

**United States Department of Agriculture
Humane Handling and Slaughter Enforcement Activities
Report to Congress**

March 2002

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United States Department of Agriculture Humane Handling and Slaughter Enforcement Activities

Introduction

The Senate Report (S. Rpt. 107-33) accompanying the Fiscal Year 2001 Supplemental Appropriations Act (P.L. 107-20), directed the Secretary of Agriculture to *“provide a report to the Committee on Appropriations of the House and the Senate as soon as possible on activities of the Animal and Plant Health Inspection Service, the Food Safety Inspection Service, and agencies under the jurisdiction of the Under Secretary for Research, Education and Economics regarding reported cases of inhumane animal treatment, the response of USDA regulatory agencies, and the research, development, and promotion of technologies to help reduce the incidence of such treatment.”*

The Food Safety and Inspection Service (FSIS), the Animal and Plant Health Inspection Service (APHIS) and the Office of the Under Secretary for Research, Education and Economics have all contributed to this report as required by P.L. 107-20. The Report reviews the efforts of each agency to ensure the humane treatment of animals involved in livestock production, as well as a discussion of the research, development, and promotion of new technologies, practices, and policies to further enhance the treatment of livestock animals at slaughter facilities.

In addition, the Fiscal Year 2001 Supplemental Appropriations Act, which was signed into law on July 24, 2001 (P.L. 107-20), provided the Office of the Secretary with \$3 million in additional funding and stipulated that “funds should be allocated as follows: no less than \$1 million shall be used for enforcement of the Animal Welfare Act, no less than \$1 million shall be used to enhance humane slaughter practices under the Federal Meat Inspection Act, and no more than \$500,000 shall be available to the Under Secretary for Research, Education and Economics for development and demonstration of technologies to promote the humane treatment of animals.”

The Office of the Secretary allocated \$1.25 million each to both FSIS and APHIS, with the remaining balance of \$500,000 being allocated to the Under Secretary for Research, Education, Economics, as was mandated by the FY 2001 Supplemental Appropriations Act. Additional details about how each of these agencies are using these funds are discussed within the respective Agency sections of this report.

Food Safety and Inspection Service

Current Activities

Ensuring that livestock is handled and slaughtered in a humane manner is a top priority of the Department of Agriculture (USDA). USDA's FSIS is responsible for enforcing the Humane Methods of Slaughter Act (HMSA) in livestock slaughter establishments that operate under Federal inspection. Under provisions of the HMSA, which is incorporated into the Federal Meat Inspection Act, meat shipped in commerce must be from livestock that has been slaughtered using humane methods.

FSIS inspection personnel are required to enforce humane handling and slaughter regulations for cattle, swine, sheep, goats, horses, and other equines in nearly 950 federally inspected livestock slaughter establishments in the United States. FSIS inspectors and veterinarians, who provide continuous inspection in every slaughter facility, are required to take immediate enforcement action when a violation is observed. For example, FSIS in-plant personnel have the authority to stop the production line of a slaughterhouse if they observe violations of the HMSA. In the last 4 years, FSIS has suspended Federal inspection services from 16 facilities solely because of systemic non-compliance with humane handling or slaughter requirements. Attachment 1 summarizes humane handling enforcement actions for the period of January 1998 through January 2002.

Accomplishments

Enforcement of HMSA

In January 2001, FSIS issued a memorandum (Attachment 2) to the owners and operators of all livestock slaughter plants and to FSIS district managers and other FSIS field supervisors. The memorandum emphasized the responsibilities of industry and Federal inspection personnel to ensure that slaughter operations are conducted humanely.

In 2002, FSIS sought to increase its efforts for ensuring industry compliance with the HMSA and improving the Agency's enforcement of the HMSA. For example, in October 2001, the Agency issued FSIS Notice 43-01, *New ISP Procedure Code for Humane Slaughter* (Attachment 3). The Notice outlines the procedures used by FSIS veterinarians and inspectors to document violations of humane handling requirements on a Noncompliance Record (NR) using a new procedure code. The new procedure code was created solely for use by inspection personnel to document violations of humane handling and slaughter requirements. Use of this code is allowing the Agency to more accurately document, track, and address violations of the HMSA. Since October 2001, the Agency has documented 117 violations of the HMSA nationwide. With each NR, a plant is required to correct the problem and take action to prevent reoccurrence.

Originally the Agency had a system for tracking humane handling violations. Each district office collected the humane handling data and was capable of supplying it when requested by Headquarters in Washington, D.C. In many cases the data was collected on an *ad hoc* basis as a means of informally evaluating the Agency's progress on humane handling and slaughter enforcement activities. During the 1990s when the Agency implemented Hazard Analysis and

Critical Control Point—system (HACCP), the Performance Based Inspection System (PBIS) was reformatted and “humane handling” violations were denoted in the column not specifically designed to catch humane handling violations, but all establishment violations that were non-HACCP related. This change made it impossible to separate violations of the HMSA from other violations.

As previously mentioned, the Agency took action to address this problem in October 2001, with the publication of FSIS Notice 43-01. This Notice provides the Agency the means of collecting the specific data needed to make comparisons about how many violations occur in comparison to the overall number of checks made for compliance or “performance procedures completed” as they are referred to by FSIS. Since October 11, 2001, when the new reporting procedures were implemented, the Agency has documented 117 noncompliance incidents out of 12,568 compliance procedures performed. These compliance procedures are performed on an on-going basis during each shift a federally inspected establishment is in operation to ensure a facility is in fact in compliance with the HMSA and enforcing statutes and regulations for the humane handling and slaughter or livestock.

District Veterinary Medical Specialists

Perhaps the most significant element of the overall initiative to improve humane handling is the Agency’s creation of a new position with responsibilities to ensure the humane treatment of livestock. FSIS is using the \$1.25 million allocated to them from the Secretary to hire 17 veterinarians to serve as FSIS District Veterinary Medical Specialists (DVMS) in each of the Agency’s 17 districts. The DVMS reported for duty on December 30, 2001.

The DVMS completed an intensive 2-week training program at the FSIS Technical Service Center in Omaha, Nebraska, in early January 2002. The training included topics such as antemortem inspection, humane handling regulations, the HMSA, stunning methodologies, assessing consciousness, enforcement procedures related to humane handling, and workplace violence. Dr. Temple Grandin, a nationally recognized expert in the field of humane handling practices, provided insight into industry humane handling auditing methods.

The DVMS are serving as the program coordinator for all humane handling issues within their districts. They are providing training to newly hired in-plant Veterinary Medical Officers (VMOs) on the Agency’s humane handling and slaughter responsibilities. DVMS personnel conduct on-site visits to verify humane handling and prepare summary reports of findings, and they also ensure that all slaughter plants, large and small, receive clear guidance and information on their responsibilities.

All slaughter establishments are being visited by the DVMS. During each on-site visit, the DVMS observe handling practices in the live animal pens, during stunning, and during slaughter. The visits are scheduled based on the compliance histories of plants and the number of animals slaughtered. Priority is also given to plants where newly hired FSIS veterinarians are assigned to ensure that they are properly enforcing humane handling requirements.

Although the DVMS have received highly specialized training in humane handling and slaughter practices, through the years FSIS has routinely trained all FSIS in-plant VMOs and slaughter line inspectors. In addition to their food safety inspection responsibilities, these in-plant veterinarians

and line inspectors observe the methods used to slaughter livestock and ensure that plants take corrective action when necessary. The in-plant VMOs and inspectors also are responsible for taking enforcement actions and reporting instances of inhumane treatment of animals.

For example, on January 29, 2002, FSIS suspended operations at a swine slaughter facility because of plant management's failure to adhere to requirements regarding the humane handling and slaughter of livestock. The following day the DVMS visited the plant to assist in correlation and educational activities at the facility. Drawing on the expertise of the DVMS, plant management was able to design and implement a corrective action plan and preventive measures to ensure that further instances of humane handling did not occur.

Washington State Case

During the summer of 2000, the Humane Farming Association (HFA) initiated an effort to expose alleged humane slaughter violations at federally inspected facilities. They began a petition drive and distributed videotapes to news outlets nationwide of alleged violations at a federally inspected IBP plant in Washington State. This videotape spurred a series of investigative articles by the *Washington Post* and NBC's *Dateline* in April 2001, as well as Congressional interest in the issue.

In June 2001, a team of Federal and State officials conducted a complete investigation into the alleged humane slaughter violations at the slaughter plant. The investigation determined that the HFA did not accurately depict the situation in the plant by deleting footage from the video showing corrective actions taking place. Additionally, a prosecuting attorney in Washington State, who was asked to review the investigation results determined that criminal charges should not be filed against the plant. Copies of the materials associated with the Washington State multi-agency investigation and conclusion of this case are available at <http://www.wa.gov/agr/IBP>.

Summary

The Department and FSIS officials are committed to minimizing and eliminating inconsistencies in humane handling practices by plant personnel and FSIS inspectors and continue to take action to alleviate such inconsistencies. The Agency is also committed to working with industry, academia, and other stakeholders in a positive way to enhance the treatment of animals intended for slaughter. The Agency encourages the proactive efforts trade associations, such as the American Meat Institute, and companies, such as McDonald's have taken to implement additional measures to ensure humane handling practices are undertaken and fully enforced by their suppliers. A table outlining how these coincide with Agency regulations is attached (See Attachment 4).

In 2002, the Agency increased its efforts to ensure compliance with the HMSA and improve the Agency's enforcement of the HMSA. The Agency created 17 DVMS positions and assigned them to each of the Agency's district offices. These specialists are responsible for ensuring industry compliance with humane handling requirements.

FSIS is also relying on the new DVMS positions to correlate inspection personnel and plant management at federally inspected meat and poultry plants. They are reviewing regulations, appropriate actions, and enforcement responsibilities at each plant with FSIS inspection personnel, as well as plant management to identify, correct, and educate facility personnel on correct humane

handling practices. The Agency is relying in part on information from the DVMS about the extent of inconsistent enforcement of humane handling practices to determine what, if any, additional resources, policies, or other measure are needed to further enhance the humane treatment of livestock animals at slaughter operations.

The Agency believes it has the resources it needs to sufficiently enforce the HMSA and while it may be preferable, it is not necessary that inspectors responsible for HMSA enforcement be veterinarians. However, the role of adequate and thorough training is integral to ensuring all inspectors have the skills necessary to consistently and effectively enforce all the HMSA regulations at all Federally inspected facilities. Until the Agency has the opportunity to assess the data it is currently collecting under FSIS Notice 43-01 and obtain feedback from the DVMS about their observations, experiences, and assessments of humane handling practices in the field, it is premature for FSIS to seek additional resources or inspectors for the purpose of humane handling enforcement. The Agency will rely heavily on the work of the DVMS as it considers what actions the Agency should pursue in the future to enhance industry and inspection personnel understanding and enforcement of humane handling and slaughter enforcement protocols.

Animal and Plant Health Inspection Service

Enforcement of the Animal Welfare Act

APHIS carries out the requirements of the Animal Welfare Act with an annual appropriation of about \$12.1 million a year in personnel costs, supplies and equipment. The Secretary provides Congress with an annual report on its animal welfare activities to inspect facilities and operators subject to the Act, its enforcement record, outreach efforts and the needs for regulatory and policy initiatives. A copy of the report for FY 2000 is attached (Attachment 5). The 2001 Supplemental to the Office of the Secretary allocated \$1.25 million of the \$3 million to APHIS. The Agency is using the funds to:

- Improve the outreach activities by producing educational materials and holding workshops with animal handlers;
- Study the effects of breeding frequency on animal welfare;
- Study the effects of temperature and humidity in air transportation on animal welfare;
- Provide inspector training for the State Farm Animal Welfare inspectors and field investigators; and,
- Strengthen follow-up enforcement by hiring 2 additional investigators and to upgrade the tracking system on violators.

Specifically, APHIS is using the funding for the following activities:

Outreach Activities (\$200,000): These activities are intended to educate our stakeholders and general public on the Animal Welfare Act (AWA). This is being accomplished by three different means. One is purchasing and distributing education material on the AWA to include posters, handouts, radio and TV announcements, and APHIS presentations at public and industry meetings. The second is enhancing our inspection activities with State animal welfare enforcement agencies. The third is conducting numerous workshops for licensed dog dealers and exhibitors of which six have already been scheduled.

Conducting scientific studies (\$125,000): APHIS is currently working with the American Veterinary Medical Association to provide funding to conduct a study on the ideal breeding age and frequency for dogs maintained at commercial dog dealers. Currently, there is limited scientific basis for making recommendations and with the proposed legislation that may limit breeding frequency and age, APHIS would like a scientific basis for promulgating any regulations. APHIS is also interested in looking at conducting a study on conditions in commercial aircraft when pets are transported.

Inspector Training (\$100,000): To improve inspector knowledge and to promote increase in uniformity and consistency in our inspection process, APHIS is holding a work conference in St. Louis, Missouri, the week of April 29, 2002. All animal care inspectors will adjust their schedules to be in attendance. At the conference, APHIS will review current inspection procedures and discuss new procedures related to AWA inspection processes.

Updating Field Computers (\$325,000): The laptop computers currently in use by Animal Care Field Inspectors are no longer meeting the needs of APHIS' software requirements. This has resulted in problems conducting inspections, because all inspection reports are generated by a laptop computer. New laptops for all field inspectors, will be delivered by mid-April and issued at the work conference in April with the transition completed by mid-May.

Developing an Electronic Document Storage and Retrieval System (\$250,000): APHIS responds to a large number of AWA-related correspondence each year and currently must manually track and file such correspondence. To help improve response and retrieval time, APHIS is exploring the purchase of an electronic system which would be located in the Washington, DC, area and linked to our two regional offices in Raleigh, NC, and Ft. Collins, CO. Utilization of this type of electronic storage will benefit and expedite APHIS's response to FOIA and E-government initiatives.

Enhanced Regulatory Enforcement Support for AWA Enforcement (\$250,000): APHIS' Investigative and Enforcement Services (IES) unit supports Animal Care's enforcement needs and ensures uniform compliance with the AWA Act and regulations through a combination of sound enforcement and strong educational efforts. IES investigates violations, collects evidence, issues and collects civil penalties, and develops alleged violation cases for formal prosecution. IES will hire two trainee investigators to focus on animal welfare investigations. In addition, the enforcement tracking system currently in use is in need of substantial overhaul to make it compatible with today's electronic data systems environment. APHIS will contract for these services to provide the ability for animal care inspectors to access data on a timely basis regarding enforcement history, active cases, trends, and other parameters. APHIS will also spend approximately \$50,000 to provide specialized training for all our investigators on AWA issues in cooperation with the Animal Care Unit.

Transporting Equines to Slaughter

Congress added language to the 1996 Farm Bill concerning the commercial transportation of equines to slaughtering facilities after having determined that equines being transported to slaughter have unique and special needs. APHIS established regulations to set minimum standards to ensure humane movement of equines to slaughtering facilities via commercial transportation. These regulations cover, among other things, the food, water, and rest provided for such equines. The regulations also require the owner/shipper of the equines certify that the commercial transportation meets certain requirements. In addition, the regulations prohibit the commercial transportation to slaughtering facilities of equines considered to be unfit for travel, the use of electric prods on equines in commercial transportation to slaughter and requires that existing double-deck trailers be eliminated within the next 5 years. A copy of the *Federal Register* publication of the final rule is attached (Attachment 6).

Research, Education and Economics

Research and Education on Animal Well Being and Stress Control

The Agricultural Research Service (ARS) program on Animal Well-Being and Stress Control Systems seeks to provide information needed to assess farm animal well-being scientifically, reduce animal stress, produce fit animals, and improve animal production systems for enhanced well-being. The research components of this program include: scientific measures of well-being, adaptation and adaptedness, social behavior and spacing, cognition and motivation, evaluate practices and systems to improve well-being, and bioenergetic criteria for environmental management. The research is conducted by 9 ARS scientists with 5 projects located at the Animal Physiology Research Unit, Columbia, MO; Biological Engineering Research Unit, Clay Center, NE; Livestock Behavior Research Unit, West Lafayette, IN; Livestock Issues Research Unit, Lubbock, TX; and the Poultry Research Unit, Mississippi State, MS. Funding for these projects in 2001 was \$4.4 million. Appropriations for FY 2002 provide \$5.1 million and the Administration's 2003 budget includes \$4.4 million.

The program research objectives address management issues in swine, dairy, beef and poultry production. Measures of well-being and stress will be developed and refined to provide a basis for evaluating management practices. New knowledge will be developed to increase the understanding of well-being and stress. The new knowledge should come from research conducted in coordinated multidisciplinary studies integrating behavioral, physiological and productivity parameters and include evaluation of management methods in current and alternative systems to understand and manage well-being and stress. Research on transportation stress in relation to food safety will be conducted at two of the ARS locations.

The Cooperative State Research Education, and Extension Service (CSREES) provides a programmatic overview for several activities related to animal well-being including leadership to three Multi-State research committees to facilitate collaboration among university and ARS scientists: NCR-131, Animal Care and Behavior; W-173, Stress Factors of Farm Animals and their Effects on Performance; and WCC-204, Animal Bioethics. CSREES funds research through the National Research Initiative (NRI) with emphasis on: 1) the development of

science-based criteria to measure well-being in animals of agricultural importance, and 2) the development of long-term management options and short-term production practices based on scientific research findings about animal well-being. CSREES funding for these programs was approximately \$0.4 million in 2001 through Hatch formula grants and \$1.5 million under the NRI. NCR-131 and W-173 continue a high level of cooperation, and intend to have enhanced cooperation with WCC-204. Recent discussions include the proposed development of a new animal well-being conference that would also create a common site for the annual meeting of these research committees, and for WCC-204. NCR-131 is in the process of requesting reauthorization as a coordinating committee. WCC-204 was initiated in the summer of 2000 and has received good support from the animal science and bio-ethics communities. WCC-204 is expanding their influence to include the Poultry Science Association and a broader membership from the American Society of Animal Science. Funding under the NRI in fiscal year 2002 will be comparable to fiscal year 2001. If the Administration's FY 2003 budget is approved, funding under the NRI would rise to \$2.5 million.

2001 Supplemental Appropriations Act

In addition to base programs described above, \$500,000 provided to the Under Secretary for Research, Education and Economics by the Office of the Secretary from the 2001 supplemental is being used to fund the following research and education projects:

Livestock Issues Unit in Lubbock, Texas (\$400,000): ARS is supporting a project on sow housing at their Livestock Issues Unit, Lubbock Texas in collaboration with Texas Tech University, University of Minnesota, and the University of Illinois. Objectives of this research are to measure sow stress in current (crate) and alternative housing systems, and to conduct an economic evaluation to determine the cost of conversion from crates or tether systems to one of several alternative systems. There are concerns about the individual confinement of sows, which the pork system (industry, university, government) is attempting to address in part through this research and educational program. This work will lead to scientifically based preliminary information on feasible economic and humane housing systems for sows by October 1, 2002. Gestation sow housing is the topic of highest research priority for funding by the National Pork Board.

Swine Housing and Management Symposium (\$100,000): CSREES will support a symposium focusing primarily on swine housing and management. The symposium organizing committee is composed of about twenty representatives from animal welfare organizations, industry and USDA. The committee has met to define potential topics and speakers for the symposium, which will be held in conjunction with the Pork Expo in Des Moines, Iowa on June 5, 2002. Educational and training programs will utilize proceedings from the symposium, and complement existing materials from various sources including results from ARS research projects. Additional materials will be developed as is necessary. Training programs are expected to be in cooperation with organizations such as the National Pork Board, agricultural universities, non-government organizations, and the Federation of Animal Science Societies. A proceeding will be developed and provided after the meeting to allow incorporation of research recommendations. CSREES will provide programmatic oversight and work with universities and industry to accomplish our goals. Cooperative agreements with Land Grant Universities may be used for local arrangements.

Inhumane Slaughter- History

January 1998 - January 2002

Plant Name	Est No	City	State	District	W/hold	NOIE	Suspension	Reinstatem.	Abeyance	Closed	CaseType	Reason 1	Reason 2
ABBYLAND PORK PACK	15896	CURTISS	WI	MADISON			9/10/01		9/10/01		INH	INHUMANE SLAUGHTER	
ABBYLAND PORK PACK	15896	CURTIS	WI	MADISON	1/28/99		1/28/99		2/1/99	2/11/99	INH	INHUMANE SLAUGHTER	
BATLAR ENTERPRISES	19301	SUN PRAIRIE	WI	MADISON			5/21/99		5/28/99	6/3/99	INH	INHUMANE SLAUGHTER	
BLACK RIVER CUSTOM PACKERS	4419	WATERTOWN	NY	ALBANY			12/6/01		12/12/01		INH	INHUMANE SLAUGHTER AND HANDLING	
BOB EVANS FARMS INC.	952	HILLSDALE	MI	MADISON			1/31/02				INH	INHUMANE SLAUGHTER AND HANDLING	
CALMECO, INC.	4902	POMONA	CA	ALAMEDA			9/12/01		10/29/01		INH	INHUMANE SLAUGHTER	
CALMECO, INC.	4902	POMONA	CA	ALAMEDA			10/25/01	10/25/01	10/29/01		INH	INHUMANE TREATMENT	
CENTRAL VALLEY MEATS	6063A	HANFORD	CA	ALAMEDA			2/26/98		3/2/98	3/6/98	INH	INHUMANE TREATMENT	
ESHLEMAN MEAT COMPANY	681/P-681	FONTANA	CA	ALAMEDA			4/16/98		4/23/98	6/5/98	INH	INHUMANE SLAUGHTER	
EXCEL CORP.	86R	FORT MORGAN	CO	BOULDER	6/11/98				6/11/98	7/30/98	INH	INHUMANE SLAUGHTER	
FOREMOST PACKING COMPANY	824	EAST MOLINE	IL	CHICAGO	6/19/98					10/12/98	INH	INHUMANE SLAUGHTER	
H & R MEAT COMPANY	301	MERCED	CA	ALAMEDA			9/24/98		10/1/98	10/21/98	INH	INHUMANE SLAUGHTER	INTIMIDATION/THREAT/ASSAULT
IBP INCORPORATED	897	PALESTINE	TX	DALLAS			6/5/98		6/8/98	6/10/98	INH	INHUMANE SLAUGHTER	
LONGMONT PACKING COMPANY	128	LONGMONT	CO	BOULDER			1/26/98		1/27/98	3/13/98	INH	INHUMANE TREATMENT	
ROYAL MEAT PACKING CO.	9672/P-9672	QUAKERTOWN	PA	PHILADELPHIA			5/8/00		5/11/00	10/4/00	INH	INHUMANE SLAUGHTER	
WARD'S, INC.	21119/P-21119	JERSEYVILLE	IL	CHICAGO			1/17/02				INH	INHUMANE HANDLING	FAILURE TO MEET SANITATION PERFORMANCE STANDARDS

Total Inhumane Cases: 16



United States
Department of
Agriculture

Food Safety
and Inspection
Service

Washington, D.C.
20250

January 18, 2001

TO: All Inspectors-In-Charge, Circuit Supervisors, District Managers,
and All Livestock Slaughter Plants.

FROM: Mark Mina
Deputy Administrator
Office of Field Operations

SUBJECT: FSIS Responsibilities Related to the Humane Methods of Slaughter
Act

This memo is a reminder of the importance of the monitoring and enforcement of the Humane Slaughter Act, as outlined in CFR 9 Part 313. Inspection methods are defined in Directive 6900.1 Revision 1 issued 11/98. FSIS Inspection personnel have an obligation to ensure compliance with the Humane Slaughter Act by the regulated industry.

The Humane Slaughter Act requires that cattle, calves, horses, mules, sheep, goats, swine, and other livestock be rendered insensible to pain before being shackled, hoisted, thrown, cast or cut. CFR 9 Part 313 describes acceptable humane handling and slaughter methods using the intent of the Humane Slaughter Act including prohibiting the dragging of downer animals. Directive 6900.1 revision 1 further clarifies issues surrounding the presentation of downer animals for inspection.

Although the Pathogen Reduction/HACCP rule of 1996 removed FSIS from a "command and control" inspection mode and replaced it with performance standards and verification, the intent of the Humane Slaughter Act of 1978 was not changed. FSIS ensures, by verification, that the establishment handles and slaughters livestock humanely. Verification frequency should be adequate to assure the IICs that plants are in compliance with the Humane Slaughter Act.

All failures to comply with the Humane Slaughter Act must be documented. Resources concerning Humane Slaughter include CFR 9 part 313; The Humane Slaughter Act of 1978; FSIS Directive 6900.1 Revision 1; 904 VMO Training

Module on Humane Slaughter, v1.0 (CD-ROM); Dr. Temple Grandin's video, "For The Welfare of Livestock", v1.0 (CD-ROM); and CFR 9 part 500.

As part of our commitment to assuring humane methods are employed in the handling of livestock, as well as in slaughter practices, FSIS personnel including Technical Service Center Slaughter Operations Staff (SOS), will be conducting in plant correlation activities in the top 100 cull-cow slaughter establishments during February, March, and April, of 2001. Subjects for review include an overview of humane slaughter regulations Part 313 and the Rules of Practice regulations relating to humane slaughter, Part 500.3, followed by discussions of various issues and concerns surrounding each.

Agency employees having questions regarding humane slaughter should contact SOS personnel at the Technical Service Center, 1-800-233-3935.

cc: T.Billy, OA
M.Glavin, OA

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

<h1 style="margin: 0;">FSIS NOTICE</h1>	43-01	10-11-01
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NEW ISP PROCEDURE CODE FOR HUMANE SLAUGHTER

I. What is the purpose of this notice?

This notice issues the new Humane Slaughter, Inspection System Procedure (ISP) code 04C02 (see attachment 1) to be used by inspection program personnel in cattle, sheep, swine, goat, and equine establishments.

II. Why did FSIS create this new ISP code?

The new code is necessary for consistent documentation of noncompliances related to humane handling of livestock in accordance with the Humane Methods of Slaughter Act and 9 CFR 313 of the regulations. This procedure code will not be scheduled by the PBIS system; however, inspection program personnel are to continue their daily verification activities related to the humane handling of livestock.

III. What do inspection program personnel continue to verify?

A. Inspection program personnel will continue to verify that an establishment meets the criteria set forth in 9 CFR part 313 of the regulations to ensure the humane handling and slaughter of livestock. Inspection program personnel also will continue to follow the verification instructions in FSIS Directive 6900.1, Revision 1.

B. Inspection program personnel are to:

1. observe livestock pens, driveways, and ramps for conditions that could cause injury or pain to livestock, and
2. when applicable,
 - a. observe handling of livestock,
 - b. observe disabled livestock and those unable to move,
 - c. verify that livestock have access to water and feed if held longer than 24 hours,
 - d. observe stunning methods, and
 - e. verify an establishment's corrective action when an inhumane handling and slaughter situation occurs.

DISTRIBUTION: Inspection Offices; T/A Inspectors; Plant Mgt; T/A Plant Mgt;TRA;ABB;PRD; Import Offices	NOTICE EXPIRES: 11-01-02	OPI: OPPDE
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IV. What do inspection program personnel do if they find noncompliance(s)?

Inspection program personnel are to take the appropriate regulatory control action as specified in 9 CFR 500.1 and 500.2 when they determine that the regulatory requirements have not been met. They are to document failure(s) to comply with regulatory requirements on a NR using the 04C02-procedure code and are to mark the “protocol” trend indicator.

V. What further enforcement actions may FSIS take?

Based on the nature of the violation(s) and in accordance with 9 CFR 500.3(b) of the regulations, FSIS may suspend inspection without providing an establishment prior notification because the establishment is handling or slaughtering animals inhumanely. The District Office will coordinate any such enforcement action.

Philip S. Derfler

Deputy Administrator
Office of Policy, Program
Development and Evaluation

Attachment 1

	<p>The establishment meets the criteria set forth in the regulations to ensure the humane handling and slaughter of livestock. Action is taken when either the establishment or FSIS determines that the regulatory requirements have not been met.</p>	<p>Part 313 500.1, 500.2, and 500.3 FSIS Dir. 6900.1</p>	<p>Observe livestock pens, driveways and ramps for conditions that could cause injury or pain to animals.</p> <p>To verify compliance, when applicable:</p> <ul style="list-style-type: none"> • Observe handling of livestock. • Observe disabled animals and those unable to move. • Verify that animals have access to water, and feed if held longer than 24 hours. • Observe stunning methods. • Verify establishment's corrective action when an inhumane handling and slaughter situation occurs. <p>Make determination about compliance with regulatory requirements.</p> <p>Document failure(s) to comply with regulatory requirements on NR and (when appropriate) take other action consistent with applicable directive(s).</p>
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Comparison of USDA and Industry Humane Slaughter Requirements

Produced by Food Safety and Inspection Service – Compiled August 2001

The USDA and FSIS regulations in 9 CFR 313 implement the Humane Methods and Slaughter Act (HMSA). The American Meat Institute recommends uniform guidelines for livestock slaughter based on USDA regulations and HMSA. Some companies, such as McDonalds have set objective criteria with an "Excellent," "Acceptable" and "Not Acceptable" scoring system for a certain number of animals per criteria. Dr. Temple Grandin developed the McDonalds criteria, as well as used these criteria as a foundation for her performance standard-based auditing system.

USDA/FSIS Humane Slaughter of Livestock Regulations	American Meat Institute Good Management Practices For Animal Handling and Stunning (Written by Dr. Temple Grandin)	McDonalds Corporation Livestock Humane Audit (Developed by Dr. Grandin)	Dr. Temple Grandin's Cattle and Swine Plant Audit
Daily inspection	Guidelines only. Some plants conduct weekly audits.	Annual audit	Timeframe not included
SECTION: 313.1 Livestock pens, driveways and ramps. (a) Livestock pens, driveways and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects, which may, in the opinion of the inspector, cause injury or pain to the animals. Loose boards, splintered or broken planking, and unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired.	GMP requires pens, alleys, chutes, restraints and other equipment to be kept clean and well maintained. They should be free of protrusions, which could injure animals.	Same as AMI. Fails audit if not acceptable condition.	Same as AMI. Fails audit if not acceptable condition.
313.1(b) Floors of livestock pens, ramps, and driveways shall be constructed and maintained so as to provide good footing for livestock. Slip resistant or waffled floor surfaces, cleated ramps and the use of sand, as appropriate, during winter months are examples of acceptable construction and maintenance.	GMP requires animals to be observed during all phases of handling and if slipping or falling is observed, corrective actions should be taken.	Audits require falls be no more than 1%, slippage not more than 3%.	Audit: Percent of livestock that slip and fall during handling in chutes, stunning box etc. should 1% or less falling and 3% or less slipping. A fall is when the body contacts the floor. This should also be observed at the unloading dock.
313.1(c) Dead, dying, diseased, and disabled livestock (as defined in 301.2(y)) shall be provided with a covered pen sufficient, in the opinion of the inspector, to protect them from the adverse climatic conditions of the locale while awaiting disposition by the inspector.	GMP requires each plant have written guidelines for handling non-ambulatory animals.	Audit has zero tolerance for dragging sensible animals and recommends non-ambulatory animals be stunned on trucks.	Same as McDonalds.

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313.1 (d) Livestock pens and driveways shall be so arranged that sharp corners and direction reversal of driven animals are minimized.	Same as FSIS regulations.		
SECTION: 313.2 Handling of livestock. 313.2(a) Driving of livestock from the unloading ramps to the holding pens and from the holding pens to the stunning area shall be done with a minimum of excitement and discomfort to the animals. Livestock shall not be forced to move faster than a normal walking speed.	GMP describes how to use vocalization of livestock as an indicator of stress and discomfort in restraining devices, driveways, chutes etc.	Provides audit scores for cattle vocalizations. Acceptable is 3% or less of cattle moo or bellow. Excellent is 1%. For pigs, Excellent is 1% or less vocalization due to restrainer. Not acceptable is when 2% or more of pigs vocalize in the restrainer for any reason.	Same as McDonalds.
313.2(b) Electric prods, canvas slappers, or other implements employed to drive animals shall be used as little as possible in order to minimize excitement and injury. Any use of such implements which, in the opinion of the inspector, is excessive, is prohibited. Electrical prods attached to AC house current shall be reduced by a transformer to the lowest effective voltage not to exceed 50 volts AC.	Same as FSIS regulations.	Auditor observes for vocalization* during electric prod placement. If animal vocalizes, recommend power to be reduced. Auditor scores 100 animals for percentage of cattle or pigs prodded with an electric prod, hit with a stick or prodded due to balking. Must be 25% or less for a minimum passing score. Excellent score is 5%.	Same as McDonalds.
313.2(d)(1) Disabled animals and other animals unable to move shall be separated from normal ambulatory animals and placed in the covered pen provided for in 3111(c).	Same as FSIS regulations.	Automatic failure for mistreatment of disabled animals.	Same as McDonalds.
313.2(d)(2) The dragging of disabled animals and other animals unable to move, while conscious, is prohibited. Stunned animals may, however, be dragged. Disabled animals and other animals unable to move may be moved, while conscious, on equipment suitable for such purposes; e.g., stone boats.	Same as FSIS regulations. Dragging a sensible, non-ambulatory animal is an automatic audit failure.	This action is an automatic plant audit failure. Dragging a sensible, non-ambulatory animal is an automatic audit failure.	Same as McDonalds.

*Vocalization is an indication of discomfort by livestock in crowded pens, restraint devices, and stunning chute. Vocalization is characterized by cattle bellowing and pigs squealing.

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313.2(f) Stunning methods approved in 313.30 shall be effectively applied to animals prior to their being shackled, hoisted, thrown, cast, or cut.	Same as FSIS regulations.	Cattle stunning minimal acceptable score is 95% or better on first attempt, swine is 99% or better on first attempt.	Same as McDonalds.
SECTION: 313.5 Chemical; carbon dioxide. 313.5(a) Administration of gas, required effect; handling	This is not addressed in the GMP and audit material. These provisions however, are consistent with the intent to ensure humane handling and slaughter of animals as outlined in both GMP and audit.	Same as AMI's GMPs.	Same as AMI's GMPs.
313.15 Mechanical; captive bolt. The slaughtering of sheep, swine, goats, calves, cattle, horses, mules, and other equines by using captive bolt stunners and the handling in connection therewith, in compliance with the provisions contained in this section, are hereby designated and approved as humane methods of slaughtering and handling of such animals under the Act.	Same as FSIS regulations.	Acceptable stun of 95% or more on first shot. 90-94% insensible is not acceptable and must be corrected immediately. Less than 90% insensible denotes a serious problem and requires immediate corrective action.	Same as McDonald's.
313.15(a) The captive bolt stunners shall be applied to the livestock in accordance with this section so as to produce immediate unconsciousness in the animals before they are shackled, hoisted, thrown, cast, or cut. The animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort.	Same as FSIS regulations.	Audit requires 99-100% cattle correctly stunned on the first shot for an Excellent rating. Minimum acceptable score is 95% of cattle stunned on the first shot.	Same as McDonalds.
313.15(a)(3) Immediately after the stunning blow is delivered the animals shall be in a state of complete unconsciousness and remain in this condition throughout shackling, sticking and bleeding.	Same as FSIS regulations.	499/500 stunned cattle on the bleeding rail must be insensible as a minimum. There is zero tolerance for starting any slaughter procedure on any animal showing signs of sensibility.	499/500 stunned cattle on the bleeding rail must be insensible as a minimum. There is zero tolerance for starting any slaughter procedure on any animal showing signs of sensibility.

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<p>313.15(a)(2) The driving of the animals to the stunning area shall be done with a minimum of excitement and discomfort to the animals. Delivery of calm animals to the stunning areas is essential since accurate placement of stunning equipment is difficult on nervous or injured animals. Among other things, this requires that, in driving animals to the stunning areas, electrical equipment be used as little as possible and with the lowest effective voltage.</p>	<p>Same as FSIS regulations.</p>	<p>Excellent score is no slipping or falling. Acceptable is 3% or less slipping. 1% falling down (body touching floor) is not acceptable. 5% falling down or 15% or more slipping is a serious problem and requires correction.</p>	<p>Same as McDonalds.</p>
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<p>313.15(b) Facilities and procedures (1) General requirements for stunning facilities; operator. 313.15(b)(1)(I) Acceptable captive bolt stunning instruments may be either skull penetrating or non-penetrating. The latter type is also described as a concussion or mushroom type stunner. Penetrating instruments on detonation deliver bolts of varying diameters and lengths through the skull and into the brain. Unconsciousness is produced immediately by physical brain destruction and a combination of changes in intracranial pressure and acceleration concussion. Non-penetrating or mushroom stunners on detonation deliver a bolt with a flattened circular head against the external surface of the animal's head over the brain. Diameter of the striking surface of the stunner may vary, as conditions require. Unconsciousness is produced immediately by a combination of acceleration concussion and changes in intra-cranial pressures. A combination instrument utilizing both penetrating and non-penetrating principles is acceptable. Energizing of instruments may be accomplished by detonation of measured charges of gunpowder or accurately controlled compressed air. Captive bolts shall be of such size and design that, when properly positioned and activated, immediate unconsciousness is produced.</p>	<p>Same as FSIS regulations.</p>	<p>95-99% stunned on first attempt is acceptable. 99-100% stunned on first attempt is excellent.</p>	<p>Same as McDonalds.</p>
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<p>313.15(b)(1)(ii) To assure uniform unconsciousness with every blow, compressed air devices must be equipped to deliver the necessary constant air pressure and must have accurate, constantly operating air pressure gauges. Gauges must be easily read and conveniently located for use by the stunning operator and the inspector. For purposes of protecting employees, inspectors, and others, it is desirable that any stunning device be equipped with safety features to prevent injuries from accidental discharge. Stunning instruments must be maintained in good repair.</p>	<p>Air pressure regulators, gauges etc. are not addressed in GMP or audits.</p>	<p>The audits require companies have a stunner maintenance program on file.</p>	<p>Same as McDonalds.</p>
<p>313.15(b)(1)(iii) The stunning area shall be so designed and constructed as to limit the free movements of animals sufficiently to allow the operator to locate the stunning blow with a high degree of accuracy. All chutes, alleys, gates and restraining mechanisms between and including holding pens and stunning areas shall be free from pain-producing features such as exposed bolt ends, loose boards, splintered or broken planking, and protruding sharp metal of any kind. There shall be no unnecessary holes or other openings where feet or legs of animals may be injured. Overhead drop gates shall be suitably covered on the bottom edge to prevent injury on contact with animals. Roughened or cleated cement shall be used as flooring in chutes leading to stunning areas to reduce falls of animals. Chutes, alleys, and stunning areas shall be so designed that they will comfortably accommodate the kinds of animals to be stunned.</p>	<p>Same as FSIS regulations.</p>	<p>Audit includes scoring for balking, vocalization, electric prod use, slipping and falling.</p>	<p>Same as McDonalds.</p>

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<p>313.15(b)(2) Special requirements. Choice of instrument and force required to produce immediate unconsciousness varies, depending on kind, breed, size, age, and sex of the animal. Young swine, lambs, and calves usually require less stunning force than mature animals of the same kind. Bulls, rams, and boars usually require skull penetration to produce immediate unconsciousness. Charges suitable for smaller kinds of livestock such as swine or for young animals are not acceptably interchanged for use on larger kinds or older livestock, respectively.</p>	<p>Same as FSIS regulations.</p>	<p>Same auditing criteria for insensibility.</p>	<p>Same as McDonalds.</p>
<p>313.15(b)(1)(iv) The stunning operation is an exacting procedure and requires a well-trained and experienced operator. He must be able to accurately place the stunning instrument to produce immediate unconsciousness. He must use the correct detonating charge with regard to kind, breed, size, age, and sex of the animal to produce the desired results.</p>	<p>Same as FSIS regulations.</p>	<p>Audits evaluate stunner maintenance, employee training, and employee stunning efficiency.</p>	<p>Same as McDonalds.</p>
<p>313.16 Mechanical; gunshot. The provisions contained in 313.15(b)(1)(iii) with respect to the stunning area also apply to the shooting area.</p>	<p>Not specifically addressed in GMP and scoring but all stunning must comply with the FSIS regulations.</p>	<p>Not addressed in audit.</p>	<p>Not addressed in audit.</p>

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<p>SECTION: 313.30 Electrical stunning or slaughtering with electric current. The slaughtering of swine, sheep, calves, cattle, and goats with the use of electric current and the handling in connection therewith, in compliance with the provisions contained in this section, are hereby designated and approved as humane methods of slaughtering and handling of such animals under the Act.</p>	<p>Same as FSIS regulations. Specific electrical parameters are given.</p>	<p>99% or better of pigs must have wand placed correctly. 1% minimum acceptable score for “hot wand”. This is activating the wand switch prior to corset contact with the head.</p>	<p>Same as McDonalds.</p>
<p>313.30(a)(1) The electric current shall be administered so as to produce, at a minimum, surgical anesthesia, i.e., a state where the animal feels no painful sensation. The animals shall be either stunned or killed before they are shackled, hoisted, thrown, cast, or cut. They shall be exposed to the electric current in a way that will accomplish the desired result quickly and effectively, with a minimum of excitement and discomfort.</p>	<p>Same as FSIS regulations. Specific electrical parameters are given for each species of livestock.</p>	<p>99% of swine must be correctly stunned on first attempt to pass the audit.</p>	<p>Same as McDonalds.</p>
<p>313.30(a)(2) The driving or conveying of the animals to the place of application of electric current shall be done with a minimum of excitement and discomfort to the animals. Delivery of calm animals to the place of application is essential to ensure rapid and effective insensibility. Among other things, this requires that, in driving animals to the place of application, electrical equipment be used as little as possible and with the lowest effective voltage.</p>	<p>Same as FSIS regulations.</p>	<p>Audit scores vocalization. Percentage of cattle vocalizing in the stunning chute area, which includes the stunning box, restrainer and crowd pen, are audited. Percentage of pigs vocalizing in the stunning pen or restrainer conveyor are audited. Percentage of animals prodded with an electric prod are audited.</p>	<p>Same as McDonalds.</p>

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<p>313.30(a)(3) The quality and location of the electrical shock shall be such as to produce immediate insensibility to pain in the exposed animal.</p>	<p>Same as FSIS regulations with additional specific performance criteria put in the audit.</p>	<p>Electric stunning criteria for placement efficacy of stunning wand or tongs is audited. Excellent is 99-100% correct placement. Acceptable is 99.4% to 99%. Not Acceptable is 95-98% correct placement or 4% or less of the pigs vocalize due to energizing the electrodes before they are firmly positioned.</p>	<p>Same as McDonalds.</p>
<p>313.30(a)(4) The stunned animal shall remain in a state of surgical anesthesia through shackling, sticking, and bleeding.</p>	<p>Same as FSIS regulations plus performance criteria added to audit bleed rail insensibility.</p>	<p>Score a minimum of 100 animals for bleed rail insensibility.</p>	<p>Audit criteria of bleed rail insensibility. Criteria for stunned animals possibly showing sensibility: Excellent in cattle is less than 1 per 1000 and pigs less than 1 per 2000. Acceptable in cattle is less than 1 per 500 and in pigs less than 1 per 1000.</p>
<p>313.30(b) Facilities and procedures; operator. 313.30(b)(1) General requirements for operator. It is necessary that the operator of electric current application equipment be skilled, attentive, and aware of his or her responsibility.</p>	<p>Maintenance records of stunning equipment required.</p>	<p>Employee training and maintenance records are audited.</p>	<p>Same as McDonalds.</p>

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<p>313.30(b)(2) Special requirements for electric current application equipment. The ability of electric current equipment to perform with maximum efficiency is dependent on its proper design and efficient mechanical operation. Pathways, compartments, current applicators, and all other equipment used must be designed to properly accommodate the species of animals being anesthetized. Animals shall be free from pain-producing restraining devices. Injury of animals must be prevented by the elimination of sharp projections or exposed wheels or gears. There shall be no unnecessary holes, spaces or openings where feet or legs of animals may be injured. Impellers or other devices designed to mechanically move or drive animals or otherwise keep them in motion or compartmentalized shall be constructed of flexible or padded material. Power activated gates designed for constant flow of animals shall be so fabricated that they will not cause injury. All equipment used to apply and control the electrical current shall be maintained in good repair, and all indicators, instruments, and measuring devices shall be available for inspection by Program inspectors during the operation and at other times.</p>	<p>See above. GMP and audits consistently evaluate entire process.</p>	<p>See above. GMP and audits consistently evaluate entire process.</p>	<p>See above. GMP and audits consistently evaluate entire process.</p>
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<p>SECTION: 313.50 Tagging of equipment, alleyways, pens, or compartments to prevent inhumane slaughter or handling in connection with slaughter. When an inspector observes an incident of inhumane slaughter or handling in connection with slaughter, he/she shall inform the establishment operator of the incident and request that the operator take the necessary steps to prevent a recurrence. If the establishment operator fails to take such action or fails to promptly provide the inspector with satisfactory assurances that such action will be taken, the inspector shall follow the procedures specified in paragraph (a), (b), or (c) of this section, as appropriate.</p>	<p>Tagging is not discussed in the GMP/audits. An act of animal abuse in an automatic failure.</p>	<p>Same as AMI's GMPs.</p>	<p>Same as AMI's GMPs.</p>
<p>313.50(a) If the cause of inhumane treatment is the result of facility deficiencies, disrepair, or equipment breakdown, the inspector shall attach a "U.S. Rejected" tag thereto. No equipment, alleyway, pen or compartment so tagged shall be used until made acceptable to the inspector. The tag shall not be removed by anyone other than an inspector. All livestock slaughtered prior to such tagging may be dressed, processed, or prepared under inspection.</p>	<p>Same as previous.</p>	<p>Same as previous.</p>	<p>Same as previous.</p>

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<p>313.50(b) If the cause of inhumane treatment is the result of establishment employee actions in the handling or moving of livestock, the inspector shall attach a "U.S. Rejected" tag to the alleyways leading to the stunning area. After the tagging of the alleyway, no more livestock shall be moved to the stunning area until the inspector receives satisfactory assurances from the establishment operator that there will not be a recurrence. The tag shall not be removed by anyone other than an inspector. All livestock slaughtered prior to the tagging may be dressed, processed, or prepared under inspection.</p>	<p>An acceptable level of animal welfare can be maintained if scores at the critical control points for stunning, animal insensibility, slipping and falling, vocalization and electric prod use are in the acceptable range.</p>	<p>Scoring performance on these variables is easy to do under commercial plant conditions. Managers must be committed to good animal welfare. Auditors and handlers must be trained.</p>	<p>Same as McDonalds.</p>