

**UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
QUARTERLY ENFORCEMENT REPORT  
April 1, 2004 through June 30, 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/Frame/FrameRedirect.asp?main=/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 1,707,881 HACCP verification procedures. **Table 1a** provides numbers of NRs issued by FSIS inspection personnel between April 1, 2004 and June 30, 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 (4/01/04 to 6/30/04): **34,002**

## Table 1b. Appeals NRs (4/01/04 to 6/30/04)

**Number of Plants Filing Appeals: 217**

Appeal of NR Granted	Appeal of NR Denied	Appeal of NR Pending	Total Appeals Resulting In Modified NR	Total NRs Appealed
122	169	32	86	409

## 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 38,084,719 livestock carcasses, of which 61,528 carcasses were condemned. FSIS inspected 2,306,694,626 poultry carcasses of which 13,174,409 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 Investigations Division (CID) region, now part of the new Office of Program Evaluation, Enforcement and Review.

**Table 2. Detention Summary  
(4/01/04 to 6/30/04)**

**Detentions**

**Total number of detentions by FSIS** **100**  
**Total pounds of product detained** **822,677**

CID Region	Detentions	Pounds Detained
WESTERN	32	295,534
SOUTHEAST	1	200
MIDWEST	15	8,149
SOUTHWEST	22	102,482
GREAT PLAINS	9	339,848
NORTHEAST	<u>21</u>	<u>76,464</u>
<b>Totals</b>	<b>100</b>	<b>822,677</b>

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](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.<sup>1</sup> 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

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<sup>1</sup> 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 <sup>1</sup>	Reinspected	TOIs Perf <sup>2</sup>	Accepted	Rejected <sup>3</sup>	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)	1,030,832,837	305,172	83,447,974	7,565	1,028,549,651	1,978,014	2,283,186
Q-4 (Jul – Sep)							
<b>Cumulative Totals</b>	3,120,800,359	796,480	240,430,191	17,792	3,114,328,045	5,675,834	6,472,314

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

**Presented, Reinspected, and Refused Entry**

QUARTER	FY 2004	
	PRESENTED	REFUSED <sup>4</sup>
Q-1 (Oct – Dec)	2,175,306	3,600
Q-2 (Jan – Mar)	2,514,494	15,934
Q-3 (Apr – Jun)	4,244,519	440
Q-4 (Jul – Sep)		
<b>Cumulative Totals</b>	8,934,319	19,974

<sup>1</sup> 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.

<sup>2</sup> Types of Inspection. The number of reinspections performed during the quarter.

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

<sup>4</sup> 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  
(4/01/04 to 6/30/04)**

**Notices of Warning for Criminal Violations**

**Total number of NOWs issued for violations: 303**  
**Number issued by Headquarters: 9**

CID Region	Number of NOWs Issued by Regions
WESTERN	89
SOUTHEAST	19
MIDWEST	85
SOUTHWEST	21
GREAT PLAINS	4
NORTHEAST	76
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<b>Total number issued by Regions</b>	<b>294</b>

**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 258 plants. Seventy-two of the actions in these plants were initiated during this reporting period. Ninety-eight 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  
(4/01/04 to 6/30/04)**

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 Abeance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
B.P. JOINT VENTURE LLC dba BRAWLEY BEEF 21488 M BARWLEY, CA			3/26/04	3/29/04				X					
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						4/23/04	
EMPIRE KOSHER POULTRY INC 01015 M01015 P MIFFLINTOWN, PA	11/5/03	12/2/03				X						6/10/04	
EXCEL CORP. 00086R M FORT MORGAN, CO						X				X			On 4/21/04, a withholding action concerning labels for Advanced Meat Recovery System product was taken in accordance with 9 CFR Part 500.8.
EXCEL CORPORATION 00086E M FRIONA, TX	8/19/03	9/11/03				X							
EXCEL CORPORATION 00086M M SCHUYLER, NE	9/19/03	12/23/03				X						6/9/04	
EXCEL CORPORATION 00085B M BEARDSTOWN, IL	11/5/03	11/25/03			X	X	X					5/4/04	
EXCEL CORPORATION 00086K M DODGE CITY, KS	6/24/04					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 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	
GOLD KIST INC 01272 P DOUGLAS, GA	5/26/04	6/22/04			X	X							
HORMEL FOODS CORPORATION 00199N M04240 P FREMONT, NE	11/4/03	11/7/03			X		X						
IBP, INC. 00245E M AMARILLO, TX						X				X			On 11/25/03, a withholding action concerning labels for Advanced Meat Recovery System product was taken in accordance with 9 CFR Part 500.8.
MORONI FEED COMPANY 00751 M01049 P MORONI, UT	4/5/04	5/7/04			X	X							
MOYER PACKING CO. 01311 M SOUDERTON, PA	9/18/02		11/14/02	9/29/03	X	X						6/22/04	
NEBRASKA BEEF LTD 19336 M OMAHA, NE						X				X			On 4/5/04, a withholding action concerning labels for Advanced Meat Recovery System product was taken in accordance with 9 CFR Part 500.8.
O.K. FOODS INC 13089 M00165 P FORT SMITH, AR	6/9/04	6/23/04			X	X							
PECO FOODS INC 06616 P SEBASTOPOL, MS	5/20/04	6/7/04			X	X							
PETERSON FARMS INC 00550 P DECATUR, AR	3/15/04	3/24/04			X	X	X						
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						6/25/04	

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**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 CORPORATION 07091AP MOUNT PLEASANT, TX	6/2/04	6/9/04			X		X							
TYSON FOODS 00245C M DAKOTA CITY, NE						X					X			On 12/29/03, a withholding action concerning labels for Advanced Meat Recovery System product was taken in accordance with 9 CFR Part 500.8.
TYSON FOODS, INC. 13456 M13456 P PINE BLUFF, AR	6/24/04				X	X								
TYSON FOODS, INC. 01362 P NOEL, MO	6/24/04				X	X								
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								

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

**Table 6. Administrative Actions: Small HACCP Plants  
(4/01/04 to 6/30/04)**

<b>Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]</b>													
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	
21ST CENTURY FOODS LTD 31588 M31588 P SAN ANTONIO, TX	6/1/04	6/7/04				X							
BENEDETTI FARMS INC 18216 M18216 P SONOMA, CA			2/5/04	2/10/04	X		X					5/12/04	
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							
CEDAR HOLLOW FOODS 05578 M05578 P LINCOLN, NE	3/30/04	4/6/04				X							
CENTEX MEAT COMPANY LP 31599 M31599 P TAYLOR, TX	5/18/04	5/21/04				X							
CENTRAL BEEF IND. L.L.C. 00096 M CENTER HILL, FL	11/25/03	12/29/03			X	X						6/10/04	
CENTRAL MARKET INC 01286 M01286 P OMAHA, NE	9/12/03	9/18/03			X	X						6/25/04	
CHEF'S REQUESTED 05792 M05792 P OKLAHOMA CITY, OK	6/4/03	6/10/03			X	X	X					6/17/04	

<b>ABBREVIATION KEY</b>	
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	
COLLEGE HILL POULTRY 00533 P FREDERICKSBURG, PA	10/12/01	1/16/02			X	X						4/30/04	
COMARCO QUALITY PORK PRODUCTS, INC. 17555 M CAMDEN, NJ			2/20/04	3/5/04	X	X						6/17/04	
CONAGRA REFRIGERATED FOODS 00543 M00543 P BRITT, IA	4/19/04					X							
CONAGRA REFRIGERATED PREPARED FOODS 00222 M05535 P MASON CITY, IA	1/30/04	2/6/04			X	X						6/1/04	
CRAY H-R-I FOOD SERVICES INC 09146 M09146 P MOBILE, AL	2/26/04	3/8/04			X	X						6/4/04	
CUSTOM MEATS CORP. 07271 M07271 P DALLAS, TX	3/31/03	4/4/03				X							
DALE T. SMITH & SONS PACKING CO. INC 04975 M04975 P DRAPER, UT	8/22/03	9/16/03			X	X						6/28/04	
DEL MONACO SPECIALTY FOODS INC 17702 M17702P SAN JOSE, CA	5/12/04	5/24/04				X							
FIELDSTONE MEATS OF ALABAMA INC 02691 M ONEONTA, AL	3/15/04	3/24/04			X	X	X						
FOREST & BROOK FOOD CORPORATION 18342 M18342 P HAPPAUGE, NY	2/4/04	2/24/04			X	X						5/25/04	

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
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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	
FREMONT BEEF COMPANY 13415 M13415 P FREMONT, NE	5/12/03	5/21/03			X	X						4/30/04	
GFI AMERICA, INC. 02368 M02368 P MINNEAPOLIS, MN			1/13/04	1/15/04	X	X						4/8/04	
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					
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 8/14/03, suspension was reinstated.
GOLDEN CROWN FOODS, INC. 18823 M18823 P CITY OF INDUSTRY, CA	12/24/03	1/14/04			X	X							
HENLEY'S WHOLESALE MEATS INC 10664 M10664 P NORTH LITTLE ROCK, AR	3/10/04	3/17/04			X	X	X						
HOLIDAY PANTRY COMMISSARY 20543 M20543 P BROOKLYN CENTER, MN	4/30/04	5/6/04				X							
HOT SPRINGS PACKING 10695 M10695 P HOT SPRINGS, AR	12/19/03	1/6/04			X	X							
HOUSE OF RAEFORD FARMS OF LOUISIANA LLC 19865 P ARCADIA, LA	5/19/04	6/3/04			X	X	X						

ABBREVIATION KEY	
SPS	Sanitation performance standards
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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	
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								
J. R. SIMPLOT COMPANY 20293 M20293 M WEST MEMPHIS, AR	10/20/03	10/30/03			X	X						4/1/04	
J.H. ROUTH PACKING CO 00818 M SANDUSKY, OH	2/18/04	3/4/04			X	X	X						
J.W. TREUTH & SONS INC 02612 M02612 P BALTIMORE, MD	5/11/04	5/20/04			X	X							
JOBBER'S MEAT PACKING CO., INC. 06251 M06251 P LOS ANGELES, CA	9/19/03	10/6/03			X	X						4/9/04	
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	4/6/04	X	X							
MIMS MANN'S INTERNATIONAL LLC 04219 M04219 P OMAHA, NE	1/14/04	1/20/04			X	X						5/18/04	
NEBRASKA TURKEY GROWERS CO-OP 00538 P GIBBON, NE	3/24/04	4/2/04			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	
NEW BRAUNFELS SMOKEHOUSE 02209 M00975 P NEW BRAUNFELS, TX	5/21/04	5/28/04				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	10/22/0 3				X						4/26/04	
NEW SPECIALTY PRODUCTS, INC. 18931 M18931 P CHICAGO, IL	1/2/04	1/23/04			X	X	X					4/20/04	
OBIM FRESH-CUT FRUIT COMPANY 27399 M27399 P FORT WORTH, TX	2/24/04	3/3/04			X	X							
O'BRIEN'S & CO INC 05528 M05528 P BELLEVUE, NE	5/10/04	5/21/04			X	X							
OLD SETTLERS JERKY INC 09875 M09875 P COVINA, CA	11/5/03	11/24/0 3				X						4/21/04	
O'STEEN MEAT SPECIALTIES INC 13409 M13409 P OKLAHOMA CITY, OK	5/12/04	5/21/04			X	X							
OZARK MOUNTAIN PORK COOP. 21148 M MOUNTAIN VIEW, MO			11/13/02	11/22/02		X						4/23/04	
PACKERLAND PACKING CO., INC. 00562G M GERING, NE	3/17/03	3/28/03				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	
PEER FOODS GROUP INC 00998 M15874 P CHICAGO, IL	3/24/04	4/6/04			X	X	X					6/28/04	
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, IA	3/26/04	4/5/04				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							
PROFILE FOODS 18603 M18603 P W. DES MOINES, IA	5/25/04		6/14/04	6/16/04		X							
RED BIRD FARMS INC 08139 M08139 P ENGLEWOOD, CO	4/9/04	5/7/04			X	X	X						
RICE FIELD CORPORATION 20153 M20153 P CITY OF INDUSTRY, CA	3/11/04	4/26/04	5/12/04	5/18/04	X	X							
ROMAN PACKING CO. 05662 M05662 P NORFOLK, NE	3/19/04	4/1/04			X	X							
S & F FOODS INC 31699 M31699 P ROMULUS, MI			4/21/04	6/1/04	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	
SALEM PACKING COMPANY INCORPORATED 05425 M SALEM, NJ	11/15/02		11/26/02	12/2/02		X						5/12/04	
SANDERSON FARMS, INC. 01600 M00671 P JACKSON, MS	5/28/04	6/14/04			X	X							
SIGOURNEY FOODS 02484 M02484 P SIGOURNEY, IA	1/27/04	2/9/04			X	X						6/2/04	
SIMPLOT MEAT PRODUCTS, L.L.C. 00630 M NAMPAL, 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						4/22/04	
SNOW BALL FOODS LLC 07569 M07569 P WILLIAMSTOWN, NJ	5/27/04	6/4/04	6/17/04	6/18/04	X	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						5/18/04	
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				

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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
					<u>SSOP</u>	<u>HACCP</u>	<u>SPS</u>	<u>INH</u>	<u>INT</u>	<u>Other</u>	<u>LOI</u>	<u>LOW</u>	
TECUMSEH POULTRY, LLC 20251 P TECUMSEH, NE	7/2/03	7/11/03			X	X						6/3/04	
TILLAMOOK COUNTRY SMOKER 09295 M09295 P BAY CITY, OR	2/21/03	3/5/03			X	X						4/21/04	
TRENTON HALAL PACKING 17776 M TRENTON, NJ	5/17/04	5/25/04			X	X							
TYSON FOODS INC 02657 M02657 P DAWSON, GA	4/7/04				X	X							
TYSON REFRIGERATED PROCESSED MEATS 21716 M21716 P COUNCIL BLUFFS, IA	2/23/04	3/2/04			X	X							
VINCENT GIORDANO CORPORATION 05397 M PHILADELPHIA, PA	2/23/04	3/2/04				X						6/17/04	
WAPSIE PRODUCE INC. 01538 P DECORAH, IA	4/16/04	4/28/04				X							
WEBER'S QUALITY MEATS, INC. 02201 M02201 P SAN LEANDRO, CA	10/3/03		10/14/03	10/27/03		X						6/16/04	
WEST MISSOURI BEEF 05821 M ROCKVILLE, MO	5/2/03	5/9/03				X				X		4/5/04	Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
WEST TEXAS A&M UNIVERSITY 07124 M07124 P CANYON, TX	3/3/04	3/12/04				X						6/3/04	

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**Table 7. Administrative Actions: Very Small HACCP Plants  
(4/01/04 to 6/30/04)**

<b>Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]</b>													
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>	
4-L PROCESSING INC 19789 M19789 P COKE, TX			5/17/04	5/17/04				X					
AALA MEAT MARKET INC. 12425 M12425 P HONOLULU, HI	7/23/03	7/31/03			X	X							
ABBOTSFORD PRODUCE 01632 G ABBOTSFORD, WI			4/9/04	4/16/04					X				Plant repeatedly failed to segregate ineligible eggs.
			4/9/04	4/30/04						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					5/21/04	
ALMA FREEZER COMPANY 10081 M ST. LOUIS, MI	5/25/04	6/3/04				X							
ALMACENES DE TEJAS, L.P. 17083 M SAN ANTONIO, TX			10/11/02	3/9/04		X						6/18/04	
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		4/6/04	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							4/19/04	
BASKIN BROWN'S MEAT LOCKER, INC. 07055 M07055 P STRATFORD, TX	5/14/04	5/21/04				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							5/28/04	
BILL OPELLS MEAT PROCESSING 09148 M CATLETTSBURG, KY	1/30/04	2/11/04			X	X							5/24/04	
BILLINGS MEATS & PROCESSING 20586 M GORDO, AL	6/17/03	6/27/03			X	X							5/7/04	
BLR MEATS 19583 M19583 P CINCINNATI, OH			5/13/04	5/19/04	X		X							
	6/4/04	6/10/04				X								
BRINGHURST BROTHERS INC 05426 M05426 P BERLIN, NJ	3/10/04	3/23/04			X	X							6/24/04	

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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	
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	4/13/04			X	X						6/18/04	
COHOES SPECIALTY MEATS 00593A M06368 P ALBANY, NY			9/9/03	9/11/03		X						4/28/04	
			12/9/03	12/16/03	X							4/28/04	
			1/5/04	1/13/04	X							4/28/04	On 1/5/04 suspension was reinstated.
			6/14/04		X	X	X						
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 9/10/03, 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	
COUNTRY BOY MEATS 09240 M09240 P MERRILL, OR			6/15/04		X								On 6/15/04, suspension was reinstated.
CRAMER'S RANGELINE MEATS 08683 M08683 P JOPLIN, MO	3/10/04		3/15/04		X	X							On 04/05/04, 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.
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						4/5/04	
			12/16/03	12/18/03	X	X						4/5/04	On 12/16/03, suspension was reinstated.
DEL MONTE MEATS 11022 M11022 P POCATELLO, ID	8/7/03	8/21/03				X							
			10/24/03	6/4/04	X		X						
DEN'S COUNTRY MEATS, INC. 21156 M21156 P TABLE ROCK, NE	10/3/03	10/16/03				X							
DIAMOND SHAMROCK REFINING AND MARKETING CO. 31680 M31680 P HOUSTON, TX	5/27/04	6/2/04			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
					<u>SSOP</u>	<u>HACCP</u>	<u>SPS</u>	<u>INH</u>	<u>INT</u>	<u>Other</u>	<u>LOI</u>	<u>LOW</u>	
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						6/25/04	
EDES CUSTOM MEATS 13276 M13276 P AMARILLO, TX	6/9/04	6/16/04				X							
EDGEWOOD LOCKER INC 27279 M27279 P EDGEWOOD, IA	12/15/03	12/22/03				X						6/2/04	
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	4/2/04	4/9/04	X	X							
EUREKA! JERKY COMPANY 20640 M EUREKA SPRINGS, AR	5/21/04	6/3/04			X	X							
EXCELLENT MEATS & FROZEN FOODS 09949 M09949 P TOMS RIVER, NJ	6/18/04	6/28/04				X							
FARM FRESH MEATS INC 19883 M19883 P MARICOPA, AZ	12/18/03	1/23/04			X	X							
FORMOSA FOOD COMPANY 02446 M02446 P HULL, IA	2/18/04	2/19/04				X						4/26/04	
FOUR STAR MEAT COMPANY INC 02674 M COLLINS, MS	12/12/03	12/19/03			X	X						4/23/04	

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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	
FRESH FREEZE, INC. 20104 M EDINBURG, TX			8/21/02		X		X						On 4/27/04 DM closed case by firm's requested Voluntary Withdrawal. On 1/7/04, a complaint to withdraw inspection was filed by FSIS.
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 4/1/04, DM closed case based on 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						4/26/04	
GARVIN MEATS 27397 M FRANKLIN, NE	6/7/04	6/28/04			X	X							
GEIER'S SAUSAGE KITCHEN 17220 M 17220 P SARASOTA, FL	1/29/04	2/27/04			X	X						6/25/04	
GEORGES' MEATS 09590 M DANVILLE, PA	4/13/04	4/27/04			X	X						6/22/04	
GIBSON PACKING COMPANY 05843 M05843 P SEYMOUR, MO	6/30/03	7/9/03				X						4/6/04	
GILBERT FOODS (HEARNE- KIRKWOOD) 17264 M17264 P HANOVER, MD	5/6/04	5/28/04			X	X							
GOOD GUYS FOOD CO. 20350 M20350 P OAKLAND, CA			6/2/03	10/28/03	X	X	X					4/23/04	

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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		
GREAT LAKES SLAUGHTER AND MEAT PROCESSING 02562A M02562A P CHEBOYGAN, MI	5/26/04	6/3/04				X					X			Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
GRIZZLY'S CUSTOM CUTTING 21554 M21554 P HUNT, NY	4/9/04	5/17/04				X								
H.C. SCHAU & SONS INC 19917 M19917 P WOODRIDGE, IL	4/24/04	5/6/04			X	X	X							
HARMON BROTHERS MEATS INC 07356 M07356 P WARSAW, KY	2/19/04	2/24/04									X	5/11/04		Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
HENDERSON MEAT PROCESSORS 01527 M13131 P HENDERSON, NE			8/29/03	9/5/03		X						4/29/04		
	9/2/03	10/6/03				X						4/29/04		
	4/29/04	5/12/04			X	X					X			Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
HENRY'S BUTCHER BLOCK INC 31548 M31548 P ROUND ROCK, TX	3/17/04	3/25/04				X						6/25/04		
HERRING BROTHERS INC 09760 M GUILFORD, ME	10/7/03		11/14/03	12/8/03		X						5/14/04		
HICKORY SMOKED FOODS INC 06689 M06689 P LEWISBURG, TN	3/17/04	3/31/04			X	X								
HIGH HOPES BEEF JERKY, LLC 21833 M ALEX, OK	6/28/04				X	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	
HI-WAY MEATS INC 08615 M WOMELSDORF, PA	2/13/04	3/9/04			X	X						6/9/04	
HOBART MEAT & PROVISION 04437 M04437 P HOBART, NY	5/13/04	5/19/04				X							
HOCKENBERRY MEATS PROCESSING 19397 M FORT LOUDON, PA	6/28/04				X	X	X						
HONG HA CO 04261 M HYATTSVILLE, MD	1/15/04	2/17/04				X						5/4/04	
HOPKINS PACKING COMPANY 11069 M BLACKFOOT, ID	9/2/03	10/9/03			X	X	X					4/8/04	
HOUSE OF SMOKE 06273 M06273 P FT LUPTON, CO	3/16/04		3/25/04	4/5/04	X	X							
HOWARD DARLING 09777 M LA PLUME, PA	5/1/04	5/20/04			X	X	X						
HUSE'S PROCESSING INC 13445 M13445 P MALONE, TX	10/30/03	11/6/03	11/25/03	11/26/03				X				4/5/04	
	12/12/03	12/19/03				X						4/28/04	
ICH GROUP INC dba SUSHI CHEF 20254 M20254 P HONOLULU, HI	12/17/03	12/30/03			X	X	X						
INDIAN VALLEY MEATS INC 18154 M18154 P INDIAN, AK	11/10/03	12/18/03			X	X	X					5/5/04	

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 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>	
ISABELLA FOODS INC 01960 M13389 P EL PASO, TX	5/18/04	5/28/04			X	X							
J & D FOODS INC 02314 M ALBUQUERQUE, NM	3/1/04	4/2/04				X							
J.M. PACKING COMPANY 19804 M19804 P PONCE, PR			10/9/03			X							
JVF SERVICES INC 20889 M20889 P PLAINVIEW, NY	2/10/04	2/25/04			X	X						5/28/04	
K & W SPECIALTY MEATS INC 15708 M15708 P EVANSDALE, IA	2/17/04	3/1/04			X	X						6/2/04	
KAH AND COMPANY INCORPORATED 01664 M19846 P WAPAKONETA, OH	12/8/03		1/26/04	5/18/04	X	X							
KANAB CUSTOM MEATS, INC. 06117 M06117 P KANAB, UT	6/25/03	7/2/03			X	X						5/5/04	
KERSHENSTINE'S BEEF JERKY INC. 09057 M09057 P EUPORA, MS	3/8/04	4/1/04			X	X							
KIM'S PROCESSING INC 01580 M01580 P CLARKSDALE, MS	11/10/03	11/19/03			X	X						4/9/04	
KIRKLANDS CUSTOM MEATS & SLAUGHTER, INC. 11156 M11156 P JACKSONVILLE, FL			6/9/04		X	X							
LAGROU COLD STORAGE 00219 I03197 M CHICAGO, IL			5/30/02				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 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>	
LAS MERCEDES CATERING INC 11146 M11146 P HIALEAH, FL	2/3/04	2/25/04			X	X							
LOEFFEL MEAT LAB 05658 M05658 P LINCOLN, NE	9/16/03	9/26/03				X						6/1/04	
LONGMONT PACKING COMPANY 00128 M00128 P LITTLETON, CO	11/25/03	12/10/03			X	X							
LORENZO FROZEN FOODS LTD 06754 M WESTCHESTER, IL			5/13/04	5/21/04	X	X	X						
LYNCH BBQ COMPANY 19717 M19117 P DECORAH, IA	5/14/04	5/24/04			X	X							
M AND M PACK 05673 M05673 P RUSHVILLE, NE	12/11/03	12/23/03			X	X							
MACELO LA MUDA 07883 M CAGUAS, PR	4/8/04	5/28/04			X	X							
MANILA MEAT COMPANY 05448 M05448 P JERSEY CITY, NJ	10/1/03	10/24/03			X	X	X					6/21/04	
MARCACCI MEATS 05913 M05913 P VINELAND, NJ	11/19/03	12/3/03			X	X							
MEDITERRANEAN FOODS, INC. 18977 M UPPER DARBY, PA	7/7/00			8/22/00		X							On 04/1/04, DM closed case based on firm's notification they would no longer produce product under the specific HACCP process.

ABBREVIATION KEY	
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INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

### 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	
MEDITERRANEAN FOODS, INC. 18977 M UPPER DARBY, PA			7/20/01			X							On 04/1/04, DM closed case based on firm's notification they would no longer produce product under the specific HACCP process. On 02/25/02, firm appealed the suspension. On 04/22/02, plant's appeal was denied.
MID-MISSOURI POULTRY PROCESSING 21860 P HIGBEE, MO	6/4/04	6/14/04			X	X							
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	4/14/04			X	X				X		6/4/04	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							
MORRIS MEAT PACKING INC 18229 M MORRIS, IL			10/7/03	11/14/03	X	X	X					4/20/04	
MR. BASTERMA 18970 M DETROIT, MI			11/22/02	4/5/04	X	X							
MY-CAR PROVISION CO 04711 M04711 P NEW LONDON, CT	10/17/03		11/17/03	12/31/03		X							
NETTLE'S SAUSAGE INC 11159 M LAKE CITY, FL	3/4/04	3/23/04			X	X							
NORTHWEST PREMIUM MEATS LLC 11032 M11032 P NAMPAL, ID	4/1/04	5/20/04			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	
NORTHWOOD FOODS 20239 M20239 P NORTHWOOD, IA	6/25/04					X							
OLD WORLD GERMAN SAUSAGE 06275 M06275 P OAKLAND, CA	11/6/02		11/14/02	8/4/03		X						5/18/04	
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.
PANHANDLE STATE UNIVERSITY 07273 M GOODWELL, OK	1/22/04	2/4/04			X	X						4/8/04	
PAY AND SAVE INC 07266 M07266 P CANYON, TX	2/24/04	2/27/04			X	X						6/3/04	
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			6/17/04	

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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
					<u>SSOP</u>	<u>HACCP</u>	<u>SPS</u>	<u>INH</u>	<u>INT</u>	<u>Other</u>	<u>LOI</u>	<u>LOW</u>	
PTE HCA KA INC 21744 M GETTYSBURG, SD			4/26/04	4/28/04		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							
	4/1/04	4/8/04				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						4/26/04	
REMER MEAT CO 20521 M20521 P CLINTON, MO	8/22/03	8/28/03				X						4/1/04	
RETAIL READY FOODS INC 08205 M08205 P AMARILLO, TX	2/4/04	2/10/04			X	X						6/3/04	
S & S MEAT PURVEYORS, INC. 02579 M02579 P COLUMBUS, OH			5/28/04	6/2/04					X				
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				6/28/04	

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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		
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.
			4/15/04		X									On 04/15/04, the suspension was reinstated. On 04/19/04, plant appealed the suspension. Appeal was denied on 4/22/04. Complaint was filed on 5/28/04.
SCHALLER'S PACKERS INC 09955 M09955 P BRIDGEWATER, NY	12/31/03		1/6/04		X	X								On 4/6/04, DM closed case by firm's requested voluntary withdrawal.
SCHWARTZ MEAT COMPANY 01961 M02961 P NORMAN, OK	1/16/03	1/29/03			X									On 6/9/04, DM closed case by requested voluntary abandonment/withdrawal. On 1/8/04, firm was granted a 120 day voluntary suspension.
SELWOOD FARMS INC. 07316 M07316 P ALPINE, AL	11/13/03	11/26/03				X								
SMOKEY MOUNTAIN BEEF JERKY 21398 M SEVIERVILLE, TN	4/29/04	5/13/04				X								
ST. CROIX ABATTOIR 00482 M ST. CROIX, VI	6/29/04				X	X								
SUGARLOAF MARKET, INC. 10652 M10652 P HEBER SPRINGS, AR	8/27/03	9/4/03				X						6/3/04		
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						5/13/04		

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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	
TAN DINH FOOD PRODUCTS CORP. 13367 M HOUSTON, TX			6/15/04	6/18/04		X							
TAPAS INTERNATIONAL 20556 M20556 P ORLANDO, FL	3/11/04	3/17/04				X					X	5/27/04	Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
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 BUCK STOPS HERE 21291 M PAGOSA SPRINGS, CO	6/10/04	6/24/04			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							On 06/23/04, DM closed case by firm's requested voluntary withdrawal. On 09/26/03, firm was granted a 120 day voluntary suspension.
THREE STAR PROVISION COMPANY INC 04500 M04500 P SOUTH OZONE PARK, NY	10/10/03		11/24/03	12/8/03		X						4/6/04	
TOP CUT MEAT COMPANY 20789 M20789 P NORTH PLATTE, NE	1/6/04	1/14/04				X						4/1/04	
TRINH COMPANY 06488 M06488 P SAN JOSE, CA	2/18/03		2/28/03	4/21/03		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>	
			1/6/04		X	X							On 1/6/04, suspension was reinstated.
TRIPLE T COUNTRY MEATS 21011W M21011W P WELLSBURG, IA	9/15/03	9/22/03				X						5/25/04	
TRIPLE T SPECIALTY MEATS 21011 M21011 P ACKLEY, IA			12/11/03	12/15/03		X						6/17/04	
	12/15/03	12/19/03				X						6/17/04	
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							
UNICO FOODS INC 02980 M02980 P EL PASO, TX	4/1/04	4/8/04			X	X							
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						

ABBREVIATION KEY	
SPS	Sanitation performance standards
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LOI	Letter of Information
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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>	
VALLET MEATS 15868 M DUBUQUE, IA			8/21/03	8/22/03	X								
	8/22/03	8/29/03				X						5/25/04	
VOGET'S MEATS INC 08115 M08115 P HUBBARD, OR	5/10/04	6/1/04				X							
W. A. BEAN & SONS INC 09849 M09849 P BANGOR, ME	10/7/03	12/10/03				X							
WAAK'S SAUSAGE CO LLC 21429 M BELLVILLE, TX	4/9/04	4/16/04				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							
YAUK'S SPECIALTY MEAT 20309 M20309 P WINDSOR, CO	4/23/04	5/14/04				X							

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
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### 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 was one action initiated this reporting period.

**Table 8. Food Safety Adjudicatory Actions  
(4/01/04 to 6/30/04)**

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

<b>Establishment</b>	<b>Complaint to Deny/Withdraw Inspection</b>	<b>Hearing</b>	<b>Consent Order</b>	<b>Action Summary</b>
CRESCENT CUSTOM SLAUGHERING, INC., d/b/a CRESCENT CUSTOM MEATS 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	01/7/04			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. On April 27, 2004, the District Manager granted the firm's requested voluntary withdrawal.
LAGROU COLD STORAGE 00219 I 03197 M CHICAGO, IL	09/24/02			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.
SARDINHA'S SAUSAGE, INC. 17995 M 17995 P FALL RIVER, MA	05/28/04			On May 28, 2004, FSIS filed a complaint to withdraw inspection based on the firm's repetitive failures to meet Sanitation Standard Operating Procedures, Sanitation Performance Standards, and Pathogen Reduction/Hazard Analysis Critical Control Point regulatory requirements of 9 C.F.R. Parts 416, 417 and 430. Mr. Sardinha's answer to the complaint and motion to stay suspension were filed at USDA on June 15, 2004. On June 22, 2004, the FSIS filed a response to the firm's motion for stay of suspension.

### 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 were two unfitness actions initiated this reporting period.

**Table 9. Withdrawal for Unfitness  
(4/01/04 to 6/30/04)**

**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, INC. 02559 M 02559 P DEARBORN, MI	01/16/04	04/13/04		On April 13, 2004, the firm and Mr. Mitchell D. Polk entered into a Stipulation and Consent Order (Order) with FSIS. The Order is effective for five (5) years and prohibits the firm or any of its employees from violating the Federal Meat Inspection Act, the Poultry Products Inspection Act, State or local statutes involving the preparation, sale, transportation or attempted distribution of any adulterated or misbranded meat or poultry product. It precludes the firm from committing any felony or fraudulent criminal act, from hiring or adding any new employee that has been convicted in any Federal or State court of any felony or multiple misdemeanors involving transactions with food. Additionally, the Order requires the firm to implement and maintain a program to ensure that all inspected meat or poultry product does not become adulterated or misbranded, and to effectively establish and implement a corporate code or policy statement of conduct, compliance and ethics in business practice (Corporate Code). FSIS has the authority to withdraw inspection services if the firm is found in violation of any of the provisions contained in the Order.
LAKEVIEW PACKING COMPANY, INC. JACOB TURNAGE, PRES. 09166 M 09166 P LA GRANGE, NC	08/6/03	05/05/04		On May 5, 2004, the firm entered into a Consent Decision and Order (Order) with FSIS. The Order is effective until August 2007, and prohibits the firm or any of its employees from violating the Federal Meat Inspection Act or any State or local statute involving the preparation, sale, transportation or attempted distribution of any adulterated or misbranded meat product. The Order precludes the firm from violating the North Carolina Clean Water Act or the Federal Clean Water Act, and precludes any act of assault, intimidation, or interference with any program employee. The Order also precludes the firm from committing any felony or fraudulent criminal act, from hiring or adding any new employee that has been convicted in any Federal or State court of any felony or multiple misdemeanors involving transaction with food. Additionally, the firm shall maintain a Sanitation Standard Operations Procedure (SSOP) and a Hazard Analysis and Critical Control Point (HACCP) system in compliance with regulatory requirements, and implement and maintain an effective compliance program to ensure that all inspected meat product does not become adulterated, contaminated or

Establishment	Complaint to Deny/Withdraw Inspection	Consent Order	Decision and Order	Action Summary
				misbranded. The firm shall also effectively implement and establish a corporate code or policy statement of conduct and compliance, and ethics in business practice (Corporate Code). FSIS has the authority to withdraw inspection service if the firm is found in violation of any of the provisions 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. **Table 10** lists current custom exempt activity including one new action initiated this reporting period.

**Table 10. Custom Exempt Actions  
(4/01/04 to 6/30/04)**

**Administrative Actions Taken at Custom Exempt Facilities**

Name	Location	Complaint	Consent Order	Action Summary
CRESCENT CUSTOM SLAUGHTERING, INC.	SUMNER, WA	11/24/03	04/19/04	On April 19, 2004, the firm entered into a Stipulation and Consent Agreement with FSIS. The Agreement holds the withdrawal of meat exemption privileges in abeyance for a three (3) year period provided certain conditions are met. Conditions of the Agreement require the firm to make physical repairs, implement effective food safety control systems to ensure sanitary conditions at the facility and prevent the adulteration of products, and provide food safety training for employees. On November 24, 2003, a Notice of Ineligibility to conduct custom operations was issued to the firm.
10 <sup>TH</sup> AVENUE LIVE POULTRY MARKET, INC., d/b/a BRONX LIVE CHICKEN MARKET	BRONX, NY	03/15/04	05/20/04	On May 20, 2004, the firm entered into a Stipulation and Consent Agreement with FSIS. The Agreement holds the withdrawal of meat exemption privileges in abeyance for a three (3) year period provided certain conditions are met. Conditions of the Agreement require the firm to make structural repairs, develop and maintain an effective sanitation program, establish a pest management program, develop and maintain written procedures to prevent the custom slaughtering or processing of non-ambulatory disabled cattle (downers), and provide food safety training for employees. On March 15, 2004, a Notice of Ineligibility to conduct custom operations was issued to the firm.
WILDCAT LOCKER, INC	FILLEY, NE	05/27/04		On May 20, 2004, a Notice of Ineligibility to conduct custom operations was issued to the firm.

## **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  
(4/01/04 to 6/30/04)**

**Criminal Actions**

<b>Name</b>	<b>Location</b>	<b>Indictment</b>	<b>Information</b>	<b>Plea</b>	<b>Sentencing</b>	<b>Action Summary</b>
COCKRUM CUSTOM MEAT PROCESSING RANDALL L. COCKRUM, OWNER	RUDY, AR		02/12/04	02/12/04	5/13/04	On May 13, 2004, in the U. S. District Court, Western District of Arkansas, Mr. Randall L. Cockrum was sentenced on two (2) misdemeanor counts for preparing and causing the transportation of adulterated meat products. Mr. Cockrum was ordered to pay a fine of \$1,000, \$50 in special assessment fees and placed on a two (2) year probation period.
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.
LAM FOODS, INC., D.B.A. BIG BIRD POULTRY LINH V. LAM, PRESIDENT	KANSAS CITY, MO		06/21/04	06/21/04		On June 21, 2004, in the U.S. District Court, Western District of Missouri, Mr. Linh V. Lam pled guilty to (1) misdemeanor count for violations to the FMIA. Sentencing was scheduled for a later date.
SAL'S PRODUCE, INC. ROSINA B. INSERRA MEYER, MGR.	ST. LOUIS, MO		05/24/04	05/24/04		On May 24, 2004, in the U.S. District Court, Eastern District of Missouri, the company and Ms. Rosina B. Inserra Meyer pled guilty to three (3) misdemeanor counts each for violations to the FMIA and PPIA. Sentencing is scheduled for August 13, 2004.
SCHUMACHER ENTERPRISE, INC. RAYMOND O. SCHUMACHER, GEO 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 has been scheduled for a later date.

Name	Location	Indictment	Information	Plea	Sentencing	Action Summary
WEBER MEAT SERVICES, INC. PAUL A. WEBER, DIRECTOR	FREEBURG, MO		01/13/04	01/13/04	04/29/04	On April 29, 2004 in the U. S. District Court, Western District of Missouri the company was sentenced on one (1) misdemeanor count and Mr. Paul A. Weber was sentenced on two (2) misdemeanor counts for offering for sale and transportation misbranded meat products. The company was ordered to pay a \$14,236 fine, \$138.88 in restitution costs and a \$125 special assessment fee and placed on a three (3) year probation period. Mr. Weber was ordered to pay a \$1,000 fine, \$138.88 in restitution costs, a \$25 special assessment fee and placed on a one (1) year probation period.

## 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 no pre-trial diversion agreements this quarter.

## **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 was one action initiated during this reporting period.

**Table 12. Seizure Actions  
(4/01/04 to 6/30/04)**

<b>Name</b>	<b>Location</b>	<b>Complaint</b>	<b>Seizures</b>	<b>Action Summary</b>
CREATIVE COMPOUNDS L.L.C.	SCOTT CITY, MO	06/16/04	06/17/04	Approximately 8,800 pounds of egg white powder product imported from Peru was seized because it was illegally imported into the United States and shipped in commerce for human food purposes.

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 was one injunction initiated during this reporting period.

**Table 13. Civil Actions  
(4/01/04 to 6/30/04)**

Name	Location	Complaint	Injunction	Action Summary
JACOB'S WORLD FAMOUS ANDOUILLE AARON S. LIONS, OWNER	LA PLACE, LA	10/29/03	06/10/04	On June 10, 2004, the firm and individual were permanently enjoined in the U.S. District Court, Eastern District of Louisiana, from selling, transporting, receiving for transportation, or offering for sale or transportation any uninspected and misbranded meat or poultry products. If found in violation, the individual and firm will be fined \$1,000 per each violation or package in subsequent violations.

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-MPHotline (1-888-674-6854), 10 a.m. to 4 p.m., Eastern Time  
(TTY, 1-800-256-7072)

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