

ADMINISTRATIVE ACTIONS (Continued)

**Table 12. Food Safety Adjudicatory Actions
(October 2008 – December 2008)**

Establishment¹	Administrative Complaint	Hearing	Consent Order	Decision and Order	Action Summary
NONE					

¹ There were no new actions initiated this reporting period.

**Table 13. Withdrawal for Unfitness Actions
(October 2008 – December 2008)**

Establishment	Complaint to Deny/Withdraw Inspection	Consent Order	Decision and Order	Action Summary
INTERNATIONAL DEHYDRATED FOODS, INC. MONETT, MO	11/12/08	11/13/08		On November 13, 2008, International Dehydrated Foods, Inc., entered into a Consent Decision and Order with FSIS. The Order contains measures such as the preparation of a compliance program, a corporate code, ethics training, and recordkeeping to ensure compliance with FSIS statutory and regulatory requirements. On November 12, 2008, FSIS filed a complaint to withdraw inspection services based on a one-count felony violation conviction of the firm for knowingly and willfully making a false statement in a poultry shipper's certificate.
WINTER SAUSAGE MANUFACTURING COMPANY INC. EUGENE MICHAEL WUERZ, MANAGING OFFICIAL EASTPOINTE, MI	12/10/08	12/11/08		On December 11, 2008, Winter Sausage Manufacturing Company, Inc., and Mr. Wuerz entered into a Consent Decision and Order (Order) with FSIS. The Order contains measures such as the preparation of a compliance program, a corporate code, ethics training, and recordkeeping to ensure compliance with FSIS statutory and regulatory requirements. On December 10, 2008, FSIS filed a complaint to withdraw inspection services based on Mr. Wuerz' convictions for possession and manufacturing and delivery of cocaine.

**Table 14. Exempt Actions
(October 2008 – December 2008)**

Establishment	Complaint Served	Consent Agreement	Decision and Order	Action Summary
FLEMING'S MEAT PROCESSING ESON FLEMING AND JOANNE FLEMING, OWNERS CROSWELL, MI	09/22/08	10/14/08		On October 14, 2008, Fleming's Meat Processing entered into a Consent Agreement (Agreement) with FSIS. This Agreement is effective for 2 years and requires, among other things, the facility to develop, implement, and maintain effective procedures to ensure that operations are conducted in a sanitary manner and that products are not adulterated. The Agreement also requires, among other things, compliance with the SSOP, SRM programs. On September 22, 2008, a Notice of Ineligibility to conduct any custom exempt operations was served to the firm. The NOI was issued due to repetitive failure to operate in a sanitary manner, resulting in the direct adulteration of custom exempt product and other deficiencies.
GLICK'S MEAT PROCESSING ABNER GLICK, OWNER CANASTOTA, NY	10/14/08			On October 14, 2008, a Notice of Ineligibility to conduct any custom exempt operations was served to Glick's Meat Processing. The NOI was issued due to continuous failure to maintain sanitary conditions at the facility, repetitive findings of product adulterated with fecal material, and other sanitation and facility deficiencies.
MARTIN'S MEAT PROCESSING JERRY MARTIN, OWNER SANDUSKY, MI	06/24/08			On June 24, 2008, a Notice of Ineligibility to conduct any custom exempt operations was served to Martin's Meat Processing. The NOI was issued due to repetitive failure to operate in a sanitary manner, resulting in the direct adulteration of custom exempt product, mislabeling of exempt product, and other deficiencies.
SMITH & SONS MEAT PROCESSING INC. RUSSELL SMITH, PRESIDENT MOUNT PLEASANT, MI	10/14/08	12/23/08		On December 23, 2008, the Smith & Sons Meat entered into a Consent Agreement with FSIS. The Agreement is effective for 2 years and requires, among other things, the facility to develop, implement and maintain effective procedures to ensure that operations are conducted in a sanitary manner and that products are not adulterated. The Agreement also requires compliance with the SSOP, SPS, SRM programs, and employee training, among other things. On October 14, 2008, a Notice of Ineligibility to conduct any custom exempt operations was served to the firm. The NOI was based on the firm's failure to maintain and operate the facility in a sanitary manner and other deficiencies.

CRIMINAL ACTIONS

**Table 15. Criminal Actions
(October 2008 – December 2008)**

Establishment	Indictment	Information	Plea	Sentencing	Action Summary
AMERICAN DISPATCH, INC. PITTSBURGH, PA	10/09/07				On October 9, 2007, the United States District Court for the Western District of Pennsylvania indicted American Dispatch, Inc., on 1 felony count for transporting, selling and offering for sale approximately 2,814 pounds of meat and meat food products into commerce, that were contaminated by a putrid substance, and were unwholesome, unfit for human food, and adulterated, as defined in Title 21, United States Code Section 601(m) (3).
INTERNATIONAL DEHYDRATED FOODS, INC. THOMAS L. SLAIGHT, CHAIRMAN OF THE BOARD OF DIRECTORS MONETT, MO		10/24/08	10/24/08	10/24/08	On October 24, 2008, in the United States District Court, District of Western Missouri, Mr. Slaight, Chairman of the Board of Directors for International Dehydrated Foods, Inc., signed a plea agreement and pled guilty to 1 felony count on behalf of the firm. The firm was charged with a violation of the Poultry Products Inspection Act in connection with exports, specifically, for knowingly and willingly making a false statement on an export certificate. The firm paid a fine of \$250,000 and restitution of \$77,282. Additionally, the firm will continue operations under a separate administrative consent order.
TRIPLE A FOODS AND COSMETICS BEN A. ABIT, OWNER NEWARK, NJ			07/15/08	11/10/08	On November 10, 2008, in the United States District Court of New Jersey, in Newark, New Jersey, Mr. Abit, owner of Triple A Foods and Cosmetics (Triple A), received a sentence of 3 years probation and home confinement of 6 months. Additionally, the Court ordered Mr. Abit to cease food sales and storage at the firm until USDA and NJDHHS confirm sanitary conditions. On July 15, 2008, Mr. Abit entered a guilty plea to charges of selling rodent adulterated poultry products in commerce in violation of the Poultry Products Inspection Act.

**Table 16. Pre-Trial Diversion Actions
(October 2008 – December 2008)**

Business Type¹	Location	Date	Action Summary
NONE			

¹ There were no new actions initiated this reporting period.

CIVIL ACTIONS

**Table 17. Seizure Actions
(October 2008 – December 2008)**

Establishment¹	Complaint	Seizure	Action Summary
NONE			

¹ There were no new actions initiated this reporting period.

**Table 18. Civil Injunction Actions
(October 2008 – December 2008)**

Establishment¹	Complaint	Injunction / Consent Decree	Action Summary
NONE			

¹ There were no new actions initiated this reporting period.

**Table 19. ACE Actions
(October 2008 – December 2008)**

Establishment¹	Complaint	Order / Disposition	Action Summary
NONE			

¹ There were no new actions initiated this reporting period.