

# Congress of the United States

Washington, DC 20515

March 14, 2025

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

Dear Dr. Brenner,

We are writing to you in support of the National Chicken Council's February 20, 2025 petition<sup>1</sup>, which would reverse or modify the Food & Drug Administration's (FDA) 2009 Shell Egg Rule<sup>2</sup> ("the rule"), which has forced the broiler industry to throw away perfectly good eggs for no good reason. This rule made little sense when it was adopted during the Obama Administration, and it makes even less sense now as the country finds itself with skyrocketing egg prices due to the ongoing egg shortage.

The rule requires the broiler industry to discard eggs that don't meet certain refrigeration requirements. Those requirements make sense for table eggs, which are raw products, but the rule makes no sense for broiler eggs, which are pasteurized. The FDA and the U.S. Department of Agriculture (USDA) said as much in a 2020 joint risk assessment<sup>3</sup>, which concluded that broiler eggs present an extremely low public risk due to the "extremely high pasteurization efficiency" of the egg-breaking pasteurization process.

Under the current rule, the industry is throwing away about 400 million perfectly good eggs each year at a time when prices are too high, and supermarket shelves are too empty. We therefore urge you to grant the petition in order to put those eggs in the market and reduce egg prices.

Sincerely,



Josh Riley  
Member of Congress



Dusty Johnson  
Member of Congress

<sup>1</sup> [https://www.nationalchickencouncil.org/wp-content/uploads/2025/02/NCC-Petition-to-FDA\\_Surplus-Broiler-Hatching-Eggs\\_Feb2025.pdf](https://www.nationalchickencouncil.org/wp-content/uploads/2025/02/NCC-Petition-to-FDA_Surplus-Broiler-Hatching-Eggs_Feb2025.pdf)

<sup>2</sup> <https://www.ecfr.gov/current/title-21/chapter-I/subchapter-B/part-118>

<sup>3</sup> [https://www.nationalchickencouncil.org/wp-content/uploads/2023/02/RiskAssessment\\_Eggs\\_Apr2020.pdf](https://www.nationalchickencouncil.org/wp-content/uploads/2023/02/RiskAssessment_Eggs_Apr2020.pdf)



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Shri Thanedar  
Member of Congress



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Tony Wied  
Member of Congress



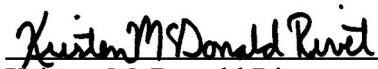
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Andy Harris, M.D.  
Member of Congress



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Andrea Salinas  
Member of Congress



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Kristen McDonald Rivet  
Member of Congress



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Pat Harrigan  
Member of Congress



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Ben Cline  
Member of Congress



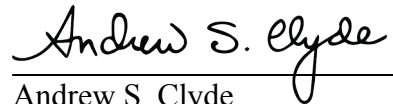
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Steve Womack  
Member of Congress



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Sarah McBride  
Member of Congress



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Andrew S. Clyde  
Member of Congress



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Gary J. Palmer  
Member of Congress



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Michael V. Lawler  
Member of Congress



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Robert B. Aderholt  
Member of Congress