

116TH CONGRESS
2D SESSION

H. R. 8431

To support small and very small meat and poultry processing establishments,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2020

Ms. PINGREE (for herself and Mr. FORTENBERRY) introduced the following
bill; which was referred to the Committee on Agriculture

A BILL

To support small and very small meat and poultry processing
establishments, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthening Local
5 Processing Act”.

6 **SEC. 2. SCALE-APPROPRIATE HACCP GUIDANCE AND RE-**
7 **SOURCES.**

8 (a) SMALL AND VERY SMALL POULTRY ESTABLISH-
9 MENTS.—The Poultry Products Inspection Act (21 U.S.C.

1 451 et seq.) is amended by inserting after section 14 (21
2 U.S.C. 463) the following new section:

3 “SMALL AND VERY SMALL ESTABLISHMENT HACCP

4 GUIDANCE AND RESOURCES

5 “SEC. 14a. (a) Not later than 18 months after the
6 date of the enactment of this section, the Secretary shall—

7 “(1) establish a free, searchable database of ap-
8 proved peer-reviewed validation studies accessible to
9 small and very small establishments (as those terms
10 are defined in the final rule entitled ‘Pathogen Re-
11 duction: Hazard Analysis and Critical Control Point
12 (HACCP) Systems’ (61 Fed. Reg. 38806 (July 25,
13 1996))) subject to inspection under this Act for use
14 in developing the Hazard Analysis and Critical Con-
15 trol Points plans of such establishments; and

16 “(2) publish online, scale-appropriate model
17 Hazard Analysis and Critical Control Points plans,
18 including model Hazard Analysis and Critical Con-
19 trol Points plans for different types of poultry prod-
20 ucts processed by—

21 “(A) slaughter-only establishments;

22 “(B) processing-only establishments; and

23 “(C) establishments that conduct slaugh-
24 tering and processing.

25 “(b) Not later than 2 years after the date of the en-
26 actment of this section, the Secretary shall publish a guid-

1 ance document, after notice and an opportunity for public
 2 comments, to provide small and very small establishments
 3 with information on the necessary steps such establish-
 4 ments must take to have a Hazard Analysis and Critical
 5 Control Points Plan approved under this Act.”.

6 (b) SMALL AND VERY SMALL MEAT ESTABLISH-
 7 MENTS.—The Federal Meat Inspection Act (21 U.S.C.
 8 601 et seq.) is amended by inserting after section 25 (21
 9 U.S.C. 625) the following new section:

10 “SMALL AND VERY SMALL ESTABLISHMENT HACCP

11 GUIDANCE AND RESOURCES

12 “SEC. 26. (a) Not later than 18 months after the date
 13 of the enactment of this section, the Secretary shall—

14 “(1) establish a free, searchable database of ap-
 15 proved peer-reviewed validation studies accessible to
 16 small and very small establishments (as those terms
 17 are defined in the final rule entitled ‘Pathogen Re-
 18 duction: Hazard Analysis and Critical Control Point
 19 (HACCP) Systems’ (61 Fed. Reg. 38806 (July 25,
 20 1996))) subject to inspection under this Act for use
 21 in developing the Hazard Analysis and Critical Con-
 22 trol Points plans of such establishments; and

23 “(2) publish online scale-appropriate model
 24 Hazard Analysis and Critical Control Points plans,
 25 including model Hazard Analysis and Critical Con-

1 trol Points plans for different types of meat and
 2 meat food products processed by—

3 “(A) slaughter-only establishments;

4 “(B) processing-only establishments; and

5 “(C) establishments that conduct slaugh-
 6 tering and processing.

7 “(b) Not later than 2 years after the date of the en-
 8 actment of this section, the Secretary shall publish a guid-
 9 ance document, after notice and an opportunity for public
 10 comments, to provide small and very small establishments
 11 with information on the necessary steps such establish-
 12 ments must take to have a Hazard Analysis and Critical
 13 Control Points Plan approved under this Act.”.

14 **SEC. 3. INCREASING MAXIMUM FEDERAL SHARE FOR EX-**
 15 **PENSES OF STATE INSPECTION.**

16 (a) POULTRY PRODUCTS.—Section 5(a)(3) of the
 17 Poultry Products Inspection Act (21 U.S.C. 454(a)(3)) is
 18 amended, in the second sentence, by striking “50 per cen-
 19 tum” and inserting “65 percent”.

20 (b) MEAT AND MEAT FOOD PRODUCTS.—Section
 21 301(a)(3) of the Federal Meat Inspection Act (21 U.S.C.
 22 661(a)(3)) is amended, in the second sentence, by striking
 23 “50 per centum” and inserting “65 percent”.

1 **SEC. 4. COOPERATIVE INTERSTATE SHIPMENT.**

2 (a) POULTRY PRODUCTS.—Section 31 of the Poultry
3 Products Inspection Act (21 U.S.C. 472) is amended—

4 (1) in subsection (b)—

5 (A) in paragraph (2), by striking “25 em-
6 ployees” each place it appears in subparagraphs
7 (A) and (C)(iii)(I) and inserting “50 employ-
8 ees”; and

9 (B) in paragraph (3)—

10 (i) in the paragraph heading, by strik-
11 ing “25 EMPLOYEES” and inserting “50
12 EMPLOYEES”;

13 (ii) in subparagraph (A), by striking
14 “25 employees” and inserting “50 employ-
15 ees”; and

16 (iii) in subparagraph (B)(i), by strik-
17 ing “more than 25 employees but less than
18 35 employees” and inserting “more than
19 50 employees but less than 70 employees”;

20 (2) in subsection (c), by striking “60 percent”
21 and inserting “80 percent”;

22 (3) by redesignating subsections (f) through (i)
23 as subsections (g) through (j); and

24 (4) by inserting after subsection (e) the fol-
25 lowing:

26 “(f) FEDERAL OUTREACH.—

1 “(1) IN GENERAL.—For each of fiscal years
2 2021 through 2024, the Secretary shall conduct out-
3 reach to, and where appropriate subsequent negotia-
4 tion with, no fewer than 25 percent of the States
5 which have a State poultry product inspection pro-
6 gram that meets the criteria specified under section
7 5 but which does not yet have an establishment that
8 has been selected as a selected establishment under
9 this section.

10 “(2) REPORT.—At the conclusion of each fiscal
11 year referred to in paragraph (1), the Secretary
12 shall submit a report detailing the activities and re-
13 sults of the outreach conducted during that fiscal
14 year to—

15 “(A) the Committee on Agriculture of the
16 House of Representatives;

17 “(B) the Committee on Agriculture, Nutri-
18 tion, and Forestry of the Senate;

19 “(C) the Subcommittee on Agriculture,
20 Rural Development, Food and Drug Adminis-
21 tration, and Related Agencies of the Committee
22 on Appropriations of the House of Representa-
23 tives; and

24 “(D) the Subcommittee on Agriculture,
25 Rural Development, Food and Drug Adminis-

1 tration, and Related Agencies of the Committee
2 on Appropriations of the Senate.”.

3 (b) MEAT AND MEAT FOOD PRODUCTS.—Section
4 501 of the Federal Meat Inspection Act (21 U.S.C. 683)
5 is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (2), by striking “25 em-
8 ployees” each place it appears in subparagraphs
9 (A) and (C)(iii)(I) and inserting “50 employ-
10 ees”; and

11 (B) in paragraph (3)—

12 (i) in the paragraph heading, by strik-
13 ing “25 EMPLOYEES” and inserting “50
14 EMPLOYEES”;

15 (ii) in subparagraph (A), by striking
16 “25 employees” and inserting “50 employ-
17 ees”; and

18 (iii) in subparagraph (B)(i), by strik-
19 ing “more than 25 employees but less than
20 35 employees” and inserting “more than
21 50 employees but less than 70 employees”;

22 (2) in subsection (c), by striking “60 percent”
23 and inserting “80 percent”; and

24 (3) in subsection (f), by adding at the end the
25 following;

1 “(3) FEDERAL OUTREACH.—

2 “(A) IN GENERAL.—For each of fiscal
3 years 2021 through 2024, the Secretary shall
4 conduct outreach to, and where appropriate
5 subsequent negotiation with, no fewer than 25
6 percent of the States which have a State meat
7 and meat food product inspection program that
8 meets the criteria specified under section 301
9 but which does not yet have an establishment
10 that has been selected as a selected establish-
11 ment under this section.

12 “(B) REPORT.—At the conclusion of each
13 fiscal year referred to in subparagraph (A), the
14 Secretary shall submit a report detailing the ac-
15 tivities and results of the outreach conducted
16 during that fiscal year to—

17 “(i) the Committee on Agriculture of
18 the House of Representatives;

19 “(ii) the Committee on Agriculture,
20 Nutrition, and Forestry of the Senate;

21 “(iii) the Subcommittee on Agri-
22 culture, Rural Development, Food and
23 Drug Administration, and Related Agen-
24 cies of the Committee on Appropriations of
25 the House of Representatives; and

1 “(iv) the Subcommittee on Agri-
2 culture, Rural Development, Food and
3 Drug Administration, and Related Agen-
4 cies of the Committee on Appropriations of
5 the Senate.”.

6 **SEC. 5. PROCESSING RESILIENCE GRANT PROGRAM.**

7 Subtitle A of the Agricultural Marketing Act of 1946
8 (7 U.S.C. 1621 et seq.) is amended by adding at the end
9 the following:

10 **“SEC. 210B. PROCESSING RESILIENCE GRANT PROGRAM.**

11 “(a) ELIGIBLE ENTITY.—In this section, the term
12 ‘eligible entity’ means—

13 “(1) a small or very small establishment, as de-
14 fined in the final rule entitled ‘Pathogen Reduction;
15 Hazard Analysis and Critical Control Point
16 (HACCP) Systems’ (61 Fed. Reg. 33806 (July 25,
17 1996));

18 “(2) a slaughtering or processing establishment
19 operating under a State inspection program that
20 meets the criteria specified in section 301(a) of the
21 Federal Meat Inspection Act (21 U.S.C. 661) or sec-
22 tion 5 of the Poultry Products Inspection Act (21
23 U.S.C. 454);

24 “(3)(A) a person, firm, or corporation exempt
25 from inspection under the Federal Meat Inspection

1 Act (21 U.S.C. 601 et seq.) pursuant to section 23
2 of such Act (21 U.S.C. 623); and

3 “(B) a retail dealer, poultry producer, or person
4 exempt from inspection under the Poultry Products
5 Inspection Act (21 U.S.C. 451 et seq.) pursuant to
6 section 15 of such Act (21 U.S.C. 464); and

7 “(4) an entity seeking to establish and operate
8 an establishment that would meet the criteria speci-
9 fied in paragraph (1), (2), or (3).

10 “(b) GRANTS.—The Secretary, acting through the
11 Administrator of the Agricultural Marketing Service, shall
12 provide competitive grants with a term of not more than
13 three years to eligible entities for activities to adapt pro-
14 duction, processing, distribution, and sales systems to re-
15 spond to and recover from the effects of Coronavirus Dis-
16 ease 2019 (referred to in this section as ‘COVID–19’)
17 pandemic, including activities that—

18 “(1) support the health and safety of plant em-
19 ployees, suppliers, and customers;

20 “(2) support increased processing capacity; or

21 “(3) otherwise support the resilience of the
22 small meat and poultry processing sector in the fu-
23 ture.

1 “(c) USE OF FUNDS.—An eligible entity selected to
2 receive a grant under this section may use funds received
3 through such grant for activities, including—

4 “(1) the cost of developing and issuing (other
5 than the cost of labor), directly incurred or incurred
6 by a consultant, a Hazard Analysis and Critical
7 Control Points plan for the eligible entity;

8 “(2) the actual costs of any facilities, equip-
9 ment, processes, or operations necessary for the es-
10 tablishment to comply with the Federal Meat Inspec-
11 tion Act (21 U.S.C. 601 et seq.) or Poultry Products
12 Inspection Act (21 U.S.C. 451 et seq.);

13 “(3) cold storage, equipment, or transportation
14 services or equipment needed to respond to COVID-
15 19 demand;

16 “(4) purchasing test kits for the presence of
17 COVID-19, temperature screening supplies, dis-
18 infectant, sanitation systems, hand washing stations,
19 and other sanitizing supplies;

20 “(5) purchasing and decontaminating personal
21 protective equipment;

22 “(6) constructing or acquiring humane handling
23 infrastructure, including holding space for livestock
24 holding prior to slaughter, shade structures, and
25 knock box structures;

1 “(7) purchasing software and computer equip-
2 ment for record keeping, production data, Hazard
3 Analysis and Critical Control Points record review,
4 and facilitating marketing and sales of products in
5 a manner consistent with Center for Disease Control
6 and Prevention guidelines and training for using this
7 software;

8 “(8) the costs of staff time and training for im-
9 plementing and monitoring healthy and safety proce-
10 dures;

11 “(9) the development of a feasibility study or
12 business plan for those interested in expanding or
13 starting a new small establishment; and

14 “(10) other costs associated with expanding or
15 establishing a small establishment or very small es-
16 tablishment, as determined by the Secretary.

17 “(d) APPLICATIONS.—

18 “(1) IN GENERAL.—An eligible entity seeking a
19 grant under this section shall submit to the Sec-
20 retary an application in accordance with an applica-
21 tion process established by the Secretary.

22 “(2) SIMPLIFIED PROCESS.—In establishing the
23 application process under paragraph (1), the Sec-
24 retary shall establish a simplified, separate applica-

1 tion process for eligible entities requesting less than
2 \$100,000.

3 “(3) REQUIREMENTS.—The Secretary shall en-
4 sure that the application required under paragraph
5 (1) is—

6 “(A) as simple as is practicable;

7 “(B) accessible online; and

8 “(C) available through local staff of the
9 Department of Agriculture.

10 “(e) MAXIMUM AMOUNT.—The amount of a grant
11 under this subsection shall be not more than \$500,000.

12 “(f) ADMINISTRATION.—The administration of this
13 subsection, including the promulgation of regulations to
14 carry out this subsection, shall be without regard to—

15 “(1) the notice and comment provisions of sec-
16 tion 553 of title 5, United States Code; and

17 “(2) chapter 35 of title 44, United States Code.

18 “(g) PROCESS.—

19 “(1) AVAILABILITY.—Not later than 60 days
20 after the date of enactment of this Act, the Sec-
21 retary shall provide grants under this section.

22 “(2) NOTICE.—Not later than 14 days before
23 the date on which the Secretary begins to accept ap-
24 plications under paragraph (1), the Secretary shall

1 publish a notice of funding opportunity for grants
2 under this section.

3 “(3) OUTREACH.—During the period beginning
4 on the date on which the Secretary publishes the no-
5 tice under paragraph (2) and ending on the date on
6 which the Secretary begins to accept applications
7 under paragraph (1), the Secretary shall perform
8 outreach to States and eligible entities relating to
9 grants under this section.

10 “(4) REAPPLICATION.—In the case of a denial
11 of an application under this section, the eligible enti-
12 ty submitting such application may submit a revised
13 application, as specified by the Secretary in regula-
14 tions.

15 “(5) PRIORITY.—In reviewing applications sub-
16 mitted under paragraph (1), the Secretary shall give
17 priority to proposals that would—

18 “(A) increase farmer and rancher access to
19 animal slaughter options within a 200 mile ra-
20 dius;

21 “(B) support a small or very small plant
22 with less than 150 employees; or

23 “(C) support minority-owned businesses
24 that are defined as for-profit businesses where
25 not less than 51 percent of such business is

1 owned by 1 or more Black American, Native
2 American, Hispanic American, or Asian Amer-
3 ican individuals.

4 “(h) MATCHING FUNDS REQUIREMENT.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (2), an eligible entity selected to receive a
7 grant under this section shall provide non-Federal
8 matching funds as follows:

9 “(A) With respect to the first \$100,000
10 awarded to such entity, not less than 10 per-
11 cent of such amount.

12 “(B) With respect to any amounts received
13 after receipt of \$100,000, not less than 25 per-
14 cent of such amount.

15 “(2) FISCAL YEAR 2021.—An eligible entity se-
16 lected to receive a grant under this section shall not
17 be required to provide non-Federal matching funds
18 with respect to a grant awarded during fiscal year
19 2021.

20 “(i) FUNDING.—

21 “(1) MANDATORY FUNDING.—Of the funds of
22 the Commodity Credit Corporation, the Secretary
23 shall use to carry out this section \$10,000,000 for
24 each of fiscal years 2021 through 2030.

1 “(2) AUTHORIZATION OF APPROPRIATIONS.—

2 There are authorized to be appropriated to carry out
3 this section \$15,000,000 for each of fiscal years
4 2021 through 2030.”.

5 **SEC. 6. GRANTS FOR LOCAL MEAT AND POULTRY PROC-**
6 **ESSING TRAINING PROGRAMS.**

7 Title IV of the Agricultural Research, Extension, and
8 Education Reform Act of 1998 (7 U.S.C. 7624 et seq.)
9 is amended by adding at the end the following new section:
10 **“SEC. 414. GRANTS FOR LOCAL MEAT AND POULTRY PROC-**
11 **ESSING TRAINING PROGRAMS.**

12 “(a) HIGHER EDUCATION CAREER TRAINING PRO-
13 GRAMS.—

14 “(1) IN GENERAL.—The Secretary shall provide
15 competitive grants to junior or community colleges,
16 technical or vocational schools, and land grant col-
17 leges and universities (as defined in section 1404 of
18 the National Agricultural Research, Extension, and
19 Teaching Policy Act of 1977 (7 U.S.C. 3103)) to es-
20 tablish or expand career training programs on meat
21 and poultry processing.

22 “(2) AUTHORIZATION OF APPROPRIATIONS.—

23 There is authorized to be appropriated to the Sec-
24 retary to carry out this subsection \$10,000,000 for

1 fiscal year 2021 and each fiscal year thereafter, to
2 remain available until expended.

3 “(b) PROCESSOR CAREER TRAINING PROGRAMS.—

4 “(1) IN GENERAL.—The Secretary shall provide
5 grants to small establishments and very small estab-
6 lishments (as those terms are defined in the final
7 rule entitled ‘Pathogen Reduction; Hazard Analysis
8 and Critical Control Point (HACCP) Systems’ (61
9 Fed. Reg. 38806 (July 25, 1996))) and nongovern-
10 mental organizations to offset the cost of training
11 new meat and poultry processors.

12 “(2) AUTHORIZATION OF APPROPRIATIONS.—

13 There is authorized to be appropriated to carry out
14 this subsection \$10,000,000 for fiscal year 2021 and
15 each fiscal year thereafter, to remain available until
16 expended.”.

○