

# Advocacy group sues Smithfield Foods, claiming it stoked fears of meat shortages and sacrificed worker safety

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*Este artículo está disponible en español aquí.*

*The World Socialist Web Site urges meatpacking workers to get in touch with us to share news tips, comments and stories of working conditions in your plant, and to learn how to build a rank-and-file committee of workers. Your privacy is of utmost importance and any information given will be kept anonymous. Contact us today.*

Consumer advocacy group Food and Water Watch filed a lawsuit last week accusing Smithfield Foods, the nation's largest pork producer, of falsely stoking consumer fears of meat shortages during the pandemic to keep their operations running at full capacity. The advocacy group claims these actions created unsafe health and safety conditions for meatpacking workers that have led to thousands of Smithfield workers contracting the virus and dozens of deaths.

At the start of the pandemic meatpacking facilities and other food processing plants quickly became major centers for the outbreaks of COVID-19. One analysis by the Proceedings of the National Academy of Sciences (PNAS), published in December 2020, estimates that 6 percent to 8 percent of all COVID-19 cases and 3 percent to 4 percent of all COVID-19 deaths in the US through July 21, 2020 were tied to meat and poultry plants.

To give one stark example, the Sioux Falls Smithfield plant in South Dakota was responsible for more than half South Dakota's active COVID-19 cases in April of last year. This plant produces 5 percent of the country's pork output. At this plant, it took 13 days for COVID-19 cases to climb from one to 80. A week later, the number of infections broke 900 and soon after, 1,000. Health experts believe the plant was tied to several hundred more "close contact" cases in the county. This single plant became one of the most severe hotspots for COVID-19 in the country. The company and city kept the case numbers hidden from the public for the first two weeks.

During this time, health officials were pressuring the industry to halt some production to protect workers.

The catastrophe in Sioux Falls and other meatpacking facilities, which sparked walkouts and protests in defiance of the United Food and Commercial Workers, forced Smithfield and other companies to shut down temporarily in April 2020. However, shortly after shutting down the Sioux Falls plant the company launched an aggressive campaign to reopen throughout the

industry.

At the time, CEO Kenneth M. Sullivan issued a statement warning of a meat shortage. It read in part: "The closure of this facility, combined with a growing list of other protein plants that have shuttered across our industry, is pushing our country perilously close to the edge in terms of our meat supply."

However, the suit from Food and Water Watch says the US was never in danger of running out of meat. It claims there were ample supplies in cold storage. Moreover, the advocacy group notes that pork exports to China from the US were surging, even hitting record highs. The report notes that government data shows that pork inventory held in "cold storage" warehouses was well into the hundreds of millions of pounds. Analysts have estimated the pork held in storage could have kept grocery stores stocked with pork for months, even without any additional production.

Food and Water Watch explains in its lawsuit, "This fear mongering creates a revenue-generating feedback loop. ... It stokes and exploits consumer panic—juicing demand and sales—and in turn, provides the company with a false justification to keep its slaughterhouses operating at full tilt, subjecting its workers to unsafe workplace health and safety conditions that have caused thousands of Smithfield workers to contract the virus."

The suit continues: "Corporations like Smithfield routinely choose profit over people. The company utterly failed to protect its workers as the coronavirus spread like wildfire throughout its meat processing facilities, and its fear mongering about meat shortages was designed to exploit consumer panic and boost sales. Smithfield put workers' lives at risk all in the name of corporate greed and turned already notoriously dangerous workplaces into deadly ones."

Working conditions in the Smithfield plants were and continue to be dangerous for workers. Workers have reported a "work while sick" culture in many facilities. In fact, Smithfield, with the blessing of the United Food and Commercial Workers (UFCW) union, was offering workers in some plants, including Sioux Falls, a \$500 "responsibility bonus" for not missing a day of work at the height of virus spread in the plant.

Smithfield's propaganda was trumpeted by President Trump, who used claims of an impending meat shortage to invoke the Korean War-era Defense Production Act on April 29, and declare that meat processing plants were part of the country's "critical

infrastructure.” This was aimed at ensuring that the unsafe plants remained open no matter how many infections and deaths there were and to provide a pseudo-legal framework for state repression against walkouts and protests by meatpacking workers. At the time, Trump declared the closures “threaten the continued functioning of the national meat and poultry supply chain, undermining critical infrastructure during the national emergency.”

In addition to the executive action, the Labor Department and the Occupational Safety and Health Administration (OSHA) issued “guidance” that would provide additional liability protections for companies seeking to operate amid the risk of outbreaks. In other words, the reopening of the meat industry was a state-sanctioned operation. It was done to secure the profits of the meatpacking companies and had nothing to do with maintaining the supply of meat in supermarkets for consumers.

Along with other plants across the country the Sioux Falls plant reopened on May 7. By June 16, between 800 and 1,200 of the meatpacking plant’s 3,700 employees were either quarantined or had tested positive for the virus.

At least four Smithfield workers died from COVID-19 at the plant. They were part of the 293 meatpacking and slaughterhouse workers who have died throughout the United States. In addition, more than 58,000 workers in the industry have been infected since the outbreak of the deadly virus.

Throughout the pandemic the entire political establishment, along with the food processing companies like Smithfield, have touted their employees as “heroes” and “essential workers” all while putting them in grave danger for the sake of their bottom line. Politicians and CEOs alike swore that workers would be compensated for their sacrifice.

In fact, on the campaign trail in May of 2020, Biden said during an interview on meatpacking workers and food insecurity, “Absolutely, positively, no worker’s life is worth my getting a cheaper hamburger. No worker’s life is worth that.”

Since coming to office, the Biden administration has not diverged in any fundamental way from the Trump administration on pandemic policy. On June 10 of this year, OSHA, a division of the US Department of Labor, released new rules ostensibly made to protect vulnerable workers from the virus. However, the rules, which include an obligation to ensure six feet of distance between workers, as well as paid time off “to get vaccinated and to recover from any side effects,” only applied to the health care industry and left out all other essential workers.

As for the meatpacking companies, nothing has been done to repay the workers who risked their lives to ensure that profits kept rolling in. Just last week at the Sioux Falls Smithfield plant, the UFCW aggressively backed the latest contract from Smithfield, which only passed on the second attempt. The contract is nothing short of a complete sellout. When one takes into consideration skyrocketing inflation and the rising cost of living, the meager \$1.75 raise to base pay over four years—from \$17 to \$18.75—amounts to around 2.5 percent on average each year, well below the rate of inflation, which is now 5 percent a year. In other words, the new deal will result in a cut in real wages.

In perhaps the most egregious act, the new contract increases out-

of-pocket health care expenses for workers. It will now be even harder for workers to afford medical care for themselves and their families even as they confront the continuous danger of COVID-19 and regularly suffer from repetitive motion injuries caused by the relentless speed of the assembly lines.

There is massive opposition among workers in the meatpacking industry. Over the past several weeks there have been huge rates of absenteeism in plants such as Sioux Falls. What the experience of the last year and a half exposes is that meatpacking workers, like all workers, face fierce enemies not only with the corporate bosses and the political establishment, but also in the UFCW and other unions, which serve big business, not the workers. However, meatpacking workers also have powerful allies. The situation unfolding at meatpacking plants is being played out in plants, factories and warehouses throughout the US and in fact, around the world.

Nearly 3,000 workers at Volvo’s New River Valley (NRV) plant in Dublin, Virginia, have been on strike since June 7 after decisively voting down two pro-company contracts pushed by the United Auto Workers (UAW).

Similarly, Warrior Met coal miners in Brookwood, Alabama, massively voted down a contract backed by the United Mine Workers of America. Steelworkers at ATI have been on strike for almost three months, while 650 refinery workers have been locked out by ExxonMobil since May 1. Nurses at St. Vincent Hospital in Worcester, Massachusetts have been on strike more than three months. Such struggles demonstrate the growing conflict between rank-and-file workers and corporatist trade unions, which have sought to isolate each one of these struggles.

If a struggle is to be waged to defend both the lives and the livelihoods of the working class then workers need new organizations, independent of the unions and both political parties.



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