NATIONAL CHICKEN COUNCIL

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February 20, 2025

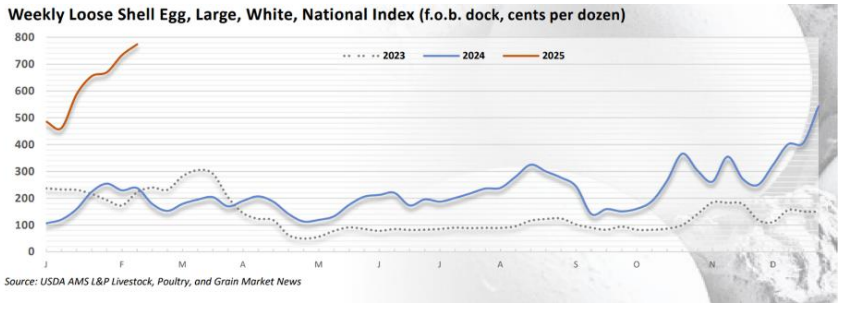
Dr. Sara Brenner
Acting Commissioner
Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20993

Re: Request to FDA: Immediately Exercise Enforcement Discretion to Allow Surplus Broiler Eggs to be Processed into Egg Products Under FSIS Jurisdiction

Dear Dr. Brenner,

The National Chicken Council (NCC) respectfully requests that the Food and Drug Administration (FDA) immediately exercise its enforcement discretion to allow surplus broiler eggs to be processed into egg products under the United States Department of Agriculture (USDA) Food Safety and Inspection Service's (FSIS) jurisdiction. NCC is the national trade association representing the vertically integrated United States chicken industry. NCC member companies (broiler companies) produce and process approximately 95 percent of chicken meat products in the United States. The ongoing highly pathogenic avian influenza (HPAI) outbreak, spiking egg prices and shortages, and across-the-board inflation continue to significantly and negatively impact the U.S. consumer and their wallets. Exercising immediate enforcement discretion to allow hundreds of millions of surplus broiler eggs to be diverted for processing into egg products, as was the case prior to a 2009 policy change, would relieve some pressure on the egg supply without compromising consumer safety.

As you are keenly aware, egg prices in the U.S. have reached unprecedented levels, with the average cost of a dozen Grade A eggs hitting a record high of $4.95 in January 2025, representing a significant increase from previous years, with prices nearly doubling since 2024. The recent surge in egg prices has been particularly dramatic, with a 15% increase from December 2024 to January 2025 alone.[1]



[1] *Egg Markets Overview*: USDA AMS Livestock & Poultry Program, Livestock, Poultry, and Grain Market News Division, (February 14, 2025).

Prior to 2009, the broiler industry sent surplus hatching eggs for processing at egg breaking plants (but not into the table egg market), where breakers pasteurized the eggs under FSIS jurisdiction and oversight. However, in 2009, FDA published a final rule on Prevention of *Salmonella* Enteritidis in Shell Eggs During Production, Storage, and Transportation, codified at 21 C.F.R. Part 118 (the "Shell Egg Rule").[2] This rule required that shell eggs, including surplus broiler eggs sent for breaking, be refrigerated shortly after the time of lay. However, the timing of refrigeration under the FDA rule is incompatible with the process broiler eggs must follow. Refrigerating broiler eggs prevents them from hatching – that is, they cannot be warm enough for possible hatching yet cool enough for compliance with the FDA rule. Since implementation of the FDA rule in 2009, the broiler industry has been forced to discard these surplus eggs instead of sending them to breakers, costing the broiler industry hundreds of millions of dollars and unnecessarily keeping billions of eggs out of the egg breaking market. Grant NCC's request and immediately exercise enforcement discretion to allow surplus broiler eggs to be processed will have an immediate and direct impact on the supply of eggs in the U.S.

Most importantly, NCC's request, if granted, would maintain the same high level of public health protection as intended under the FDA Shell Egg Rule. The breaking process overseen by FSIS requires a pasteurization step validated to control *Salmonella*. Moreover, under the Shell Egg Rule, the remedy for eggs that test positive for *Salmonella enteritidis* is to send the non-compliant eggs to the breaker for pasteurization – *i.e.*, the very same step that NCC proposes for surplus broiler eggs. In either case, the FSIS-regulated pasteurization process is sufficient to assure safety for human consumption. We therefore request that FDA immediately exercise its enforcement discretion to allow surplus broiler eggs to be sent for breaking without needing to meet the refrigeration requirement in the Shell Egg Rule.

I. Background

A. Broiler Hatching Eggs and Surplus Egg Uses

Broiler chickens are raised for meat production, whereas laying hens are used for egg production. According to USDA's National Agricultural Statistics Service (NASS), in December 2024, 1.19 billion broiler-type eggs were produced from 61.2 million broiler-type hens.[3] This equates to an annual production of almost 14.3 billion broiler-type eggs per year.

Based on industry data, NCC estimates that, on average, 2.5% of broiler hatching eggs are either not needed for hatching or are unfit for hatching and subsequently culled. As a result, NCC estimates that almost 360 million eggs are not placed for hatching each year. Some of these eggs are intended for exports, manufacturing vaccines, or other research needs. The remainder are surplus eggs and eggs that do not meet specifications (out-of-specification eggs). For instance, an out-of-specification egg may not meet the size requirements or shell conditions necessary for incubation. Although out-of-specification for purposes of incubation, these eggs are prime candidates to enter the breaking market.

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[2] *Prevention of Salmonella Enteritidis in Shell Eggs During Production, Storage, and Transportation*, 74 *Fed. Reg.* 33030 (July 9, 2009).

[3] Chickens and Eggs 01/21/2025.

A broiler egg must be held at the proper temperature to be viable for hatching. For optimal hatching, broiler-type hatching eggs are maintained at around 65° Fahrenheit (F) prior to placement in the incubators.[4] If a broiler egg is refrigerated, it will not hatch. It can take up to five days to determine which eggs are needed and/or appropriate for hatching, and only after this point will it be known which eggs could be diverted. Prior to the implementation of the Shell Egg Rule at 21 C.F.R. Part 118 (in particular, the refrigeration requirement at 21 C.F.R. § 118.4(e)), these diverted eggs were sold to egg breakers and processed as liquid egg products in compliance with FSIS regulations. FSIS's egg-breaking regulations require that liquid eggs be processed to destroy *Salmonella*. Further, on December 28, 2020, FSIS amended the egg products inspection regulations to require official plants that process egg products to develop and implement Hazard Analysis and Critical Control Point (HACCP) Systems and Sanitation Standard Operating Procedures (Sanitation SOPs) and to meet other sanitation requirements consistent with FSIS's meat and poultry regulations. Among other things, official plants must follow processing steps scientifically validated to destroy any *Salmonella* (or other pathogens) that may be present. These amended regulations were implemented to further enhance the safety of egg products by ensuring that all egg breaking operations are following science-based processes.

By contrast, dedicated shell egg operations are set up significantly differently than broiler hatcheries. In a typical shell egg laying facility, eggs are collected daily, and sometimes continuously. These facilities are not concerned with maintaining the eggs' viability for hatching as they are going directly into the food supply, so the eggs can be placed quickly into dedicated refrigeration. Grading, sorting, and other steps to determine which shell eggs should be marketed can be done after they are refrigerated. Although some of these eggs may be sent to the breaking market for various reasons, they are produced primarily with the table egg market in mind. After these eggs are laid, table eggs are not processed to destroy *Salmonella*, making *Salmonella* control especially important prior to lay. The Shell Egg Rule was developed with these eggs in mind. Surplus broiler hatching eggs, by contrast, historically were sold only to egg breakers – not into the table egg market – and thus present significantly different production processes, timelines, and product risk profiles.

B. The FDA Shell Egg Rule

In 2009, FDA published a final rule on Prevention of *Salmonella* Enteritidis in Shell Eggs During Production, Storage, and Transportation, codified at 21 C.F.R. Part 118 (the "Shell Egg Rule").[5] Intended to address issues associated with *Salmonella* Enteritidis on shell eggs, the Shell Egg Rule requires that all shell eggs be refrigerated at or below 45°F beginning 36 hours after the time of lay. The scope of the proposed rule did not include surplus broiler hatching eggs. As such, the broiler industry did not provide comments on the proposed rule as they were not a covered entity. However, the final rule expanded the scope of the requirement to include surplus broiler eggs, even if destined solely for egg breaking operations. Broiler companies, therefore, were immediately subject to the requirements of the rule, which means that they must hold and transport eggs at or below 45°F beginning 36 hours after the time of lay if any of the eggs are to be sold into the egg breaking market. This requirement applies even if the eggs are to be sold exclusively for processing into pasteurized egg products under FSIS jurisdiction. This temperature requirement is incompatible

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[4] North & Bell, *Commercial Chicken Production Manual* at 96 (4th ed. 1990). Eggs held longer than five days may be stored at temperatures as low as 51 degrees Fahrenheit, but hatchability is materially reduced for each day over four that an egg is held. *Id*. at 96–97.

[5] *Prevention of Salmonella Enteritidis in Shell Eggs During Production, Storage, and Transportation*, 74 *Fed. Reg.* 33030 (July 9, 2009).

with the necessary conditions for hatching chicks, and refrigerating these eggs renders them useless for hatching. As a result, most broiler companies have stopped selling their surplus and out-of-specification hatching eggs to egg breakers.

When this rule was implemented, NCC submitted a letter to the FDA requesting relief. NCC explained that subjecting surplus broiler hatching eggs to the Shell Egg Rule was unnecessary and wasteful. Surplus broiler hatching eggs were sold for processing into egg products, not for consumption as shell eggs, and thus are subjected to a lethality process under FSIS inspection validated to destroy *Salmonella*. As a result of the rule, NCC pointed out, billions of eggs would be needlessly discarded. Moreover, NCC raised procedural concerns with the administrative process, noting that extending the refrigeration requirements in 21 C.F.R. § 118.4(e) to surplus hatching eggs was not a logical outgrowth of the proposed rule, as the FDA had expressly acknowledged in the final rule that the proposal did not address surplus hatching eggs. Ultimately, FDA determined that the final rule would still apply to surplus broiler eggs, and since, billions of eggs have been unnecessarily discarded.

II. Immediate Need for FDA Enforcement Discretion

As noted above, since the Shell Egg Rule took effect, the broiler industry has been forced to discard billions of surplus eggs instead of sending them to breakers, unnecessarily keeping billions of eggs out of the egg breaking market. Never has this waste been more impactful than today with the ongoing HPAI outbreak, spiking egg prices and shortages, and persistent food inflation that continues to significantly and negatively impact the U.S. consumer and their wallets.

The January 2025 Consumer Price Index (CPI) for eggs increased 15.2%, the largest increase in the egg index since June 2015 and 153% over the year-ago level, with an average price of $4.95 per dozen, up $0.81 per dozen from December 2024.[6] According to the CPI summary, this increase accounted for about two-thirds of the total monthly food at home increase.[7] The continued HPAI outbreak and its effects on the U.S. egg market are at the forefront of this price increase. HPAI virus strains are extremely contagious, often deadly poultry disease, and can spread rapidly from flock to flock.[8] Commercial flocks testing positive for HPAI are immediately depopulated as a well-recognized risk control measure. As of February 19, 2025, there have been 1,582 HPAI detections in commercial turkeys, layers, broilers, pullets, ducks, game birds, and backyard flocks.[9] These detections represent almost 163 million birds, with almost 78% being commercial egg laying flocks.

The poultry industry has been working tirelessly with APHIS and officials in affected states to respond in accordance with Federal and State HPAI response plans, which include implementing quarantine restrictions, depopulating affected flocks, disposing of depopulated birds, cleaning and eliminating the virus from affected premises, and conducting surveillance in surrounding areas.

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[6] See USDA Egg Markets Overview, 2025, USDA (last updated Feb. 14, 2025), https://www.ams.usda.gov/mnreports/ams_3725.pdf.

[7] See *Consumer Price Index*, U.S. Bureau of Labor Statistics, (Jan. 2025), Consumer Price Index Summary - 2025 M01 Results.

[8] *See Avian Influenza*, Animal and Plant Health Inspection Service (APHIS), (last updated Feb. 4, 2025), Avian Influenza | Animal and Plant Health Inspection Service.

[9] *See Confirmations of Highly Pathogenic Avian Influenza in Commercial and Backyard Flocks*, APHIS (last accessed Feb. 19, 2025), Confirmations of Highly Pathogenic Avian Influenza in Commercial and Backyard Flocks | Animal and Plant Health Inspection Service.

Unfortunately, the rapid spread of HPAI has caused almost 127 million egg-laying hens and pullets to be depopulated to date.[10]

Despite continued inflation and shocks to the egg supply, hundreds of millions of excess eggs are being rendered when they could be sold safely into the egg breaking market. Surplus hatching eggs should be made available for sale to egg breakers who can pasteurize them under FSIS jurisdiction into safe and wholesome egg products. This would reduce input costs for products made with egg products, such as salad dressings, bread, cake mix, pasta, pancake mix, mayonnaise, ice cream, pie crusts, sauces, and many other food products consumers rely on every day.

NCC estimates that from 2009 through 2024, approximately 5.4 billion surplus hatching eggs would have gone to egg breaking operations but for the Shell Egg Rule. This could have provided the almost one million residents in the State of South Dakota an egg every day over the last fifteen years. From a nutritional standpoint, those 5.4 billion eggs amount to over 32 billion grams of protein,[11] which would satisfy the daily protein needs the entire population of Wyoming for three years.[12] Discarding these eggs achieves no societal benefit and deprives consumers of access to a safe and affordable protein source.

Therefore, NCC requests that FDA immediately exercise its enforcement discretion to exempt surplus broiler hatching eggs intended for breaking from the refrigeration requirements in 21 C.F.R. § 118.4(e) and instead rely on the processing requirements applicable to egg product processing establishments, including the updated egg products HACCP regulations, to control *Salmonella* in these products.

III. Support for Requested Action—The Proposal Poses No Food Safety Risk

A. FDA's and FSIS's 2020 Risk Assessment Shows Use of Surplus Broiler Eggs for Breaking and Use in Liquid Egg Products Would Not Pose Any Public Health Risks

We understand that FDA in the past may have had theoretical concerns about extreme outlier scenarios in which an individual egg might have *Salmonella* growth that would overwhelm the FSIS pasteurization process, extrapolating from models developed in FSIS's 2005 *Risk Assessments of Salmonella Enteritidis in Shell Eggs and Salmonella spp. In Egg Products*.[13] Such concerns are unfounded and particularly outdated given the expansion of *Salmonella* controls implemented by the broiler industry since this risk assessment was published.

In 2020, FDA and FSIS co-authored a scientific journal article assessing the risk of salmonellosis linked to various types of egg products made from hatching eggs diverted for human consumption. The paper estimated and compared the risk of salmonellosis from the consumption of pasteurized

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10 *Id.*

11 We assume 6 grams of protein per egg.

12 Both FSIS and FDA recognize a daily value of 50 g for protein. The calculations above are based on adults. The discarded eggs could feed even more children.

13 *Risk Assessments of Salmonella Enteritidis in Shell Eggs and Salmonella spp. In Egg Products,* FSIS (Oct. 2005), https://www.fsis.usda.gov/sites/default/files/media_file/2020-07/SE_Risk_Assess_Oct2005.pdf.

liquid egg products made from eggs held at 45°F and 65°F during a storage period of 0 to 9 days after the layer house.[14]

Specifically, the liquid egg product model predicted the number of human salmonellosis cases linked to consumption of seven different types of liquid egg products (including whole egg 10% sugar and yolk 10% sugar) potentially contaminated with *Salmonella* species. Each egg product was assessed based on contamination level estimations, various bacterial growth, pasteurization efficiency, and cooking procedures (among other considerations).

The paper summarizes the increase in public health risk from salmonellosis cases expected per type of egg product for a 5-day storage at 45°F or 65°F, after a layer house storage of 36 hours at 75°F.[15] The paper demonstrates that the risk of salmonellosis varies by type of egg product, that all products receive at least a 5-log reduction, and that some products, whole and yolk egg products that contain 10% sugar, receive a massive *Salmonella* log reduction and show no increase in risk.

The authors concluded that "no cases of salmonellosis would be expected for those products as a result of the extremely high pasteurization efficiency," and the "absence of increase in the risk for 10% sugar whole eggs or 10% sugar yolk results from the extremely high log reduction (42 and 12.4 log, respectively) estimated by the FSIS with predictive microbiology models."[16]

Based on the conclusions by FDA and FSIS, no human health risk is associated with allowing surplus broiler eggs not refrigerated in compliance with the Shell Egg Rule to be processed for use in whole 10% sugar eggs and yolk 10% sugar eggs, and the other products would present very low risk. Importantly, these eggs would be processed under FSIS inspection under HACCP plans with validated lethality processes, which is the exact same process that eggs that failed to comply with the Shell Egg Rule would be diverted to under the regulation. Notably, this study used projected log reductions based on fixed processes. Under FSIS's 2020 egg products HACCP regulations, establishments can tailor their food safety systems to any risks specific to their inputs. These updated FSIS regulations went into effect after the publication of the 2020 risk assessment and, therefore, do not account for the success of the updated regulations themselves.

Moreover, recent data from FSIS's sampling program to identify *Salmonella* in egg products supports the report's findings that FSIS pasteurization is effective. For the one-year period of January 1, 2024, through December 31, 2024, FSIS collected 204 samples of processed dried egg products from 17 establishments. None of the samples tested positive for *Salmonella*. For the same one-year period, FSIS collected 790 samples of processed liquid egg products from 45 establishments. None of the samples tested positive for *Salmonella,* indicating that the FSIS pasteurization process works.[17]

Indeed, FDA's confidence in FSIS liquid egg pasteurization is reflected in the Shell Egg Rule, which provides that noncompliant shell eggs testing positive for *Salmonella* Enteritidis are to be diverted to

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[14] Pouillot, R., et al. *Assessment of the Risk of Salmonellosis Linked to the Consumption of Liquid Egg Products Made from Internally Contaminated Shell Eggs Initially Stored at 65°F (18°C) Compared with Eggs Stored at 45°F (7°C)*, J. Food Prot. (2020) 83 (5): 767–778.

[15] *Id*. at 774, Table 8.

[16] *Id*. at 778.

[17] *Sampling Results for FSIS Regulated Products*, FSIS (Dec. 31, 2024), FSIS Data: Sampling Project Results.

FSIS-regulated egg breaking plants. Importantly, the Shell Egg Rule does not require testing to determine how much *Salmonella* Enteritidis may be present; rather, the rule simply assumes that no matter how high the levels may be, the FSIS-regulated pasteurization process will be sufficient. This demonstrates FDA's belief that pasteurization is adequate to protect public health and notably creates the odd and imbalanced situation of unrefrigerated surplus broiler eggs destined for egg breakers being declared non-compliant even if no *Salmonella* is present. FDA should be similarly confident in the pasteurization process to control *Salmonella* that may or may not be present on surplus broiler eggs. This oddity reinforces the underlying point that this rule is intended for eggs destined for the table egg market and is not readily applicable to eggs intended only for either hatching or liquid egg (pasteurized) products.

B. FSIS Regulations and Oversight Ensure Pasteurization and Safety Controls

Under the Egg Products Inspection Act ("EPIA"), it is prohibited to allow egg products[18] to be released into commerce if they are adulterated or misbranded and are capable of being used as human food.[19] The EPIA requires that egg products be pasteurized before leaving a plant, otherwise they are considered adulterated.[20] FSIS in 2020 amended the Egg Products Inspection Regulations ("implementing regulations") to require all federally-inspected egg products plants to develop and implement Hazard Analysis and Critical Control Point (HACCP) systems, Sanitation Standard Operating Procedures (SOPs), and Sanitation Performance Standards (SPSs) to design and support the food safety system.[21]

Salmonella contamination in egg products can occur due to a variety of factors, including under-processing by not meeting the time and temperature parameters to achieve full lethality or contamination in the post-processing environment through contact with contaminated food contact surfaces, improper handling, addition of ingredients, and/or insect or animal vectors. Under the EPIA and implementing regulations, egg product plants must address pathogen reduction in their HACCP systems and have processes that are validated to achieve the necessary level of pathogen reduction for the products being processed. The industry operates from the framework that finished egg products found positive for any *Salmonella* species (or other pathogens) are adulterated and thus takes appropriate measures to ensure products comply with the requirements. If a breaker were to conclude that surplus broiler eggs presented a different risk profile from other eggs, the breaker would be free to adjust the pasteurization process for such eggs to ensure the eggs are pasteurized at a time and temperature validated to destroy *Salmonella*. This type of flexibility and science-based decision making is fundamental to HACCP and would ensure that surplus broiler eggs are handled safely. Moreover, FSIS could develop guidance for egg breaking plants, providing recommendations on how to process surplus broiler eggs or which types of products these eggs can appropriately be used in, leveraging again the flexibility of HACCP systems.

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[18] Egg products are defined as "any dried, frozen, or liquid eggs, with or without added ingredients, excepting products which contain eggs only in a relatively small proportion or historically have not been, in the judgment of the Secretary, considered by consumers as products of the egg food industry, and which may be exempted by the Secretary under such conditions as he may prescribe to assure that the egg ingredients are not adulterated and such products are not represented as egg products." 21 U.S.C. § 1033(f).

[19] 21 U.S.C. § 1037(b)(4).

[20] *Id.* at § 1036(a).

[21] 85 *Fed. Reg.* 81340 (Dec. 16, 2020).

NCC's proposed enforcement discretion for broiler eggs to be processed for breaking and use in liquid egg products would ensure these eggs are subjected to the same level of oversight, processing, and validation as all other egg products under FSIS jurisdiction. This includes (but is not limited to) identification of pathogen hazards (including *Salmonella*), validated pathogen reduction steps, FSIS continuous oversight, and appropriate labeling and marking for traceability of products. The FDA/FSIS risk assessment confirmed the risk to public health was extremely low (effectively zero for some egg product formulations) given the "extremely high pasteurization efficiency" of these products.[22] We would expect this high log reduction to continue for plants processing these types of products from surplus broiler eggs, regardless of front-end holding temperature. Verification sampling would confirm the validated kill steps are operating as intended for these products.

As an additional protection, most broiler companies vaccinate their breeder flocks (the flocks that produce the eggs for hatching into broiler chickens) against a variety of *Salmonella* strains, including Enteritidis, Typhimurium, and Infantis, thereby reducing the risk that these or other strains are present on surplus broiler hatching eggs. Moreover, broiler breeder flocks are extremely important for broiler production operations, and the flocks are held under strict biosecurity protocols that are typically significantly more intensive than what is feasible at a large-scale commercial shell egg production facility. These measures further reduce the risk of surplus broiler eggs being contaminated with *Salmonella*.

C. FDA's Immediate Exercise of Enforcement Discretion Would Alleviate Economic Pressure on Consumers and Lift Needless Regulatory Costs

As consumers struggle with the ongoing HPAI outbreak and shocks to the egg supply, it is imperative to ensure that federal regulations are tailored carefully to avoid food waste and needless drag on the economy. As explained above, immediately granting the requested enforcement discretion would safely release millions of surplus eggs into the egg breaking supply each year, helping to ease costs and inflationary pressures.

Granting enforcement discretion would advance several of President Trump's Executive Orders to reinvigorate and strengthen American households. NCC estimates the Shell Egg Rule imposes direct costs of tens of millions of dollars per year in addition to the inflationary pressures on egg prices due to the reduced supply for egg breaking operations. These costs harm consumers and workers. Moreover, based on 2023 USDA data, 13.5 percent (18 million households) of U.S. households were food insecure.[23] Children were food insecure at times during 2023 in 8.9 percent of U.S. households with children (3.2 million households.).[24] These households with very low food security among children reported that children were hungry, skipped a meal, or did not eat for a whole day because there was not enough money for food.[25] Heightened inflation only exacerbates

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22 Pouillot, *supra* note 15, at 778.

23 *Rabbitt, M. P., Reed-Jones, M., Hales, L. J., & Burke, M. P. (2024). Household food security in the United States in 2023 (Report No. ERR-337).* U.S. Department of Agriculture, Economic Research Service. https://doi.org/10.32747/2024.8583175.ers.

24 *Id*.

25 *Id.*

these concerns. Food prices in the United States increased 23.6% from 2020 to 2024.[26] Granting enforcement discretion would advance President Trump's Executive Order, *Delivering Emergency Price Relief for American Families and Defeating the Cost-of-Living Crisis* by immediately reducing cost pressures on eggs. Moreover, eggs and egg products provide high-quality protein, which is essential for healthy nutrition, especially for children. Increasing access to safe, high-quality protein is an important step aligned with the policies announced in President Trump's Executive Order, *Establishing the President's Make America Healthy Again Commission*.

We are eager to get to work with President Trump's Administration to advance policies that provide relief to American consumers struggling with inflation and high food prices, including record egg prices from the ongoing HPAI outbreak. An exemption to the FDA Shell Egg Rule will do just that.

IV. Request for Immediate Enforcement Discretion

FDA's decision to subject surplus broiler hatching eggs to the Shell Egg Rule has resulted in significant cost to Americans and needlessly deprived American consumers of millions of servings of high-quality egg protein. As the egg supply faces continued disruption and demand pressures, it is critical that FDA take this opportunity to allow hundreds of millions of surplus broiler hatching eggs to be sent safely into the egg breaking market, which would, in turn, ease pressure on the egg supply and ultimately benefit consumers. NCC encourages FDA to focus on addressing consumer needs and eliminating needless waste. Specifically, NCC requests that FDA immediately exercise enforcement discretion for surplus broiler hatching eggs intended for use in liquid egg products from the refrigeration requirements in 21 C.F.R. § 118.4(e) and instead rely on the existing processing requirements applicable to egg products processing establishments (*i.e.*, the requirements in FSIS's egg products HACCP regulations) to control for *Salmonella* in these products and requests that FDA coordinate with FSIS as necessary to ensure these surplus broiler eggs are handled properly at egg breaking plants.

Thank you for your consideration of this petition. Please do not hesitate to contact me if I can provide any additional information.

Respectfully submitted,

Ashley B. Peterson, Ph.D.
Senior Vice President, Scientific and Regulatory Affairs
National Chicken Council

cc. Dr. Donald Prater, Principal Deputy Director for Human Foods, FDA
Dr. Denise Eblen, Acting Deputy Under Secretary of Food Safety, USDA

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[26] *Food Prices and Spending*, U.S. Department of Agriculture, Economic Research Service (February 14, 2025), Ag and Food Statistics: Charting the Essentials - Food Prices and Spending | Economic Research Service.