

**UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
QUARTERLY ENFORCEMENT REPORT
January 1, 2004 through March 31, 2004**

INTRODUCTION

This is the Food Safety and Inspection Service's (FSIS) Quarterly Enforcement Report. The report provides a summary of the enforcement actions FSIS has taken to ensure that products that reach consumers are safe, wholesome, and properly labeled. Although this report focuses on enforcement actions taken, it is important to recognize that this is only one aspect of the Agency's work. The Agency's main purpose is to protect public health by achieving compliance with laws and regulations.

FSIS inspects products produced in over 6,000 meat, poultry, and egg product plants. Since January 1998, meat and poultry plants have been operating HACCP Systems. Publication of this information is another step in the Agency's commitment to openness and transparency in its work to protect the public from adulterated or misbranded meat, poultry, and egg products.

The report is presented in sections that correspond with the category of action. Activities reported within the categories are either pending or experienced new activity during the reporting period. FSIS also coordinated administrative actions, where regulatory or other authorities were applied in inspected plants and managed USDA participation in criminal cases pending in Federal courts. These actions, along with the thousands of inspections made each day in plants

throughout the country, form strong underpinnings for promoting compliance with food safety laws. Each section of this report is described and reported in more detail as follows:

FSIS ENFORCEMENT PROCESSES
NONCOMPLIANCE RECORDS AND APPEALS
PRODUCT CONTROL ACTIONS
LETTERS OF WARNING
ADMINISTRATIVE ACTIONS
CRIMINAL ACTIONS
CIVIL ACTIONS

FSIS ENFORCEMENT PROCESSES

USDA's Food Safety and Inspection Service (FSIS) is charged with ensuring that meat, poultry, and egg products are safe, wholesome, and properly labeled. FSIS, in cooperation with State counterparts, inspects, monitors, and verifies the proper processing, handling, and labeling of meat and poultry products from the delivery of animals to the slaughterhouse until the products reach consumers. FSIS, in cooperation with FDA and the states, provides similar coverage for egg products – the processed whole egg ingredients used in manufacturing other foods. (More information concerning egg products inspection and enforcement is provided in the FSIS publication "[Focus on Shell Eggs](#)" that can be accessed at:

<http://www.fsis.usda.gov/oa/pubs/shelleggs.htm> . If FSIS detects problems with any products it regulates, the Agency takes product control and enforcement measures to protect consumers.

USDA conducts monitoring and verification activities at plants that slaughter food animals and process products to ensure that products at these establishments are produced in a sanitary environment and potential food safety hazards are identified and eliminated. These establishments must apply for a grant of inspection from FSIS and demonstrate the ability to meet certain requirements for producing safe, wholesome, and accurately labeled food products. Requirements include meeting sanitation, facility, and operational standards, and having preventive systems in place to ensure the production of safe and unadulterated food. Products from official establishments are labeled with the mark of inspection, indicating that they have been inspected and passed by USDA and can be sold in interstate commerce.

FSIS uses investigators throughout the chain of distribution to detect and detain potentially hazardous foods in commerce and to investigate violations of law. Even if products are produced under conditions that are safe and sanitary, abuse can occur on their way to the consumer. For example, if foods are transported in trucks that are too warm, or if exposed to contamination, then that can result in product that can cause illness or injury.

FSIS also works closely with USDA's Office of Inspector General (OIG), which assists FSIS in pursuing complex criminal cases. In addition, many state and local jurisdictions have enforcement authorities that apply to USDA-regulated products. FSIS cooperates with these other jurisdictions in investigations and case presentations. FSIS also participates with OIG and the U.S. Department of Justice in monitoring conditions of probation orders and pretrial diversion agreements developed to resolve cases.

This report provides a summary of enforcement actions, including actions that address the Pathogen Reduction/HACCP regulatory requirements FSIS has taken to ensure that products that reach consumers are safe, wholesome and properly labeled. The Agency recognizes that this report is a snapshot in time of a dynamic process. Some information will be out-of-date by the time this report is published. For example, many matters shown as under appeal will have been resolved by the time this report is published. Other actions could be appealed or closed after this reporting period. This information will be updated on a quarterly basis and made available to the public through future reports.

NONCOMPLIANCE RECORDS AND APPEALS

FSIS inspection program personnel perform thousands of inspection procedures each day to determine whether or not inspected plants are in compliance with regulatory requirements. Each time inspection program personnel make a non-compliance determination they complete a report explaining the nature of the regulatory action. They notify plant managers of problems through a written Noncompliance Record (NR).

NRs document noncompliance determinations that occur in the plant's sanitation and other controls and notify the plant that it must take action to remedy a problem and prevent its recurrence. If this is done, then the plant will continue to operate without interruption. Problems reported on NRs vary from minor labeling discrepancies to serious breakdowns in food safety controls. When noncompliance occurs repeatedly, or when the plant fails to prevent adulterated product from being produced or shipped, FSIS takes action to control products and may take an action to withhold or suspend inspection.

During this quarterly reporting period, FSIS performed 1,667,977 HACCP verification procedures. **Table 1a** provides numbers of NRs issued by FSIS inspection personnel between January 1, 2004 and March 31, 2004. **Table 1b** shows the number of appeals and the dispositions of the appeals filed by plants during this reporting period.

Table 1a. Noncompliance Record Totals

NR Totals

NRs Issued (1/01/04 to 3/31/04): **34,480**

Table 1b. Appeals NRs (1/01/04 to 3/31/04)

Number of Plants Filing Appeals: 229

Appeal of NR Granted	Appeal of NR Denied	Appeal of NR Pending	Total Appeals Resulting In Modified NR	Total NRs Appealed
210	189	15	99	513

PRODUCT CONTROL ACTIONS

FSIS takes product control actions to gain physical control over products when there is reason to believe they are adulterated or misbranded. The actions ensure that those products do not enter commerce or, if they are already in commerce, that they do not reach consumers.

In official establishments, FSIS inspectors may retain products whenever there is evidence of unwholesomeness, or if products are adulterated or mislabeled. FSIS inspectors condemn animals for disease, contamination, or adulteration to prevent their use as human food. Figures for condemnations of livestock for the reporting period are as follows: FSIS inspected 33,824,075 livestock carcasses, of which 82,508 carcasses were condemned. FSIS inspected 2,230,666,080 poultry carcasses of which 13,257,377 carcasses were condemned.

Detentions

After products are distributed from plants, FSIS investigators detain any that may be adulterated or misbranded. If product disposition cannot be made within 20 days, then FSIS may request a federal court to seize the product (see Civil Actions). Most detentions result in voluntary disposal of the product and do not require court seizures. **Table 2** provides the number of detentions and the pounds of product involved in these actions for meat and poultry for this quarterly reporting period. The information is reported for each Compliance and Investigation Division (CID) region, now part of the new Office of Program Evaluation, Enforcement and Review. The information was previously reported by each FSIS District Office. This change is because of the Agency's recent reorganization.

**Table 2. Detention Summary
(1/01/04 to 3/31/04)**

Detentions

Total number of detentions by FSIS	76
Total pounds of product detained	769,295

CID Region	Detentions	Pounds Detained
WESTERN	24	526,222
SOUTHEAST	6	46,197
MIDWEST	6	44,463
SOUTHWEST	15	30,993
GREAT PLAINS	14	61,010
NORTHEAST	11	60,410
Totals	76	769,295

Recalls

A recall is a voluntary action by a firm to remove adulterated, misbranded, or suspect products from distribution. FSIS cannot require recalls but can recommend and monitor those that occur. Class I recalls involve a health hazard for which there is a reasonable probability that the use of the product will cause serious adverse health consequences or death. Class II recalls involve a potential health hazard when there is a remote probability of adverse health consequences from use of the product. Class III recalls involve a situation in which use of the product is not likely to cause adverse health consequences. For current information on recalls, go to the FSIS recalls web page at: http://www.fsis.usda.gov/Fsis_Recalls/index.asp .

Port-of-Entry Reinspection

FSIS conducts port-of-entry reinspections of imported meat, poultry, and egg products. It is important to note that this activity is a reinspection of products that have already been inspected and passed by an equivalent foreign inspection system. Thus, imported product reinspection is a monitoring activity for verifying on an on-going basis the equivalence of a foreign country's inspection system.

Port-of-entry reinspection is directed by the Automated Import Information System (AIIS), a centralized computer database that generates reinspection assignments and stores results. After clearing U.S. Customs and the Animal and Plant Health Inspection Service, every imported meat, poultry, or egg product shipment must be presented to FSIS.¹ When a meat or poultry shipment is presented for reinspection, the AIIS scans its records to verify eligibility. Shipments are denied reinspection and refused entry if the foreign country is not eligible to export to the United States, if the establishment that produced the product has not been certified for export to this country, if the product presented for reinspection is not eligible, if the shipping marks are not unique, or if APHIS has animal health restrictions on the country.

All imported product shipments are reinspected for general condition, labeling, proper certification, and accurate count. In addition, other types of inspection (TOI) may be generated by the AIIS. These could include a physical examination of the product for visible defects, collection of samples for microbiological analysis, sampling for food chemistry analyses, and

¹ Egg products are imported only from Canada. Dry egg products may be reinspected at the border or may proceed directly to their destination for reinspection. Liquid egg products are always reinspected at their destination for food safety reasons. Egg product reinspections are presently scheduled separately from meat and poultry, but will be brought under the AIIS in FY2004.

samples to be analyzed for drug and chemical residues. Shipments are randomly selected for reinspection using a statistical sampling plan that allocates samples by HACCP process categories. The level of sampling is based on the volume imported from the country within each category. Products that fail reinspection are rejected and must be re-exported, converted to non-human food, or destroyed. Product rejections cause the AIIS to automatically generate an increased rate of reinspection for future shipments of like product from the same establishment.

This HACCP-based sampling approach began in August 2002 as the new AIIS3 system was launched, and was fully implemented in the quarter beginning October 1, 2002. Implementation of AIIS3 provides an opportunity for FSIS to present meat and poultry reinspection data in a new reporting format that has been constructed to better represent reinspection results (**Table 3a**).

This new format is based on pounds of product rather than lots of product because the lotting of product for reinspection is a commercial decision made by the importer or broker, and the term “lot” has no regulatory definition. **Table 3b** presents egg product reinspection results in the same format they appear in past quarters, minus lots for the reason given above. The new reporting format will be applied to these products when they are incorporated into the AIIS3 system. It should be noted that data reports at the end of a fiscal quarter are the best available information for reinspection activities conducted during the preceding three months, but those data are preliminary until all ongoing inspection activities are completed. For example, pending reinspection activities include open TOI’s, in particular samples taken for laboratory analysis, but also could include organoleptic product examinations, and refused entries which may stay open for up to 45 days. A report of quarterly reinspection data will not be “final” until all open entries are closed. These normally small adjustments in past quarter data will be reflected in subsequent quarterly reports.

**Table 3a. Imported Meat and Poultry Products
Pounds of Product by Fiscal Year Quarter**

Presented, Reinspected, and Refused Entry

Quarter	FY 2004						
	Presented	Refused ¹	Reinspected	TOIs Perf ²	Accepted	Rejected ³	Combined Rejected and Refused
Q-1 (Oct – Dec)	1,038,268,057	458,302	76,266,778	4,335	1,035,921,365	1,888,390	2,346,692
Q-2 (Jan – Mar)	1,051,699,465	33,006	80,715,439	5,892	1,049,857,029	1,809,430	1,842,436
Q-3 (Apr – Jun)							
Q-4 (Jul – Sep)							
Cumulative Totals	2,089,967,522	491,308	156,982,217	10,227	2,085,778,394	3,697,820	4,189,128

**Table 3b. Imported Egg Products
Pounds of Product by Fiscal Year Quarter**

Presented, Reinspected, and Refused Entry

QUARTER	FY 2004	
	PRESENTED	REFUSED ⁴
Q-1 (Oct – Dec)	2,175,306	3,600
Q-2 (Jan – Mar)	2,514,494	15,934
Q-3 (Apr – Jun)		
Q-4 (Jul – Sep)		
Cumulative Totals	4,689,800	19,534

¹ Products are refused reinspection if: (1) the foreign country is not eligible; (2) the foreign establishment is not listed; (3) Animal and Plant Health Inspection Service (APHIS) has placed animal disease restrictions on the country; (4) product presented for reinspection is not eligible; and (5) duplicate shipping marks.

² Types of Inspection. The number of reinspections performed during the quarter.

³ Products are rejected if product presented for reinspection fails to meet U.S. import requirements.

⁴ Refused entry and rejected upon reinspection data are collapsed in the present egg products database, but will be separated when this commodity is incorporated into the AII3 in FY2004.

NOTICES OF WARNING

FSIS issues Notices of Warning (NOW) for minor violations of law that are not referred to United States Attorneys for prosecution. FSIS may also issue these warnings when a United States Attorney declines to prosecute a case or bring action against a specific business or person. These letters warn that FSIS may seek criminal action based on continued violations. Notices of Warning may be issued to any individual or business, including Federal plants, wholesalers, distributors, restaurants, retail stores and other entities that process, store, or distribute meat and poultry products. **Table 4** shows Notices of Warning issued by the Office of Program Evaluation, Enforcement and Review (OPEER) headquarters office and by each of the CID Regions during the reporting period.

**Table 4. Notices of Warning for Criminal Actions
(1/01/04 to 3/31/04)**

Notices of Warning for Criminal Violations

Total number of NOWs issued for violations: 165
Number issued by Headquarters: 3

CID Region	Number of NOWs Issued by Regions
WESTERN	47
SOUTHEAST	22
MIDWEST	41
SOUTHWEST	5
GREAT PLAINS	3
NORTHEAST	44
	<hr/>
Total number issued by Regions	162

ADMINISTRATIVE ACTIONS

FSIS inspects meat and poultry products and applies the marks of inspection when inspectors are able to determine that products are not adulterated. FSIS may temporarily withhold the marks of inspection from specific products, suspend inspection, or withdraw a grant of inspection if a plant is not meeting regulatory requirements.

Effective January 25, 2000, FSIS amended its Rules of Practice that apply to Agency enforcement actions. The Rules of Practice, which are located in 9 CFR Part 500, define each type of enforcement action FSIS can take, the conditions under which it is likely to take these actions, and the procedures FSIS will follow in doing so.

Withholding the Marks of Inspection

If a plant fails to prevent preparation and shipment of adulterated products or develops a pattern of noncompliance showing the plant's sanitation or process control systems have failed, FSIS may notify plant managers that the USDA mark of inspection is being withheld from some or all of the products in the plant. This action effectively shuts down affected operations, because it is illegal to sell products in interstate commerce that do not bear the USDA mark of inspection.

Other non-affected parts of the plant, if any, may still operate.

Suspension of Inspection

FSIS may temporarily suspend the assignment of inspectors if a plant fails to prevent preparation and shipment of adulterated products, fails to present a corrective action plan to bring the plant sanitation or process control systems into compliance, or for other reasons specified in the Rules of Practice. As with withholding actions, a suspension shuts down all or part of the plant's operations. USDA may place the suspension in abeyance if corrections are presented, put into effect, and effectively prevent additional problems. FSIS District Offices have established procedures to monitor and verify a plant's corrective and preventive actions.

Notification to Establishments of Intended Enforcement Actions

FSIS has an established procedure to notify establishments of intended enforcement actions related to certain types of noncompliance that have not resulted in actual shipment of adulterated products. Under this procedure, a notice is issued to an establishment when the Inspector-in-Charge determines that the establishment has experienced multiple, recurring noncompliances, or for other reasons, as specified in the Rules of Practice, the establishment has failed to implement

adequate corrective and preventive measures. The Notice informs the establishment of the nature and scope of the noncompliance and that FSIS intends to withhold the marks of inspection or suspend the assignment of inspectors. The Notice explains the basis of and references documentation for the intended enforcement action, and provides the establishment three business days to contest the basis for the proposed enforcement action or to demonstrate how compliance has been or will be achieved. In appropriate situations, USDA may defer a decision based on corrections submitted by the establishment.

Withdrawal of Inspection

In some situations, FSIS may decide that it is necessary to withdraw inspection from a plant. In these cases, FSIS withdraws inspection from a Federal plant by filing a complaint with the USDA Hearing Clerk. The plant may request a hearing before an Administrative Law Judge. If the action is based on insanitation, the plant will remain closed while proceedings go forward. In other cases that do not involve a threat to public health, operations may continue. These actions may be resolved by FSIS and the plant entering into a consent decision, which allows the plant to operate under certain specified conditions. Once inspection is withdrawn, a closed plant must reapply to receive Federal inspection.

As specified in the Rules of Practice, USDA may initiate withholding, suspension, or withdrawal actions to limit a plant's slaughtering or processing, or prevent the plant from operating altogether, based on reasons related to the PR/HACCP regulations such as:

- failure to collect and analyze samples for the presence of generic *E. coli* and record test results,
- failure to develop or implement Sanitation Standard Operating Procedures, or
- failure to develop or implement a required HACCP plan.

In addition, USDA may initiate a withholding, suspension, or withdrawal action for other reasons such as:

- failure to meet “sanitation performance standards,”
- insanitary conditions,
- inhumane handling or slaughtering of livestock,
- failure to destroy condemned product, or
- interference with inspection personnel.

Tables 5, 6, and 7 list administrative actions (other than actions based on convictions) by establishment, initiated, pending, or closed, for the period, along with whether the action is based on an SSOP or HACCP Systems failure, or for some other reason, such as inhumane handling.

In some plants, FSIS may find more than one basis for taking enforcement action or may take more than one action. For example, the plant has sanitation problems and is not conducting *E. coli* testing or a sanitation problem occurs more than once. These tables list actions taken at large, small, and very small plants. The enforcement action can be for any of the identified reasons. During this period, activity is reported concerning 303 plants. Eighty-eight of the actions in these plants were initiated during this reporting period. One hundred twenty actions were closed by letters of warning or other means during this period.

Tables 5, 6, and 7 also identify those cases in which an appeal of the suspension action may have been made, along with whether the appeal was granted or the administrative action was sustained (appeal denied). When decisions on appeals have not been made during the period of this report, the appeal is shown as pending and will be reported in the next quarterly report.

There were no appeal of suspension actions filed during this period.

**Table 5. Administrative Actions: Large HACCP Plants
(1/01/04 to 3/31/04)**

Administrative Actions Pending or Taken at Large HACCP Plants [includes actions initiated in prior quarters]													
Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
ARMOUR SWIFT-ECKRICH 00003A M02278 P KANSAS CITY, KS			8/28/02	9/4/02		X						1/26/04	
B.P. JOINT VENTURE LLC dba BRAWLEY BEEF 21488 M BARWLEY, CA			3/26/04	3/29/04				X					
BOAR'S HEAD PROVISION CO INC 12612A M12612A P PETERSBURG, VA	11/10/03	11/13/03			X	X						3/3/04	
CON AGRA FOODS POULTRY GROUP 01284 P CANTON, GA	9/19/03	12/8/03			X	X						3/15/04	
CONAGRA d/b/a COOK FAMILY FOODS 00509L M00509L P LINCOLN, NE	2/13/03	2/25/03			X		X					1/23/04	
CONAGRA FOODS 00233 M00115 P RUSSELLVILLE, AR	2/6/04	2/20/04			X	X							
CON-AGRA FROZEN FOODS 01058 M00045 P COUNCIL BLUFFS, IA	1/13/04	1/27/04			X	X							
EMPIRE KOSHER POULTRY INC 01015 M01015 P MIFFLINTOWN, PA	11/5/03	12/2/03				X							
EXCEL CORPORATION 00086E M FRIONA, TX	8/19/03	9/11/03				X							

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Large HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
EXCEL CORPORATION 00085B M BEARDSTOWN, IL			8/26/03	8/28/03				X				1/28/04	
	11/5/03	11/25/03			X	X	X						
			12/4/03	12/5/03				X				1/28/04	On 12/4/03, suspension was reinstated.
EXCEL CORPORATION 00086K M DODGE CITY, KS	11/28/03		12/4/03			X						2/3/04	
EXCEL CORPORATION 00086M M SCHUYLER, NE	9/19/03	12/23/03				X							
GOLD KIST INC 00040 P EKKUHAY, GA	10/8/03	10/30/03			X	X						1/29/04	
HORMEL FOODS CORPORATION 00199N M04240 P FREMONT, NE	11/4/03	11/7/03			X		X						
IBP, INC. 00245E M AMARILLO, TX										X			On 11/25/03, a withholding action concerning labels for Advanced Meat Recovery System product was taken in accordance with 9CFR Part 500.8.
MOYER PACKING CO. 01311 M SOUDERTON, PA	9/18/02		11/14/02	9/29/03	X	X							
PETERSON FARMS INC 00550 P DECATUR, AR	3/15/04	3/24/04			X	X	X						
PIERCE FOODS DIV. OF CONAGRA 00025 M00021 P MOOREFIELD, WV	6/26/03	7/11/03			X	X						3/1/04	

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Large HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
PILGRIM'S PRIDE CORP OF DELAWARE 13485 P FARMERVILLE, LA	12/11/03	12/19/03			X	X							
PILGRIMS PRIDE CORPORATION 00206A P NACOGDOCHES, TX	1/28/04	2/6/04			X	X							
SWIFT BEEF COMPANY 00628 M00628 P HYRUM, UT	10/9/02	1/14/03				X						1/21/04	
TYSON FOODS 00245C M DAKOTA CITY, NE										X			On 12/29/03, a withholding action concerning labels for Advanced Meat Recovery system product was taken in accordance with 9CFR Part 500.8.
TYSON FRESH MEATS 00244W M18925 P WATERLOO, IA	12/10/03	12/19/03			X	X							
TYSON FRESH MEATS INC 00245L M LEXINGTON, NE	2/26/04	3/19/04			X	X							
			3/12/04	3/18/04		X							
TYSON FRESH MEATS INC. 00245D M EMPORIA, KS										X	2/13/04		On 12/01/03, a withholding action concerning labels for Advanced Meat Recovery System product was taken in accordance with 9CFR Part 500.8.

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

**Table 6. Administrative Actions: Small HACCP Plants
(1/01/04 to 3/31/04)**

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]														
Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					<u>SSOP</u>	<u>HACCP</u>	<u>SPS</u>	<u>INH</u>	<u>INT</u>	<u>Other</u>	<u>LOI</u>	<u>LOW</u>		
ABBYLAND FOODS INC 01633 M17764 P ABBOTSFORD, WI	12/10/03	12/18/03			X	X							2/9/04	
AVCO MEAT CO 09131 M GADSDEN, AL			10/7/03	10/9/03				X					3/4/04	
BENEDETTI FARMS INC 18216 M18216 P SONOMA, CA			2/5/04	2/10/04	X		X							
BERRY PACKING INC. 02325 M02325 P CROSSETT, AR	5/20/02	6/3/02	1/16/04	3/29/04	X	X								
	5/7/03	5/16/03	1/16/04	3/29/04	X	X								
BRAKEBUSH BROTHERS INC 02542 M02542 P VINCENNES, IN	11/7/03	12/11/03			X	X								
BUONA VITA INC 00954 M00954 P BRIDGETON, NJ	11/5/03	11/18/03				X							2/12/04	
CARANDO GOURMET FROZEN FOODS CORP 01112 M01112 P AGAWAM, MA	11/18/03	12/11/03				X							2/20/04	
CARLTON PACKING CO. 09228 M09228 P CARLTON, OR	4/7/03	4/16/03			X	X							3/26/04	

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
CEDAR HOLLOW FOODS 05578 M05578 P LINCOLN, NE	3/30/04					X							
CENTRAL BEEF IND. L.L.C. 00096 M CENTER HILL, FL	11/25/03	12/29/03			X	X							
CENTRAL MARKET INC 01286 M01286 P OMAHA, NE	9/12/03	9/18/03			X	X							
CHEF'S REQUESTED 05792 M05792 P OKLAHOMA CITY, OK	6/4/03	6/10/03			X	X	X						
COLLEGE HILL POULTRY 00533 P FREDERICKSBURG, PA	10/12/01	1/16/02			X	X							
COLORADO MEAT PACKER, INC. 17086 M17086 P DENVER, CO	5/7/03	7/21/03				X						3/24/04	
COMARCO QUALITY PORK PRODUCTS, INC. 17555 M CAMDEN, NJ			2/20/04	3/5/04	X	X							
CONAGRA REFRIGERATED PREPARED FOODS 00222 M05535 P MASON CITY, IA	1/30/04	2/6/04			X	X							
CRAY H-R-I FOOD SERVICES INC 09146 M09146 P MOBILE, AL	2/26/04	3/8/04			X	X							
CUSTOM MEATS CORP. 07271 M07271 P DALLAS, TX	3/31/03	4/4/03				X							

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
DALE T. SMITH & SONS PACKING CO. INC 04975 M04975 P DRAPER, UT	8/22/03	9/16/03			X	X							
FAMILY BRANDS INTERNATIOANL, LLC 06515 M06515 P LENOIR CITY, TN	12/5/03	12/10/03			X	X						3/23/04	
FIELDSTONE MEATS OF ALABAMA INC 02691 M ONEONTA, AL	3/15/04	3/24/04			X	X	X						
FORD BROS WHOLESALE MEATS INC 04625 M04625 P WEST VALLEY, NY	11/3/03	11/13/03							X			3/2/04	
FOREST & BROOK FOOD CORPORATION 18342 M18342 P HAPPAUGE, NY	2/4/04	2/24/04			X	X							
FREMONT BEEF COMPANY 13415 M13415 P FREMONT, NE	5/12/03	5/21/03			X	X							
FRUITLAND DRESSED MEAT 02316 M02316 P JACKSON, MO	4/16/03	4/23/03			X	X						3/25/04	
GFI AMERICAN INCORPORATED 02368 M02368 P MINNEAPOLIS, MN			1/13/04	1/15/04	X	X							
GIBBON PACKING INC 05511 M GIBBON, NE	12/17/02	12/24/02			X	X							
	1/30/04	2/4/04	3/10/04	3/11/04				X					

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
GOLDEN COIN FOOD INDUSTRIES 12446 M12446 P HONOLULU, HI	4/18/03	5/7/03	7/10/03	7/17/03	X	X								
			8/14/03	8/27/03	X	X	X							On 08/14/03, suspension was reinstated.
GOLDEN CROWN FOODS, INC. 18823 M18823 P CITY OF INDUSTRY, CA	12/24/03	1/14/04			X	X								
GOLDEN VALLEY NATURAL, LLC 06220 M IDAHO FALLS, ID	12/1/03				X	X						3/10/04		
GREATER OMAHA PACKING CO., INC. 00960 M OMAHA, NE	3/21/03		3/28/03	3/30/03	X	X						1/21/04		
GREATER OMAHA PACKING CO., INC. 00960A M OMAHA, NE	9/18/03	10/10/03				X						2/26/04		
GREATER SOUTH TEXAS SERVICES 21175 M21175 P MCALLEN, TX	10/20/03	11/6/03			X	X						2/25/04		
HAMILTON MEAT PIE CO 02528 M02528 P ROMULUS, MI	9/25/03	10/8/03			X	X						1/7/04		
HENLEY'S WHOLESALE MEATS INC 10664 M10664 P NORTH LITTLE ROCK, AR	3/10/04	3/17/04			X	X	X							
HI-GRADE MEATS, INC. 04133 M04133 P SALT LAKE CITY, UT	4/3/03	4/11/03			X	X						3/25/04		
HOT SPRINGS PACKING 10695 M10695 P HOT SPRINGS, AR	12/19/03	1/6/04			X	X								

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Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
HOUSE OF RAEFORD FARMS, INC. 01234 M01234 P ATHENS, MI			1/28/00	2/7/00		X								On 01/28/00, a withholding action was taken. On 02/11/00, plant appealed the suspension. On 02/29/00, plant's appeal was denied. On 03/03/00, plant appealed to a higher FSIS official.
			7/14/02		X									
INDEPENDENT MEAT COMPANY 00226 M04863 P TWIN FALLS, ID	3/31/03	4/10/03	10/8/03	10/20/03	X	X						2/20/04		
J & B MEATS CORP 05712 M05712 P COAL VALLEY, IL	9/4/03	9/18/03			X	X						1/13/04		
J F O'NEILL PACKING CO. 00889A M OMAHA, NE	6/20/03		6/26/03	6/27/03	X	X						3/5/04		
J.H. ROUTH PACKING CO 00818 M SANDUSKY, OH	2/18/04	3/4/04			X	X	X							
JIM'S MARKET & LOCKER INC, 02424 M02424 P HARLAN, IA			4/25/03	4/30/03	X	X	X					1/30/04		
JOBBER'S MEAT PACKING CO., INC. 06251 M06251 P LOS ANGELES, CA	9/19/03	10/6/03			X	X								
K D ACQUISITIONS I, LLC 09137 M09137 P GAINESVILLE, GA	11/19/03	12/22/03			X	X						3/24/04		
K.B. SPECIALTY FOODS 02552 M02552 P GREENSBURG, IN	12/8/03	12/16/03				X								
KINGS COMMAND FOODS INC 01515A M06121A P KENT, WA	3/19/04		3/25/04		X	X								

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Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
KOHLER FREDA, L.L.C. 07528 M07528 P PHILADELPHIA, PA	10/21/03	11/18/03			X	X						2/12/04	
MEYER FOODS 05733 M05733 P LINCOLN, NE	10/6/03	10/15/03				X						1/23/04	
MIMS MANN'S INTERNATIONAL LLC 04219 M04219 P OMAHA, NE	1/14/04	1/20/04			X	X							
NEBRASKA TURKEY GROWERS CO-OP 00538 P GIBBON, NE	3/24/04				X	X							
NEW HORIZONS MEATS AND DISTRIBUTION L.L.C. 00142 M19069 P CINCINNATI, OH	9/23/03	10/8/03	1/16/04	1/22/04	X	X	X						
NEW MARKET POULTRY PRODS. 04602A P NEW MARKET, VA	10/6/03	10/22/03				X							
NEW SPECIALTY PRODUCTS, INC. 18931 M18931 P CHICAGO, IL	1/2/04	1/23/04			X	X	X						
OBIM FRESH-CUT FRUIT COMPANY 27399 M27399 P FORT WORTH, TX	2/24/04	3/3/04			X	X							
OLD SETTLERS JERKY INC 09875 M09875 P COVINA, CA	11/5/03	11/24/03				X							
OZARK MOUNTAIN PORK COOP. 21148 M MOUNTAIN VIEW, MO			11/13/02	11/22/02		X							

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Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
P & M INC 04596 M04596 P BROOKLYN, NY	10/7/03	10/16/03				X						2/17/04	
PACKERLAND PACKING CO., INC. 00562G M GERING, NE	3/17/03	3/28/03				X							
PARKER HOUSE SAUSAGE COMPANY 00349 M06849 P CHICAGO, IL	10/29/03	11/18/03			X	X						1/29/04	
PEER FOODS GROUP INC 00998 M15874 P CHICAGO, IL	3/24/04				X	X	X						
PETALUMA LIVESTOCK AUCTION YARD 27300 M NEWMAN, CA	3/4/04	3/24/04				X							
PETERSBURG LOCKER INC. 05668 M05668 P PETERSBURG, NE	5/24/02	6/5/02				X							
PLUMROSE USA INC 20722 M20722 P COUNCIL BLUFFS, IO	3/26/04					X							
POLK'S MEAT PRODUCTS INC 12630 M12630 P MAGEE, MS	2/2/04	2/10/04				X							
PREMIUM PROTEIN PRODUCTS, LLC 27472 M HASTINGS, NE	12/10/03	12/17/03				X							
PROCESADORA DEL ESTE, INC 06686 M NAGUABO, PR			1/14/04					X				1/15/04	
QUINTERO'S MEAT COMPANY 21282 M21282 P EL PASO, TX	10/7/03	10/17/03				X						2/24/04	

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Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
RICEFIELD CORPORATION 20153 M20153 P CITY OF INDUSTRY, CA	3/11/04				X	X							
ROGUIFE INC 21110 M21110 P WASHINGTON, DC	11/18/03	12/4/03			X	X						3/30/04	
ROLET FOOD PRODUCTS 00841 M19637 P BROOKLYN, NY	10/7/03	12/30/03				X						3/4/04	
ROMAN PACKING CO. 05662 M NORFOLK, NE	3/19/04				X	X							
SALEM PACKING COMPANY INCORPORATED 05425 M SALEM, NJ	11/15/02		11/26/02	12/2/02		X							
SAM KANE BEEF PROCESSORS, INC. 00337 M CORPUS CHRISTI, TX	6/21/02	7/19/02			X		X					3/5/04	
SCHENK PACKING COMPANY 06056 M06056 P STANWOOD, WA	4/4/03	4/11/03				X						3/3/04	
SCHENK PACKING COMPANY INC 06056A M06056A P MONT VERNON, WA	3/14/03	3/21/03			X	X						3/3/04	
SERV-RITE MEAT CO. 04123 M04123 P LOS ANGELES, CA			11/14/03	11/19/03	X		X					3/24/04	
SIGOURNEY FOODS 02484 M02484 P SIGOURNEY, IA	1/27/04	2/9/04			X	X							

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Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
SIMPLLOT MEAT PRODUCTS, L.L.C. 00630 M NAMPA, ID	6/18/03	7/2/03			X								
SIOUX-PREME PACKING CO. 05537 M SIOUX CENTER, IA	11/13/03	11/25/03			X	X	X						
SKYLARK MEATS INC 04215 M04215 P OMAHA, NE	12/17/03	12/23/03				X							
SOUTHERN QUALITY MEATS 17322 M PONTOTOC, MS	3/11/04	3/18/04			X	X							
SPRING VALLEY SMOKED TURKEY 05752 M05752 P CORONA, CA			1/22/04	1/28/04		X							
STAGNO'S MEAT COMPANY 02875 M MODESTO, CA	9/16/03	10/3/03				X							
			9/18/03	9/25/03				X					
			3/12/04	3/16/04					X				
SWAN PACKING, INC. 06820 M06820 P DES MOINES, IA	5/15/03	5/21/03			X	X						3/18/04	
TECUMSEH POULTRY, LLC 20251 P TECUMSEH, NE	7/2/03	7/11/03			X	X							
TILLAMOOK COUNTRY SMOKER 09295 M09295 P BAY CITY, OR	2/21/03	3/5/03			X	X							

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Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
TRI STATE BEEF COMPANY INC 01750 M CINCINNATI, OH	8/15/03	9/2/03			X	X						1/27/04	
TYSON REFRIGERATED PROCESSED MEATS 21716 M21716 P COUNCIL BLUFFS, IA	2/23/04	3/2/04			X	X							
UNITED MEAT COMPANY, INC. 02869 M02869 P SAN FRANCISCO, CA	2/5/03		2/24/03	11/12/03		X						3/18/04	
VINCENT GIORDANO CORPORATION 05397 M PHILADELPHIA, PA	2/23/04	3/2/04				X							
WEBER'S QUALITY MEATS, INC. 02201 M02201 P SAN LEANDRO, CA	10/3/03		10/14/03	10/27/03		X							
WEST TEXAS A&M UNIVERSITY 07124 M07124 P CANYON, TX	3/3/04	3/12/04				X							

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**Table 7. Administrative Actions: Very Small HACCP Plants
(1/01/04 to 3/31/04)**

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]														
Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
4-L PROCESSING INC 19789 M19789 P COKE, TX	8/27/03	9/5/03				X							1/14/04	
A LA CARTE FOODS INC 13375 M13375 P PAINCOURTVILLE, LA	10/29/03	11/6/03			X	X							1/14/04	
AALA MEAT MARKET INC. 12425 M12425 P HONOLULU, HI	7/23/03	7/31/03			X	X								
AK FOODS, LLC 06463 M BRUSH, CO	11/7/03	1/6/04			X	X	X							
AK FOODS, LLC 06496 M06496 P BRUSH, CO	11/7/03	1/6/04			X	X	X							
AL PETE MEATS INC 01354 M06845 P MUNICIE, IN			2/25/04	3/2/04			X							
ALMACENES DE TEJAS, L.P. 17083 M SAN ANTONIO, TX			10/11/02	3/9/04		X								
ALMI INC 21929 M21929 P FEASTERVILLE, PA	12/17/03	1/6/04			X	X							3/15/04	
ALPINE SAUSAGE COMPANY 06224 M DENVER, CO	3/17/04	3/25/04			X	X								
AMCO MEAT CO LLC 04401 M04401 P SOMERDALE, NJ	1/23/04	3/11/04			X	X								

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
ARMBRUSTER MEATS, INC. 05770 M05770 P PERRYVILLE, MO	8/14/03	8/19/03									X			Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
BA LE MEAT PROCESSING & WHOLESALE, INC. 18442 M18442 P CHICAGO, IL	11/26/03		12/3/03	12/12/03	X	X								
BEAVER CITY LOCKER 20172 M20172 P BEAVER CITY, NE			7/23/03	8/8/03		X								
	7/30/03	8/8/03			X	X								
BERGER WHOLESALE MEATS 08465 M08465 P HUNTINGTON, NY	1/14/04		1/20/04	2/13/04	X	X								
BILL OPELLS MEAT PROCESSING 09148 M CATLETTSBURG, KY	1/30/04	2/11/04			X	X								
BILLINGS MEATS & PROCESSING 20586 M GORDO, AL	6/17/03	6/27/03			X	X								
BOILERMAKER BUTCHER BLOCK 06992 M06992 P WEST LAFAYETTE, IN	1/22/04	1/29/04				X							2/26/04	
BOYDS WHOLESALE MEATS 09241 M09241 P KLAMATH FALLS, OR	5/23/03	6/4/03			X	X							2/5/04	
BRINGHURST BROTHERS INC 05426 M05426 P BERLIN, NJ	3/10/04	3/23/04			X	X								

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
BROOKSVILLE MEAT FABRICATION CENTER 09173 M09173 P BROOKSVILLE, KY	7/18/03		7/25/03	8/22/03		X							2/9/04	
BURTON MEAT PROCESSING 21885 M BURTON, TX	11/12/03	11/20/03			X	X					X			On 03/12/04, DM closed case by firm's requested voluntary withdrawal. Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
			2/26/04	3/1/04	X		X							On 03/12/04, DM closed case by firm's requested voluntary withdrawal.
BUTCHER BLOCK 05653 M INDIANOLA, NE	11/18/03	11/26/03			X	X								
			3/15/04			X								
BUTLER'S BEEF ACRES 05660 M MCCOOK, NE	3/3/04	3/22/04				X								
C.P. RHOADES QUALITY MEATS INC 09559 M BIRDSBORO, PA	3/30/04				X	X								
CARNES YECAPIZLA MORELOS 19900 M BROOKLYN, NY	10/9/03	12/12/03				X							3/22/04	
CATTLE BARON SPECIALTY MEATS 20832 M20832 P RICHLAND, MO	10/16/03	10/30/03				X							3/25/04	
CHIPPER SNAX INC. 18951 M SALT LAKE CITY, UT	11/21/03				X	X	X						3/16/04	

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
CHORIZO DE SAN MANUEL 13199 M EDINBURG, TX	12/17/03	12/23/03				X						3/9/04	
CLIFF HIEB'S GERMAN SAUSAGE 20329 M20329 P RUPERT, ID			7/18/03		X	X							On 03/24/04, DM closed case by firm's requested voluntary withdrawal.
COHOES SPECIALTY MEATS 00593A M06368 P ALBANY, NY			9/9/03	9/11/03		X							
			12/9/03	12/16/03	X								
			1/5/04	1/13/04	X								On 01/5/04, suspension was reinstated.
COOPERATIVE EXTENSION SUFFOLK COUNTY FARM 04675 M04675 P YAPHANK, NY	3/1/04		3/19/04			X							
COUNTRY BOY MEATS 09240 M09240 P MERRILL, OR	5/28/03	6/4/03	7/24/03	7/28/03	X	X							
			9/10/03	10/6/03	X								On 09/10/03, suspension was reinstated.
CRAMER'S RANGELINE MEATS 08683 M08683 P JOPLIN, MO	3/10/04		3/15/04		X	X							On 03/31/04, DM closed case by firm's requested voluntary withdrawal.
CRESCENT CUSTOM SLAUGHTERING, INC 06041 M06041 P SUMNER, WA	6/20/03	7/2/03	8/21/03	9/2/03	X	X	X						
			10/10/03		X	X	X						On 10/10/03, suspension was reinstated.

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
CUSTOM PACK INC 05650 M05650 P HASTINGS, NE	10/30/03	11/14/03			X	X							
D&D CATERING, INC 11203 M11203 P HIALEAH, FL			9/25/03	10/2/03	X	X							
			12/16/03	12/18/03	X	X							On 12/16/03, suspension was reinstated.
DAMN GOOD FOODS INC 21061 M STILLWATER, NY	1/6/04	1/15/04				X						3/9/04	
DE VRIES MEATS, INC 10226 M COOPERSVILLE, MI	9/24/03	10/7/03			X	X						1/27/04	
DEL MONTE MEATS 11022 M11022 P POCATELLO, ID	8/7/03	8/21/03				X							
			10/24/03		X		X						
DEN'S COUNTRY MEATS, INC. 21156 M21156 P TABLE ROCK, NE	10/3/03	10/16/03				X							
DIPPER'S PACKING CO INC 20757 M WESTERLY, RI	10/17/03		12/17/03	1/6/04		X							
DUNN'S MEATS, INC. 08404 M08404 P MOULTRIE, GA	3/5/04	3/23/04				X							
E.G. FOODS 17375 M17375 P BROOKLYN, NY	10/7/03		11/19/03	12/1/03		X						2/17/04	

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
EDGEWOOD LOCKER INC 27279 M27279 P EDGEWOOD, IA	12/15/03	12/22/03				X							
EL RANCHO MARKET, INC. 06180 M06180 P SOLVANG, CA	11/28/03		12/4/03		X	X							
EPMI PROCESSING 21358 M21358 P STERLING, OK	8/5/03	8/6/03			X	X							
FARM FRESH MEATS INC 19883 M19883 P MARICOPA, AZ	12/18/03	1/23/04			X	X							
FIGARETTI MANUFACTURING AND DISTRIB. 20719 M WHEELING, WV			9/17/03	9/23/03	X	X						3/1/04	
FINEST MAID FOOD DISTRIBUTORS 04584 M04584 P BROADALBIN, NY	12/11/03	12/23/03				X						3/22/04	
FORMOSA FOOD COMPANY 02446 M02446 P HULL, IA	2/18/04	2/19/04				X							
FOUR STAR MEAT COMPANY INC 02674 M COLLINS, MS	12/12/03	12/19/03			X	X							
FRESH FREEZE, INC. 20104 M EDINBURG, TX			8/21/02		X		X						On 1/7/04, a complaint to withdraw inspection was filed by FSIS.
G & M BEEF COMPANY 05476 M NEWARK, NJ	12/10/03	12/16/03			X							3/31/04	

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					<u>SSOP</u>	<u>HACCP</u>	<u>SPS</u>	<u>INH</u>	<u>INT</u>	<u>Other</u>	<u>LOI</u>	<u>LOW</u>		
G.E. HAWTHORN MEAT COMPANY 10620 M HOT SPRINGS, AR	9/17/03	10/10/03			X	X								
GAISER'S EUROPEAN STYLE PROV. 05385 M05385 P UNION, NJ			9/25/01			X								On 03/30/04, DM closed case per firm's notification they would no longer produce product under the specific HACCP process.
GARNER ABATTOIR & MEAT PROCESSING 10650 M10650 P VAN BUREN, AR	11/24/03	12/4/03			X	X								
GATEWAY BEEF COOP 02955 M02955 P OVERLAND, MO	6/6/03	6/19/03			X	X						3/25/04		
GEIER'S SAUSAGE KITCHEN 17220 M 17220 P SARASOTA, FL	1/29/04	2/27/04			X	X								
GIBSON PACKING COMPANY 05843 M05843 P SEYMOUR, MO	6/30/03	7/9/03				X								
GOOD GUYS FOOD CO. 20350 M20350 P OAKLAND, CA			6/2/03	10/28/03	X	X	X							
GRAND CHOICE FOODS, INC. 05506 M05506 P AMES, IA	9/27/02		10/2/02	10/22/02	X	X	X					2/25/04		
GUYER CATERING 11171 M11171 P HIALEAH, FL	9/22/03	10/3/03	12/8/03	12/18/03	X	X						3/15/04		
HARMON BROTHERS MEATS INC 07356 M07356 P WARSAW, KY	2/19/04	2/24/04									X			Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).

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					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
HENDERSON MEAT PROCESSORS 01527 M01527 P HENDERSON, NE			8/29/03	9/5/03		X							
	9/2/03	10/6/03				X							
HENRY'S BUTCHER BLOCK INC 31548 M31548 P ROUND ROCK, TX	3/17/04	3/25/04				X							
HERRING BROTHERS INC 09760 M GUILFORD, ME	10/7/03		11/14/03	12/8/03		X							
HICKORY SMOKED FOODS INC 06689 M06689 P LEWISBURG, TN	3/17/04	3/31/04			X	X							
HI-WAY MEATS INC 08615 M WOMELSDORF, PA	2/13/04	3/9/04			X	X							
HOMESTEAD GOURMET FOODS CO. 09947 M09947 P LINDEN, NJ	3/11/03	4/17/03			X								On 01/28/04. DM closed case by firm's requested voluntary withdrawal.
			7/2/03	8/21/03	X	X	X						On 01/28/04, DM closed case by firm's requested voluntary withdrawal. On 09/24/03, a complaint to withdraw inspection was filed by FSIS. On 08/25/03, plant appealed the suspension. On 09/15/03, plant's appeal was denied.
			9/19/03		X	X	X						On 01/28/04, DM closed case by firm's requested voluntary withdrawal. On 09/24/03, a complaint to withdraw inspection was filed by FSIS. On 09/19/03, suspension was reinstated.
HONG HA CO 04261 M HYATTSVILLE, MD	1/15/04	2/17/04				X							

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					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
HOPKINS PACKING COMPANY 11069 M BLACKFOOT, ID	9/2/03	10/9/03			X	X							
HOUSE OF KEESAN INC 11185 M11185 P MIAMI, FL			9/24/03	10/3/03	X	X							
HOUSE OF SMOKE 06273 M06273 P FT LUPTON, CO	3/16/04		3/25/04		X	X							
HOUSTON ZERO COLD STORAGE 07106 M07106 P HOUSTON, TX	9/24/02		10/2/02	12/23/02	X	X	X					1/7/04	
HUSE'S PROCESSING INC 13445 M13445 P MALONE, TX	10/30/03	11/6/03	11/25/03	11/26/03				X					
	12/12/03	12/19/03				X							
ICH GROUP INC dba SUSHI CHEF 20254 M20254 P HONOLULU, HI	12/17/03	12/30/03			X	X	X						
INDEPENDENCE CUSTOM MEAT SERVICE, LLC 09273 M09273 P INDEPENDENCE, OR			8/1/03	8/19/03					X			2/20/04	
			10/30/03	11/26/03					X			2/20/04	On 10/30/03, suspension was reinstated.
INDIAN VALLEY MEATS INC 18154 M18154 P INDIAN, AK	11/10/03	12/18/03			X	X	X						
IQM INTERFOOD INC. 21255 M21255 P HAMMONTON, NJ			10/21/03	10/29/03	X	X						3/15/04	

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					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
IRENE'S BAKERY 09534 P PHILADELPHIA, PA	2/5/04	2/23/04			X		X						3/24/04	
J & D FOODS INC 02314 M ALBUQUERQUE, NM	3/1/04					X								
J & K MEAT COMPANY 19305 M19305 P PLEASANT PLAINS, AR	9/25/03	10/1/03			X	X							1/13/04	
J.M. PACKING COMPANY 19804 M19804 P PONCE, PR			10/9/03			X								
JACOB GROUP LIMITED (AKA SAVORY FOODS INC) 01001 M PORTSMOUTH, OH	3/2/04					X							3/12/04	
JALEE INC d/b/a ANGELO'S 2 27403 M27403 P EAST GREENWICH, RI	10/16/03	1/2/04				X							3/22/04	
JORDAN SAUSAGE COMPANY 09126 M09126 P COLUMBUS, GA	10/24/03	12/5/03			X	X							3/22/04	
JUANS CORP 18398 M STATEN ISLAND, NY	10/10/03	12/12/03				X							3/4/04	
JVF SERVICES INC 20889 M20889 P PLAINVIEW, NY	2/10/04	2/25/04			X	X								
K & W SPECIALTY MEATS INC 15708 M15708 P EVANSDALE, IA	2/17/04	3/1/04			X	X								
KAH AND COMPANY INCORPORATED 01664 M19846 P WAPAKONETA, OH	12/8/03		1/26/04		X	X								

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					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
KANAB CUSTOM MEATS, INC. 06117 M06117 P KANAB, UT	6/25/03	7/2/03			X	X							
KERSHENSTINE'S BEEF JERKY INC. 09057 M09057 P EUPORA, MS	3/8/04				X	X							
KIM'S PROCESSING INC 01580 M01580 P CLARKSDALE, MS	11/10/03	11/19/03			X	X							
LAGROU COLD STORAGE 00219 I03197 M CHICAGO, IL			5/30/02				X						On 05/29/02, a withholding action was taken.
LAS MERCEDES CATERING INC 11146 M11146 P HIALEAH, FL	2/3/04				X	X							
LEE'S PIGSKIN COMPANY, INC. 07446 M NEW HEBRON, MS	11/26/03	12/5/03			X	X						3/8/04	
LITTLE BLACK PACK 19265 M MEDFORD, WI	4/3/03		4/14/03	4/23/03		X					X	1/27/04	Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
LOEFFEL MEAT LAB 05658 M05658 P LINCOLN, NE	9/16/03	9/26/03				X							
LOFTUS MEATS 01420 M01420 P RICHFIELD, UT	7/8/03	7/16/03			X	X						3/24/04	
LONGMONT PACKING COMPANY 00128 M00128 P LITTLETON, CO	11/25/03	12/10/03			X	X							
M AND M PACK 05673 M05673 P RUSHVILLE, NE	12/11/03	12/23/03			X	X							

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M J MEATS 04883 M04883 P LYNWOOD, WA	10/7/03	10/9/03				X							2/20/04	
MAIN STREET MARKET 05652 M05652 P HUMPHREY, NE	8/18/03	9/16/03			X	X							2/19/04	
MANILA MEAT COMPANY 05448 M05448 P JERSEY CITY, NJ	10/1/03	10/24/03			X	X	X							
MARACCI MEATS 05913 M05913 P VINELAND, NJ	11/19/03	12/3/03			X	X								
MARKS MEAT, INC. 09265 M09265 P CANBY, OR	6/4/03	6/10/03			X	X							3/25/04	
MEDITERRANEAN FOODS, INC. 18977 M UPPER DARBY, PA	7/7/00			8/22/00		X								
			7/20/01			X								On 02/25/02, firm appealed the suspension. On 04/22/02, plant's appeal was denied.
MICHAEL PROVISION CO 01037 M17986 P FALL RIVER, MA	10/10/03	11/18/03				X							3/22/04	
MIK INC 12433 M KAUAI, HI	10/9/03	10/17/03			X	X	X							
MINOR ACRES PACKING COMPANY 09983 M JACKSON CENTER, PA	3/31/04				X	X					X			Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
MOM'S CATERING & SPECIAL EVENTS 27380 M27380 P HIALEAH, FL	12/22/03	1/7/04	1/13/04	1/16/04	X	X								

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					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
MORRIS MEAT PACKING INC 18229 M MORRIS, IL			10/7/03	11/14/03	X	X	X							
MOTT PACKING COMPANY 02394 M02394 P LEBANON, MO			7/9/03	7/14/03						X				On 01/12/04, DM closed case by firm's requested voluntary withdrawal.
MOY'S MEAT MARKET, INC. 02796 M02796 P BROOKLYN, NY	12/1/03	12/18/03			X	X						2/17/04		
MR. BASTERMA 18970 M DETROIT, MI			11/22/02		X	X								
MUCCI FOOD PRODUCTS LTD 19177 M19177 P CANTON, MI	10/6/03	10/16/03			X	X						1/8/04		
MY-CAR PROVISION CO 04711 M04711 P NEW LONDON, CT	10/17/03		11/17/03	12/31/03		X								
MYERS BROTHERS MEATS 09469 M09469 P SPRING MILLS, PA	11/5/03	11/19/03			X	X						2/12/04		
NARVAEZ BEEF PROCESSING PLANT 19440 M19440 P LAREDO, TX	11/6/03	11/20/03				X						2/25/04		
NETTLE'S SAUSAGE INC 11159 M LAKE CITY, FL			2/24/04			X						3/9/04		
	3/4/04	3/23/04			X	X								
NEW MEXICO PACKING 27265 M CLOVIS, NM	3/14/03	4/2/03	6/13/03	6/25/03	X	X						3/29/04		

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					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
NEW SKETE FARMS 04703 M04703 P CAMBRIDGE, NY	11/7/03		12/3/03	12/5/03		X						2/23/04	
NOUR HALAL MEAT DISTRIBUTION INC 08616 M IMLER, PA	8/28/03	9/9/03			X	X					X	2/12/04	Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
OLD SANTA FE TRAIL PRODUCTS 13343 M13343 P ALBUQUERQUE, NM	9/28/03		12/19/03		X	X					X		On 01/02/04, DM closed case by requested voluntary abandonment/withdrawal.
OLD WORLD GERMAN SAUSAGE 06275 M06275 P OAKLAND, CA	11/6/02		11/14/02	8/4/03		X							
OSCAR'S HICKORY HOUSE INC 04257 M04257 P WARRENSBURG, NY	11/7/03	11/25/03				X						2/23/04	
OSU FOOD & AG PROD R&T CTR 00526 M00526 P STILLWATER, OK	9/26/03	10/10/03			X	X						1/13/04	
OTTE PACKING CO. 05638 M05638 P CLINTON, NE	12/15/03				X	X							On 01/01/04, DM closed case by firm's requested voluntary withdrawal.
P.C. QUALITY FOODS 21820 M21820 P CRANSTON, RI	10/16/03		12/24/03	1/7/04		X							
			1/13/04	2/19/04						X			
PACFOODS, USA 09889 M09889 P HAYWARD, CA			8/26/02	10/17/02	X	X							
			10/23/02		X	X							On 10/23/02, suspension was reinstated.

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PANHANDLE STATE UNIVERSITY 07273 M GOODWELL, OK	1/22/04	2/4/04			X	X							
PAY AND SAVE INC 07266 M07266 P CANYON, TX	2/24/04	2/27/04			X	X							
PERFECT PASTA, INC. 17605 M17605 P SANDY, UT	5/28/03	6/5/03			X	X						3/25/04	
PHILLIPS MEAT & SEAFOOD INC 08641 M08641 P PANAMA CITY, FL	10/24/03	12/9/03			X	X						3/22/04	
PHUC HUONG 21607 M21607 P SAN JOSE, CA	11/15/02		12/6/02	1/31/03	X	X							
PICONE MEAT SPECIALTIES LTD 04445 M04445 P MAMARONECK, NY	3/12/04		3/30/04			X							
PREMIERE BRAND MEATS 17620 M17620 P MCKINLEYVILLE, CA			5/15/03	5/20/03					X				
PURSLOW ENTERPRISES INC. 18003 P HANCOCK, ME	10/22/03	12/2/03				X							
RCG FOODS OF TEXAS, INC. 13533 M13533 P EL PASO, TX	5/27/03	6/4/03				X							
REAL KOSHER SAUSAGE CO 00999 M07894 P NEWARK, NJ	2/23/04	3/4/04			X		X						
REGAL FOOD SERVICE INC. 21788 M21788 P HOUSTON, TX	1/12/04	1/16/04			X	X							

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					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
REMER MEAT CO 20521 M20521 P CLINTON, MO	8/22/03	8/28/03				X								
RETAIL READY FOODS INC 08205 M08205 P AMARILLO, TX	2/4/04	2/10/04			X	X								
RIGGS QUALITY MEAT INC 10183 M10183 P MARSHALL, MI	9/2/03				X	X								On 02/06/04, DM closed case by firm's requested voluntary withdrawal.
RIO TEX WHOLESALE MEAT PROCESSING 13545 M13545 P MERCEDDES, TX	10/29/03	11/6/03			X	X						2/25/04		
ROBERT'S PACKING CO 02502 M02502 P CHICAGO, IL	9/5/03		9/12/03	9/18/03		X						1/9/04		
SADDLE MOUNTAIN MEAT LLC 04993 M04993 P HUBBARD, OR	11/10/03	11/20/03			X	X	X							
SAINT CROIX ABATTOIR 00482 M SAINT CROIX, VI			3/25/04	3/29/04				X						
SAMUEL J. FORTENBERRY 08736 M08736 P LOCKNEY, TX	10/22/03	10/29/03				X					X	2/25/04		Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
SARDINHA SAUSAGE INC 17995 M17995 P FALL RIVER, MA	10/10/03		12/18/03	1/2/04		X								On 12/30/03, plant appealed the suspension. Appeal was denied 12/31/03.
SCHALLER'S PACKERS INC 09955 M09955 P BRIDGEWATER, NY	12/31/03		1/6/04		X	X								
SCHWARTZ MEAT COMPANY 01961 M02961 P NORMAN, OK	1/16/03	1/29/03			X									On 1/8/04, firm was granted a 120 day voluntary suspension.

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SELWOOD FARMS INC. 07316 M07316 P ALPINE, AL	11/13/03	11/26/03				X							
SHUSTER NORTH INC 13299 M13299 P LINCOLN, NE	10/8/03	10/27/03			X	X						1/23/04	
SPAGEL BROTHERS, INC.; d/b/a STANGANELLI'S ITALIAN 20380 M ERIE, PA	12/10/03	1/7/04			X	X						3/17/04	
STAR PACKING CO., INC. 02934 M ST. LOUIS, MO			1/8/03	1/10/03	X	X						2/23/04	
SUGARLOAF MARKET, INC. 10652 M10652 P HEBER SPRINGS, AR	8/27/03	9/4/03				X							
SUN HUNG MAY INC 04287 M04287 P BROOKLYN, NY	10/17/03	12/3/03				X						2/17/04	
SUPERIOR PROCESSING 07230 M07230 P CHICKASHA, OK	2/4/04	2/19/04			X	X							
SWISS FOODS INC 06432 M06432 P DENVER, CO	11/6/03	12/4/03			X	X							
TAPAS INTERNATIONAL 20556 M20556 P ORLANDO, FL	3/11/04	3/17/04				X					X		Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
TASE-RITE CO INC 09495 M09495 P PEACE DALE, RI	10/16/03	1/22/04				X						3/22/04	
TASTY FOODS PLACE, INC. D/B/A POINT CATERING INC 11207 M11207 P HIALEAH, FL			9/16/03	10/3/03	X								On 02/11/04, DM closed case by firm's requested voluntary withdrawal.

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					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
TASTY FOODS PLACE, INC. D/B/A POINT CATERING INC 11207 M11207 P HIALEAH, FL			1/13/04		X	X								On 02/11/04, DM closed case by firm's requested voluntary withdrawal. On 01/13/04, suspension was reinstated.
TAYLOR SAUSAGE CO 02392M ST. LOUIS, MO	9/8/03	9/17/03				X					2/2/04			
TEXAS BEST BEEF JERKY INC 20425 M20425 P WICHITA FALLS, TX	3/2/04	3/10/04			X	X								
THE BAYOU CO. 20726 M TARPON SPRINGS, FL	6/25/03		7/7/03	2/18/04	X	X								
THE BUTCHER BLOCK INC. 05653 M INDIANOLA, NE	10/4/02	11/4/02			X	X					X			Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
THE SMOKE HOUSE 04223 M04223 P DETROIT, MI	9/17/03				X	X								
THREE STAR PROVISION COMPANY INC 04500 M04500 P SOUTH OZONE PARK, NY	10/10/03		11/24/03	12/8/03		X								
TOP CUT MEAT COMPANY 20789 M20789 P NORTH PLATTE, NE	1/6/04	1/14/04				X								
TRINH COMPANY 06488 M06488 P SAN JOSE, CA	2/18/03		2/28/03	4/21/03		X								
			1/6/04		X	X								On 01/6/04, suspension was reinstated.
TRIPLE T COUNTRY MEATS 21011W M21011W P WELLSBURG, IA	9/15/03	9/22/03				X								

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					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
TRIPLE T SPECIALTY MEATS 21011 M21011 P ACKLEY, IA			12/11/03	12/15/03		X							
	12/15/03	12/19/03				X							
TRI-WESTERN MEAT PACKING, INC. 00899 M00899 P TOLLESON, AZ	8/4/03	8/21/03			X	X							
TROY PORK STORE 04359 M TROY, NY	3/8/04		3/22/04	3/29/04	X	X							
TWIN LOUPS QUALITY MEATS 05729 M05729 P ST. PAUL, NE			10/10/03	10/21/03		X							
	10/15/03	10/24/03				X							
TYLER PACKING CO., INC. 02211 M02211 P TYLER, TX	12/12/03	12/19/03			X	X						3/18/04	
UNITED MEAT PRODUCTION, INC. 13583 M13583 P WASHINGTON, OK	3/29/03	4/10/03			X	X							
UNIVERSITY OF ARKANSAS RED MEAT RESEARCH ABATTOIR 10600 M10600 P FAYETTEVILLE, AR	9/19/03	10/16/03			X	X	X						
VALLET MEATS 15868 M DUBUQUE, IA			8/21/03	8/22/03	X								
	8/22/03	8/29/03				X							

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					<u>SSOP</u>	<u>HACCP</u>	<u>SPS</u>	<u>INH</u>	<u>INT</u>	<u>Other</u>	<u>LOI</u>	<u>LOW</u>	
VALLEY BEEF INC 27440 M WENDELL, ID	9/8/03	10/3/03			X	X	X					3/10/04	
W. A. BEAN & SONS INC 09849 M09849 P BANGOR, ME	10/7/03	12/10/03				X							
WELLS PROCESSING 06554 M06554 P BRIGHTON, TN	1/16/04	2/5/04			X	X							
WINDTHORST FINE MEATS 07130 M07130 P WINDTHORST, TX	2/3/04	3/2/04			X	X							
WRIGHT CITY MEAT CO. INC. 08699 M08699 P WRIGHT CITY, MO	2/11/03	2/24/03			X	X					2/4/04		

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Formal Adjudicatory Actions for Food Safety

Under the statutes it administers, FSIS can, in appropriate cases, move to withdraw grants of federal inspection from plants and plant owners based on the failure of a recipient of inspection service to meet critical sanitation and food safety regulatory requirements [e.g., Sanitation Standard Operating Procedures (SSOP) or Hazard Analysis and Critical Control Point (HACCP) system regulations] necessary to protect the public health. In some situations, FSIS also can seek to deny inspection service to an applicant for failure to meet certain food safety regulatory requirements. These actions are taken in accordance with the FSIS Rules of Practice (9 CFR Part 500) and Department regulations governing formal adjudicatory proceedings (7 CFR Part 1, Subpart H). Plants and plant owners are provided with the opportunity for a hearing before a federal administrative law judge. **Table 8** identifies refusal and withdrawal actions pending or taken (other than outstanding consent decisions) on this basis for this reporting period. There were three actions initiated this reporting period.

**Table 8. Food Safety Adjudicatory Actions
(1/01/04 to 3/31/04)**

Formal Adjudicatory Actions Pending or Taken for Food Safety [includes actions initiated in prior quarters]

Establishment	Complaint to Deny/Withdraw Inspection	Hearing	Consent Order	Action Summary
CRESCENT CUSTOM SLAUGHERING, INC. 06041 M SUMNER, WA	1/28/04			On January 28, 2004, FSIS filed a complaint to withdraw inspection based on the firm's alleged failure to operate and maintain its business in a manner sufficient to prevent the creation of insanitary conditions, and to ensure that meat products are not adulterated.
FRESH FREEZE, INC. 20104 M EDINBURG, TX	1/7/04			On January 7, 2004, FSIS filed a complaint to withdraw inspection based on the firm's alleged failure to operate and maintain its business in a manner sufficient to prevent the creation of insanitary conditions, and to ensure that meat products are not adulterated.
HOMESTEAD GOURMET FOODS COMPANY, INC. 09947 M 09947 P LINDEN, NJ	9/24/03	12/11/03		On September 24, 2003, FSIS filed a complaint to withdraw inspection based on alleged HACCP and SSOP noncompliance, insanitary conditions, repetitive environmental samples testing positive for <i>Listeria monocytogenes</i> and other food safety issues. On December 11, 2003, a USDA Administrative Law Judge denied the firm's request for reinstatement of inspection service. On January 28, 2004, the District Manager granted the firm's requested voluntary withdrawal.
INDUSTRIAS AVICOLAS DE PUERTO RICO, INC. 06658 P COAMO, PR	1/23/04		2/11/04	On January 23, 2004, FSIS filed a complaint to withdraw inspection based on the firm's alleged failure to maintain operations in a manner sufficient to prevent the creation of insanitary conditions, and to ensure that poultry products are wholesome and not adulterated. A Consent Decision and Order became effective on February 11, 2004.
LAGROU COLD STORAGE 00219 I 03197 M CHICAGO, IL	9/24/02			On September 24, 2002, FSIS filed a complaint to withdraw inspection based on the firm's alleged failure to operate and maintain its business in a manner sufficient to prevent the creation of insanitary conditions, and to ensure that meat and poultry products are not adulterated. Product remains under detention by USDA.

Withdrawal for Unfitness

Under the statutes it administers, FSIS also can move to withdraw inspection, after opportunity for a hearing, based on the unfitness of an applicant for or a recipient of inspection because of a felony conviction or more than one violation involving food. **Table 9** identifies actions pending or taken (other than outstanding consent decisions) on this basis for this reporting period. There was one unfitness action initiated this reporting period.

**Table 9. Withdrawal for Unfitness
(1/01/04 to 3/31/04)**

Administrative Actions Pending or Taken for Unfitness [includes actions initiated in prior quarters]

Establishment	Complaint to Deny/Withdraw Inspection	Consent Order	Decision and Order	Action Summary
ACADEMY PACKING COMPANY, CO., INC. 02559 M 02559 P DEARBORN, MI	1/16/04			The complaint to withdraw Federal inspection services was based on the firm's conviction on two (2) misdemeanor counts for the preparation of adulterated meat products and for the sale and transportation of the adulterated meat products.
LAKEVIEW PACKING COMPANY, INC. 09166 M 09166 P LA GRANGE, NC	8/6/03			The complaint to withdraw inspection was based on the firm's conviction of conspiracy to violate the Clean Water Act for unlawful discharge of pollutants in waterways.
PLATINUM FOODS OF FLORIDA, INC. JOSEPH CANOSSA, SR. 21822 M 21822 P LAUDERHILL, FL	10/29/03		01/16/04	On January 16, 2004, the firm and former sales manager entered into a Stipulation and Consent Order (Order) with FSIS. The Order is effective for two (2) years and indefinitely divests, both operationally and financially, the former sales manager, Mr. Joseph Canossa, Sr., from the firm. The Order also prohibits the firm or any of its employees from violating any Federal, State, or local meat and poultry laws. It also precludes the firm from knowingly hiring or adding any new individual that has been convicted, in any Federal or State court, of any felony or multiple misdemeanors involving transactions in food. In addition, FSIS has the authority to withdraw inspection services if a violation of any one of the stipulations occurs.
VEBLEN PROTEIN INC. CLARK BEACH FIELD 31755 M 31755 P CLARKFIELD, MN	12/17/03		02/11/04	On February 11, 2004, the firm and Mr. Clark B. Field, an officer of the corporation, entered into a Stipulation and Consent Decision (Order) with FSIS. The Order is effective for two (2) years and prohibits the firm or any of its employees from violating any section of the Federal Meat Inspection Act, Poultry Products Inspection Act, State or local statute involving the preparation, sale, transportation, or attempted distribution of any adulterated or misbranded meat or poultry product. It precludes the firm from knowingly hiring or adding any new employee that has been convicted in any Federal or State court of any felony or multiple misdemeanor involving transactions in food. FSIS has the authority to withdraw inspection services if the firm is found in violation of any one of the provisions contained in the Order.

Removing Custom Exempt Privilege

The meat and poultry laws exempt certain operations from inspection. Custom exempt businesses slaughter animals or process meat for owners of the animals or products. When insanitary conditions create health hazards, FSIS may remove custom exempt privileges and require the plant to cease operations until sanitary conditions are restored. FSIS can also take action when custom facilities fail to properly label product as "Not for Sale." These businesses have the opportunity to correct violations prior to such actions. Only new activities would be reflected in this report.

Table 10 lists two custom exempt actions initiated this reporting period.

**Table 10. Custom Exempt Actions
(1/01/04 to 3/31/04)**

Administrative Actions Taken at Custom Exempt Facilities

Name	Location	Complaint	Consent Order	Action Summary
CRESCENT CUSTOM SLAUGHTERING, INC.	SUMNER, WA	11/24/03		On November 24, 2003, a Notice of Ineligibility to conduct custom operations was issued to the firm.
10 TH AVENUE LIVE POULTRY MARKET, INC.	BRONX, NY	03/15/04		On March 15, 2004, a Notice of Ineligibility to conduct custom operations was issued to the firm.
THE BUTCHER SHOP, INC.	FAIRFIELD, NE	03/02/04	03/29/04	On March 2, 2004, a Notice of Ineligibility to conduct custom operations was issued to the firm. On March 29, 2004, the firm entered into a Stipulation and Consent Agreement (Agreement) with FSIS. The Agreement holds the withdrawal of meat exemption privileges in abeyance for a three (3) year period provided that certain conditions are met. The Agreement requires the firm to make physical repairs and develop and maintain sanitation procedures to ensure that operations are conducted in a sanitary manner and meat products are not adulterated.

CRIMINAL ACTIONS

If evidence is found that a person or business has engaged in violations of the Federal Meat Inspection Act, Poultry Products Inspection Act, or Egg Products Inspection Act, USDA may refer the case to the appropriate United States Attorney to pursue criminal prosecution. Conviction for a criminal offense can result in a fine, imprisonment, or both. **Table 11** lists criminal actions and criminal cases in categories according to the status of the case, which may be indictment or information issued; pleas, convictions, or acquittals, and sentences rendered during this reporting period.

**Table 11. Criminal Actions
(1/01/04 to 3/31/04)**

Criminal Actions

Name	Location	Indictment	Information	Plea	Sentencing	Action Summary
COCKRUM CUSTOM MEAT PROCESSING RANDALL L. COCKRUM, OWNER	RUDY, AR			02/12/04		On February 12, 2004, in the U.S. District Court, Western District of Arkansas, Mr. Randall Cockrum pled guilty to two (2) misdemeanor counts for violating the FMIA. Sentencing is scheduled for May 13, 2004.
FORDCO FOODS COMPANY, INC. THOMAS L. FORD, PRES.	BAKERSFIELD, CA		10/14/03	10/14/03	01/05/04	On January 5, 2004, in the U.S. District Court, Eastern District of California, Mr. Thomas L. Ford was sentenced on two (2) misdemeanor counts for offering for transportation adulterated poultry products. Mr. Ford was placed on a one (1) year probation period and ordered to pay a fine of \$5,000 per count and \$50 in special assessment fees.
LAGROU DISTRIBUTION SYSTEM, INC., D.B.A. LAGROU COLD STORAGE, INC. JACK STEWART, PRES. MICHAEL FAUCHER, DIR. OF SALES 00219 I 03197 M	CHICAGO, IL	06/18/03				On June 18, 2003, in the United States District Court, Northern District of Illinois, Eastern Division, the firm, Jack Stewart, and Michael Faucher were indicted and charged with four (4) felony counts for violations of the FMIA and PPIA.
DAVID SMITH, WAREHOUSE MGR. (LAGROU DISTRIBUTION SYSTEM, INC., D.B.A. LAGROU COLD STORAGE, INC.)	CHICAGO, IL	06/18/03		12/02/2003		On June 18, 2003, in the United States District Court, Northern District of Illinois, Eastern Division, David Smith was indicted and charged with one (1) felony count for violations of the FMIA and PPIA. On December 2, 2003, Mr. Smith entered into a plea agreement. Sentencing will be scheduled at a later date.
MELBA UTICA PACKING COMPANY ELLIOT GEVISENHEIT, CORP. PRES.	BROOKLYN, NY			01/08/04	01/08/04	On January 8, 2004, in the U.S. District Court, Eastern District of New York, the firm was sentenced on one (1) felony count for selling, transporting, offering for sale or transportation, and receiving for transportation adulterated poultry products. The firm was placed on a two (2) year probation period and ordered to pay a \$5,000 fine and a \$400 special assessment fee. In addition, the firm was ordered to pay the amount of \$20,000 for the cost of the prosecution.
PALMETTO MOTEL, INC., D.B.A. ORANGEBURG SAUSAGE COMPANY TIMOTHY W. LEE, PRES.,	ORANGEBURG, SC	7/15/03		10/02/03	02/19/04	On February 19, 2004, in the U.S. District Court, District of South Carolina, the firm was sentenced on one (1) misdemeanor count for handling meat food products in a manner that caused them to become adulterated. The firm was placed on a thirty-six (36) month probation period and ordered to pay a \$3,000 fine plus a \$125 special assessment fee.

Name	Location	Indictment	Information	Plea	Sentencing	Action Summary
PETER SARANDOS JR., PRES., PETER SARANDOS SR., FORMER PRES. DAVID SARANDOS, MEAT MGR., (SHUR-SAV INC., AKA PETE'S SHUR-SAV)	ST. LOUIS, MO		12/08/03	12/08/03	03/26/04	On March 26, 2004, in the U.S. District Court, Eastern District of Missouri, Mr. Peter Sarandos, Jr., representing Shur-Sav Inc., was sentenced on two (2) misdemeanor counts for preparing and causing meat food products to become adulterated. The firm was placed on a three (3) year probation and a three (3) year supervised food safety program. In addition, the firm was ordered to pay a \$95,000 fine, a \$250 special assessment fee, and a \$211 restitution fee. Mr. Peter Sarandos, Sr., was sentenced on five (5) misdemeanor counts for preparing and causing meat products to become adulterated. Mr. Peter Sarandos Sr. was placed on a three (3) year probation, fined \$5,000, and ordered to pay \$125 in special assessment fees. Mr. David Sarandos was sentenced on two (2) misdemeanor counts for preparing and causing meat products to become adulterated. He was placed on a one (1) year probation period, ordered to perform 40 hours of community service and pay \$50 in special assessment fees.
MARK RUSTEMEYER, STORE MGR., DARRELL HERRING, MEAT CUTTER (SHUR-SAV INC., AKA PETE'S SHUR-SAV)	ST. LOUIS, MO				02/26/04	On February 26, 2004, Mark Rustemeyer and Mr. Darrell Herring were sentenced on one (1) misdemeanor count for causing meat products to become adulterated. Both individuals received a one (1) year probation and were ordered to pay a \$25 fine.
RANCHO COLD STORAGE INC. VINCENT M. GALLO, PRES.	LOS ANGELES, CA			01/28/04	01/28/04	On January 28, 2004, in the U.S. District Court, Central District of California, the firm was sentenced on two (2) misdemeanor counts for offering adulterated meat food product for transportation in commerce. The firm was ordered to pay a \$20,000 fine plus a \$250 special assessment fee and placed on a one (1) year probation period.
SCHUMACHER ENTERPRISE, INC. RAYMOND O. SCHUMACHER, CEO DALE E. SCHUMACHER, SECY.	PORTLAND, OR			03/02/04		On March 2, 2004, in the U.S. District Court for the District of Oregon, the firm and Raymond O. Schumacher pled guilty to one (1) felony count each, and Dale E. Schumacher pled guilty to one (1) misdemeanor count for violations to the FMIA. Sentencing is scheduled for May 24, 2004.

PRE-TRIAL DIVERSION AGREEMENTS

In certain situations, United States Attorneys may enter into Pre-Trial Diversion (PTD) agreements. Under these agreements, the government agrees not to proceed with criminal prosecution if the alleged violator meets certain terms and conditions. The terms and conditions of a PTD are tailored to fit each individual case. FSIS frequently monitors these agreements so that it can assist the U. S. Attorneys in determining whether prosecution should be re-instituted. If the divertee successfully completes the program, no criminal charges are filed. If, on the other hand, the divertee does not successfully complete the program, criminal charges may be reinstated. There were two pre-trial diversion agreements this quarter. The first agreement involved a meat and poultry firm in the Southeastern United States. The firm was cited for apparent violations to the FMIA and PPIA involving adulterated products. The pre-trial is effective for a 12-month period and conditions include food and charitable donations, and hiring of an independent consultant to document compliance of all applicable regulations. The firm was also ordered to perform one hundred (100) hours of community service. The second agreement involved three managing officials at a meat and poultry firm in the Southwestern United States. The pre-trial agreement is effective for a 12-month period and conditions include imposition of fines, food donations, and other restrictions to ensure compliance with food safety laws.

CIVIL ACTIONS

FSIS also has authority to seek a variety of civil actions in Federal Court.

Seizures

When FSIS has reason to believe distributed products are adulterated or misbranded, the Agency will, through the U.S. Attorney, institute a seizure action against the product. The product is held pending an adjudication of its status. If the court finds that the product is adulterated or misbranded, it will condemn the product. Condemned product cannot be further processed to be used for human food. There were no actions initiated during this reporting period.

**Table 12. Seizure Actions
(1/01/04 to 3/31/04)**

Name	Location	Complaint	Seizures	Action Summary
ROYAL WHOLESALE GROCERIES	JERSEY CITY, NJ	9/8/03		On January 12, 2004, a default judgement was entered in the United States District Court of New Jersey due to the failure of any interested party to respond to a complaint that the United States filed against the product. The complaint was filed September 8, 2003, based on USDA officials finding 14,379 pounds, more or less, of meat product packed in cases holding misbranded containers imported from Canada without an application for importation, presentation for import inspection, or the accompaniment of health certificates.

Injunctions

FSIS, through the U.S. Attorney, may request a U.S. District Court to enjoin repetitive violators of the FMIA, PPIA, or EPIA. The Agency seeks injunctions to stop uninspected retail stores from processing products without required inspection for wholesale business or to prevent or restrain other violations of law. There were no injunctions initiated during this reporting period.

**Table 13. Civil Actions
(1/01/04 to 3/31/04)**

Name	Location	Complaint	Injunction	Action Summary
JACOB'S WORLD FAMOUS ANDOUILLE AARON S. LIONS, OWNER	LA PLACE, LA	10/29/03		On October 29, 2003, in the U.S. District Court, Eastern District of Louisiana, a complaint was filed to permanently enjoin Mr. Aaron S. Lions and Jacob's World Famous Andouille from violating the FMIA and PPIA.

False Claims Act Violations

The Department of Justice Affirmative Civil Enforcement (ACE) program is used by U.S. Attorneys to recover damages when a violation of law involves fraud against the Federal government. Under the False Claims Act, the government may recover three times its estimated losses. FSIS typically seeks action under this program for cases involving products, not in compliance, sold to the military, to public schools engaged in the school lunch program, or to other Federal institutions. There were no ACE program actions reported for this period.

FOR MORE INFORMATION:

Media Inquiries: (202) 720-9113
Freedom of Information Act Requests: (202) 720-2109
Congressional Inquiries: (202) 720-3897
Constituent Inquiries: (202) 720-9113

Consumer Inquiries: Call USDA's Meat and Poultry Hotline at
1-888-674-6854, 10 a.m. to 4 p.m., Eastern Time

FSIS Web site: <http://www.fsis.usda.gov>