naig, Secretary of Agriculture for the State of Iowa. He informed me that the Iowa Department of Agriculture has a CIS application pending with FSIS at the present time. He stated they are ready to launch as soon as FSIS completes the agreement as Iowa has met all requirements.

I am sure that Campbell or Shawna will have more details about timing of the approval.

### Greg Ibach

Under Secretary  
Marketing & Regulatory Programs

United States Department of Agriculture  
228-W Whitten Building  
Office: (b) (6)  
Cell: (b) (6)  
[greg.ibach@osec.usda.gov](mailto:greg.ibach@osec.usda.gov)

---

**From:** (b) (6) - OSEC, Washington, DC (b) (6)@usda.gov> **Sonny Perdue alias email**  
**Sent:** Thursday, May 7, 2020 8:21 AM  
**To:** Kristi Noem - Member Of Congress (b) (6)@state.sd.us) (b) (6)@state.sd.us>  
**Cc:** Ibach, Greg - OSEC, Washington, DC <[Greg.Ibach@usda.gov](mailto:Greg.Ibach@usda.gov)>; Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Subject:** Fwd: State inspected meat plants

Governor,

Our lawyer as well as under Secretaries Ibach and Brashears have confirmed my fear that the statutes preclude cross state shipment of meat processed unless the state system had taken steps to qualify as you can read in attorney's reply to me.

I know that under these conditions that seems nonsensical but obviously food safety is a zero tolerance deal. I will inquire as to the time and process to become CIS approved.

-SP

---

**From:** Vaden, Stephen - OGC, Washington, DC <[stephen.vaden@usda.gov](mailto:stephen.vaden@usda.gov)>

**Sent:** Wednesday, May 6, 2020 7:02 PM  
**To:** (b) (6) - OSEC, Washington, DC  
**Cc:** Young, Joby - OSEC, Washington, DC  
**Subject:** State inspected meat plants

Sonny Perdue alias email

Mr. Secretary,

(b) (5), ACP  
[Redacted]

[Redacted]

(b) (5), ACP  
[Redacted]

(b) (5), ACP  
[Redacted]

(b) (5), ACP



Stephen Alexander Vaden  
General Counsel  
Office of the General Counsel  
U.S. Department of Agriculture  
1400 Independence Ave., S.W., Suite 107W  
Washington, DC 20250

 (b) (6) (Office)

 [stephen.vaden@ogc.usda.gov](mailto:stephen.vaden@ogc.usda.gov)

**From:** [Young, Joby - OSEC, Washington, DC](#)  
**To:** [Julie Anna Potts](#); [Newsome, Shawna - OSEC, Washington, DC](#); [Beal, Mary Dee - OSEC, Washington, DC](#); [benny.young@usda.gov](mailto:benny.young@usda.gov)  
**Subject:** Re: thanks  
**Date:** Friday, May 8, 2020 10:09:07 AM

---

Thanks Julie Anna.

Joby Young  
Chief of Staff  
U.S. Dept. of Agriculture

---

**From:** Julie Anna Potts [\(b\) \(6\) @meatinstitute.org](#)>  
**Sent:** Wednesday, May 6, 2020 5:38:40 PM  
**To:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>; Newsome, Shawna - OSEC, Washington, DC <[Shawna.Newsome@usda.gov](mailto:Shawna.Newsome@usda.gov)>; Beal, Mary Dee - OSEC, Washington, DC <[MaryDee.Beal@usda.gov](mailto:MaryDee.Beal@usda.gov)>; [benny.young@usda.gov](mailto:benny.young@usda.gov) <[benny.young@usda.gov](mailto:benny.young@usda.gov)>  
**Subject:** thanks

Hey Team USDA, thanks very much for the call today. Really helpful. (Please pass on our thanks to Benny if I don't get his email address correct.) I know this whole process has been unprecedented and difficult, and I do appreciate all that you are doing to get the meat and livestock industries back to full steam. Really looking forward to getting Sarah connected with your OC. Sarah's email is [\(b\) \(6\) @meatinstitute.org](#) and her cell is [\(b\) \(6\)](#)

Let me know what else you need from us.

Best, JAP

Julie Anna Potts  
President & CEO  
North American Meat Institute  
[\(b\) \(6\) @meatinstitute.org](#)  
[\(b\) \(6\)](#) (o)  
[\(b\) \(6\)](#) (c)



**From:** [Young, Joby - OSEC, Washington, DC](#)  
**To:** [Mika, Matt](#)  
**Subject:** RE: The Wall Street Journal: Tyson Reduces Some Beef Prices as Coronavirus Pushes Grocery-Store Costs Higher  
**Date:** Thursday, May 14, 2020 4:44:00 PM

---

Thanks Matt.



**Joby Young**

Chief of Staff  
United States Department of Agriculture

---

**From:** Mika, Matt (b) (6) @tyson.com>  
**Sent:** Thursday, May 14, 2020 10:06 AM  
**To:** Mika, Matt (b) (6) @tyson.com>  
**Subject:** The Wall Street Journal: Tyson Reduces Some Beef Prices as Coronavirus Pushes Grocery-Store Costs Higher

### **Tyson Reduces Some Beef Prices as Coronavirus Pushes Grocery-Store Costs Higher**

*The Wall Street Journal*

By Jacob Bunge

May 13, 2020

<https://www.bgov.com/core/news/#!/articles/QAB65G073NCX>

Tyson Foods Inc. is lowering some prices it charges supermarkets and restaurants for beef, after coronavirus-driven disruptions at meatpacking plants have led to a surge in meat costs.

The Arkansas company, which processes about one-fifth of the nation's beef, plans to reduce prices for ground beef, roasts and other beef products by as much as 20% to 30% for sales made this week to restaurants, grocery stores and other customers. The move will help keep beef affordable, said Noel White, Tyson's chief executive.

Tyson, the biggest U.S. meat company by sales, has a lot riding on the price of beef. Beef represented more than one-third of the company's \$42.4 billion in sales last year. Nearly half of the company's beef is sold to grocery stores and food retailers, the company estimates.

Since the beginning of March, coronavirus outbreaks among meatpacking workers forced the temporary closure of about two dozen major U.S. meat processing plants. The U.S. Department of Agriculture estimated that nationwide production of beef, pork and other red meat last week was about 28% lower than the same period last year, and the agency projected Tuesday that beef

production in the second quarter of this year would be one-fifth below first-quarter levels.

Grocery stores and restaurants are paying more as a result. Wholesale ground-beef prices this week topped \$6.21 a pound, according to the USDA, more than triple their cost at the beginning of March. Some steak prices have doubled over the past two months.

Tyson and other beef processors also face scrutiny over their profits. Despite beef growing more expensive in supermarkets, cattle prices have tumbled in the U.S. Plains states, prompting federal officials to investigate the way companies like Tyson price and purchase cattle.

Discounting beef products will help preserve consumer demand as processing plants resume normal operations, which will benefit Tyson and cattle producers, said Tyson's Mr. White. "We're doing this because we want to help keep beef on family tables," he said.

Shoppers dealing with economic turmoil will often downgrade from a rib-eye steak to a strip steak, or to a burger, said Don Close, senior protein analyst for agricultural lender Rabobank. "Clearly with the price run-up we've seen in recent weeks, we're seeing demand erosion," he said.

This week the USDA forecast that U.S. consumers would reduce beef consumption by 5.9% this year, compared with the slight annual decline the agency projected a month ago.

Skogen's Foodliner Inc., parent of the Festival Foods grocery chain, is raising retail prices for beef by "a couple dollars a pound" this week after previously holding out, said CEO Mark Skogen.

"We can't sit at the prices from two months ago," Mr. Skogen said, adding that he expects to increase beef prices again next week.

Beef costs increased about 30% this week for grocery chain Smart & Final Stores Inc., CEO David Hirz said. He said that the higher prices ultimately will get passed to consumers, though Smart & Final won't change retail pricing until its competitors do.

Smart & Final's beef and pork sections are about 60% to 65% full today, Mr. Hirz said, but shoppers are buying more frozen hamburger patties and other items.

Restaurant company Ruth's Hospitality Group Inc., parent of Ruth's Chris steakhouses, said last week that its spending on beef has nearly doubled at times in recent weeks as a result of beef plant outages and slowdowns. Burger King franchisee Carrols Restaurant Group Inc. estimated its beef costs are about one-fifth higher than they were earlier this year, though the company isn't raising prices for consumers in response, executives said.

The USDA in April said it would investigate meatpackers' cattle-buying activities following complaints from some cattle groups, which alleged that meatpackers have used coronavirus-related plant shutdowns to drastically reduce the prices they pay for cattle. Meatpackers have said that the plant closures have shrunk the market for cattle, while demand surges at grocery stores are making beef more scarce, leading to higher wholesale prices.

A Tyson spokesman said that the company doesn't believe in anticompetitive or predatory conduct, and that hundreds of millions of dollars in added costs related to Covid-19 have also affected wholesale meat pricing. The company in March paid a temporary premium to some cattle suppliers.

**Matthew Mika**, Director  
Government Relations  
**Tyson Foods, Inc.**

Office (b) (6) or Desk (b) (6) or Cell (b) (6)  
(b) (6) [@tyson.com](mailto:(b) (6)@tyson.com)

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**From:** [Mika, Matt](#)  
**To:** [Young, Joby - OSEC, Washington, DC](#)  
**Subject:** RE: (b) (4)  
**Date:** Tuesday, May 12, 2020 12:45:11 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

---

Thanks man, keep your head up!

**Matthew Mika**, Director  
Government Relations  
**Tyson Foods, Inc.**

Office (b) (6) or Desk (b) (6) or Cell (b) (6)  
(b) (6) [@tyson.com](#)

---

**From:** Young, Joby - OSEC, Washington, DC <[joby.young@usda.gov](mailto:joby.young@usda.gov)>  
**Sent:** Tuesday, May 12, 2020 12:44 PM  
**To:** Mika, Matt (b) (6) [@tyson.com](#)>  
**Subject:** [EXTERNAL] - RE: (b) (4)

Thanks Matt.



**Joby Young**

Chief of Staff  
United States Department of Agriculture

---

**From:** Mika, Matt (b) (6) [@tyson.com](#)>  
**Sent:** Monday, May 11, 2020 6:32 PM  
**To:** Mika, Matt <(b) (6) [@tyson.com](#)>  
**Subject:** (b) (4)

(b) (4)

**Matthew Mika**, Director  
Government Relations



**Tyson Foods (New Office Address)**

1000 F Street, NW  
Suite 600  
Washington, DC 20004  
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Desk (b) (6)

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**From:** [Booren, Betsy](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** RE: Updated research  
**Date:** Wednesday, March 18, 2020 2:13:20 PM

---

Thanks. Appreciate this concern

**Betsy Booren, Ph.D.**

Senior Vice President, Regulatory and Technical Affairs  
Consumer Brands Association

New agenda, new organization. [Learn more](#) about the Consumer Brands Association.

*\*Note: Please update your contacts with my new email address*

---

**From:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Sent:** Wednesday, March 18, 2020 2:11 PM  
**To:** Booren, Betsy (b) (6) <[REDACTED]@consumerbrandsassociation.org>  
**Subject:** RE: Updated research

Betsy,

Please note that article 2 is NOT peer reviewed, but is being shared in a format as if it is. As a scientist, I do not think something of this magnitude should be shared on the scale that this is being share without peer review. I've seen this shared MANY times. Just a flag.

Thanks.

Mindy

---

**From:** Booren, Betsy (b) (6) <[REDACTED]@consumerbrandsassociation.org>  
**Sent:** Wednesday, March 18, 2020 2:01 PM  
**To:** Brashears, Mindy - OSEC, Washington, DC <[Mindy.Brashears@usda.gov](mailto:Mindy.Brashears@usda.gov)>  
**Subject:** Updated research

RESEARCH MATERIALS

*Please note that, while Consumer Brands is not endorsing these studies, we are sharing broadly in the spirit of transparency.*

1. [Persistence of coronaviruses on inanimate surfaces and their inactivation with biocidal agents](#)
2. **UPDATED:** [Aerosol and surface stability of HCoV-19 \(SARS-CoV-2\) compared to SARS-CoV-1: The stability of SARS-CoV-2 and SARS-CoV-1 in aerosols and on various surfaces were evaluated with decay rates estimated using a Bayesian regression model. The results indicate that aerosol and fomite transmission of SARS-CoV-2 is plausible, since the virus can remain infectious in aerosols for hours and on surfaces up to days.](#)
3. **NEW:** [Efficacy of various disinfectants against SARS coronavirus](#): Eight disinfectants

were tested for their activity against SARS-CoV and it was found that SARS-CoV could be inactivated easily with commonly used disinfectants.

4. [World Health Organization database of publications on coronavirus disease:](#)  
Consumer Brands staff will be culling this list of resources daily for articles that are relevant to the consumer packaged goods industry.
5. **NEW:** [Can the Coronavirus Disease 2019 \(COVID-19\) Affect the Eyes? A Review of Coronaviruses and Ocular Implications in Humans and Animals:](#) Since the novel Coronavirus caused by SARS-CoV-2 emerged, there have been anecdotal reports of ocular infection. The ocular implications of human CoV infections have not been widely studied.

**Betsy Booren, Ph.D.**

Senior Vice President, Regulatory and Technical Affairs  
Consumer Brands Association

(b) (6) (office)  
(b) (6) (mobile)

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*\*Note: Please update your contacts with my new email address*

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**From:** [Michael Dykes](#)  
**To:** [Ibach, Greg - OSEC, Washington, DC](#); ["loren.walker@usda.com"](mailto:loren.walker@usda.com); ["frank.yiannas@fda.hhs.gov"](mailto:frank.yiannas@fda.hhs.gov); ["Zimdahl, Nina"; Brashears, Mindy - OSEC, Washington, DC](#); [Newsome, Shawna - OSEC, Washington, DC](#)  
**Cc:** ["Julie Anna Potts"](#); [Robb MacKie](#)  
**Subject:** Request for Guidance to Manufactures in case of a positive COVID-19 Employee  
**Date:** Tuesday, March 17, 2020 2:33:06 PM  
**Attachments:** [3-16-20 Federal Authorities Support the Protection of Essential Components of the Value Chain to Ensure an U.pdf](#)

---

I am connecting all you on one email to request, on behalf of the broad food and ag industry, clear guidance from CDC or some authoritative USG public health office on what a food manufacturing facility should do when the facility has a positive COVID – 19 case.

Members of all our trade associations are asking us this question and they are all trying to be responsive to the health and safety of all their employees but they are unsure and inconsistent as to the proper actions to take in this case. All of industry would like to have some official public health guidance on the appropriate actions and procedures in the case of a positive employee in any facility that is currently operating 24/7. I have attached a memo from outside counsel at Covington that discussed the needs of critical infrastructure.

I just thought it would be helpful to all of you and to industry to get you on one email to avoid duplication of effort and to ensure consistency as many of us have facilities that operate under multiple government regulators.

Thank you  
Michael Dykes  
President & CEO IDFA  
Cell (b) (6)

## **Federal Authorities Support the Protection of Essential Components of the Value Chain to Ensure an Uninterrupted Supply of Food to Consumers**

The food and agriculture sector has long been designated as a critical infrastructure sector that provides the essential services that underpin American society.<sup>1</sup> This sector must be secured by proactive and coordinated efforts of the federal, state, and local governments.<sup>2</sup> In the current COVID-19 crisis, these governments are authorized – and obliged – to help ensure the continued sourcing, production and distribution of food products to American consumers, both by supporting the infrastructure surrounding this sector and by waiving or not imposing restrictions that would limit the production and movement of these essential goods.<sup>3</sup>

President Trump’s declaration of emergency under the Stafford Act<sup>4</sup> on Friday has the primary effect of unlocking federal assistance to state and local governments that can aid those entities with responding to the emergency. Such assistance is coordinated and provided by FEMA under the National Response Framework. It could take the form of federal funding or the direct provision to or augmentation of services by state and local governments. Funds or services made available to state and local agencies pursuant to the President’s emergency declaration could be used by those agencies to address roadblocks to the provision of certain need inputs. FEMA could use these funds to provide assistance directly to certain organizations that provide critical services surrounding the production and distribution of food, like communications, electric, water, and sewage utilities.<sup>5</sup>

Food regulators should follow the models of their fellow regulators in waiving restrictions, requirements, or other regulations not critically essential for food safety in order to facilitate the continued production and distribution of food. For example, the Federal Communications Commission (FCC) has responded to surging customer demand for broadband communications facilities by granting T-Mobile temporary permission to use additional spectrum bandwidth.<sup>6</sup> The FCC has also indicated that it is willing to “expedite waivers and experimental licenses” to expand broadband access in underserved communities.<sup>7</sup> In this vein, the FDA and USDA may need to take a more flexible approach to certain of their food inspection requirements, including at ports of entry, and work to address disruption in essential supply

<sup>1</sup> Presidential Policy Directive 21: Critical Infrastructure Security and Resilience (PPD-21), February 12, 2013; Homeland Security Presidential Directive/HSPD-9–Defense of United States Agriculture and Food, January 30, 2004.

<sup>2</sup> PPD-21.

<sup>3</sup> Additionally, Title III of the Defense Production Act of 1950 might provide tools that the executive branch might use to support the food industry, though that Act is primarily aimed at making resources available for federal government procurement, not for private distribution.

<sup>4</sup> 42 U.S.C. § 5121 *et seq.*

<sup>5</sup> Stafford Act § 406(a)(3)(B); 42 U.S.C. § 5172; and 44 CFR § 206.221(e).

<sup>6</sup> <https://www.fcc.gov/document/fcc-grants-t-mobile-temporary-spectrum-access-during-coronavirus>

<sup>7</sup> <https://www.fcc.gov/document/commissioner-starks-statement-fccs-response-covid-19>

chains. This could include prioritizing the inspection of imported foodstuffs and inspecting only the highest-risk products, in order to facilitate the continued importation of needed ingredients and other inputs necessary for food production. Such an approach could be taken in a manner consistent with the overarching authorities and mandates described above, as well as the National Infrastructure Protection Plan (NIPP) Food and Agriculture Sector-Specific Plan for 2015.

Disruptions in trucking, railroad, and aviation services may make it difficult for food producers to obtain inputs and distribute finished food products to retailers. Certain regulatory agencies have already taken steps to address such shortfalls while others may do so. For example, the Department of Transportation's Federal Motor Carrier Safety Administration has issued hours-of-service regulatory relief for commercial drivers, removing restrictions on the hours they may work to facilitate the movement of goods like medical and food supplies to affected areas. Government regulators should continue to consider what additional relief may be necessary or appropriate to help ensure the smooth and timely distribution of necessary food products. The President and the Secretary of Transportation also could consider taking steps to address the allocation of transportation resources, including refrigerated containers and trailers and pallets, under the authorities described above. And as airlines and railroads slash trips to accommodate declining demand, it may be appropriate to consider allowing goods previously transported as cargo to be transported on passenger flights and trains.

Finally, it will be critically important to ensure that food production and distribution facilities continue to operate, even if they are located in locked-down or quarantined areas. Consistent with the federal directives referenced above, federal, state, and local government authorities must work together to ensure that any local quarantines or lockdowns do not disrupt the production and distribution of food products. Workers must be permitted to move through and into quarantined areas if they are needed to assist with manufacturing. Government authorities could also consider granting expedited temporary worker visas to address labor shortages, particularly in the agriculture sector. Clear guidance from the CDC should help food production and distribution facilities make decisions about employee health and safety in a manner that will protect them and the public while not unduly hindering operations.

In sum, federal, state, and local governments have numerous authorities to help facilitate the prompt and continued production and distribution of food products in ample supply, and to waive or modify restrictions or regulatory requirements that are not essential at this time to ensure the continued flow of goods.

**From:** [John Keating](#)  
**To:** [Ibach, Greg - OSEC, Washington, DC](#); [Brashears, Mindy - OSEC, Washington, DC](#)  
**Cc:** [Kathryn Unger](#); [Mark Quayle](#); [Katie Smith](#); [Jon Nash](#)  
**Subject:** Response  
**Date:** Friday, May 8, 2020 4:53:44 PM  
**Attachments:** [Cargill Response 5.8.20.pdf](#)

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Mr. Ibach and Mrs Brashears

I hope this email find you both safe and healthy. Please see the attached response from your letter dated May 5, 2020.

Kind Regards

John Keating

May 8, 2020

Secretary Sonny Perdue  
U.S. Department of Agriculture

Re: Secretary Perdue's Letter dated May 5, 2020 regarding Executive Order 13917 Delegating Authority Under the Defense Production Act with Respect to the Food Supply Chain Resources During the National Emergency Caused by the Outbreak of COVID-19

Dear Secretary Perdue,

I am writing to you in response to the letter received by Cargill Meat Solutions Corporation (Cargill) on May 7, 2020 from you in connection with the President's related Defense Production Act order, Executive Order 13917.

We thank the USDA for this letter, as well as for federal officials' continued guidance on food supply and safety issues in these unprecedented times. As the President and you have indicated, companies like Cargill play an important part in ensuring a plentiful food supply, and the health and safety of plant employees is integral to the continuity of our food supply chain. We appreciate the federal government's commitment to providing meat and poultry producers with clear health and safety standards.

We note the President's your directives on the interim guidance jointly issued by the Centers for Disease Control and Prevention (CDC) and the Department of Labor's (DOL) Occupational Health and Safety Administration (OSHA) regarding worker health and safety in meat and poultry processing facilities (the CDC/OSHA Guidance). We would like to assure you and the USDA that each of the Cargill protein and poultry facilities in operation in the United States operates in a manner that is fully consistent with the CDC/OSHA Guidance.

Although Cargill's operations have been impacted by COVID-19 we maintain a steady level of operations and there is no Cargill plant that is without a clear timetable for near term resumption of operations. We would like to share with you a partial list of the measures we have undertaken to keep our employees safe and our facilities in operation:

- Developed screening questions prior to entering the plant, including questions on any illness related symptoms, questions on recent travel out of the state and any close contact with someone who has COVID-19.
- Initiated temperature screening in addition to the screening questions each day.
- Prohibited all unnecessary visitors to the facility.
- Increased sanitation throughout the day in all common areas and office spaces, including additional sanitation each night in these areas as well.
- Installed protective barriers on the production floor between employees.
- Provided full face shields for any job where the protective barrier is not possible due to job movement.
- Progressed from encouraging personal face masks to providing them and making their use mandatory.
- Reduced the likelihood of carpooling to reduce potential for transmission in transit.
- Provided buses that have been retrofitted with protective barriers between the seats to alleviate the need for carpooling from multiple areas.
- Added additional barriers in the bathrooms and reassigned lockers to allow for necessary spacing.
- Conducted an extensive COVID-19 sanitation process, including additional cleaning in the parts of our facility that have been closed.
- Continued to focus on education and awareness of social distancing inside and outside of work. This includes not sharing food during meals.

In addition, Cargill has instituted a temporary wage increase, an additional eighty hours of paid sick leave and bonus program to recognize the contributions of our employees during this challenging time. Employees who must be absent from work any reasons that are consistent with the company's health and safety protocols are still eligible for this bonus upon their cleared return.

Finally, we have been pleased to host tours of our facilities and briefings on Cargill's efforts for visiting representatives of CDC, OSHA, the Department of Homeland Security and the National Institute for Occupational Safety and Health. The feedback from these visits has been overwhelmingly supportive of our approach and helped confirm that Cargill protein and poultry facilities are operating in line with the CDC/OSHA Guidance.

All of this reflects an attempt to take actions necessary to safely operate our facilities and ensure that Cargill is fully compliant with Executive Order 13917 and the Secretary's letter. Cargill takes very seriously our commitments to feeding the Nation and ensuring that cattle farmers and ranchers have access to markets.

Cargill has two protein plants that are currently off-line, both of which Cargill is planning to re-open:

(1) Cargill's Milwaukee, Wisconsin facility was, as the USDA is aware, closed per a directive from the City of Milwaukee Health Department (MHD). The plant has and will continue to operate in accordance with the CDC/OHSA Guidance and the Cargill team is currently working with MHD on a process for re-opening the facility as soon as possible;

(2) Cargill's Schuyler, Nebraska facility has been temporarily idled due to the number of employees who have been quarantined as a result of our COVID-19 protocols. With the assistance and support of the State of Nebraska, the Schuyler facility is working on a testing plan that follows the CDC/OSHA Guidance, and we currently plan to resume operations there on or before May 18, 2020.

Again, all of us at Cargill would like to thank you and the employees of the USDA for your dedication to the nation's food supply and your attentiveness to Cargill, our employees and the people who make up our food supply system. And we are especially grateful to the FSIS inspectors who are present with us in our processing facilities each and every day during these exceptional times.

Please be sure to advise of any questions, concerns or additional guidance you may have to offer with regard to our meat and poultry operations.

Sincerely,

John Keating  
Cargill Meat Solutions Corporation  
Wichita, KS  
[john\\_keating@cargill.com](mailto:john_keating@cargill.com)

cc: Jon Nash, President, Cargill Meat Solutions Corporation  
Mark Quayle, Vice President, Law, Cargill Meat Solutions Corporation  
Kathryn Unger, Government Relations Leader, NA  
Katie Smith, Government Relations, NA  
Under Secretary Mindy Brashears, USDA  
Under Secretary Greg Ibach, USDA

**From:** [Mark Dopp](#)  
**To:** [Kiecker, Paul - FSIS](#)  
**Cc:** [Julie Anna Potts](#); [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** retail and foodservice.  
**Date:** Tuesday, March 17, 2020 2:52:11 PM

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Paul, I appreciate the concerns you raised and we are working to get examples from the members to share and discuss, as well as some other scenarios. Hopefully, we can use those to start a conversation about whether there are options available. Quite a few companies are trying to find a home for a lot of product that 1) can meet a demand and 2) they prefer not to landfill. Regards.

**From:** [Julie Anna Potts](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Cc:** [Newsome, Shawna - OSEC, Washington, DC](#)  
**Subject:** Sec Perdue call  
**Date:** Friday, April 3, 2020 11:33:20 AM  
**Attachments:** [Secretary Perdue Call Talking Points April 3-1.docx](#)

---

Under Secretary Brashears, here are our talking points for this afternoon's call. Talk to you then.

Thanks!

Julie Anna Potts

President & CEO

North American Meat Institute

(b) [@meatinstitute.org](#)

(b) (6) (o)

(b) (6) (c)



## Secretary Perdue Call Talking Points

### Unemployment Benefits Should Not be Provided to People who Quit Their Jobs.

*President's Coronavirus Guidelines for America – 15 Days to Slow the Spread* – said employees in a critical infrastructure industry like food processing have a “special responsibility” to “maintain [a] normal work schedule.”

Fundamental objective of CARES Act is providing incentives for companies not to lay off or furlough workers.

It is **unimaginable** that Congress **intended to create an incentive, much less a path**, for food industry workers to choose unemployment over producing food.

DOL should, through CARES Act guidance, affirm that employees will not qualify for unemployment benefits unless they are less furloughed or laid off.

The Governor of Nebraska got it right -- "Please do not quit your jobs, bad idea," he said. John Albin, Nebraska Labor Commissioner, said "Being afraid you might get exposed to COVID-19 at work is not a good enough reason for quitting your job."

The implications of packing plants going dark are just as, if not more, dire for livestock producers as they are for American consumers.

### Priority 1 for PPE is the Healthcare Industry; Priority 1A must be Meat Industry

Meat packing and processing companies are doing everything possible to provide social distancing and take other preemptive measures, *e.g.* taking temperatures, staggering shift starts, reconfiguring common areas, *etc.*

6 feet is not always possible -- creating fear in the workforce

Recognizing the critical need in healthcare, meat packing and processing workers need PPE and need to be priority 1A. **[have CDC and WH gone that far or suggested?]**

### The Administration Should Support Exculpating Critical Infrastructure Industry Businesses from Certain Liability Actions

The Plaintiffs' bar is already lining up to sue meat companies who want to operate in these difficult times.

The food industry is developing legislative language that would hold critical infrastructure industry companies not liable if a person became infected by COVID-19 on the premises of such a business absent gross negligence or willful misconduct.

**From:** [McClure, Amy](#)  
**To:** [Skahill, Michael P.](#); [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** Smithfield - St. Charles Plant  
**Date:** Friday, May 8, 2020 10:19:39 AM  
**Attachments:** [ATT00001.png](#)

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Dr. Brashears,

Thank you for speaking with me this morning. To reiterate our conversation, our St. Charles plant in Kane County, Illinois is in an urgent situation. We need to reopen to prevent further disruption in the nation's food supply.

The plant is in full compliance with applicable CDC/OSHA guidance and is set to reopen to full capacity on Monday, May 11, 2020 pursuant to the President's Executive Order. The Kane County Health Department has conducted multiple inspections and we have provided them with all of the information we have available so that they can complete their investigation and conduct community tracing. Unfortunately, they remain unsupportive of a Monday opening.

Note that DOL/OSHA has also inspected the plant and determined that we are complying with applicable guidance.

Michele Neirman is in the state's attorney's office has been my contact, and Barbara Jeffers at the Kane County Health Department is who seems to make the decisions. She has not shared her phone number, but her email is [JeffersBarbara@co.kane.il.us](mailto:JeffersBarbara@co.kane.il.us)

Michele's contact information is:

Michele Niermann  
Deputy Chief, Civil Division  
Kane County State's Attorney's Office  
100 S. Third St., 4<sup>th</sup> Fl.  
Geneva, IL 60134  
(b) (6)

In order to open Monday, *we need to confirm supply orders by around noon central time today.*

Thank you for your efforts,  
Amy

**Smithfield.**  
Good food. Responsibly.®

Amy McClure  
Associate General Counsel  
p: (b) (6) : (b) (6)  
e: (b) (6)@smithfield.com  
200 Commerce St.  
Smithfield, VA 23430  
[smithfieldfoods.com](http://smithfieldfoods.com)

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**From:** [Cole, Michael](#)  
**To:** [Brashears, Mindy - OSEC, Washington, DC](#)  
**Subject:** SMITHFIELD FOODS, INC.: Question Concerning Secretary Perdue's May 5 Letter to Stakeholders  
**Date:** Wednesday, May 6, 2020 5:45:59 PM  
**Attachments:** [ATT00001.png](#)  
[SECRETARY PERDUE, Letter to Stakeholders, May 5, 2020.pdf](#)

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Dear Dr. Brashears:

Smithfield is reviewing the two letters issued last night by USDA Secretary Sonny Perdue, including one addressed to leadership of major meat processing companies. A copy of that letter to stakeholders is attached. We have questions concerning the first sentence of the fourth paragraph of the stakeholders letter, which is highlighted in yellow on the attached copy.

First, I have been unsuccessful connecting to [foodsupplychain@usda.gov](mailto:foodsupplychain@usda.gov). Is this an active page on the USDA website or is it still under construction?

Second, is there anything further you expect us to submit to USDA using [foodsupplychain@usda.gov](mailto:foodsupplychain@usda.gov) or otherwise in connection with the planned reopening of the Sioux Falls Facility other than a timeline for reopening and continued operation as referenced in your letter this afternoon to Smithfield CEO Ken Sullivan? With respect to a timeline, is it satisfactory to submit this to you via email?

Thank you for your continued assistance.

Very truly yours,

Michael Cole  
Senior Advisor to the CEO  
Smithfield Foods, Inc.



Michael Cole  
Senior Advisor to the CEO and Secretary  
p: (b) (6) c: (b) (6)  
e: (b) (6)@smithfield.com  
200 Commerce St.  
Smithfield, VA 23430  
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communication and destroy all copies thereof.

United States Department of Agriculture

Office of the Secretary  
Washington, D.C. 20250

May 5, 2020

Re: Executive Order 13917 Delegating Authority Under the Defense Production Act with Respect to the Food Supply Chain Resources During the National Emergency Caused by the Outbreak of COVID-19

I am heartened to see that companies and local communities are cooperating in restoration of plant activities in accordance with the guidance for their operations jointly issued on Sunday, April 26, by the Centers for Disease Control and Prevention (CDC) and the Department of Labor's (DOL) Occupational Health and Safety Administration (OSHA) regarding worker health and safety. I write now to exhort you to follow those examples and with respect to any current or proposed actions that may lead to a reduction in the Nation's meat and poultry food supply. Executive Order 13917 signed by President Trump on Tuesday, April 28, 2020, delegated to the Secretary of Agriculture the powers of the President under the Defense Production Act to take all appropriate action to ensure America's meat and poultry processors continue operations.

Maintaining the health and safety of plant employees in addition to ensuring continued operations and a plentiful food supply during this unprecedented time is paramount. Our Nation's meat and poultry processing facilities and workers play an integral role in the continuity of our food supply chain. Effective immediately, meat and poultry processing plants should utilize the guidance issued on Sunday, April 26, 2020, by the CDC and OSHA specific to the meat and poultry processing industry to implement practices and protocols for safeguarding the health of the workers and the community while staying operational or resuming operations.

The U.S. Department of Agriculture's (USDA) Food Safety and Inspection Service (FSIS) mission is to inspect meat and poultry products to ensure that they are wholesome and safe. For this reason, USDA is partnering with OSHA and CDC as they have the authority and expertise over public health and worker safety issues for plant employees.

Meat and poultry processing plants contemplating reductions of operations or recently closed since Friday May 1, and without a clear timetable for near term resumption of operations, should submit written documentation of their operations and health and safety protocol developed based on the CDC/OSHA guidance to USDA at [foodsupplychain@usda.gov](mailto:foodsupplychain@usda.gov). Plants should resume operations as soon as they are able after implementing the CDC/OSHA guidance for the protection of workers. USDA will continue to work with plants, the CDC, OSHA, and state, tribal, and local officials to ensure facilities are implementing practices consistent with the guidance to keep employees safe and continue operations. Again, I exhort you to do this; further action under the Executive Order and the Defense Production Act is under consideration and will be taken if necessary.

We thank you for your dedication to ensuring that your employees will be able to continue working at your facilities to provide Americans with an abundant, healthy, and safe food supply.

Signed,



Secretary Perdue

**From:** [Mike Giles](#)  
**To:** [Young, Joby - OSEC, Washington, DC](#)  
**Subject:** Support for poultry growers  
**Date:** Friday, April 10, 2020 4:17:49 PM  
**Attachments:** [FINAL - NCC Farmer Relief Letter - Secretary Perdue.pdf](#)  
[ATT00001.txt](#)

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Joby,

You may have seen this, but I wanted to share the attached letter from the National Chicken Council.

The Georgia Poultry Federation supports this request.

These are unprecedented times in all of agriculture, and the poultry industry is also suffering significant and lasting impacts as this situation evolves.

We appreciate Secretary Perdue's leadership and support... as well as all USDA employees who are working on behalf of the food and agriculture sectors.

Mike Giles



1152 FIFTEENTH STREET NW, SUITE 430  
WASHINGTON, DC 20005  
PHONE: 202-296-2622

April 10, 2020

Mr. Sonny Perdue  
Secretary of Agriculture  
U.S. Department of Agriculture  
1400 Pennsylvania Avenue, SW  
Washington, D.C. 20250

Dear Mr. Secretary:

National Chicken Council members are grateful for the ongoing support the U.S. Department of Agriculture (USDA) has provided during the COVID-19 outbreak. Your leadership has been critical to providing for a more stable chicken supply chain. America's chicken producers and processors have a long history of adapting to difficult situations and meeting changing demand to provide a safe, secure food supply and we are confident this time will be no different. However, despite current efforts, the chicken supply chain is suffering greatly from the unexpected and devastating effects of the COVID-19 outbreak that has seriously impacted livelihoods and food consumption patterns.

As a result of reduced workforce at processing plants, foodservice demand vanishing virtually overnight, historically high cold storage supply levels and a potential loss of international trade market access due to the recent detection of highly pathogenic avian influenza (HPAI), some chicken processors have begun to reduce eggs set to reflect decreased demand and to avoid any potential animal welfare concerns. One implication of trying to manage the supply chain in this way is the potential of delayed bird placements to family farmers that chicken processors partner with to raise chickens.

These cutbacks are not the fault of the farmers or chicken processors, but instead are merely a reflection of truly unprecedented and trying market conditions due to COVID-19. We expect processors to stand by our family farmers during this time and to honor their contracts, however we urge USDA to provide targeted aid to these producers through resources available to the Department.

We understand that Congress included within the Coronavirus Aid, Response and Economic Security (CARES) Act \$14 billion in funding authorized to the Commodity Credit Corporation as well as \$9.5 billion authorized at your discretion to assist distressed agricultural producers as a result of COVID-19. We also understand there are other tools and monies at the government's disposal to address these and similar situations during this time of economic uncertainty. We are also aware of President Trump's recent directive to provide relief to farmers and ask that you include relief for chicken farmers who may be directly impacted by reduced demand for chicken. These farmers are faced with overhead costs and any downtime will bring great financial pressure upon them.

The essential and critical industries have exhibited extreme resilience – working to care for, feed, and protect Americans – and are selflessly serving the nation by showing up to work during this time of

crisis. While the value of the work by our public health professionals, first responders, and public safety employees is unquestioned, we must also adequately recognize the service of our farmers who wake up every day to protect our food security.

NCC eagerly looks forward to partnering with you and Vice President Pence's Task Force and the many dedicated officials at the Department to continue to work toward creative solutions to target help to America's family farmers, including those who raise broilers in partnership with NCC processor members. Please advise how best we can help facilitate the implementation of such relief efforts in a timely and constructive way.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Brown", is centered on the page. The signature is fluid and cursive, with a long horizontal stroke at the end.

Mike Brown  
President, National Chicken Council

cc: The Honorable Mike Pence, Vice President of the United States

## Stephen Censky alias email

**From:** [Julie Anna Potts](#)  
**To:** [\(b\) \(6\)](#) - [OSEC, Washington, DC](#); [Brashears, Mindy - OSEC, Washington, DC](#); [Ibach, Greg - OSEC, Washington, DC](#)  
**Cc:** [Hoskins, Dudley - OSEC, Washington, DC](#); [Newsome, Shawna - OSEC, Washington, DC](#); [Walker, Lorren - OSEC, Washington, DC](#)  
**Subject:** thank you  
**Date:** Tuesday, April 21, 2020 9:07:11 AM  
**Attachments:** [DRAFT Order under DPA--Direct Order.docx](#)

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Thank you very much for the call this morning. Attached is a draft EO for consideration.

Best regards, Julie Anna

Julie Anna Potts  
President & CEO  
North American Meat Institute  
[\(b\) \(6\)](#) @meatinstitute.org

[\(b\) \(6\)](#) (o)

[\(b\) \(6\)](#) (c)



By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Defense Production Act of 1950, as amended (50 U.S.C. 4501 *et seq.*) (the “Act”), it is hereby ordered as follows:

Section 1. Policy. On March 13, 2020, I declared a national emergency recognizing the threat that the novel (new) coronavirus known as SARS-CoV-2 poses to our country. I also recognize that other industries play a crucial role in supporting the Nation throughout this emergency, including those critical infrastructure industries, as defined by the Department of Homeland Security, such as food production and supply. Businesses operating in the food supply and production industry have a special responsibility to maintain, to the fullest extent possible, their operations and normal work schedules. Since then, we have seen some of these operations reduce their capacity and output due to issues related to COVID-19. These businesses are crucial to our emergency preparedness as we respond to COVID-19 and after we defeat it during the recovery. Accordingly, I find that conditions exist which may pose a direct threat to the national defense or emergency preparedness programs and that the continued operation of food processing, production, and supply companies meet the criteria for emergency preparedness and protections under 50 U.S.C. 4501 *et seq.*

Sec. 2. Presidential Order of Continued Operation. I hereby order that critical infrastructure food companies continue their operations to the fullest extent possible both during and after the COVID-19 crisis subsides so that they can continue to process, produce, and deliver food to the Nation.

Sec. 3. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
  - (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.
- (b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the

United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

**From:** [Chris Novak](#)  
**To:** [\(b\) \(6\)@amseed.org](#); Glenn Barbara - FASContact; [\(b\) \(6\)@usarice.com](#); Chandler Goule - FAS Contact; Charles (Chuck) Conner [\(b\) \(6\)@ncfc.org](#); Chris Novak; [\(b\) \(6\)@beef.org](#); Corey Rosenbusch; Dana O'Brien; [\(b\) \(6\)@aradc.org](#); Gary Adams-FASContact; Mulhern James - FASContact; Jon Doggett; Luther Markwart-FASContact; [\(b\) \(6\)@chickenusa.org](#); [\(b\) \(6\)@nppc.org](#); Larew Robert - FASContact; Ryan Findlay; Tim Lust; Todd Van Hoose; [\(b\) \(6\)@unitedfresh.org](#); Zippy Duvall  
**Cc:** [CLA COVID-19](#); Carrie Calvert; Censky, Stephen - OSEC, Washington, DC  
**Subject:** Today's Ag CEO Council Call: 2 PM EDT  
**Date:** Friday, May 8, 2020 1:16:51 PM  
**Attachments:** [image001.png](#)

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All

A quick reminder and heads up regarding today's Ag CEO Council call. We will have two guests today:

1. Carrie Calvert, Vice President of Government Relations--Agriculture & Nutrition for Feeding America will join us at 2 PM to kick-off the call. My thanks to Barb Glenn for lining Carrie up to join us.
2. Deputy Secretary Censky will join us at 2:30 PM to provide an update on USDA's COVID efforts.

As time allows, updates from Gary on the policy team's work, from Zippy on the Recovery Task Force, and any additional sector updates would be welcome.

### [Join Microsoft Teams Meeting](#)

[\(b\) \(6\)](#) United States, Seattle (Toll)  
Conference ID: [\(b\) \(6\)](#)  
[Local numbers](#) | [Reset PIN](#) | [Learn more about Teams](#) | [Meeting options](#)

While this will be a full agenda today, I will leave next week's agenda open so that we can pick up our earlier conversations regarding return-to-office policies and/or managing association meetings in our new normal.

Talk to you soon!



Chris Novak  
CropLife America  
1156 15<sup>th</sup> Street, NW Suite 400  
Washington, DC 20005  
Phone: [\(b\) \(6\)](#)  
Cell: [\(b\) \(6\)](#)  
Email: [\(b\) \(6\)@CropLifeAmerica.org](#)



**From:** [Julie Anna Potts](#)  
**To:** (b) (6) - OSEC, Washington, DC  
**Subject:** touch base  
**Date:** Monday, April 20, 2020 1:33:56 PM  
**Attachments:** [Trump Processing Plants 041720 v2.docx](#)

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Stephen Censky alias email

Mr. Deputy Secretary,

I hope you are doing OK! I wanted to try to follow up with you today on the letter we sent in to USDA with AFBF and the livestock producer groups on Sat. that is attached. I have left a message with Kailee Tkacz as well. The situation is continuing to get worse and worse at the local level (it's hard to overstate how dire it is) and I want to explore with you what might be possible as a tool to help.

Many thanks. My cell is (b) (6).

JAP

Julie Anna Potts  
President & CEO  
North American Meat Institute  
(b) (6) @meatinstitute.org  
(b) (6) (o)  
(b) (6) (c)



April 17, 2020

President Donald Trump  
The White House  
Washington, DC 20500

Dear Mr. President:

As you are well aware, the nation's food supply is critical to the security and welfare of America. And, as you have recognized, the food chain – from farm and ranch to table – has a special responsibility to maintain operations to the fullest extent possible during this national emergency. Key links in the livestock food chain are facing substantial challenges to their ability to protect their workers, while also maintaining operations.

More than a million cattle, hog, and poultry producers and growers rely on meat and poultry packers and processors to convert their livestock and birds into food. Those processors have taken – and are taking – actions to ensure the safety of their employees. Yet there have been circumstances where plants have been threatened with closures or forced to close for indefinite and varying periods of time, in part because of the inconsistency from state to state in governing health and safety actions when employees are not at work.

To ensure livestock producers, poultry growers, and all food processors and their workers can continue to feed the nation, we respectfully request you emphasize the importance of allowing critical infrastructure food companies to responsibly and safely continue their operations to the fullest extent possible without undue disruption. Doing so will ensure that these crucial businesses can continue to process, produce, and deliver food to our nation.

We continue to support the strongest, most effective methods to protect these critical workers. Their health and safety must remain a top priority. We urge government health experts to work with the processing industry to continue developing and refining guidance specific to these critical plants to ensure the safest procedures are followed. Their continued operation is critical to the nourishment of American consumers now and when America is reopened.

Conveying a clear and strong message about the importance of consistently following federal health and safety guidelines will help ensure consistent, responsible decision-making at the state level that allows food production to safely continue. In addition, we ask that you continue to reinforce a message of calm among all Americans to help quell the fear-driven absenteeism that is also impacting the food industry's ability to operate. We are grateful to the workers ensuring America's families continue to be fed, from packing plant staff to grocery store clerks.

We appreciate your leadership and all the great support from you, from the Vice President, and from Secretary Perdue.

Respectfully submitted,

American Farm Bureau Federation

National Cattlemen's Beef Association

National Chicken Council

National Pork Producers Council

National Turkey Federation

North American Meat Institute

**From:** [Mika, Matt](#)  
**To:** [Mika, Matt](#)  
**Subject:** Tyson Foods, Inc. - Team Member Safety  
**Date:** Monday, May 11, 2020 6:32:38 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[Tyson Team Members Health and Safety.pdf](#)

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Attached is document outlining our efforts to keep our team members safe.

**Matthew Mika**, Director  
Government Relations



**Tyson Foods (New Office Address)**

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Tyson Foods is a modern, multi-national, protein-focused food company producing approximately 20% of the beef, pork and chicken in the United States in addition to a portfolio of foods under the *Tyson®*, *Jimmy Dean®*, *Hillshire Farm®*, *Ball Park®*, *Wright®*, *Aidells®*, *ibp®*, *Smart Chicken®* and *State Fair®* brands.

## Team Member Health and Safety

The **health and safety** of our team members is, and always will be, our number one priority. We take this responsibility very seriously and are doing everything we can to keep them safe and healthy.

To that end, Tyson Foods has taken and will continue to take **precautionary measures** that meet or exceed CDC and OSHA guidance to protect team members. Since the creation of our internal coronavirus task force in mid-January, we have continued to monitor and implement measures including:

- relaxing attendance policies to encourage workers to stay home when they're sick;
- temporarily idling some facilities when necessary to protect workers and limit the spread of coronavirus, even under the Defense Production Act (DPA) order;
- providing and requiring surgical-style masks to be worn anytime in a facility;
- taking team member temperatures before every shift and installing more than 150 infrared walkthrough temperature scanners to assist in this effort;
- implementing social distancing measures, such as installing workstation dividers, barriers in breakrooms, and outdoor tents where possible for additional space for breaks; and
- regularly cleaning and disinfecting high traffic areas, such as restrooms and breakrooms.

Tyson Foods has partnered with Matrix Medical, a leading provider of mobile and on-site health care services. Matrix Medical is conducting diagnostic testing for Covid-19 on behalf of Tyson. Other leading health care service providers may also perform testing.

- Tyson Foods is focusing on an initial group of more than 30 production facilities in the United States where Tyson is rolling out advanced testing capabilities and enhanced care options on-site to team members. Priority is given to communities with a higher prevalence of Covid-19 and will assess additional needs based on clinically significant risk factors, CDC guidance and access to testing.
- Matrix Medical or other providers will disclose numbers from verified test results with the relevant local and state health departments and Tyson is assisting those health departments with their efforts to conduct contact tracing for team members who test positive.

Moreover, Tyson has prioritized **additional support** to our frontline team members and their families while they perform their critical work of keeping food on America's tables. This additional support includes:

- providing \$120 million in “thank you” bonuses to our 116,000 frontline workers and truckers. Team members who cannot come to work because of illness or childcare issues related to COVID-19 will continue to qualify;
- eliminating the waiting period for workers to qualify for short-term disability benefits so they can receive pay while out sick and increasing short-term disability coverage to 90% of normal pay until June 30, 2020;
- waiving co-pays, co-insurance, and deductibles for team members to receive COVID-19 testing, eliminating pre-approval or preauthorization steps, and waiving co-pays for telemedicine; and
- relaxing refill limits for 30-day prescriptions of maintenance medication.

These employee supports are consistent with Tyson’s **longstanding, industry-leading commitment to supporting our team members**. For example, in 2019 we:

- paid hourly employees an average rate of \$15.77;
- provided over \$700 million in benefits to team members, including access to health care coverage for all full-time team members who have completed 59 days of employment and an employer-sponsored 401(k) plan;
- invested nearly \$1 million in education assistance for team members; and
- continued to operate and expand our education assistance program.

## **Returning to Work**

In making decisions on returning to work, we are looking at **each Tyson facility on an individual basis in coordination with federal, state, and local officials**. In doing so, we are developing plans for continued operations, reduced operations, and resuming operations for facilities which were temporarily idled or shut down. Team members who test positive may return to work only when they have met the criteria outlined by the CDC.

## **Protecting the Food Supply Chain**

We understand the role we play in providing nutritious food for American families during this pandemic. In addition, we also provide life-sustaining food for food banks, military commissaries, and health care cafeterias. Farmers, ranchers, growers, producers, and all the related livestock and farming industries also depend on us for their own livelihoods.

Because of the potentially catastrophic chain reaction flowing from a plant closure, we are mindful and measured when making decisions about idling our operations. But we will not hesitate to idle a plant to protect our team members. Keeping our plants operational is not only about keeping the doors open, the lights on, and the lines running. The only way we can operate our business and help keep America fed is for our team members to feel safe and protected.

**From:** [Hoskins, Dudley - OSEC, Washington, DC](#)  
**To:** [Ghee, Hailey - OSEC, Washington, DC](#); [Crowe, Taylor - OSEC, Washington, DC](#); [Sullivan, Lauren - OSEC, Washington, DC](#); [Young, Joby - OSEC, Washington, DC](#); [Rollins, Blake - OSEC, Washington, DC](#); [Shuford, Campbell - OSEC, Washington, DC](#); [\(b\) @chickenusa.org](#); [Tkacz, Kailee - OSEC, Washington, DC](#); [Lindsay, Sally - OSEC Washington, DC](#)  
**Cc:** [Walker, Lorren - OSEC, Washington, DC](#)  
**Subject:** Update on Food Purchase and Distribution Timeline/Implementation  
**Date:** Thursday, April 23, 2020 9:12:28 AM  
**Attachments:** [SP Policy Briefing - AMS Food Box and Distribution Program Update 04.23.20.docx](#)

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Please find attached policy brief for the 9:30 policy time on Food Distribution Timeline/Implementation.



To: The Secretary  
From: Greg Ibach, Under Secretary, Marketing and Regulatory Programs  
Date: April 23, 2020  
Re: Update on Food Purchase and Distribution: Timeline & Implementation

**PRE-DECISIONAL, DELIBERATIVE**

**Statement of Issue**

On Tuesday, April 21, AMS held a webinar for interested parties to learn more about the program and how to participate.

- 5,370 people registered for the webinar and nearly 4,000 attended.
- There were over 650 questions/comments submitted by participants during the webinar, with an additional 350 comments received via AMS email.

**Background**

AMS has received positive comments and strong program participation interest from the food service distributors, vendors, and non-profits.

Some of the key comments/questions we received include:

- Can vendors be a part of the box assembly process rather than the distributors (largely on chicken and pork commodities)?
- What are the allowable products in the box and/or recommendations on what products should be included?
- Mechanics of the program – weight of the box, food safety requirements, especially if re-packing, adding locations after award, how offers will be evaluated, etc.?
  - These details will be provided as a part of the Request for Proposals (RFP) solicitation.

**Next Steps and Target Dates\*\***

|                         |   |                                               |
|-------------------------|---|-----------------------------------------------|
| Friday April 24, 2020   | - | Publish of the RFP                            |
| Tuesday April 28, 2020  | - | Stakeholder Call with Non-profit stakeholders |
| Thursday April 30, 2020 | - | Stakeholder Call with Vendors                 |
| Friday May 1, 2020      | - | Closing day for RFP Bids                      |
| Week of May 4, 2020     | - | Issue Distributor Awards                      |
| Shortly After Awards    | - | Deliveries Begin                              |

\*\*The timeline may be impacted by the publication of the Notice of Funding Availability (NOFA) and receiving the \$3 billion apportionment from OMB. OGC has advised that publishing of the NOFA in the Federal Register is “legal notice” of the program.

## **NOFA/Funding**

In order to implement the program, AMS must first publish a NOFA in the Federal Register. The NOFA outlines the basic requirements of the program and USDA cannot accept proposals until the NOFA is published. OMB cleared the NOFA on April 22. Today, April 23, USDA will submit the NOFA to the Federal Register. In addition to the NOFA, USDA submitted an apportionment request to OMB, which is pending approval. No funds can be obligated until the apportionment is signed.

## **Proposed Program Names**

1. "Out of the Box" Food Distribution Program
2. Food to Americans Supply Train (FAST) [FAST Box Program]
3. American Supported Agriculture Program (ASAP) [ASAP Food Box Program]
4. Farmers and Families First Food Box
5. From the Farm to Families Box Program [F&F Box Program]
6. Farmers to Families Food Box Program
7. USDA's Boxes on the Go Program [BOGO Program]
8. Out of the Box from Trunk to Truck