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DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

9 CFR Part 310

[Docket No. FSIS 2024-0023]

RIN 0583-AD99

Visual Post-Mortem Inspection in Swine Slaughter Establishments

AGENCY: Food Safety and Inspection Service (FSIS), U.S.

Department of Agriculture (USDA).

ACTION: Final rule.

SUMMARY: FSIS is amending its regulations to end mandatory mandibular lymph nodes ("lymph nodes") incision and viscera palpation of swine carcasses in all swine slaughter establishments (i.e., establishments operating under traditional swine slaughter inspection or the New Swine Slaughter Inspection System (NSIS)). Mandibular lymph nodes incision and viscera palpation of swine carcasses are not needed to ensure food safety, as FSIS swine condemnation rates are low and disease conditions that are condemnable defects can be detected visually through other pathological changes in the carcass and its parts. Therefore, FSIS is amending the meat inspection regulations to remove requirements for establishment sorters to "incise mandibular lymph nodes and palpate the viscera" as part of their sorting activities before FSIS post-mortem inspection in NSIS establishments. FSIS is also amending the post-mortem swine inspection staffing standards table applicable to swine

slaughter establishments operating under traditional inspection. This change will allow FSIS more flexibility to assign inspection program personnel (IPP) based on the establishment's line configuration, other establishment operations, and FSIS staffing needs.

DATES: Effective **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

FOR FURTHER INFORMATION CONTACT: April Regonlinski, Assistant Administrator, Office of Policy and Program Development, at (202) 205-0495.

SUPPLEMENTARY INFORMATION:

I. Background

On August 19, 2025, FSIS published the proposed rule, "Visual Post-Mortem Inspection in Swine Slaughter Establishments" (90 FR 40257), which proposed to amend FSIS' inspection regulations to end mandatory mandibular lymph node incision and viscera palpation of swine carcasses in all swine slaughter establishments. Specifically, FSIS proposed to amend the meat inspection regulations to remove requirements for establishment sorters to "incise mandibular lymph nodes and palpate the viscera" as part of their sorting activities before FSIS post-mortem inspection in NSIS establishments. FSIS also proposed to amend the post-mortem swine inspection staffing standards table applicable to swine slaughter establishments operating under traditional inspection.

As discussed in the proposed rule, lymph node incision and

viscera palpation of swine carcasses are not needed to ensure food safety, as FSIS swine condemnation rates are low and disease conditions that are condemnable defects can be detected visually through other pathological changes in the carcass and its parts (90 FR 40257, 40258). Further, research demonstrated that visual-based post-mortem swine inspection procedures may reduce the probability of carcass cross-contamination by microbial food safety hazards (90 FR 40257, 40258). Therefore, removing the requirements for lymph node incision and viscera palpation during post-mortem NSIS sorting activities and traditional swine inspection may improve food safety.

As also discussed in the proposed rule, ending mandatory lymph node incision and viscera palpation in swine slaughter establishments will improve FSIS inspection efficiency, make better use of FSIS inspection resources, and provide flexibility to industry (90 FR 40257, 40258). In traditional swine slaughter establishments, the final rule will allow FSIS more flexibility to assign IPP based on the establishment's line configuration, other establishment operations, and FSIS staffing needs. Removing the lymph node incision and viscera palpation requirements for NSIS establishments may also reduce establishments' costs to operate under the NSIS because they may be able to reduce the number of employees required to make carcasses ready for inspection before the head and viscera stations.

II. Final Rule

FSIS is finalizing the proposed rule with no changes. The final rule will revise 9 CFR 310.26(b) to remove requirements for establishment sorters to incise lymph nodes and palpate the viscera in swine slaughter establishments operating under the NSIS. Establishment sorters will continue to conduct carcass sorting activities and identify any condemnable conditions or defects before carcasses are presented to online IPP, as currently required under these regulations. For example, establishment sorters will still be required to visually examine all surfaces of viscera to detect condemnable conditions or defects.

The final rule also will revise the post-mortem inspection staffing standards applicable to swine slaughter establishments operating under traditional inspection in 9 CFR 310.1(b)(3)(ii). Specifically, the heading of Table 4 in 9 CFR 310.1(b)(3)(ii) will be revised to state that the listed number of inspectors per station (i.e., the head, viscera, and carcass stations) will be the maximum number of inspectors required. Because FSIS is removing unnecessary inspection procedures, the Agency may be able to assign fewer online inspectors at the head and viscera inspection stations in traditional swine slaughter establishments.

As stated in the proposed rule, FSIS will not make changes to its staffing in NSIS establishments as a result of the final rule (90 FR 40257, 40259). Establishment sorters, rather than FSIS inspectors, incise lymph nodes and palpate the viscera in

NSIS establishments. FSIS inspectors already conduct a primarily visual post-mortem inspection of the head, viscera, and carcass. Eliminating the requirement for establishment sorters to incise lymph nodes and palpate the viscera should not impact the workload of FSIS inspectors in NSIS establishments.

Additionally, ending mandatory lymph node incision and viscera palpation under the final rule will have no impact on line speed requirements for traditional or NSIS swine slaughter establishments (90 FR 40257, 40259).

On the effective date of this final rule, FSIS will update its instructions to IPP on the primarily visual inspection of lymph nodes and viscera during post-mortem traditional swine inspection.¹

III. Summary of Comments and Responses

The proposed rule comment period closed on October 20, 2025. FSIS received 37 comments on the proposed rule from meat producers, consumers, IPP, and trade associations representing the meat industry.

The producers, trade associations, and a few consumers supported the proposed rule, agreeing that universal lymph node incision and viscera palpation are not needed to ensure food safety. A few trade associations and producers stated that the proposed rule would remove unnecessary burdens on both the

¹ See FSIS *Directive 6100.2, Post-Mortem Livestock Inspection*, available at: <https://www.fsis.usda.gov/policy/fsis-directives/6100.2>; and FSIS *Directive 6600.1, New Swine Slaughter Inspection System: Ante-Mortem and Post-Mortem Inspection and Verification of Food Safety and Ready-to-Cook Requirements*, available at: https://www.fsis.usda.gov/sites/default/files/media_file/2020-07/6600.1.pdf.

Agency and industry, and represent a data-centered, science-based effort to reduce microbial cross-contamination food safety risks. A few trade associations specifically stated that the proposed rule would allow for further industry research on post-mortem swine inspection, including *Salmonella* contamination mitigation strategies. However, IPP who commented were opposed to the proposed rule. Specifically, IPP disagreed that the end of universal lymph node incision and viscera palpation would result in increased inspection efficiency and argued that incision and palpation are needed to ensure food safety.

A summary of the relevant issues raised by commenters and the Agency's responses follows.

A. Swine Class and Type Applicability

Comment: One trade association asked the Agency to clarify that the proposed rule would apply to all classes (e.g., market hogs, sows, boars) and ages of swine. One consumer asked the Agency to clarify that the proposed rule would apply to older swine and other types of swine (e.g., feral swine).

Response: The final rule will apply to all classes and ages of swine processed in all swine slaughter establishments operating under traditional FSIS swine slaughter inspection or the NSIS.

B. FSIS Staffing at Traditional Establishments

Comment: A few trade associations, while generally supportive of the proposed rule, raised concerns that the proposed rule may create issues of IPP availability and

inspection consistency across establishments. A few trade associations specifically stated that the Agency's expected reduction in the total number of assigned IPP in traditional establishments may cause reduced IPP availability to perform inspection activities. One trade association stated that full IPP staffing is required for establishments to efficiently operate and ensure the production of safe and wholesome pork products. Another trade association argued that the expected staffing reductions would make it difficult for the Agency to cover absences, complete offline tasks, and conduct export verifications. One trade association stated that reduced IPP assignments may cause an uneven playing field across the industry, whereby establishments with more assigned IPP are subject to an overabundance of inspection and establishments with fewer assigned IPP struggle to maintain operations and receive timely export verifications.

A few trade associations stated that should IPP reductions occur, FSIS should prioritize reassignments to address discrete absences, broader district and circuit staff shortages, or to fill offline inspection roles and complete export inspection tasks. One trade association stated that the Agency should reconsider its plan to rely, in part, on IPP attrition to adjust FSIS staffing. The commenter explained that reductions, created through attrition, could cause too much inspection inconsistency.

Response: The end of universal lymph node incision and viscera palpation during post-mortem swine inspection is expected to result in a more efficient allocation of FSIS inspection resources, as online IPP will no longer be required to spend time incising and palpating (90 FR 40257, 40260). Therefore, the Agency may reduce the number of online IPP in some traditional swine slaughter establishments, if appropriate. As stated in the proposed rule, the Agency would make any reductions in the number of online IPP over time through both attrition and reassignment to other positions (90 FR 40257, 40260). Such reassignments will allow FSIS to address IPP absences and staff establishments based on their specific line configuration and other operational needs. The Agency also will continue to evaluate staffing needs across districts and circuits. FSIS remains committed to conducting consistent and thorough inspection across all swine slaughter establishments.

Comment: One trade association questioned the proposed revision to the FSIS inspection staffing standards table applicable to traditional swine slaughter establishments. Specifically, the commenter argued that the proposed revision to the heading of Table 4 in 9 CFR 310.1(b)(3)(ii), to state that the listed number of inspectors per station would be the maximum number of inspectors required, would create too much ambiguity. For example, under the proposed revision, FSIS could assign seven inspectors per line at one establishment and only three inspectors at another establishment of similar size. The

commenter stated that this distribution would be unfair to the establishment assigned seven inspectors, as the establishment would be required to provide for additional inspection stations and overtime pay, when applicable, compared to the establishment assigned three inspectors. The commenter noted that the economic impact analysis in the proposed rule estimates a reduction of two to four inspectors per line in traditional establishments. Therefore, the commenter suggested, Table 4 in 9 CFR 310.1(b)(3)(ii) should be revised to reflect the actual number of inspectors required at each inspection station. The commenter suggested that Table 4 could allow for flexibility (e.g., 1 to 2 inspectors per inspection station), but that the ranges provided for in the proposed revised table (i.e., 1 to 3 inspectors per inspection station) is too ambiguous.

Response: FSIS disagrees that the revised FSIS inspection staffing standards applicable to traditional swine slaughter establishments will result in unfair IPP assignments across establishments or create undue ambiguity. As stated in the proposed rule, under the revised staffing standards, FSIS will determine the number of inspectors at the head and viscera inspection stations based on the establishment's operations, including inspection line configurations, and FSIS staffing needs (90 FR 40257, 40259). By revising the staffing standards to allow for such flexibility, FSIS will ensure consistent, efficient inspection services across all traditional swine slaughter establishments and assign IPP based on an

establishment's specific facility designs and other operational needs.

C. Lymph Node Incision and Viscera Palpation Justification

Comment: A few IPP generally argued that incision and palpation are necessary during post-mortem swine inspection to detect diseases and other food safety conditions in the lymph nodes and viscera. For example, a few IPP stated that they have detected pathology when incising lymph nodes that would not have otherwise been detected visually. IPP provided examples including tuberculosis identified from a lesion buried in lymph nodes, and other conditions purportedly only detected through incision, such as parasites. A few other IPP stated that small malignant masses and other conditions which may require condemnation cannot be detected without viscera palpation. One IPP recommended that, in any final regulatory text, the Agency require the visualization of the mandibular lymph node, so that establishment sorters would need to cut through any excessive surrounding fat to allow IPP to determine whether the lymph node is enlarged or reactive. One other IPP stated that food safety conditions may only have pathology on one side of a carcass or are otherwise difficult to identify without palpation.

Response: FSIS disagrees that routine lymph nodes incision and viscera palpation are necessary to detect diseases and other food safety conditions during post-mortem swine inspection. First, *Mycobacterium avium* (*M. Avium*), the animal disease that causes tuberculosis in swine, does not present a food safety

concern, as the prevalence of *M. Avium* in U.S. swine is very low,² and science does not support that humans become infected with *M. Avium* through pork consumption.³ Further, since the widespread adoption of modern pork production systems, most U.S. swine are raised indoors under biosecurity measures.⁴ Thus, the presence of parasites on swine carcasses and parts is not a significant post-mortem inspection concern. For example, research demonstrates that biosecurity measures focused on preventing exposure of swine to rodents, wildlife, and contaminated feed or waste products effectively reduce the risk of *Trichinella* (a parasite) infection in pork.⁵ Finally, if masses on a swine carcass are malignant, they likely have spread to other parts of the carcass or have caused enlarged lymph nodes, which can be detected visually. Similarly, as stated in the proposed rule, the Agency's experience demonstrates that swine carcasses affected with animal disease conditions that would result in condemnation (e.g., arthritis, pyometra, and splenic torsion) often exhibit systemic pathological changes in

² FSIS review of Agency condemnation data from 21 large market hog establishments from 2012 through 2015 found that only 0.9 percent of all condemnations during the period were due to *M. Avium*. See Proposed Rule, Modernization of Swine Inspection (83 FR 4780, 4794, February 1, 2018), available at: <https://www.govinfo.gov/content/pkg/FR-2018-02-01/pdf/2018-01256.pdf>.

³ Kriz, Petr, et al., *Mycobacterium avium subsp. avium in Lymph Nodes and Diaphragms of Pigs from One Infected Herd in the Czech Republic*, Journal of Food Protection, Volume 77, Issue 1, 2014, pg 141, available at: <https://www.sciencedirect.com/science/article/pii/S0362028X23064293#bb0015>.

⁴ USDA Animal and Plant Health Inspection Service (APHIS), January 2015, *Swine 2012: Part I: Baseline Reference of Swine Health and Management in the United States*, pgs 3-5, available at: <https://www.aphis.usda.gov/sites/default/files/swine2012-dr-parti.pdf>.

⁵ H. Ray Gamble, et al., *Surveillance for Trichinella infection in U.S. pigs raised under controlled management documents negligible risk for public health*, Food and Waterborne Parasitology, Volume 36, 2024, available at: <https://doi.org/10.1016/j.fawpar.2024.e00238>.

the same carcass, rather than isolated within the lymph nodes or other parts (90 FR 40257, 40258). Therefore, FSIS online IPP are able to identify and retain those carcasses for disposition by an FSIS veterinarian without needing to incise lymph nodes or palpate the viscera (90 FR 40257, 40258). FSIS inspectors will maintain authority to incise and palpate lymph nodes and examine the viscera for defects, if needed (90 FR 40257, 40258).

FSIS also disagrees that the amended regulatory text in 9 CFR 310.26 needs to specifically require the visualization of lymph nodes as part of NSIS establishment sorting activities. As stated in the proposed rule, IPP and establishment sorters will continue to visually identify any condemnable conditions, as currently required under FSIS inspection regulations and policies (90 FR 40257, 40259). For example, per 9 CFR 310.26(b), NSIS establishments must develop, implement, and maintain written procedures to ensure that market hog carcasses adulterated with septicemia, toxemia, pyemia, or cysticercosis are properly removed before the point of post-mortem inspection of carcasses. The establishment must incorporate these procedures into its Hazard Analysis and Critical Control Point (HACCP) plan, Sanitation Standard Operating Procedures, or other prerequisite program (9 CFR 310.26(b)).

D. Scientific Support for Visual-Based Inspection

Comment: A few IPP argued that the proposed rule lacked sufficient data or scientific support for ending universal lymph node incision and viscera palpation during post-mortem swine

inspection. One IPP stated that while FSIS condemnation rates for swine are low, the number of condemnations still are significant. Another IPP argued that the proposed rule lacked scientific support to replace incision and palpation with visual-based inspection.

Response: FSIS disagrees that visual-based inspection of lymph nodes and viscera during post-mortem swine inspection lacks sufficient data or scientific support. First, the FSIS swine condemnation rates discussed in the proposed rule supported that lymph nodes incision and viscera palpation are not needed to identify the conditions of condemnable swine carcasses during post-mortem inspection. During the twelve-year period of 2012-2023, the total post-mortem condemnation rate for all swine slaughtered under FSIS inspection was very low.⁶ Further, as discussed in the proposed rule, swine disease conditions for which a carcass may be condemned (*e.g.*, arthritis, pyometra, and splenic torsion) are primarily identified during the visual observation component of post-mortem swine inspection, and swine carcasses affected with animal diseases that would result in condemnation often exhibit multiple pathological changes in the same carcass (90 FR 40257, 40258). These changes can be observed visually, allowing FSIS online inspectors to identify and retain those carcasses for disposition by an FSIS veterinarian without needing to incise

⁶ During this 2012-2023 period, 1,449,843,190 head of swine were slaughtered under FSIS inspection. Only 0.062553% were condemned during post-mortem inspection. (See footnote 2 at 90 FR 40257, 40258).

lymph nodes in swine heads or palpate the viscera. Finally, as also discussed in the proposed rule, the visual-based post-mortem inspection of lymph nodes and viscera is well-supported by science. Specifically, research demonstrates that ending universal lymph node incision and viscera palpation may reduce the probability of carcass cross-contamination by microbial food safety hazards (90 FR 40257, 40258).

Comment: A few IPP argued that the proposed rule would grant establishments too much control over inspection. One IPP stated that many establishments would not cooperate with an inspector's discretion to incise the lymph nodes or palpate the viscera of a particular carcass. Another IPP argued that establishments would be reluctant to allow establishment sorters to similarly incise lymph nodes or palpate viscera on an as-needed basis.

Response: Amending the FSIS inspection regulations to end universal lymph node incision and viscera palpation during post-mortem swine inspection will not impact the ability of IPP to verify that establishments operate in a sanitary manner and produce safe, unadulterated, and properly labeled products. As discussed in the proposed rule, FSIS inspectors will maintain authority to incise lymph nodes and palpate the viscera for disease conditions and defects, if needed (90 FR 40257, 40259). IPP also will continue to retain carcasses, organs, or parts showing lesions or conditions that might make the meat unfit for human consumption for final disposition by an offline FSIS

veterinarian (9 CFR 310.3 and 310.4). Further, establishment sorters in NSIS establishments will continue to conduct carcass sorting activities and identify any condemnable conditions or defects before carcasses are presented to online IPP (90 FR 40257, 40259). FSIS will update its instructions to IPP on the primarily visual inspection of lymph nodes and viscera during post-mortem traditional swine inspection. FSIS guidance to NSIS establishments will also continue to address establishment responsibilities to ensure conditions and defects in lymph nodes and viscera are identified and removed before FSIS post-mortem inspection.⁷

E. Inspection Efficiency

Comment: A few FSIS IPP disagreed that the end of universal lymph node incision and viscera palpation during swine post-mortem inspection would result in increased inspection efficiency. One commenter argued that, under current post-mortem inspection procedures, IPP and establishment sorters visually inspect or observe at the same time as they incise and palpate. According to the commenter, if the final rule leads to reduced FSIS staffing, IPP and establishment sorters would spend less time in total inspecting or observing each carcass and its parts. The commenter further argued that while the proposed rule stated that IPP could continue to incise lymph nodes and palpate viscera when needed, the likely reduced FSIS staffing would

⁷ See FSIS *Guideline for Training Establishment Sorters under the New Swine Slaughter Inspection System*, available at: <https://www.fsis.usda.gov/sites/default/files/import/training-establishment-sorters-nsis.pdf>.

result in insufficient time to conduct such case-by-case incision and palpation.

Response: FSIS disagrees that the final rule will provide less time for IPP to visually inspect and establishment sorters to observe carcasses during post-mortem swine inspection. As stated in the proposed rule, in traditional establishments, the end of universal lymph node incision and viscera palpation will improve the use of IPP inspection time by removing unnecessary inspection duties and allowing IPP to focus more on observing the carcass (90 FR 40257, 40260). This increased inspection efficiency also will allow FSIS to improve the use of Agency inspection resources. It will help FSIS more effectively assign inspection verification responsibilities for IPP at all swine slaughter establishments, including offline verification activities to ensure that establishments comply with regulatory requirements critical to food safety (e.g., HACCP verification tasks) (90 FR 40257, 40260). Similarly, the end of universal lymph node incision and viscera palpation will allow establishment sorters at NSIS establishments more time to visually identify any condemnable conditions or defects before carcasses are presented to online IPP (90 FR 40257, 40260). When determining IPP assignments, the Agency will provide staffing sufficient to provide enough time for IPP to conduct case-by-case lymph node incision and palpation viscera, as needed. As stated above, the Agency will issue instructions to IPP on the

criteria for determining when to incise lymph nodes and palpate viscera.

F. Microbial Cross-Contamination Mitigation

Comment: A few IPP questioned whether, as stated in the proposed rule, visual-based swine post-mortem inspection procedures may improve food safety by reducing opportunities for the introduction of microbial cross-contamination. Specifically, a few commenters argued that the studies cited in the proposed rule regarding *Salmonella* cross-contamination risk from lymph node incision were too old or were misinterpreted to support the proposed rule. Another IPP argued that, because lymph node tissue is often incorporated into comminuted products, any contamination spread through a rupture in the lymph nodes would occur during downstream processing, whether the rupture was made intentionally (i.e., through incision during inspection) or inadvertently. A few other IPP stated that procedures other than lymph node incision, such as head separation and sanitary dressing practices, create cross-contamination risks in swine slaughter establishments.

Finally, one IPP argued that FSIS sampling data shows that, in comminuted pork products, *Salmonella* prevalence varies widely among establishments and different market classes of swine. The commenter further stated that, according to FSIS data, pork products largely composed of lymph nodes do not exhibit higher *Salmonella* rates and that sanitary dressing and

hygiene practices are the primary drivers of contamination, rather than lymph node incision.

Response: FSIS disagrees that the publication years of the studies cited in the proposed rule (i.e., 2009 and 2011) invalidate the findings, as the scientific principle underlying those studies remains sound: invasive procedures such as lymph node incision introduce additional cross-contamination risk. Further, the studies findings demonstrate that lymph node incision during post-mortem swine inspection may increase *Salmonella* cross-contamination risk.

As one commenter noted, *Salmonella* prevalence may vary across establishments and classes of swine, and cross-contamination risks may exist throughout the swine slaughter process. However, one of the purposes of the final rule's elimination of universal lymph node incision is to address incision as a specific inspection procedure that may introduce unnecessary cross-contamination risk. As condemnable conditions can be identified visually, eliminating universal incision reduces unnecessary contamination risk and improves inspection efficiency without compromising food safety. Under the final rule, inspectors will retain authority to incise lymph nodes or palpate viscera when warranted, ensuring flexibility and maintaining inspection integrity.

G. Imported Products

Comment: One IPP noted that, as discussed in the proposed rule, FSIS has determined that France, Netherlands, and Denmark

have met FSIS equivalence criteria for the use of discretionary lymph node incision and viscera palpation during post-mortem swine inspection. The commenter requested that FSIS clarify the proposed rule's effect on pork products imported to the United States from foreign countries.

Response: Equivalence is the process by which FSIS determines whether a foreign country's food safety inspection system achieves an appropriate level of public health protection as applied domestically by FSIS in the United States. FSIS implements an equivalence process in accordance with the World Trade Organization's Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement).⁸ Foreign meat, poultry, and egg products food safety and inspection systems are not required to develop and implement the same procedures as the United States. However, to be eligible to export product to the United States, the foreign government's food safety and inspection system is required to achieve an equivalent level of public health protection to the FSIS food safety and inspection system (9 CFR 327.2(a), 381.196(a), 557.2(a), and 590.910(a)). As explained in the proposed rule, FSIS will use the Agency's equivalence procedures to evaluate any future requests from foreign countries to determine whether a visual post-mortem swine inspection procedure achieves an appropriate level of public health protection as applied domestically by FSIS in the United States (90 FR 40257, 40258).

⁸ Available at: https://www.wto.org/english/docs_e/legal_e/sps_e.htm.

H. Exported Products

Comment: One trade association stated that FSIS must ensure that U.S. pork products exported to foreign markets would not be adversely affected under the proposed rule. The commenter noted that some foreign countries may require the removal of mandibular lymph nodes and that implementing visual-based post-mortem swine inspection may harm trade agreements and U.S. products.

Response: As with other inspection procedures, a foreign country may maintain additional eligibility requirements related to post-mortem swine inspection for products exported from the United States. The final rule will apply to products sold in the domestic market. For products exported from the United States, FSIS will continue to perform export certification activities, when appropriate, to verify that inspection requirements for the applicable foreign country are met, as shown in the FSIS Export Library.⁹

I. Economic Impact Analysis

Comment: One trade association stated that the assumption in the proposed rule's economic impact analysis that NSIS establishments would reduce the number of establishment sorters by between five to eight sorters per line per shift, was likely an overestimate. The commenter stated that, according to one of its members, a large NSIS establishment operating a single

⁹ <https://www.fsis.usda.gov/inspection/import-export/import-export-library>. See also FSIS *Directive 9000.1, Export Certification*, August 1, 2018, available at: https://www.fsis.usda.gov/sites/default/files/media_file/2020-07/9000.1.pdf.

slaughter line under the proposed rule would reduce staffing by three employees for the single line. Therefore, the commenter estimated that the industry cost savings would still be substantial, but less than estimated in the proposed rule. The commenter estimated that the cost savings would be just under \$8 million. For this estimate, the commenter used data that differed from the proposed rule. The commenter provided information that there would be a reduction in staffing across 18 establishments operating under the NSIS (estimating 33 total production lines¹⁰) and using a conservative annual employment cost of \$80,000.

Response: FSIS adjusted its estimates in the final rule to incorporate input from industry on the economic impact analysis. The new industry cost savings estimate ranges from \$7.4 to \$14.7 million. In the proposed rule, FSIS had estimated industry cost savings of approximately \$14.7 to \$25.4 million.

FSIS' estimate is based on 2025 data and included a total of 17 NSIS establishments and 31 slaughter lines, while the commenter included 18 establishments and 33 slaughter lines. This difference is likely due to an additional establishment converting to NSIS in 2026.

FSIS also estimated a reduction of five to eight sorters per line, per shift in the proposed rule, while the commenter

¹⁰ FSIS assumes this figure provided by the commenter includes lines across all shifts, where the number of lines is multiplied by the number of daily shifts at each establishment to estimate the total number of lines. For example, an establishment operating two lines over two daily shifts would have a total of four lines.

estimated a reduction of three employees per line, per shift. FSIS incorporated the commenter's estimate into the Agency's original estimate, by adjusting the range of impacted sorters, as establishments have different line configurations and production levels and other NSIS establishments may be able to see a further reduction. Lastly, FSIS used an annual employee salary of \$95,000 and \$102,000 for the low and high estimates in the proposed rule, respectively, while the commenter included a salary of \$80,000.¹¹ The commenter's estimate is based on one NSIS establishment and may not be representative of employee costs across all NSIS establishments. Therefore, FSIS included the commenter's salary estimate of \$80,000 and a reduction of three employees per line, per shift as part of the low industry savings estimate in the final rule. For the high estimate, FSIS used the 75th percentile wage rate for production employees,¹² and a reduction of five employees per line, per shift.

IV. Executive Orders 12866, as amended by 13563 and 14192

Executive Order (E.O.) 12866 provides that the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget will determine whether a regulatory action

¹¹ FSIS used the 75th and the 90th percentile wage rates for a production employee since sorters are paid higher wages than other production employees due to their duties, multiplied by a benefits and overhead factor of 2. Wage rates acquired from: U.S. Bureau of Labor Statistics, Occupational Employment and Wage Estimates, May 2024: 51- 3023 Slaughterers and Meat Packers, <https://data.bls.gov/oes/#/industry/000000>. For the low estimate, FSIS multiplied the hourly labor cost of \$44.16 by the estimated hours per year of 2,152 (or 269 production days multiplied by 8 hours per day). For the high estimate, FSIS multiplied the hourly labor cost of \$47.56 by the total estimated hours per year of 2,152 (or 269 production days multiplied by 8 hours per day).

¹² The 75th percentile wage rate acquired from the U.S. Bureau of Labor Statistics, Occupational Employment and Wage Estimates, May 2024: 51- 3023 Slaughterers and Meat Packers, <https://data.bls.gov/oes/#/industry/000000>.

is significant as defined by E.O. 12866 and will review significant regulatory actions. This final rule has been designated a "not significant" regulatory action under section 3(f) of E.O. 12866. E.O. 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the Nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. FSIS has developed the final rule consistent with E.O. 13563. E.O. 14192, "Unleashing Prosperity Through Deregulation," requires that any new incremental costs associated with certain significant regulatory actions "shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least 10 prior regulations." This final rule is considered an E.O. 14192 deregulatory action.

Economic Impact Analysis

Baseline and Need for the Rule

FSIS is ending mandatory lymph node incision and viscera palpation in both traditional and NSIS swine slaughter establishments. Ending mandatory lymph node incision and viscera palpation in swine slaughter establishments will improve inspection efficiency, make a more efficient allocation of FSIS inspection resources, and provide flexibility to industry.

In 2024, there were 751 swine slaughter establishments that slaughtered approximately 127.8 million swine.¹³ These changes will apply to inspection at all swine slaughter

¹³ FSIS, Public Health Information System (PHIS) database, accessed February 2025.

establishments. As of February 2025, there were 17 NSIS establishments, and 14 traditional establishments at which FSIS assigns four to seven online inspectors per line and at which the final rule may change the number of FSIS staff. For this analysis, FSIS assumed potential changes to Agency staffing at traditional establishments with two to three inspectors staffed at the viscera station or two to three inspectors staffed at the head station.¹⁴ The 17 NSIS establishments may also change their establishment employee staffing in response to this final rule. FSIS does not anticipate any changes to the Agency's staffing at NSIS establishments.

Expected Costs and Benefits of the Final Rule

FSIS does not expect the final rule will impose any costs on the Agency, industry, or consumers. The final rule may improve the safety or quality of the product. While the final rule does not require industry to implement any changes, they will likely stop lymph node incision and viscera palpation prior to post-mortem inspection. FSIS also estimated a de minimis cost of \$90 per firm for rule familiarization.

Benefits associated with the final rule

Benefits for FSIS

In traditional establishments, FSIS IPP will more efficiently inspect each carcass presented for FSIS post-mortem inspection without affecting IPP's ability to detect animal diseases and conditions or ensure proper disposition of those

¹⁴These 14 establishments also have one inspector at the carcass station; however, the changes will not affect this position.

affected. The changes will improve the use of FSIS IPP time during inspection by removing unnecessary inspection duties for incising lymph nodes and palpating viscera.

As described above, the final rule will allow FSIS IPP to focus more on observing the carcass and parts during post-mortem inspection. FSIS inspectors will also maintain authority to incise lymph nodes and palpate viscera to look for defects, if needed. The increased inspection efficiency will allow FSIS to improve the use of FSIS inspection resources and to more effectively assign inspection verification responsibilities for IPP at all swine slaughter establishments, including offline verification activities to ensure that establishments comply with regulatory requirements critical to food safety (e.g., Hazard Analysis and Critical Control Points verification tasks). Because FSIS online IPP will no longer be spending time incising lymph nodes and palpating the viscera, the Agency may reduce the number of online IPP in some traditional swine slaughter establishments resulting in a more efficient allocation of FSIS inspection resources. However, these reductions would be made over time through attrition and reassignment to other positions.

FSIS IPP at traditional establishments will focus on observing the swine carcass and parts during post-mortem inspection procedures without being required to incise the lymph nodes and palpate the viscera. The traditional swine slaughter establishments that may experience changes to assigned FSIS online inspection personnel typically have five to seven

inspectors per line. The Agency estimates that there could be a reduction equivalent to one to two online inspector positions at the head station and one to two online inspector positions at the viscera station in 14 traditional establishments because of the reduced workload, depending on establishment line configurations.¹⁵

For this analysis, FSIS quantified the cost savings associated with this reduction in online post-mortem inspection positions. The Agency assumed an FSIS online inspector is paid between \$111,124 and \$135,922, which is the Office of Personnel Management's (OPM), Rest of the U.S. (RUS) General Schedule (GS) 07 step 5 to GS-09 step 5 salary with a benefits factor of two.¹⁶ The Agency estimates a range of possible savings depending on how the resulting online inspection stations are staffed. Based on these assumptions, annualized savings range between \$2.0 to \$8.4 million over 10 years, discounted at 7 percent.¹⁷ As

¹⁵ FSIS used 2024 PHIS data to identify establishments and lines eligible for staffing changes. These establishments are large with at least two to three inspectors at the head or two to three inspectors at the viscera stations. These establishments had a total of 20 lines across all shifts. For this analysis, FSIS multiplied the number of lines by the number of daily shifts at each establishment to estimate the total number of lines. For example, an establishment operating two lines over two daily shifts would have a total of four lines.

¹⁶ FSIS' Office of the Chief Financial Officer provided these salary estimates and benefit factor. In addition, the 2024 OPM RUS, Salary Table can be found at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/24Tables/html/RUS.aspx>

¹⁷ FSIS estimated a wide range of savings to provide flexibility for the resulting staffing of lines. To approximate the high estimate, FSIS assumed that one inspector would be staffed at the head station and one inspector would be staffed at the viscera station, reducing online inspector positions by 62 online inspector positions paid at the GS-9, step 5, OPM RUS salary. For the low estimate, FSIS assumed only the head station would have a reduction by one inspector per line paid at the GS-07, step 5, OPM RUS salary, reducing total inspector positions by 18.

mentioned above, any reductions to FSIS personnel would happen over time through attrition and reassignment to other positions.

Benefits for the Industry

FSIS will no longer require establishment sorters at NSIS establishments to incise lymph nodes and palpate the viscera. This change may result in NSIS establishments voluntarily reducing the number of employees needed to make carcasses and parts ready for inspection because the workload for sorters may be reduced. FSIS estimates that this change will result in a reduction of three to five sorters per line at each NSIS establishment.¹⁸

As of February 2025, there were 17 large NSIS establishments with 31 slaughter lines across all shifts.¹⁹ FSIS assumed these establishments staff up to 11 sorters per line.²⁰ Sorters are paid higher wages than other production employees, because sorters trim and identify defects, such as dressing defects, contamination, and pathology defects, on carcasses and parts before FSIS post-mortem inspection.²¹ FSIS estimates these

¹⁸ FSIS changed the estimated range of possible reductions of sorters found in the proposed rule, using data provided in a comment from a trade association. Based on the commenter, NSIS establishments will reduce the number of sorters by three per line, per shift, instead of the five to eight sorters per line, per shift as discussed in the proposed rule. The reduction of three sorters is based on one establishment and may not represent all NSIS establishments, which may have different line configurations or production levels. To account for these differences, FSIS adjusted the range to include possible reductions of three to five sorters.

¹⁹ FSIS used 2025 PHIS data to identify establishments. For this analysis, FSIS multiplied the number of lines by the number of daily shifts at each establishment to estimate the total number of lines. For example, an establishment operating two lines over two daily shifts would have a total of four lines.

²⁰ The 11 sorters per line assumption is based on FSIS' experience on how NSIS establishments staff slaughter lines, as discussed in the Modernization of Swine Slaughter Inspection Final Rule (84 FR 52300, 52324, October 1, 2019).

²¹ 84 FR 52300, 52324, October 1, 2019.

sorters are paid as production employees, with a salary range of approximately \$80,000 to \$95,000. FSIS based the low salary of approximately \$80,000 on a comment from a trade association that received data from one of its members. FSIS included the 75th percentile production employee wage rate of \$44.16 per hour (\$22.08 multiplied by a benefits and overhead factor of two)²² for the high estimate. This results in a high annual salary of approximately \$95,000.²³ Under these assumptions, FSIS estimates the annual industry cost savings for the reduction in sorters at NSIS establishments range from approximately \$7.4 to \$14.7 million over 10 years discounted at 7 percent.²⁴ However, industry may offset these cost savings by assigning personnel to other areas of the establishment, as relevant. This final rule may incentivize additional swine slaughter establishments to convert to the NSIS.

V. Regulatory Flexibility Act

The FSIS Administrator has determined that this final rule will not have a significant economic impact on a substantial number of small entities in the U.S., as defined by the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

FSIS is amending its regulations to end mandatory

²² U.S. Bureau of Labor Statistics, Occupational Employment and Wage Estimates, May 2024: 51- 3023 Slaughterers and Meat Packers, <https://data.bls.gov/oes/#/industry/000000>.

²³ FSIS multiplied the hourly labor cost of \$44.16 by the total estimated hours per year of 2,152 (or 269 production days multiplied by 8 hours per day).

²⁴ For the low estimate, FSIS multiplied the annual salary of \$80,000 by the reduction of three sorters per line, multiplied by 31 lines. For the high estimate, FSIS multiplied the annual salary of \$95,000 by the reduction of five sorters per line, multiplied by 31 lines.

mandibular lymph node incision and viscera palpation of swine carcasses in all swine slaughter establishments (i.e., establishments operating under traditional swine slaughter inspection or the NSIS). Mandibular lymph nodes incision and viscera palpation of swine carcasses are not needed to ensure food safety.

How many small entities are impacted by the final rule?

The U.S. Small Business Administration (SBA) defines the size standard for small businesses for swine slaughter establishments as having 1,150 employees or less.²⁵ Swine slaughter establishments are in the 311611-Animal (except Poultry) Slaughter sector of the North American Industry Classification System.²⁶ Based on U.S. Census Bureau Statistics of U.S. Businesses (SUSB) data,²⁷ approximately 1,208 firms (98 percent) in the Animal (except Poultry) Slaughter sector are small (Table 1) and approximately 22 firms (2 percent) in this industry are large.²⁸ The quantified industry benefits due to potential industry staffing changes will occur at the 17 NSIS

²⁵ United States Small Business Administration (SBA), Table of Small Business Standards Matched to North American Industry Classification System Codes. Effective January 1, 2022. Available at

https://www.sba.gov/sites/default/files/files/Size_Standards_Table.pdf

²⁶ This category includes firms engaging in other than swine slaughtering activities, such as cattle slaughtering. U.S. Census Bureau North American Industry Classification System (NAICS). Available online at <https://www.census.gov/naics/?input=31&chart=2022&details=311611> (last accessed in April 2025).

²⁷ Note that the total number of firms in this category is 1,184. U.S. Census Bureau. (2022). 2022 SUSB Annual Data Tables by Establishment Industry: U.S. and states, NAICS detailed employment, [Data file]. April 2025.

<https://www.census.gov/data/tables/2022/econ/susb/2022-susb-annual.html>

²⁸ SUSB employment data are reported in ranges rather than at the exact SBA size standard of 1,150 employees. To provide a conservative estimate, FSIS classified firms with 1,499 or fewer employees as small.

establishments. These large NSIS firms will only receive the benefits from the changes in the final rule, and small firms will not be affected.

Table 1. Small entity by firm size and receipts

Enterprise Size	Number of Firms	Receipts (Million \$)
Less than 5 employees	399	326
5-9 employees	310	583
10-14 employees	165	412
15-19 employees	79	343
20 to 500 employees	235	9,507
500-749 employees	7	1,888
750-999 employees	9	4,168
1,000-1,499 employees	4	1,772
Total	1,208	18,999

Source: U.S. Census Bureau. (2022). 2022 SUSB Annual Data Tables by Establishment Industry: U.S. and states, NAICS detailed employment, 2022 [Data file]. April 2025.

<https://www.census.gov/data/tables/2022/econ/susb/2022-susb-annual.html>

What are the criteria for "significant impact" and "substantial number of small entities"?

The Regulatory Flexibility Act requires the Agency to analyze whether the final rule will have a significant impact on

a substantial number of small entities. FSIS defines a significant economic impact as one that is greater than 1 percent of small entities' annual receipts. FSIS considers a regulation to have an impact on a substantial number of small entities if it affects over 30 percent of the small entities identified in this analysis.

What are the economic impact and compliance costs per firm?

In the Regulatory Impact Analysis of this final rule, FSIS estimated that there are no costs to industry associated with the final rule. FSIS has estimated that this final rule will be net beneficial and noted that NSIS establishments may voluntarily reduce the number of employees needed to make carcasses and parts ready for inspection because the workload for sorters may be reduced. FSIS also estimated a one-time cost of \$90 to account for the time needed for an entity to become familiarized with this final rule.

Does the final rule have a significant impact on a substantial number of small entities?

Using SUSB data, FSIS estimated that the one percent "significant impact" criterion for the small entities impacted by this final rule is approximately \$0.16 million.²⁹ The "substantial number" criterion of 30 percent of small entities

²⁹ FSIS estimated the average receipts for small firms in the Animal (except Poultry) Slaughter sector having less than 1,499 employees is approximately \$16 million (\$18,999 million divided by 1,208 firms). Thus, a firm's average threshold for significant impact is approximately \$0.16 million (1 percent of \$16 million). U.S. Census Bureau. (2022). 2022 SUSB Annual Data Tables by Establishment Industry: U.S. and states, NAICS detailed employment, 2022 [Data file]. April 2025.
<https://www.census.gov/data/tables/2022/econ/susb/2022-susb-annual.html>

results in a total of 363 small entities (30 percent of 1,208 small entities, the total number of small entities shown in Table 1). This means that this final rule will have a significant impact on a substantial number of small entities if it has an estimated average impact of over \$0.16 million on at least 363 small entities. Since the final rule only affects large firms, there is no significant impact.

The estimated one-time cost of \$90 for a firm to familiarize themselves with the final rule would amount to less than 1 percent of annual receipts for all entities. The \$90 familiarization cost for 399 firms with less than 5 employees is 0.01 percent of their average annual receipts.

What are the direct and indirect impacts?

FSIS does not anticipate direct or indirect costs or benefits to a substantial number of small entities, because the final rule does not impose additional requirements on industry and ends mandatory mandibular lymph node incision and viscera palpation of swine carcasses in all swine slaughter establishments.

Small and very small entities generally operate in local niche markets, in which they source inputs from small producers and sell products to consumers who have shown an increased demand for locally produced products.³⁰ The final rule is not expected to impact these local niche markets or the entities

³⁰ Johnson, R., Marti, D. and Gwin, L. (2012). Slaughter and Processing Options and Issues for Locally Sourced Meat. Washington, DC: USDA Economic Research Service, LDP-M-216-01.

that participate in them.

Certification

FSIS certifies that this final rule will not have a significant economic impact on a substantial number of small entities in the United States.

VI. Congressional Review Act

Pursuant to Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (known as the Congressional Review Act) (5 U.S.C. 801 *et seq.*), OIRA has designated this final rule as not a major rule as defined by 5 U.S.C. 804(2).

VII. Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), FSIS has reviewed the final rule. The Administrator has determined that this rulemaking will not create additional information collection or recordkeeping burdens.

VIII. E-Government Act

FSIS and USDA are committed to achieving the purposes of the E-Government Act (44 U.S.C. 3601, *et seq.*) by, among other things, promoting the use of the Internet and other information technologies and providing increased opportunities for citizen access to Government information and services, and for other purposes.

IX. Executive Order 12988, Civil Justice Reform

This final rule has been reviewed under E.O. 12988, Civil Justice Reform. Under this rule: (1) all State and local laws

and regulations that are inconsistent with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) no administrative proceedings will be required before parties may file suit in court challenging this rule.

X. Executive Order 13175

This rule has been reviewed in accordance with the requirements of E.O. 13175, "Consultation and Coordination with Indian Tribal Governments". E.O. 13175 requires Federal agencies to consult and coordinate with tribes on a government-to-government basis on policies that have tribal implications, including regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

FSIS has assessed the impact of this rule on Indian tribes, and determined that this rule does not, to our knowledge, have tribal implications that require tribal consultation under E.O. 13175. If a tribe requests consultation, FSIS will work with the Office of Tribal Relations to ensure meaningful consultation is provided where changes, additions, and modifications identified herein are not expressly mandated by Congress.

XI. Environmental Impact

Pursuant to the National Environmental Policy Act (42 U.S.C. 4321, *et seq.*) (NEPA), Federal agencies fulfill their

NEPA obligation to study the effects of major Federal actions in one of three ways. For a major Federal action that will have significant environmental effects, the agency prepares a detailed Environmental Impact Statement (EIS) (42 U.S.C. 4336(b)(1)). If it is unclear whether the action will have significant effects, the agency may prepare a brief Environmental Assessment (EA) (42 U.S.C. 4336(b)(2)). Finally, categorical exclusions are classes of actions that normally do not have significant effects on the environment and do not require an EA or an EIS absent extraordinary circumstances (42 U.S.C. 4336(b)(2)). USDA's NEPA implementing regulations establish a categorical exclusion for specified categories of actions and the actions of certain USDA subcomponents (7 CFR 1b.3, 1b.4). USDA has determined that the listed subcomponents, including FSIS (7 CFR 1b.4(a)(5)), "conduct programs and activities that do not normally result in reasonably foreseeable significant impacts on the natural or physical environment" (7 CFR 1b.4(a)). The FSIS action thus is categorically excluded unless FSIS, after evaluating the action for extraordinary circumstances, determines that an extraordinary circumstance may exist that would require the action to instead be documented in an EA or an EIS, as applicable.

FSIS does not foresee any significant impact on the natural or physical environment from this rule (7 CFR 1b.4(a)). The purpose of Federal inspection under the FMIA is to protect public health and welfare by ensuring that any meat produced for

human consumption and sale or distribution in commerce is wholesome, not adulterated, and properly labeled. FSIS inspection program personnel do not have any authority or control over the day-to-day operations of slaughter establishments, except to the degree necessary to achieve the Agency's mission to protect public health by ensuring that pork products intended for use as human food are safe, unadulterated and properly labeled. Accordingly, any environmental effects of a slaughter establishment's operations are not the result of a major Federal action by FSIS, and inspection by FSIS would not be the legally relevant cause of the establishment's slaughter activities or any impact the establishment's activities might have on the environment. Expected pork product sales--not NSIS sorting requirements or FSIS staffing standards--drive production levels (i.e., the total number of swine that an establishment slaughters). FSIS has no authority to determine an establishment's production levels. While ending mandatory lymph node incision and viscera palpation may improve efficiency, it will not affect consumer demand or an establishment's products. Moreover, all swine slaughter establishments, regardless of sorting requirements or FSIS staffing standards, are required to meet all local, state, and Federal environmental requirements. Thus, the establishment will be subject to the same environmental regulations, regardless of this rule.

Therefore, FSIS does not foresee any significant impact on the natural or physical environment from these changes (7 CFR

1b.4(a)). Additionally, no extraordinary circumstances exist that would require preparation of an EA or an EIS. Therefore, this action qualifies for the categorical exclusion from preparing an EA or EIS under 7 CFR 1b.4 of the USDA regulations.

XII. Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, FSIS will announce this **Federal Register** publication online through the FSIS web page located at: <https://www.fsis.usda.gov/federal-register>. FSIS will also announce and provide a link through the FSIS *Constituent Update*, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to our constituents and stakeholders. The *Constituent Update* is available on the FSIS web page. Through the web page, FSIS is able to provide information to a much broader, more diverse audience. In addition, FSIS offers an email subscription service which provides automatic and customized access to selected food safety news and information. This service is available at: <https://www.fsis.usda.gov/subscribe>. Options range from recalls to export information, regulations, directives, and notices. Customers can add or delete subscriptions themselves and have the option to password protect their accounts.

XIII. USDA Non-Discrimination Statement

In accordance with Federal civil rights law and USDA civil

rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

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To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Mail Stop 9410,

Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3)

email: program.intake@usda.gov.

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List of Subjects

9 CFR Part 310

Animal diseases, Blood, Meat inspection

For the reasons set forth in the preamble, FSIS is amending 9 CFR Chapter III as follows:

PART 310 - POST-MORTEM INSPECTION

1. The authority citation for part 310 continues to read as follows:

Authority: 21 U.S.C. 601-695; 7 CFR 2.18, 2.53.

2. Amend § 310.1 by revising table 4 to paragraph (b) (3) to read as follows:

§ 310.1 Extent and time of post-mortem inspection; post-mortem inspection staffing standards.

* * * * *

Table 4 to paragraph (b) (3)—Three Inspectors or More—Staffing Standards for Swine

Maximum inspection rates (head per hour with heads attached)	Maximum number of inspectors by station			
	Head	Viscera	Carcass	Total
Market hogs:				

Market hogs:

319 to 506	1	1	1	3
507 to 540	1	2	1	4
541 to 859	2	2	1	5
860 to 1,022	2	3	1	6
1,023 to 1,106	3	3	1	7
Sows and boars:				
306 to 439	1	1	1	3
306 to 462 ¹	1	1	1	3
440 to 475	2	1	1	4
476 to 752	2	2	1	5
753 to 895	3	2	1	6
896 to 964	3	3	1	7

¹ This rate applies if the heads of sows and boars are detached from the carcasses at the time of inspection.

Note 1 to table 4 to paragraph (b) (3): In multiple-inspector plants, the inspectors must rotate between all inspection positions during each shift to equalize the workload.

§ 310.26 [Amended]

3. Amend § 310.26 by removing the second sentence of paragraph (b).

Done in Washington, DC.

Justin Ransom,

Administrator.