

Ninth COVID-19 death reported at California poultry processor Foster Farms

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The deadliest outbreak to date of coronavirus at a meat processing plant has been reported at facility in California, where a ninth Foster Farms worker, hospitalized since August, died September 17. On September 1, the poultry powerhouse of the West Coast, Foster Farms, was forced to close its Livingston poultry processing plant, employing 2,500, by order of the Merced County Department of Public Health (MCDPH) after 392 employees tested positive for COVID-19. Despite the infections and deaths of workers, management bitterly opposed any shutdown to the end.

Foster Farms was repeatedly urged by the MCDPH to increase efforts to protect its employees before any deaths occurred. On June 29, as the disease continued to spread throughout the facility, county health officials inspected the plant. In a failed effort to limit the outbreak, the health department suggested “significant changes to the employee break spaces and performing widespread testing of employees within the facility.”

The department made continued calls for an increase in testing at the facility throughout the month of July. By the end of the month, Foster Farms had “tested less than 10 percent of the department with the largest [COVID-19] impact within the facility.” Among the employees who were tested, more than 25 percent turned up positive.

In an August 27 press release, the health department reported unsuccessfully urging the company to take precautionary safety measures since late June. “The most severe and long-lasting outbreak in Merced County is at the Foster Farms Livingston Facility. On June 29th, MCDPH notified Foster Farms that its Livingston Facility was officially declared an outbreak.” This statement came one month before any documented coronavirus-related deaths at the plant.

Nearly 9,000 people in Merced County out of a population of 277,680 have been infected, and 145 have died from COVID-19. Founded in 1939, Foster Farms runs hatcheries, feed mills, ranches, processing plants, and operates refrigerated delivery trucks. It has become the largest poultry processor in the state. It also operates the eight-facility Foster Farms Dairy, which distributes milk throughout California. The company has reported over \$2.4 billion in annual revenue for the past few years. It employs 12,000 workers at wages ranging between the poverty level average of \$10.62 per hour up to \$29.84 per hour.

On August 26, despite MCDPH ordering a shutdown, the Livingston poultry plant continued to operate. Officials reported that the company had repeatedly failed to comply with COVID-19 regulations, exacerbating the spread of the deadly disease in the facility. The following day, after a phone call with the US Department of Agriculture’s secretary for food safety, county officials issued a 48-hour stay .

Merced County spokesperson Mike North said the company had 48 hours from Thursday at 18:00 PDT to shut the plant down.

According to a statement issued by a US Department of Agriculture (USDA) spokesperson to *The Fresno Bee*, the decision to delay the shutdown was made by the MCDPH “in order to facilitate additional resources for [coronavirus] testing of plant employees and to ensure humane handling of the flocks at the facility.” It continued, “Immediate closure of the plant would not provide for a humane path forward for hundreds of thousands of live birds and would result in discarding hundreds of tons of food.” In other words, protecting the poultry took precedence over the lives of humans.

Notwithstanding the rapid increase in cases and deaths, Foster Farms has now been officially removed

from the county's coronavirus outbreaks list.

According to data collected by Food and Environment Reporting Network (FERN), as of October 1 at 12:00 EDT, 504 meatpacking facilities, 358 food processing plants, and 136 farms and production facilities have had confirmed cases of COVID-19. At least 63,012 workers in total; 44,530 meatpacking workers; 10,337 food processing workers; and 8,145 farm workers, have tested positive for the disease, resulting in the deaths of 213 meatpacking workers; 35 food processing workers; and 17 farm workers. Despite the increase in infections and deaths at meatpacking and food processing facilities, President Donald Trump's invocation of the Defense Production Act remains in effect. The order indemnifies meat processors from lawsuits over COVID-19 infections and deaths.

In a stepped up attack on workers, a number of poultry plants have been allowed to increase line speeds. In July, the United Food and Commercial Workers (UFCW) filed a complaint against the USDA over the waiver program. The Food Safety Inspection Service's (FSIS) waiver program permits poultry plants the opportunity to obtain waiver-negating procedures required by the Administrative Procedure Act (APA). In particular, it allows poultry processors to exceed the maximum line speed set in a 2014 FSIS regulation that recognized faster line speeds jeopardize safety. On this basis the FSIS abandoned the proposal to allow poultry processing plants to operate at a maximum line speed of 175 birds per minute (bpm), capping the maximum line speed at 140 bpm.

The FSIS reversed course in the aftermath of passage of the CARES Act, creating a program under which plants may operate at speeds up to 175 bpm. This has resulted in FSIS now permitting nearly 43 percent of all plants to operate at 175 bpm in order to help poultry processors generate the additional revenues needed to repay federal CARES Act loans.

Furthermore, JBS, the world's largest meatpacker, denied the application by the family of Saul Sanchez for workers compensation benefits, along with other families that have suffered due to contracting COVID-19 at the company's Greeley, Colorado plant. Sanchez, a 30-year JBS employee, was one of six workers at the Greeley facility who died from COVID-19.

The fate of the JBS workers is not unique. In the state of Minnesota, 930 applications were made by meatpacking workers from various plants for workers compensation benefits related to COVID-19 infections. However, as of September 11, not one of those claims had been approved by management at any of the companies involved. Company officials rejected 717 applications outright and said 213 were still under review. Workers in Utah and Colorado have experienced similar stonewalling. As of August 1, seven coronavirus-related claims in Utah had been filed against JBS and all were subsequently denied. In Colorado, 69 percent (1,583) of 2,294 meatpacking workers had their workers compensation claims denied.

The World Health Organization (WHO) reported as of Thursday over 34 million COVID-19 confirmed cases and over 1,031,000 deaths. The United States, with only 4.25 percent of the world's population, accounts for 22.5 percent, or 7.5 million, of the world's total cases and 20.5 percent, or 213,000, of the total deaths.

In the face of this slaughter meatpacking workers should join the fight begun by teachers and autoworkers to build rank-and-file safety committees to save lives. Help mobilize the full strength of the working class to not only protect your lives but your social and democratic rights. Rank-and-file safety committees, independent of the corrupt unions and big business politicians are needed to organize the enormous power of the working class in defense against the incompetent and criminally negligent response of the corporations and government authorities. Align with your working class brothers and sisters internationally—educators, parents, students, autoworkers, logistics and transport workers—against the sacrifice of workers' lives for corporate profit. We urge you to contact us to join this fight today.



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