

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
WASHINGTON, DC

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<b>FSIS DIRECTIVE</b>	6910.1	4/13/09
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**DISTRICT VETERINARY MEDICAL SPECIALIST (DVMS) – WORK METHODS**

**PART ONE – GENERAL**

**I. PURPOSE**

The purpose of this directive is to provide instructions to District Veterinary Medical Specialists (DVMSs) regarding the work methods they are to use when conducting humane handling verification visits at livestock establishments or when conducting a visit at a poultry establishment to determine whether live poultry are being handled in a manner consistent with poultry good commercial practice.

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**II. RESERVED**

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#### **IV. REFERENCES**

Federal Meat Inspection Act

Poultry Products Inspection Act

Humane Methods of Slaughter Act

Federal Register Notice, Humane Handling and Slaughter Requirements and the Merits of a Systematic Approach To Meet Such Requirements (69 FR 54625)

<http://www.fsis.usda.gov/OPPDE/rdad/FRPubs/04-013N.pdf>

Federal Register Notice, Treatment of Live Poultry Before Slaughter (70 FR 56624)

<http://www.fsis.usda.gov/OPPDE/rdad/FRPubs/04-037N.pdf>

#### **V. BACKGROUND**

The Office of Field Operations (OFO) assigns DVMSs to each of the District Offices. The DVMS is the district-wide expert on humane handling issues and poultry good commercial practice and is the primary contact within the District for humane handling and slaughter issues. The DVMS assesses relevant District data, conducts humane handling verification visits at livestock slaughter establishments, and visits poultry slaughter establishments to determine whether live poultry are handled in a manner consistent with good commercial practice. DVMSs also assist with enforcement actions.

DVMSs also perform a key role in correlating with Inspection program personnel (IPP) and Frontline Supervisors (FLS) about FSIS policies and procedures (especially those related to humane handling, good commercial practices in poultry, antemortem procedures, and residues), responding to inquiries or issues pertaining to humane handling and assisting with enforcement actions. Also, as Enforcement Investigations and Analysis Officers (EIAOs) conduct comprehensive food safety assessments at establishments that slaughter livestock or poultry, DVMSs play a key role in correlating with EIAOs about humane handling and good commercial practice issues that surface during the course of reviewing ante-mortem practices during such assessments.

However, the DVMS's primary responsibility is to focus on humane handling and slaughter and good commercial practice, and these responsibilities take priority over other assigned duties. Accordingly, the DVMS spends a significant portion of his or her time preparing for or conducting in-plant visits.

## **PART TWO – HUMANE HANDLING VERIFICATION VISITS**

### **I. REASONS FOR CONDUCTING A HUMANE HANDLING VERIFICATION REVIEWS**

A. DVMSs are to routinely conduct a humane handling verification visit at each livestock slaughter establishment with a Federal grant of inspection approximately every 12-18 months. This frequency also applies to establishments under voluntary inspection services in accordance with 9 CFR Part 352. DVMSs are to conduct visits:

1. at the direction of District Office.
2. when repetitive non-compliance pertaining to humane handling exists.
3. when an egregious violation of humane handling has occurred.
4. when the humane handling data, such as information contained in eADRS and HATS, indicates a negative trend such that a review is warranted.
5. based on suspicion that violations pertaining to humane handling are occurring.
6. to assess religious exemption practice pertaining to slaughter.
7. for special correlations, such as conducting priority humane handling verification visits as directed by headquarters or participating in enhanced surveillance activities.
8. to conduct a follow-up verification visit pertaining to a suspension being held in abeyance or other enforcement.

B. When conducting a routine humane handling visit, the DVMS is to assess the establishment's compliance with each of the regulatory requirements pertaining to the humane handling and slaughter of livestock that are applicable to the establishment's operating practices.

C. When visiting an establishment for other, not for cause, reasons, it may not be necessary or practical to review all aspects of an establishment's practices at the time of the visit. In these instances, the DVMS is to use his or her professional judgment and decide with the District Office management team about the appropriate scope and focus of the visit. However, before closing a pending enforcement action such as a suspension being held in abeyance, it is expected that the DVMS conduct a comprehensive humane handling verification visit to assess all regulatory requirements applicable to the establishment's operating practices, including the effectiveness of any corrective and preventive measures implemented by the establishment.

## **II. PREPARING FOR HUMANE HANDLING VERIFICATION REVIEW**

A. When a DVMS is preparing to conduct a humane handling verification visit, he or she is to:

1. use his or her professional judgment in providing advance notification to the establishment of the visit. To gain a more candid view of the humane handling practices being carried out in the establishment, the DVMS, in most instances, is to make unannounced visits. In the event that the DVMS is making a first-time visit to an establishment operating under a new grant of inspection to assess humane handling practices, he or she is to contact the establishment beforehand.

2. review all data from the last humane handling verification visit to the present before visiting the establishment. The DVMS is to review all relevant data and information, by shift, to determine whether there are patterns and trends that he or she needs to investigate when visiting the establishment. The types of data include:

- a. PBIS data;
- b. HATS data in eADRS;
- c. establishment compliance history (review regulatory control actions, NRs, previous enforcement actions, or other information);
- d. IIC reports of findings made when conducting inspection activities during off-hours, outside of the establishment's hours of operation; and
- e. whether off-line IPP have completed the AgLearn Humane Handling training material.

3. The DVMS also is to consider other available information, such as:

- a. prior Reports of Humane Handling Verification Visits, to include any actions or recommendations;
- b. concerns raised by the IPP or the FLS;
- c. complaints from third-parties; and
- d. whether the establishment is a participant in the Agriculture Marketing Service (AMS) National School Lunch Program (NSLP).

### **B. ARRIVING AT THE ESTABLISHMENT**

1. The DVMS is to introduce himself or herself to establishment management and to IPP to advise that a humane handling verification visit will be performed. Also, during the course of the visit, the DVMS is to ensure that the topics listed below are discussed with FSIS in-plant personnel and with establishment management. Given that humane

handling verification visits typically are unannounced, the DVMS is to use his or her discretion and professional judgment in determining the appropriate time to discuss the following items:

- a. details pertaining to the reason for the visit;
- b. an explanation regarding how the verification visit being conducted by the DVMS differs from day-to-day humane handling verification responsibilities of IPP.
- c. that the role of the DVMS is to assist in providing clarification and an understanding of humane handling issues. Appeals pertaining to humane handling issues should be made through supervisory channels.
- d. that during the review, the DVMS will be assessing whether the establishment is using a systematic approach to humane handling and slaughter.
- e. that in the event that the DVMS observes non-compliance but does not consider it egregious, the DVMS will recommend that the IIC take appropriate regulatory control action and issue non-compliance records (NRs) to the establishment.
- f. that in the event egregious non-compliance is observed during the course of the review, the DVMS in conjunction with the in-plant inspection team will implement an immediate suspension in accordance with 9 CFR 500.3(b).
- g. that based on his or her findings the DVMS will make recommendations to the IPP in the establishment regarding how they are to perform future humane handling verification tasks.
- h. that at the end of the review the DVMS will hold an exit meeting with establishment management and IPP to discuss his or her findings.

## **PART THREE - ASSESSING AN ESTABLISHMENT'S HUMANE HANDLING PRACTICES FOR AMENABLE SPECIES**

### **I. ESTABLISHMENT'S SYSTEMATIC APPROACH**

A. During the humane handling verification visit, the DVMS is to assess whether Agency recommendations for a systematic approach to humane handling and slaughter (Federal Register (FR) Notice, "Humane Handling and Slaughter Requirements and the Merits of a Systematic Approach to Meet Such Requirements", dated September 9, 2004) have been implemented by the establishment. See link:

<http://www.fsis.usda.gov/Frame/FrameRedirect.asp?main=http://www.fsis.usda.gov/OPP/DE/rdad/FRPubs/04-013N.htm>

B. If there is a formal program (written animal handling plan, training records, recorded in-house or third-party audits or verifications), the DVMS is to review documents made available by establishment management. The DVMS is to review these documents to assess whether humane handling practices are being employed, non-compliances have occurred, and any trends or other issues exist which need to be discussed or resolved.

C. If the establishment participates in the AMS NSLP, the DVMS is to determine whether it is meeting AMS Animal Welfare Requirements. This determination would include an in-depth review of all humane handling records generated in accordance with this program. See the link below for AMS requirements:

<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5071180>

If the DVMS has reason to believe that the establishment is not fully following its quality control related humane handling obligations under the AMS NSLP, he or she should contact the Contracting Officer at the Agricultural Marketing Service, Livestock and Seed Program, Commodity Procurement Branch, Room 2610-S, Washington, D.C. (202) 720-2650.

D. If there is no formal program, the DVMS is to discuss at the exit meeting with establishment management (see Section IV) the four steps involved in implementing a systematic approach as discussed in the FR Notice, and based on that discussion, determine whether the establishment is following the recommendations in the Notice. The DVMS also is to assess other ways in which establishment management is trying to maintain compliance with humane handling and slaughter requirements and whether the establishment has been successful in doing so. In addition, the DVMS is to assess whether any issues exist that he or she needs to discuss or resolve with establishment management pertaining to the establishment's humane handling practices.

## II. CONDUCTING THE HUMANE HANDLING VERIFICATION ASSESSMENT

A. During the humane handling verification visit, the DVMS is to observe all areas where live animals are being held in conjunction with slaughter and all other areas up to and including the bleed out area. The DVMS is to assess whether facility conditions, equipment operation, and other overall handling and slaughter practices meet the regulatory requirements of 9 CFR 313.

B. Depending on the type of slaughter operations, a DVMS is to seek answers to such questions as:

1. Stunning and Return to Consciousness (HATS Categories VIII and IX).

**NOTE:** The requirement that animals be rendered unconscious before being shackled or cut does not apply to those animals slaughtered according to religious ritual requirements; however, handling procedures before and after the ritual slaughter procedures are to meet the humane handling requirements. If the establishment conducts ritual slaughter, the DVMS is to assess the establishment procedures to determine whether it is in conformance with the appropriate dietary laws and the Humane Methods of Slaughter Act.

a. during stunning operations, is the establishment consistently rendering animals unconscious with a single application of the stunning method? If the establishment consistently uses a second, or security knock, procedure, are animals consistently rendered insensible with the initial knock?

b. is the stunning/knocking equipment accurately placed so that after it is applied the animal is immediately rendered unconscious?

c. are dressing procedures being performed on sensible or live animals?

d. is stunning equipment in good repair?

e. are carbon dioxide gas concentrations graphically recorded throughout each day's stunning operation so that the correct amount of gas is used to quickly and calmly anesthetize an animal?

f. is an appropriate caliber firearm being used to produce quick and complete unconsciousness in an animal?

g. is the proper voltage or amperage of electric current being used so that the animal is quickly rendered unconscious?

h. is the stunning area designed and constructed so as to limit the free movements of animals to allow the stunning blow to have a high degree of accuracy?

i. for electrical stunning, does the establishment have equipment to properly accommodate the species being stunned?

## 2. Handling Practices (HATS Categories II, IV, V, VI, VII).

a. does the positioning of transport vehicles and unloading ramps permit the unloading of animals without injury (9 CFR 313.1(b))?

b. are animals driven onto and from the unloading ramps to the holding pens, between pens, in alleyways, and in areas leading up to the knock box or stunning area with a minimum of excitement and not forced to move faster than a normal walking speed?

c. are animals being moved calmly and with a minimum of excitement during ante mortem inspection (9 CFR 313.2(a))?

d. are animals driven by using an object that would not cause unnecessary pain (e.g., not using a sharp object or pipe)?

e. are electric prods and other implements used as little as possible to move animals?

f. what frequency of prod use is being applied during ante mortem inspection (9 CFR 313.2(b))?

g. are disabled animals being handled in strict accordance with (9 CFR 313.2(d))?

## 3. Facilities/Equipment

a. does the state of repair of vehicles, ramps, and driveways permit the unloading of animals without injury (9 CFR 313.1(a))?

b. are livestock pens, floors, and driveways being maintained in good repair (9 CFR 313.1), so that the head, feet, or legs of an animal will not be injured?

c. does the construction and maintenance of flooring provide good footing (9 CFR 313.1(b)), so that an animal is not likely to slip (e.g., cleated, waffled, use of sand or salt)?

d. are driveways arranged so that sharp turns or sudden reversals of direction are minimized, so that they are not likely to cause injury to the animals?

e. is there sufficient room in the holding pens for animals if they are held overnight?

f. is there a covered pen suitable for holding suspect or disabled/dying animals (9 CFR 313.1(c))?

## 4. Other Considerations (HATS Categories I and III)

- a. Do the animals have access to water?
- b. If animals are held longer than 24 hours, are they provided feed?
- c. are provisions in place to minimize stress and injury because of inclement weather conditions (e.g., extreme cold or hot)?
- d. are water containers of a design suitable for the species handled at this establishment?
- e. do establishment personnel consider additional provisions when adverse weather conditions develop that affect humane handling?

**NOTE:** The exotic animals regulations at 9 CFR 352.10 require the humane handling of the animals as set out in 9 CFR 313.2, which covers unloading and handling procedures, handling of disabled animals, access to water, and, if held over 24 hours, access to feed, and the effective application of stunning methods. Also, 9 CFR 352.10 requires stunning to render the animals unconscious as set out in 9 CFR 313.15 and 313.16. Therefore, if there are exotic animals being slaughtered under voluntary inspection at the time of the DVMS' visit, the DVMS is to verify that the handling and stunning procedures used by establishment employees meet the applicable regulations.

#### **IV. CONDUCTING AN EXIT MEETING**

A. At the conclusion of the humane handling verification review, the DVMS is to hold an exit meeting with IPP and with establishment management. Before holding an exit meeting, the DVMS may need to meet with IPP, including the IIC and the FLS to clarify matters or follow-up on some issues.

B. During the exit meeting, the DVMS is to discuss the following:

1. If not previously addressed during the course of the review, the reasons for humane handling verification visit.

2. the DVMS' observations, such as

a. the humane handling practices that are effectively being implemented;

b. the humane handling practices that the DVMS has concerns about or that may need improvement;

c. the humane handling practices that are not being performed in accordance with regulatory requirements, including non-compliance records or regulatory control action that have been taken;

d. whether third party audit findings indicate non-compliance issues or other problems or weaknesses associated with the establishment's humane handling or slaughter practices, and whether the establishment has implemented any measures to resolve these matters; and

3. topics or concerns brought forward by establishment management.

## **V. PERFORMING HUMANE HANDLING VERIFICATION VISITS UNANNOUNCED WHEN IPP ARE NOT PRESENT**

A. When planning for a humane handling verification visit, the DVMS is to consider that slaughter establishments sometime receive animals when IPP are not on duty. Using the criteria listed below, the DVMS may determine it necessary to perform an unannounced humane handling verification visit when there are no IPP present.

B. If the DVMS determines that such visits are necessary, he or she is to obtain concurrence from the Deputy District Manager with supervisory responsibility for the DVMS, or his or her designee. The DVMS is to consider the following to determine whether he or she needs to perform an unannounced humane handling verification visit when there are no IPP present:

1. an establishment has been receiving a significant number of animals when IPP have not been on duty;

2. inspection records indicate that no or minimal HATS time is being recorded for truck unloading during normal hours of operation.

3. animals frequently are held over the weekend and automatic watering devices are not present in pens or there is no access to food within 24 hours of their receipt at the facility;

4. instances where animals that have been delivered outside the regular tour of duty are found during ante-mortem inspection to have injuries;

5. down or disabled animals are un-loaded at the establishment when IPP are not on duty;

6. eyewitnesses call the Agency with allegations of inhumane handling practices during times when IPP are not on duty;

C. The DVMS is to document the findings of the visit on FSIS Form 8100-1 (previous MP-4) and attach it to the Humane Handling Verification Report (FSIS Form 6000.31) and distribute copies to the District Office and to the establishment.

D. The issue of safety for FSIS employees is of paramount importance. When a DVMS performs an unannounced visit when IPP are not present, he or she is to only enter the property to perform the visit if the environment appears to be safe and establishment employees are present as evidenced by lights on in the establishment,

cars in the parking lot, or direct observation of employees handling animals. If concerns about safety exist, the DVMS is to bring such concerns to the attention of the supervisory Deputy District Manager prior to beginning an odd-hour visit..

E. as necessary, the district office will correlate odd hour surveillance activities with OPEER.

## **PART FOUR – GOOD COMMERCIAL PRACTICE CORRELATION VISIT**

### **I. GENERAL**

Although there is no specific Federal humane handling and slaughter statute for poultry, under the Poultry Products Inspection Act, poultry products are more likely to be adulterated, if among other circumstances, they are produced from birds that have not been treated humanely because such birds are likely to die from causes other than by slaughter. Thus, FSIS expects the DVMSs periodically to conduct reviews at establishments that handle live poultry. DVMSs are to make such reviews to assess whether live poultry are handled in a manner that is consistent with good commercial practice, which means they are to be treated humanely. Employing humane methods of handling that are consistent with good commercial practice increases the likelihood of producing unadulterated product. (See FSIS Directive 6100.3, Ante-Mortem and Post-Mortem Poultry Inspection, Section VII., Verification Of Good Commercial Practice For Poultry.) See the PPIA at 21 USC 453(g)(5) and 9 CFR 381.65(b) for the relevant statutory and regulatory authorities.

### **II. REASONS FOR CONDUCTING A POULTRY GOOD COMMERCIAL PRACTICE CORRELATION VISIT**

A. The DVMS may conduct a good commercial practice visit at an establishment with a Federal grant of inspection for various reasons, such as:

1. to conduct a routine correlation visit (as a general rule the DVMS is to conduct a good commercial practice correlation visit at each poultry slaughter establishment every 12-18 months);
2. at the direction of District Office;
3. when repetitive non-compliance pertaining to good commercial practice exists;
4. when multiple Memorandums of Interview on good commercial practice issues have been written by IPP;
5. for suspicion of violations pertaining to good commercial practice;
6. for special correlations, such as conducting priority good commercial practice correlation visits as directed by Headquarters or participating in enhanced surveillance activities; or
7. to conduct a follow-up good commercial practice correlation visit pertaining to a suspension being held in abeyance or other enforcement action.

B. When a DVMS conducts a routine good manufacturing practice visit at poultry establishments, he or she is to assess the establishment's handling of poultry and to determine whether the handling is consistent with good commercial practice. The

primary purpose of the assessment is to evaluate whether live birds are treated humanely, and whether slaughter procedures consistently result in thorough bleeding of the birds and cessation of breathing prior to scalding.

C. When a DVMS visits an establishment for other reasons, it may not be necessary or practical for the DVMS to review all aspects of an establishment's poultry handling practice at the time of the visit. In these instances, the DVMS is to use his or her professional judgment and is to discuss with the District Office management team the appropriate focus of the visit.

### **III. PREPARING FOR POULTRY GOOD COMMERCIAL PRACTICE CORRELATION VISITS**

A. When a DVMS is preparing to conduct a good commercial practice correlation visit, he or she is to:

1. Use his or her professional judgment in providing advance notification of the establishment visit. In order to obtain a candid view of the implementation of good commercial practice at the establishment, the DVMS, in most cases, is not to announce the visit in advance.

2. Review 6-8 months of FSIS data pertaining to good commercial practice prior to visiting the establishment. The DVMS is to review all relevant data and information to determine whether there are patterns or trends that he or she needs to investigate when visiting the establishment. The types of data include:

- PBIS informational data (establishment profile)
- eADRS data
  - Pounds condemned ante-mortem
  - Cadavers
- Establishment's good commercial practice compliance history (NRs, regulatory control actions, previous enforcement actions)
- Memorandums of Interview and Letters of Concern prepared concerning the establishment's treatment of birds.

3. The DVMS is to also consider other available information, such as:

- Prior Reports of Good Commercial Practice Visits, to include any specific findings or recommendations,
- Concerns raised by the IPP or the FLS.
- Complaints from third-parties

### **IV. ARRIVING AT THE ESTABLISHMENT**

A. The DVMS is to introduce himself or herself to the establishment management and to IPP to advise them that he or she is conducting a good commercial practice

correlation visit. Also, during the course of the review, the DVMS is to ensure that he or she discusses the topics below with FSIS in-plant personnel and with establishment management. However, the DVMS may use his or her discretion and professional judgment in determining the appropriate time to discuss the following topics:

1. The reason for the visit.
2. An explanation of how the purpose of the review is different from the day-to-day verification that is done by IPP regarding good commercial practice.
3. That the role of the DVMS is to assist in providing clarification and an understanding of good commercial practice.
4. That in the event that the DVMS determines that the establishment is not adhering to good commercial practice, the DVMS will recommend appropriate action, which could include taking regulatory control action, issuing non-compliance records, or other action.
5. That during the review, the DVMS will be assessing whether or not a systematic approach is being applied by the establishment to ensure that poultry are handled and slaughtered in a manner that is consistent with good commercial practice.

## **V. ASSESSING AN ESTABLISHMENT'S POULTRY HANDLING PRACTICES**

A. During the good commercial practice correlation visit, the DVMS is to assess whether Agency recommendations for a systematic approach to live bird handling (Federal Register Notice Volume 70, Number 187, "Treatment of Live Poultry Before Slaughter," issued on September 28, 2005) have been implemented by the establishment. In addition, the DVMS should assess the level of supervisory engagement of plant personnel at the live hang area. This assessment should include, to the extent possible, assessing the role of higher plant management in the plants good commercial practice program.

B. If there is a formal program (written commercial practice program, training records, recorded in-house or third-party audits or verifications), the DVMS is to review documents made available by establishment management. The DVMS is to review these documents to assess whether they are being employed, non-compliances have occurred, and any trends or other issues exist which need to be discussed or resolved

C. Also, the DVMS is to make observations of the holding or receiving through pre-scald areas to assess facility conditions, equipment operations, and implementation of good commercial practice by establishment employees. The DVMS is to seek answers to questions, including but not limited to:

### **1. Handling Practices**

- a. are establishment employees appropriately disposing of Dead on Arrival (DOA) birds separately to prevent them from being hung on the slaughter line?

b. is the handling and treatment of live birds in the unloading and live hang areas appropriate (this includes euthanasia procedures, when needed)?

## 2. Facility and Equipment Conditions

a. do truck holding facilities provide protection or mitigation from adverse weather conditions?

b. is unloading equipment and shackles, conveyors, and gates designed and operated in a manner to minimize injury to live birds?

c. is stunning equipment, if used, functioning properly?

**NOTE:** There is no regulatory requirement for stunning during poultry slaughter.

d. is bleeding equipment functioning properly?

e. are there increased numbers or clusters of cadavers at the inspection station?

f. are live birds repeatedly seen entering the scalding?

g. is there other evidence of death-other-than-by-slaughter?

h. are any other activities interfering with thorough bleeding of the birds, or could result in birds still breathing at the time they enter the scalding?

i. is there evidence that plant quality control or supervisory personnel routinely monitor bird handling, facilities, and equipment?

**NOTE:** Other than regulatory provisions outlined in 9 CFR 381.65(b), there is no specific regulations or Federal humane handling and slaughter statute for poultry.

## VI. CONDUCTING AN EXIT MEETING

A. At the conclusion of the good commercial practice visit, the DVMS is to hold an exit meeting with IPP and with establishment management. Before holding an exit meeting, the DVMS may need to meet with IPP, including the IIC and the FLS. The DVMS is to use this meeting to clarify matters and to determine whether the DVMS needs to follow-up or consider additional facts before holding an exit meeting.

B. During the exit meeting, the DVMS is to discuss the following:

1. If not previously addressed during the course of the visit, the reasons for conducting a good commercial practice correlation visit.

2. DVMS observations including:

a. handling procedures that are being successfully implemented;

b. handling procedures that the DVMS has concerns about, i.e. adequate but could be improved;

c. inadequate implementation such as NRs or regulatory control actions taken;

3. Whether or not live poultry at the establishment are being handled in a manner that is consistent with good commercial practice;

4. Whether the establishment uses a systematic approach in the handling and slaughter of birds and whether its approach is consistent with good manufacturing practice. If such an approach is not being used by the establishment, the DVMS is to explain that although utilizing a systematic approach is not a regulatory requirement, FSIS recommends that establishments utilize such an approach; and

5. topics or concerns brought forward by establishment management.

## **PART FIVE –DVMS’ ROLE IN ENFORCEMENT**

### **I. WHILE CONDUCTING HUMANE HANDLING VERIFICATION REVIEWS**

A. If during the course of the humane handling verification review, the DVMS observes non-compliances related to the humane treatment of animals, he or she is to ensure that immediate steps are taken to address the non-compliance, as is provided for in FSIS Directive 6900.2, Revision 1. For situations that are not considered to be egregious, the DVMS is to work collaboratively with the IIC assigned to the establishment to ensure that the IIC takes the appropriate regulatory control action and issues an NR. If the DVMS observes an egregious non-compliance, he or she is to work collaboratively with IIC assigned to the establishment to:

1. immediately take a necessary regulatory control action to prevent continued egregious inhumane handling;
2. orally notify establishment management of an immediate suspension as provided for under 9 CFR 500.3(b);
3. immediately notify the District Office for prompt documentation of the suspension action;
4. work collaboratively with the IIC to document the basis for the suspension in an MOI and promptly forward this information to the District Office; and
5. assist in the review of corrective and preventive measures provided by the establishment in response to the non-compliance

### **II. OCCASIONS WHILE NOT CONDUCTING A HUMANE HANDLING VERIFICATION REVIEW**

A. DVMSs are to also assist the District Office in humane handling non-compliance issues and enforcement matters that may occur while they are not visiting an establishment to conduct the review. Typically, DVMSs are to provide the following assistance:

1. provide guidance and direction to IPP regarding humane handling non-compliance issues and recommendations on appropriate next steps;
2. review MOIs prepared by IPP pertaining to suspensions taken for egregious inhumane handling and to make any necessary recommendations on next appropriate steps;
3. provide advice and recommendations pertaining to corrective measures proposed by an establishment to address non-compliance issues;
4. assist in the review of corrective and preventive measures provided by an establishment in response to non-compliance;

5. participate in any Food Safety Assessment or investigation that requires the DVMS' expertise.

### **III. POULTRY GOOD COMMERCIAL PRACTICE**

Other than the PPIA provision at 21 USC 453(g)(5) and the regulatory provisions outlined in 9 CFR 381.65(b), there is no specific regulations or federal humane handling and slaughter statute for poultry. Therefore, when situations exist that may warrant taking further enforcement because poultry is not being handled in a manner consistent with good commercial practice, the DVMS is to consult with the District Office, OFO headquarters, or the OPEER Regional Manager, and handle the matter on a case-by-case basis. The DVMS, in collaboration with OPEER, may notify appropriate State officials of findings that could be in violation of state and local animal welfare codes.

### **IV. INHUMANE HANDLING PRACTICES OR THE MISTREATMENT OF LIVE ANIMALS INVOLVING POTENTIAL CRIMINAL ACTIVITY; MISTREATING OF POULTRY**

A. If during the course of conducting a review, a DVMS collects information that demonstrates that an establishment has knowingly or willfully engaged in inhumane practices or the mistreatment of live animals as an effort to intentionally circumvent the law, the DVMS is to immediately contact the District Manager and OPEER regarding how to handle the matter. In some instances, it may be necessary for OPEER to initiate a criminal investigation.

B. For situations involving mistreatment of poultry, as is discussed in section VII B of FSIS Directive 6100.3, Ante-Mortem and Post-Mortem Poultry Inspection, the DVMS is to correlate with the District Manager and OPEER regarding providing notification to the appropriate State or local officials for proper handling.

### **V. VERIFICATION PLANS**

A. The DVMS also plays an important role in assisting IPP in preparing and reviewing verification plans designed to assess the effectiveness of an establishment's corrective measures implemented to have a suspension held in abeyance (FSIS Directive 5000.1, Chapter IV). They also assist the District Office by conducting or overseeing follow-up humane handling verification reviews at 30, 60, and 90-day intervals when a suspension is held in abeyance and by preparing a report of recommendations as to whether the enforcement action should be closed or if additional action is needed. An inhumane handling suspension action is not to be closed out without one or more on site visits by the DVMS during the abeyance period.

B. In some instances, it may be necessary for the District Office to assign an EIAO trained PHV to conduct a follow-up humane handling verification review to assess the adequacy of an establishment's corrective and preventive measures during the abeyance period. When this occurs, the DVMS is expected to communicate with the EIAO trained PHV regarding any questions or issues that surface where the DVMS' subject matter expertise may be needed. This follow up verification review should not be

delegated to any personnel beyond an EIAO trained PHV.

## **VI. DENIAL OF SERVICE FOR EXOTIC SPECIES**

A. In accordance with 9 CFR 352.6 (a)(5), FSIS may deny the benefits of inspection to an establishment “*for the use of operating procedures which are not in accordance with the regulations of this part.*” Therefore, in the event that a DVMS observes an egregious non-compliance pertaining to the humane treatment or handling of live animals at an establishment that is operating under voluntary inspection, the DVMS is to work collaboratively with the IIC assigned to the establishment to:

1. immediately take a necessary regulatory control action to prevent continued egregious inhumane handling;
2. orally notify establishment management that the District Office is being contacted to initiate a denial of service action;
3. immediately notify the District for prompt documentation of the action;
4. work collaboratively with the IIC to document the basis for the regulatory control action in an MOI and promptly forward this information to the District Office;
5. assist in the review of corrective and preventive measures provided by the establishment in response to the non-compliance;
6. consider additional actions when an establishment is unable or unwilling to provide corrective and preventive measures to ensure humane handling and treatment. Such action may include recommending the action to deny or withdraw voluntary inspection services in accordance with the Department’s rules of practice (7 CFR 1.147(b)) associated with such services.

## **PART SIX – CORRELATING WITH IPP AND WITH SUPERVISORS**

### **I. REVIEW OF APPLICABLE REGULATIONS, NOTICES, OR OTHER ISSUANCES WITH THE PUBLIC HEALTH VETERINARIANS**

A. When a DVMS conducts a humane handling verification visit at a livestock establishment or a poultry good commercial practice visit at a poultry establishment, an important role of the DVMS is to meet with IPP to provide guidance and to assess their knowledge and understanding of all FSIS policies and procedures pertaining to humane handling; SRM removal; antemortem inspection methods, decision-making, documentation and control; and execution of the national residue program with particular emphasis on proper selection and sampling of carcasses with specified disease conditions, and in-plant controls of carcasses retained for residue screening or confirmation. The DVMS is expected to conduct this correlation prior to returning to the district office. Ideally, this discussion would include all PHV supervisory personnel (both shifts) that are associated with the establishment, and any available off-line inspection personnel who are on duty during the correlation visit.

B. The DVMS is to use his or her professional judgment as to when to schedule time to meet with the PHV. If practical to do so, the DVMS is to meet with the PHV at the start of the review, as information obtained from the PHV may help to guide the DVMS regarding particular issues or areas that may need attention during the review or which may need to be followed up on at a later point.

C. Also, the DVMS is to arrange sufficient time with the PHV (to include the supervisory multi-IPPS PHV) at the establishment to assess their knowledge and understanding of all applicable regulations, notices, or other issuances pertaining to humane handling of livestock or implementing good commercial practice for handling poultry. Other available off-line IPP are encouraged to participate in any correlation activities.

B. The DVMS will appropriately document the outcome of the discussions with, only, the PHV(s).

C. The DVMS is to provide a copy of the discussion documentation to the PHV's Supervisor and is to be available to discuss the findings with the supervisor, as needed. The DVMS will make any necessary recommendations about training needs or may point out specific issues associated with ante-mortem practices, residue program execution, humane handling, or good commercial practice issues for which IPP need further guidance. In particular the DVMS is to:

1. provide guidance and direction to IPP regarding the conduct of Ante mortem inspection and Good Commercial Practice inspection methods;

2. provide guidance and direction to IPP regarding the conduct of the national residue program (See FSIS Directive 10,800.1, *Procedures for Residue Sampling*,

*Testing, and Other Responsibilities for the National Residue Program.*

3. identify, on at least an annual basis, any district-wide trends that result from their correlation sessions.

D. When meeting with IPP and the supervisor, the DVMS is to also discuss what his or her observations have been pertaining to the establishment's design and execution of practices pertaining to humane handling or implementing good commercial practice. .

## **II. PARTICIPATION AT WORK UNIT MEETINGS**

In addition to correlating with IPP during the course of a review, the DVMS is to periodically attend FSIS inspection work unit meetings (as coordinated by the FLS) to discuss humane handling issues or poultry good commercial practice issues. Also, the DVMS should present topics at the FLS meetings and have conference calls as assigned.

## **III. ONGOING COMMUNICATION**

During the course of conducting visits at establishments or when reviewing or considering data or other information pertaining to an establishment's operating practices, the DVMS is to provide frequent updates to the Deputy District Manager as well as remain in communication with the IIC and the supervisor. DVMSs are to inform the Deputy District Manager, FLS, and the IIC of findings and any recommendations she or he may have. The Deputy District Manager may indicate a need for additional information or may provide additional resources.

## **IV. REVIEWING HUMANE HANDLING AND POULTRY GOOD COMMERCIAL PRACTICE WITH NEW CONSUMER SAFETY INSPECTORS AND/OR PUBLIC HEALTH VETERINARIANS**

As schedules permit and as coordinated with the FLS and District Manager, DVMSs are to review humane handling and poultry good commercial practice with new CSIs and PHVs. Thus, from time to time the DVMS may act as a "mentor" to new or newly promoted IPP to provide informal training and guidance regarding the Agency's requirements and practice pertaining to humane handling of livestock and treatment of poultry. Such correlation by the DVMS would typically occur during the first 12 months that the CSI or PHV is in his or her new position.

## **PART SEVEN – DATA ANALYSIS**

### **I. ANALYSIS OF HATS DATA IN EADRS BY DVMS**

A. On a monthly basis or more often as deemed appropriate by the DVMS or District Office management team, the DVMS is to review all “Error/Warning” messages on the Comprehensive Validation Report in eADRS. The DVMS is to resolve these messages by contacting the responsible IPP or the FLS.

B. On at least a monthly basis, the DVMS is to review and analyze inspection information in the Humane-handling Activities Tracking (HAT) system under the Electronic Animal Disposition Report System for each of the nine (9) categories. The DVMS is to provide recommendations to the District Office management team on items that require follow-up.

C. In addition, the DVMS, on at least a monthly basis, is to generate a summary of HATS data for each establishment and circuit, to determine if there are any issues requiring follow-up. The DVMS will affirm that this monthly verification of HATS procedures has been accomplished, for each circuit, by answering the corresponding question on the AM/PM page in AssuranceNet, “Did you review each establishment’s HATS procedures to confirm that all HATS procedures were conducted and properly documented?”.

D. The DVMS is to generate and review a report of recent HATS data before conducting a humane handling verification visit. The DVMS is to assess any potential problem areas to provide guidance to IPP and to identify any issues that he or she needs to discuss with the FLS. Also, the DVMS is to determine:

1. the number of IPP that routinely perform HATS activities in the establishment, and whether all HATS categories are evaluated regularly;

2. whether IPP are regularly performing HATS activities and whether there are predictable patterns in the performance of the HATS categories such as IPP always recording the same amount of time for each category every day; and

3. whether the time entries are reasonable for the species and classes of animals slaughtered.

### **II. ANALYSIS OF HATS DATA IN EADRS BY THE OFFICE OF DATA INTEGRATION AND FOOD PROTECTION**

The Office of Data Integration and Food Protection will produce a quarterly report that analyzes overall compliance with the regulatory provisions of the Humane Methods of Slaughter Act (9 CFR 313) on a national level. The report will include identification of

trends or patterns of possible non-compliance in the humane handling activities. In addition, it will provide information regarding appeals, time spent on Humane Handling Activity Tracking System (HATS) activities, and suspensions.

### **III. MANAGEMENT CONTROLS**

A. On a monthly basis, the DVMS is to analyze Performance Based Inspection System (PBIS) data (non-compliance records pertaining to humane handling), and HH-related Administrative Enforcement Report (AER) files, by circuit, to identify egregious HH incidents and to determine if they were properly documented and appropriate action taken. The DVMS is to determine whether any trends exist and whether there are any potential areas or issues that require follow-up. The DVMS will also assess decision-making and documentation in any MOIs that were issued for GCP concerns.

B. The DVMS records his/her conclusions as a result of this review, on a monthly basis by answering the corresponding question on the AM/PM page in AssuranceNet, "Did all egregious noncompliances relating to humane handling result in enforcement action?".

## **PART EIGHT – COMPLETING FSIS FORM 6000-31, REPORT OF HUMANE HANDLING VERIFICATION REVIEW, OR FSIS FORM 6000-32 REPORT OF GOOD COMMERCIAL PRACTICE CORRELATION VISIT**

### **I. FORMS**

A. Upon completing a humane handling verification review, the DVMS is to complete FSIS Form 6000-31, Report of Humane Handling Visit.

B. Upon completing a poultry good commercial practice correlations visit, the DVMS is to complete FSIS 6000-32, Report of Good Commercial Practice Correlations Visit.

C. DVMSs can find these electronic forms in Outlook at:

Public Folders/All Public Folders/Agency Issuances/Forms/6000 Series.

### **II. COMPLETING THE NARRATIVE PARTS OF THE FORMS**

A. The DVMS is to complete the narrative parts of the forms so that his or her decisions are clear. The DVMS is to include all facts necessary and explain why they support his or her decision.

B. When the DVMS describes his or her observations, he or she is to describe when, where, and what he or she observed, and what conclusions he or she made.

C. When the DVMS describes any meeting with the IPP or with plant officials, he or she is to provide details of that discussion.

D. The DVMS is to address all relevant non-compliance issues, including a discussion of recent non-compliance that occurred relating to any non-compliance he or she observed during the present review. For example, if during the review, the DVMS observes a non-compliance that is similar to non-compliance that occurred in the past, the DVMS should discuss the past non-compliance including any corrective and preventive actions that were implemented. The DVMS is to include an assessment of the adequacy of the establishment's previous corrective and preventive actions and how they affect the current non-compliance.

E. The DVMS is to describe what he or she discussed with the establishment regarding its implementation of a systematic approach to humane handling.

Refer questions through supervisory channels.



Assistant Administrator  
Office of Policy and Program Development