

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M332	FPL Food	ACA110 907552 ON-1	07/19/2018	07/20/2018	04C02	Livestock Humane Handling	313.2	<p>At 07/19/2018 at 10:22 AM, during the establishment's lunch period, I observed cattle being held in the alleyway leading to the knock box. The cattle were densely packed in such a way that the animals could not move about the pen. There was one small container of water approximately one foot by two foot in size and approximately 10 inches in depth. The container was placed in the center of the length of the pen and at the very edge of the pen. Due to the density of the animals in the pen preventing the cattle from moving, all cattle did not have access to water. The cattle appeared uncomfortable and stressed due to the lack of water, current weather conditions with temperatures above 85 degrees, and lack of air circulation in the enclosed area. Some of the cattle were in unthrifty condition.</p> <p>(b)(6) was notified of the noncompliance. (b)(6) immediately added an additional water container that was not sufficient to allow all animals access to water. (b)(6) proceeded to wave his arms and "whoop" loudly in an attempt to move the cattle forward toward the inaccessible tub. The cattle became further stressed and uncomfortable from these actions. I asked him to stop it. The pen was opened to allow more free movement. Because the establishment was using the alley way as a holding pen during the establishment's lunch break and failed to provide all animals access to water due to overcrowding, the establishment is non-compliant with 9 CFR 313.2(e).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

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M332	FPL Food	ACA061 207322 8N-1	07/28/2018	07/28/2018	04C02	Livestock Humane Handling	313.2	On July 28, 2018 at 0540 during ante mortem inspection activities I observed holding pen # 9 that was held from previous day. The pen appeared to be over crowded. Many of the cattle were standing with their heads tilted upward because there was not sufficient room between the cattle to lower their head into a normal standing position. There was not sufficient room for the animals to move to access water or lay down. One large bull was dead in the pen and one cow was down in the pen with her legs split out beside her that had to be euthanized. Both animals were well fleshed and appeared to be healthy. Records indicated that a total of 39 head, 27 bulls and 12 beef cows were in the single pen. All of the bulls were large. Records indicated that the cattle arrived the previous day, July 27, 2018 at 1048 and ante-mortem was originally performed at 1353 indicating the cattle were in the pen overnight. The failure of the establishment to ensure animals have access to water in all holding pens and failure to provide sufficient room in the holding pen for animals held overnight to lie down is non-compliant with 9 CFR 313.2(e). (b)(6) was notified of the noncompliance. The same occurrence of the establishment overcrowding pens to the extent the animals cannot access water was documented on noncompliance record ACA1109075520N dated July 20, 2018. No preventive measures proposed for this noncompliance. The continued failure to comply with regulatory requirements could result in additional regulatory or administrative actions.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M482	St. Croix Abattoir	NAA45 130723 19N-1	07/19/2018	07/19/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(2)	<p>On July 19, 2018, at approximately 1:05pm, the establishment had difficulties running in a young steer. They finally got the animal into the knocking chute, but then proceeded to have difficulty in getting the head restraint to close on the animal's head. Once it was restrained, the knocker immediately tried to knock the animal, but the animal was tossing his head and was not calm. The first knock was ineffective (high and to the left upon examination.) The animal continued to toss its head and bellow. The animal was upright and moving. The knocker had the back-up device readily available, and attempted to get a second shot. It took over a minute to get the second shot, which was effective. The knocking box was tagged with US Tag B19323281 and slaughter operations stopped while the Atlanta District Office was contacted for guidance. The firm was issued NR NAA0813043526N/1 on April 26, 2018, for the ineffective stunning of a steer.</p> <p>(b)(6) was notified of the noncompliance and that this NR would be issued.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

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M7883+P7 883	Sucesion Jorge Morales Cruz	NCB420 808160 3N-1	07/31/2018	07/31/2018	04C02	Livestock Humane Handling	313.15(b)(1) (iii), 313.2(f)	HATS category VIII Humane handling (Stunning Effectiveness); 9 CFR 313.15(a) and 313:15(b)(iii). On July 31, 2018 at 10:20 A.M, EIAO and DVMS trained PHV; (b)(6) was conducting the yearly routine Humane Handling Verification Visit at Est. M7883, Sucesion Jorge Morales Group, and observed the following noncompliance: Inside the knocking box, cow #735 (Back tag 94GY5263, Ear Tag 5 ADR) moved her head as the stunner applied the captive bolt and was not rendered unconscious on the first stun. The establishment immediately took corrective action and the animal was rendered unconscious on the second stun. The establishment verified the captive bolts and changed the stunning employee. Operations continued once the immediate corrective actions were taken. In addition, the overhead gates to the knocking box are not suitably covered on the bottom edge to prevent injury on contact with animals. Plant management was verbally notified of the noncompliances and of the impending written notification.	CLOSED
M8404+P8 404	Stripling's General Store Inc.	BKA241 605513 1N-1	05/31/2018	05/31/2018	04C02	Livestock Humane Handling	313.2	At approximately 8:45 am on 5/31/18 while performing a Humane Handling Task (b)(6), and I noticed the following noncompliance in the pen area: The water was not turned on in pen number 1 which contained 15 hogs. There was also no water in the holding pen, where the hogs enter the knocking box. This pen contained 7 hogs. This failure does not meet the requirement of 9CFR 313.2(e) which states "Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed. There shall be sufficient room in holding pens for animals held over night to lie down. The establishment was notified of this noncompliance, and the water was turned on. The 7 hogs that was in the holding pen (ready for slaughter) were removed, so that they could have access to water.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M18867	Macelo Central S.E. Inc.	IJA5907 074431 N-1	07/30/2018	07/30/2018	04C02	Livestock Humane Handling	313.1	<p>On July 30, 2018 at 9:30 A.M, EIAO and DVMS trained PHV; (b)(6) was conducting the yearly Humane Handling Verification Visit at Est. M18867, Macelo Central S.E, Inc., and observed the following areas in disrepair: • Pens # 2, 5, 6, 7, 13, 14, 15, & 16: have horizontal metal beams at the gate corroded and frayed with sharp edges. I informed (b)(6) (b)(6), of the noncompliances observed and showed her the areas referred to above. These sharp areas may cause injury and/or pain to the animals. A Noncompliance Record was recommended for failure to meet the regulatory requirements of 9 CFR 313.1(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." In addition, the water pipe running behind pens 11 and 12 is not fixed and it causes the water feeders to move which may limit their functionality as animals use them. (b)(6) informed (b)(6) of the observed noncompliances and impending written Noncompliance Record.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M11115	South Marion Meats and Retail Market Inc.	XKA341 408201 5N-1	08/15/2018	08/15/2018	04C02	Livestock Humane Handling	313.1, 313.2	HATS category II: truck unloading 9CFR 313.1 and 313.2 On August 15, 2018, at approximately 10:15 am, while verifying truck unloading, I observed the following noncompliance; A truck and trailer had backed-up to the livestock unloading ramp. The driver was in the process of unloading 3 market hogs. As they were stepping on to the ramp, one hog's front foot fell in the gap between the trailer and the concrete ramp. The hog continued to move forward but fell down on the walkway. The animal got up after a couple of minutes and continued into the livestock pens. As the hogs were already in motion, it was not possible to prevent the remaining hogs from exiting the trailer, however no other animal's feet were observed to fall into the gap. I immediately notified plant owner Gary Armoogan of the noncompliance. Mr. Armoogan walked to the area and explained to me that the trailer was backed-up in an angle creating a gap between the ramp and the trailer. Mr. Armoogan had a discussion with the driver about the incident. The ramp was not tagged, as no other animals were unloaded at this time. The above noncompliance fails to meet the regulatory requirements of 9CFR 313.1 and 313.2 This noncompliance was not considered egregious This document serves as written notification that your failure to comply with regulatory requirements(s) could result in additional regulatory or administrative action.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M6590	Randolph Packing Co., Inc.	YBB541 306491 3N-1	06/13/2018	06/13/2018	04C02	Livestock Humane Handling	313.1	At approximately 0950 hours on June 13, 2018, the following humane handling noncompliance was observed at Randolph Packing Company (M6590) in Asheboro, NC. While performing antemortem inspection, I observed a farmer arriving at the farmer's barn to offload two beef cows. While off-loading the first cow, the animal fell through a 4-6 inch gap between the unloading ramp and the trailer. The vertical distance from the trailer to the ground was approximately 2 feet. A front limb of the animal went through the gap and the animal's body hit the ramp surface; when the animal regained footing on its front end, a back limb also went through the gap and the animal's body hit the ramp surface again. Throughout the incident, the animal appeared to be struggling to regain its footing. Multiple skin-depth cuts were observed on the front and back affected limbs and a small amount of blood was seen coming from the wounds. I immediately took regulatory control and did not allow further off-loading of the trailer. (b)(6) was notified of the humane handling noncompliance. The establishment covered the gap with boards and notified me that it was safe to off-load the next animal. The animal was off-loaded with no further incident. The establishment is developing further corrective actions, including not allowing the offloading of animals if a gap is present. The establishment failed to meet the regulatory requirement of 9 CFR 313.1(a) which requires ramps to be maintained in a manner to prevent injury or pain to animals and to avoid unnecessary openings where animals may be injured.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M7975+P7 975+V7975	Piedmont Custom Meats, Inc.	YCA021 108290 9N-1	08/09/2018	08/09/2018	04C02	Livestock Humane Handling	313.2	<p>**** Category III-Water and Feed Availability****</p> <p>On 8/9/2018, at approximately 1145 AM, while conducting official inspection duties at Piedmont Custom Meats, the following Humane Handling violation was observed: ** IPP went outside to check on the animals that were awaiting slaughter. In rear pen #1, there was one lamb without water. In Rear Pen#2, there were 4 hogs without water. Both water pales were completely empty. IPP immediately informed Plant Manager Dave Klinker of this finding and water was immediately furnished to the animals. Mr. Klinker was also informed of the plant's failure to comply with 9 CFR 313.2(e)</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M18079+P 27232	Smithfield Fresh Meats Corp.	VFB442 008252 2N-1	08/22/2018	08/22/2018	04C02	Livestock Humane Handling	313.1	On 08/22/2018 at approximately 20:42 while verifying HATS Category VI - electric prod/alternative object use in the alleyway leading to the A-2 CO2 (b)(4), I observed the following noncompliance: When looking down the alley and towards the CO2 stunning area, I observed that the roller bar on the second horizontal automated gate was missing. I then observed an exposed bracket on the top and bottom aspect of the leading edge of the automated gate. Each of these brackets was rectangular in shape, measuring approximately 1 inch x 3/4 inch and 1/4 in thickness with sharply angled metal edges. I observed that when the gate is activated, the brackets protrude into the alley and contact the opposing wall with a considerable amount of force. The height of these brackets, approximately 4 inches and 24 inches from the ground, was such that I concluded that the brackets could realistically contact and injure a hog during routine operation of the gate. The establishment was actively opening/closing this gate and moving animals through the gate without taking any action to prevent injury to the animals. I took regulatory control of the gate, therefore ceasing operation of the gate, by applying USDA Rejected tag No. B42 301453. I then inspected the remainder of the automated gates in the stunning area and I found that the third horizontal automated gate on B-1 CO2 alleyway was in similar disrepair with a missing roller bar and protruding metal brackets with sharp angles. I observed establishment employees actively moving hogs through this opening/closing gate without taking any action to prevent injury to the hogs, therefore I ceased operation of this gate by applying USDA Rejected tag No. B43 370771. I notified (b)(6) of my concerns regarding the protruding metal brackets on the automated gates, and I explained	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								that these conditions represent noncompliance with 9 CFR 313.1(a). (b)(6) called maintenance to the area to make repairs and notified the immediate area supervisor, (b)(6), of my findings. At approximately 21:00 (b)(6) and (b)(6) stated that the automated gates were repaired and ready for my inspection. (b)(6) stated that as a preventive measure, the employees will be instructed to discontinue using any gate with a broken roller bar until maintenance can make a repair. (b)(6) also stated that he would meet with maintenance to come up with a more durable design for the roller bar apparatus. I inspected the repairs and relinquished regulatory control of both gates at 21:05. No animals were directly observed to be injured from this facilities deficiency.	
M19825+P 19825	Halal International Processing	JDA351 608150 7N-1	08/07/2018	08/07/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(1) (iii)	HATS category VIII Stunning At about 1 p.m., I observed (b)(6) attempt to stun a small bull with his rifle. The animal moved his head and the bullet grazed the side of his head only. The animal did not fall down and did not vocalize. (b)(6) took immediate action and reloaded the rifle and fired a second round that was properly placed. The animal fell down immediately and was unconscious until hoisted and bleeding out. Regulations require that animals be rendered unconscious on the first shot. The missed shot that did hit the animal is not humane. Excessive movement by either the animal or the shooter must be controlled to prevent inhumane handling. Though this was unintentional and immediate corrective action was taken to stun the animal properly, consideration should be give to methods of preventing similar problems in the future.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M20478+P 20478	Snow Creek Meat Processing, Inc.	VAB220 808352 ON-1	08/20/2018	08/20/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(2), 313.15(a)(3)	On August 20, 2018 at Snow Creek Meat Processing Est.20478 at 8:40 a.m. the following observation was made. The establishment was using captive bolt. The stun was not effective rendering the animal immediately unconscious. Corrective action was taken immediately rendering the animal unconscious. This constitutes a regulatory non compliance with USDA 313.16a 1-3. Plant management was notified of the non compliance.	CLOSED
M4499+P4 499+V4499	Tri-Town Packing Corporation	LPA191 307272 4N-1	07/24/2018	07/24/2018	04C02	Livestock Humane Handling	313.2	HATS CATEGORY III WATER AND FEED AVAILABILITY While performing Odd hours Livestock humane handling task (b)(6) observed the following noncompliance: At approximately 0720 hours at Tri-Town Packing Est. #4499, (b)(6) entered the pen area where animals are kept and presented for inspection prior to slaughter to perform the odd hours humane handling inspection. I observed cattle (to be slaughtered under Federal Inspection) in pens 2, 3, and 4 with no access to water. The water containers in each pen contained only dry hay and no evidence that there had been water in the containers. The establishment failed to meet the regulatory requirements of 9 CFR 313.2(e) which states in part that animal must have access to water. When Jeff Liberty, Plant Manager for Tri Town Packing, was verbally informed of the noncompliance, he provided immediate corrective action by putting water into the pens.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M5439	Kleemeyer & Merkel Inc.	BQE531 208560 9N-1	08/09/2018	08/09/2018	04C02	Livestock Humane Handling	313.1	While performing HATS Category III (Water and Feed Availability) during the Livestock Humane Handling task on August 9, 2018 at 1325 hours, I observed a roaster swine in lateral recumbency in the aisle outside of the pen that is furthest from the kill floor in the back barn. The pig was wedged between the floor and a gap in the panels of the wall of the building and couldn't get out. I immediately notified Mr. Tim Nugent, President of Establishment #M05439. He supervised his employees as they took immediate corrective actions to free the pig by 1327 hours. The pig did not appear injured or dehydrated, and walked normally. I tagged the portion of the aisle with Retain Tag # B24013844, and notified Mr. Nugent that the gap must be repaired. This violates 9 CFR 313.1(a).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M5439	Kleemeyer & Merkel Inc.	BQE241 409400 6N-1	09/06/2018	09/06/2018	04C02	Livestock Humane Handling	313.2	While performing the Livestock Humane Handling task to assess HATS Category I (Adequate Measures for Inclement Weather) on September 6, 2018 at approximately 1330 hours, I observed overcrowding of pigs in the west and middle pens in the back barn (2 pens total). The pigs were touching and lying on each other, and there was no visible floor space between the pigs. A pig was lying in the water bin in each pen, with the water at a shallow depth (approx. 1 inch). The forecasted heat index at the time of the observation was around 100 degrees Fahrenheit, and it was extremely hot inside the barn. Many of the pigs were hyperventilating, and some were open-mouth breathing. I immediately notified Mr. Tim Nugent, establishment owner, that the pigs did not have adequate access to water, and he instructed his employee to move some of the pigs to a different empty pen and refill the water. Mr. Nugent informed me that 528 pigs were delivered to the facility today, while the typical delivery is around 250-300. While the employee was redistributing the pigs to other pens, I observed an approximately 250 lb male pig slowly exit the west pen, pause as his legs buckled, and collapse in the aisle. He briefly exhibited generalized skeletal muscle fasciculations, then proceeded to pant heavily with his mouth open. The employee rinsed him with cool water, and after a short time to rest, tried to move him. He was unable to stand, and shortly thereafter, I observed that he stopped breathing and died at 1418 hours. I notified Mr. Nugent that inadequate access to water violates 9 CFR 313.2(e).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M8547+V8 547	Champlain Beef Company Inc.	PRO481 009022 8N-1	09/28/2018	09/28/2018	04C02	Livestock Humane Handling	313.2	HATS Category IV – Handling During Ante-mortem Inspection On September 28, 2018, at approximately 1000 hours while performing humane handling verification activities, (b)(6) observed the following noncompliance. Two establishment employees loaded 10 dairy cows into the chute which leads to the stun box. There was one cow already standing in the stun box, waiting to be stunned. Once all of the cows were loaded into the chute, the fourth cow from the stun box was jostled from the movement of the cows in front and behind her, such that she fell down. The cow was not in distress, did not vocalize, and remained still while she was down in the chute. Immediately, the plant employees backed up the cows behind her. However, because the three cows in front of her were standing so close together and because their forward motion was restricted by the stun box, there was no room for the down cow to stand. The plant employees stunned and shackled the cow in the knock box and then attempted to move a cow from the chute into the knock box. However, the cow balked and backed up. This action forced the two cows behind her to also back up such that one cow stepped on and over the down cow. Though the down cow was stepped on, she did not vocalize or show any signs of distress or injury. The down cow immediately stood after this occurred; and upon veterinary examination, appeared uninjured. Mr. Joshua Cuomo, Plant Manager, was immediately notified of the noncompliance and the establishment’s failure to adhere to the regulatory requirements of 9 CFR 313.2(a).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

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M17776	Trenton Halal Packing Company	BBE060905023ON-1	05/30/2018	05/30/2018	04C02	Livestock Humane Handling	313.1	At 0730 on May 30th, 2018 while unloading part of an animal truck at Trenton Halal one cow slipped and fell coming out of the truck while unloading four cows during plant operation. No ramp was used while unloading these animals. Nor was mulch or sand used to help provide better footing on the driveway floor. There was about a foot drop from the back of the truck to the ground which was wet. The cow that slipped immediately got back up after it fell. In attendance was (b)(6) at Trenton Halal (b)(6), and (b)(6). The floors of livestock pens and driveways are expected to be constructed and maintained to provide good footing for livestock regardless of the weather conditions. The cow slipping and falling does not meet 313.1(b).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M17965	Gold Medal Packing Inc.	JRF380 909421 2N-1	09/12/2018	09/12/2018	04C02	Livestock Humane Handling	313.30(a)(1)	HATS Category VIII - Stunning Effectiveness On Wednesday, September 12, 2018 at 0930 hours, I observed the stunning of a market swine placed in the white dual conveyor belt system in the slaughter department of Gold Medal Packing. The establishment employee performing the stunning placed the electrodes of the electrical stun device onto the swine with the distal electrode placed slightly lower away from the head and closer to the shoulder and the proximal electrode in the normal position on the body so as to target the heart. The swine immediately began vocalizing profusely with its eyes open and remained in this state for several seconds. The volume and duration of the vocalization indicated that the swine was experiencing an electrical stun attempt without being rendered unconscious. The establishment employee then adjusted the position of the electrodes of the electrical stun device with the distal electrode placed behind the ear in the correct position to target the head and the proximal electrode again placed on the body so as to target the heart and reapplied the current at which point the swine was rendered unconscious. This change in position of the electrodes of the electrical stun device indicates that the first attempt was not successful because of the position of the electrodes. I then observed as the animal was bled and hoisted onto the rail without returning to consciousness. I then took a regulatory control action by placing retain tag #B42171081 onto the white conveyor belt system and instructed the establishment employees not to slaughter any additional animals. I then left the department and found (b)(6) in the evisceration department and notified him of the noncompliance. He immediately reassigned a more experienced employee to perform the stunning, and I removed the regulatory control action. The inability of the establishment to	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

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								administer the electric current and render the animal insensible to pain as described above is not in compliance with 9 CFR 313.30(a)(1).	
M17965	Gold Medal Packing Inc.	JRF541 209572 1N-1	09/21/2018	09/21/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Category VIII- Stunning Effectiveness At approximately 1050, September 21, 2018, while watching an employee attempt to stun a non-ambulatory disabled calf in the pen, I observed him deliver one shot with the hand held captive bolt, which penetrated the calf's skull between the eyes. The calf remained conscious and vocalized. The employee immediately reloaded, adjusted the shot placement, and effectively stunned the animal. I informed (b)(6) of the violation of 9CFR 313.15(a)(1).	CLOSED
M5300	Rhode Island Beef & Veal Inc.	VEL131 308102 2N-2	08/15/2018	08/22/2018	04C02	Livestock Humane Handling	313.1	non-compliance did not exist, system will not allow me to change the original info documented. (b)(6) need to delete after entry	CLOSED
M5497+V5 497	Adams Farm Slaughterhouse LLC	FWJ101 107371 8N-1	07/18/2018	07/18/2018	04C02	Livestock Humane Handling	313.2	HATS category III: Feed and Water Availability While performing a humane handling task in the holding pens at approximately 11am on 07/18/18, the following noncompliance was observed: Approximately 15 cows housed in an indoor pen were not provided water. A barn worker was notified and the animals were immediately provided water. This is in noncompliance with 9CFR313.2(e). (b)(6) was notified of the noncompliance and that a noncompliance record would be generated to reflect this finding. Upon review of records, no recent similar noncompliances have been generated.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

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M5497+V5497	Adams Farm Slaughterhouse LLC	FWJ3713075023N-1	07/23/2018	07/23/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Humane Handling Category VIII: Stunning Effectiveness This morning, at approximately 11:50, while observing the slaughter of swine to ensure acceptable humane slaughter methods, I observed the following: the employee performing the stunning had a large sow in the kill box. He applied the captive bolt stunner to its head and shot it. The sow remained standing while vocalizing once. Immediately upon seeing the sow remain upright the employee retrieved the backup stun gun, which is readily available in the kill box area, and applied a second, successful shot which rendered the sow unconscious. (b)(6) was notified of this noncompliance verbally and with this notice. No regulatory control was taken due to the immediate action by the employee. There are no recent similar NR's. The establishment has a robust, systematic animal handling and slaughter plan on file.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

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M6354+P6 354+V6354	E.L. Blood & Son, Inc.	BNH05 110636 04N-1	06/04/2018	06/04/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Humane Handling Category VIII: Stunning Effectiveness This morning, at approximately 10:45am, while observing the slaughter of swine to ensure acceptable humane stunning methods, the following noncompliance was observed: The employee performing the stunning applied the captive bolt stunner to a roaster swine in the appropriate stunning area and shot it. At that time, the swine moved its head and the shot was applied full thickness through the skin at the caudal aspect of the head between the ears. The swine remained on its feet, and vocalized once. Using the loaded back-up stunner, the employee immediately applied a second shot which was successful in rendering the animal unconscious. This is noncompliant with 9CFR 313.15(a)1. Mr. Richard Blood, Owner, was notified of this noncompliance verbally and with this notice. No regulatory control action was taken due to the immediate action by the employee. The establishment is currently under suspension held in abeyance for an incident of egregious mishandling of pigs on 5/21/18, no other similar noncompliance records have occurred in the past six months at this establishment.	CLOSED

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EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M6354+P6 354+V6354	E.L. Blood & Son, Inc.	BNH25 090740 30N-1	07/30/2018	07/30/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Humane Handling Category VIII: Stunning Effectiveness This morning, at approximately 10:00am, while observing the slaughter of swine to ensure acceptable humane stunning methods, the following noncompliance was observed: The employee performing the stunning applied the captive bolt stunner to a large market swine in the appropriate stunning area and shot it. The pig remained conscious and standing, the pig continued to walk around sniffing the ground. Using the loaded back-up stunner, a second employee immediately applied a second shot which was successful in rendering the animal unconscious. This is in noncompliance with 9CFR 313.15(a)1. The slaughter floor manager was notified of this noncompliance verbally and notified a noncompliance record would be generated to reflect these findings. No regulatory control action was taken due to the immediate action by the employees. The establishment is currently under suspension held in abeyance for an incident of egregious mishandling of pigs on 5/21/18. The establishment had a similar missed stun on the 4th of June 2018, noncompliance record # BNH0511063604N.	CLOSED
M8868	PT Farm LLC	RDB461 007211 8N-1	07/18/2018	07/18/2018	04C02	Livestock Humane Handling	313.2	On 7/18/18 at approximately 0645 hrs , while looking for any suspect cows I (b)(6) observed that the barn was full to capacity . There were 7 cows in the alley without access to water . I notified (b)(6) He stated he would take care of it . Owner Peter Roy arrived 20 minutes later and got them into a pen with water. This is in violation of 9 CFR 313.2 (e) that states animals shall have access to water . Plant manager Peter was notified of this noncompliance verbally and in writing with NR.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9428+P9 428	East Conway Beef & Pork Processing	XML24 080741 17N-1	07/17/2018	07/17/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category III – Water and Feed Availability (9 CFR 313.2) Tuesday, July 17, 2018: At approximately 8:20AM, the following noncompliance was observed while performing a routine Livestock Humane Handling task. I observed a livestock trailer containing three adult cattle, one calf, and one sheep that were all without access to water. Watering pales were not present within the trailer. The trailer was located along the side of the establishment near the holding pen area and had been parked there at least since the start of official hours at 8:00AM. (b)(6) was not present at the establishment this morning. I immediately held a discussion with plant co-owner Mrs. Naomi Robinson and (b)(6). Mrs. Robinson stated the animals within the livestock trailer were intended to be slaughtered under federal inspection today and that (b)(6) dropped them off late last night but did not unload them. I verbally issued a noncompliance of 9 CFR 313.2 (e) pending my written report. Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed. A 90-day review of PHIS showed there has been no noncompliance of similar cause documented.</p>	CLOSED
M9760+P9 760+V9760	Herring Brothers Inc.	DIK161 507382 3N-1	07/23/2018	07/23/2018	04C02	Livestock Humane Handling	313.2	<p>Category III- Water and Feed Availability--9 CFR 313.2 At approximately 11:10 am on Monday July 23rd while conducting ante-mortem inspection on lambs that were written up for the slaughter line, I observed a single pig in pen #3 that did not have any water nor did it have a water bucket in the pen. I notified (b)(6) of this. The pig was immediately watered.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M20321+V 20321	Luce's Maine Grown Meats	NKI071 408060 1N-1	08/01/2018	08/01/2018	04C02	Livestock Humane Handling	313.2	HATS Category III - Water and Feed Availability (9 CFR 313.2) Wednesday, August 01, 2018: The following noncompliance was observed while performing a routine Livestock Humane Handling task. At approximately 1:05PM, I observed two Black Angus cattle were being unloaded from a livestock trailer and into a holding pen. The cattle were handled by the farmer who delivered them. There were no plant employees present at the time the animals were unloaded. I noted drinking water was not readily available in the holding pen. Immediately after the animals were unloaded, I notified plant owner Mr. Arnold Luce of the unloading of animals into the pen with no water available. Mr. Luce, who was working in the raw processing room, was unaware the two cattle had been dropped off prior to our conversation. At approximately 1:30PM, I returned to the barn to verify water availability in the holding pen. Water was still not available at that time. This is noncompliant with 9 CFR 313.2(e). Animals shall have access to water in all holding pens. I notified Mr. Luce of my findings and verbally issued a noncompliance pending my written report. A review of PHIS indicated no noncompliance of similar cause has been documented within the past 90-days.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M20321+V 20321	Luce's Maine Grown Meats	NKI481 108391 6N-1	08/16/2018	08/16/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	On August 16, 2018 at approximately 1100 hours, while performing the Humane Handling verification task IPP observed: HATS Category VIII – Stunning Effectiveness (9 CFR 313.16 (a)(3)) IPP observed (b)(6) stun 1 beef cow utilizing a 9mm handgun. After (b)(6) first stun, IPP observed the beef cow slump approximately a foot and subsequently, breathing heavily, regain its footing. Utilizing the 9mm handgun, (b)(6) immediately and effectively stunned the animal for a second time rendering the animal unconscious and insensible to pain. No product was adulterated and no regulatory control actions were taken. Mr. Luce (Owner) was notified of the noncompliance verbally and in writing. Review of the PHIS database yielded non-compliance # NKI5411041716N for association.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M20321+V 20321	Luce's Maine Grown Meats	NKI300 808492 3N-1	08/23/2018	08/23/2018	04C02	Livestock Humane Handling	313.2	HATS Category III - Water and Feed Availability (9 CFR 313.2) Thursday, August 23, 2018: the following noncompliance was observed while performing a routine Livestock Humane Handling task. Upon arriving on-site at 8:00AM Mr. Arnold Luce, plant owner informed me there was one market swine and one Black Angus Cattle present in the holding area. Mr. Luce stated both animals were intended for slaughter, which would not be occurring until later this morning around 10:00AM. At approximately 8:50AM, I observed both animals in the holding area were without access to water. A water pale was not present in the bovine's holding pen. The market swine's holding pen did have water pale but it was empty and visibly dry. This is noncompliant with 9 CFR 313.2 (e), animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed. I visually notified Mr. Luce of my observation and verbally issued a noncompliance pending my written report. A 90-day review of PHIS showed an NR of similar cause (NKI0714080601N), issued August 1, 2018. The current verification findings of noncompliance indicate corrective actions were not implemented or ineffective to prevent recurrence.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M818+V818	J. H. Routh Packing Co.	FYC1013084821N-1	08/21/2018	08/21/2018	04C02	Livestock Humane Handling	313.2, 313.30 (a)(2)	While completing the ante mortem and humane handling task on Tuesday August 21, 2018 at approximately, 1230hrs, (b)(6) observed that the bleed line was stopped, two exsanguinated pigs were in shackles, 2 exsanguinated pigs were on the table, 2 stunned pigs were in the restrainer and 4 pigs were piled in the concrete chute vocalizing. This is unacceptable according to the following regulations: § 313.2 Handling of livestock. (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. § 313.30 Electrical; stunning or slaughtering with electric current. (a) Administration of electric current, required effect; handling. (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. When questioned; JHR employees stated that they like to get a jump on things after lunch. JHR Packing Co. policy is that no animals are to be in the chute until the line in continuous motion.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M818+V818	J. H. Routh Packing Co.	FYC3512081127N-1	08/27/2018	08/27/2018	04C02	Livestock Humane Handling	313.1, 313.2	While performing the ante mortem task this morning Monday August 27, 2018; (b)(6) experienced four notable concerns which resulted in a hold in completing the task and an associated NR. The concerns are listed 1-4 followed by the supporting regulation from the 9CFR. These concerns included: 1. Several pens of pigs were filthy. We had discussed the importance of clean pigs at ante mortem inspection during establishment meeting as well as during the aftermath of an erysipelas event on the slaughter floor. Barn staff is to turn on sprinklers to help clean off soiled animals prior ante mortem inspection. Coincidentally; we had a lot with diamond skin lesions. If pigs are covered in manure it is impossible to identify and suspect those animals which may have lesions. Failure to identify suspected animals at ante mortem may result in extensive time spent by both USDA and JHR employees post mortem. 2. The barn was ill-staffed. One employee was helping me while another was weighing and moving pigs. It was difficult to remove dead or disabled pigs from pens. In an attempt to discuss the situation with a barn employee, the employee slipped away unwilling to stop and discuss the situation. My attempt was to determine if it best that I request further barn help in order to accomplish the tasks at hand. Another employee stated that he had worked 23 hours this weekend and he was leaving, which would leave myself and one employee to complete the task. 9CFR 307.2(a) Other facilities and conditions to be provided by the establishment. (a) Satisfactory pens, equipment, and assistants for conducting ante-mortem inspection and for separating, marking and holding apart from passed livestock those marked "U.S. suspect" and those marked "U.S. condemned" (pens, alleys, and runways shall be paved, drained, and supplied with	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								<p>adequate hose connections for cleanup purposes). ---- 3. Despite several conversations, I continue to have concerns regarding over crowding on the scale and the chute. 9 CFR 313.2(a) Handling of livestock. (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. ---- 4. There is always considerable slipping and falling of pigs leaving the scale area. I have asked that the black waffled mats remain at the exit to prevent this occurrence. This also refers to replacing the mats to their place once they have moved by repeated traffic. The mats are not always out and had been pulled out of the scale on Friday to address slipping. 9 CFR 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.</p>	

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M818+V818	J. H. Routh Packing Co.	FYC3409094424N-1	09/24/2018	09/24/2018	04C02	Livestock Humane Handling	313.2	While performing the ante mortem inspection task in the barn on Monday September 24, 2018 at approximately 0645, (b)(6) observed that the waterer in pen L was empty. While there was a bit of water in the bottom, this particular apparatus is gravity fed and therefore water was inaccessible to the pigs in that pen. This is a regulatory non-compliance in regard to the following regulations: § 201.82 Care and promptness in weighing and handling livestock and live poultry. (a) Each stockyard owner, market agency, dealer, packer, swine contractor and live poultry dealer must exercise reasonable care and promptness with respect to loading, transporting, holding, yarding, feeding, watering, weighing, or otherwise handling livestock, or live poultry to prevent waste of feed, shrinkage, injury, death or other avoidable loss. § 313.2 Handling of livestock. (e) Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed.	CLOSED
M4593	Greenbrier Meat Company, Inc.	XQC1407062906N-1	06/05/2018	06/05/2018	04C02	Livestock Humane Handling	313.16(a)(1)	Humane Handling Category: VIII Stunning Effectiveness Regulations: 313.16(a)(1) While performing a humane handling task for HATS category VIII-stunning effectiveness, the following took place. About 8:50am on the last inspected beef, (b)(6) observed that it took two shots to render the animal unconscious. The Beef cow was shot with a 22 magnum on both shots. The first one was placed in the forehead of the animal. The animal went down, but then stood up on its front feet. The cow did not make any vocalization, or any other movement that would be a sign of being in pain. The second shot was immediate and was successful in rendering the animal unconscious. The owner skinned the head and placement of both had proper placement one shot did not puncture the skull and one did. (b)(6) was notified of this Nr.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK3206 060022 N-1	06/21/2018	06/22/2018	04C02	Livestock Humane Handling	313.2	June 21, 2018 HATS category III: Water and feed availability. The Livestock Humane Handling task was performed at approximately 1200 EDT at Harmon Bros. Meats, Warsaw, KY. The following observation was made by the SVMO: A holding pen with 16 pigs of various sizes was noted to have a half-moon shaped watering trough with approximately 2 inches of chocolate brown, heavily fecal contaminated water. In the alleyway, 6 additional pigs were found to have no water trough available, and thus no water access. The pigs, both the ones in the holding pen and the ones in the alleyway (which came from the observed holding pen), were declared for Federal Inspection by plant personnel. This observation was brought to the attention of plant owner Dave Harmon, who was likewise informed of this non-compliance record. This continues a recent trend in water availability issues.	CLOSED
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK4006 074326 N-1	07/26/2018	07/26/2018	04C02	Livestock Humane Handling	313.1	On July 26, 2018 at Establishment # 7356, Harmon Brothers, at approximately 0700 hours while performing the scheduled Humane Handling Verification Task I observed the following non-compliance: HATS Category III-Water and Feed Availability. I observed in the middle holding pen containing too numerous to count of various sizes sheep was found to be lacking the ability to have easy access to the water source and no room to move or lay down freely. Retained Tag # B37427516. I informed Roy Palmer, Plant Manager, of the above nonconformance and the impending issuance of this noncompliance record.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK1909 083823 N-1	08/23/2018	08/23/2018	04C02	Livestock Humane Handling	313.1	On August 23, 2018, at Establishment # 7356, Harmon Brothers, at approximately 0700 hours while performing the scheduled Humane Handling Verification Task I observed the following non-compliance: HATS Category III-Water and Feed Availability. I observed in the first holding pen containing too numerous to count of various sizes sheep and goats was found to be lacking the ability to have easy access to the water source and no room to move or lay down freely. Retained Tag # B37427527. Back pen with sheep had no water availability. I informed Roy Palmer, Plant Manager, of the above nonconformance and the impending issuance of this noncompliance record.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK4911 083730 N-1	08/30/2018	08/30/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>August 30, 2018 HATS category III: water and feed availability HATS category IV: ante-mortem inspection HATS category V: suspect and disabled HATS category VII: slips and falls While performing the Livestock Humane Handling task at Harmon Bros. Meats (M7356) Warsaw KY, the SVMO made the following observations at approximately 1230 hours EDT: A holding pen containing cattle was found to have manure soaked bedding, soupy manured covered flooring with puddles of standing manure water; a holding pen containing hogs was found to have a large area of standing manure water and manure covered flooring; a second holding pen containing hogs was found to have a large area of standing manure water and manure soaked bedding; both pens of hogs had brown, manure water of questionable condition for consumption; both pens of hogs contained ambulatory disabled mixed with normal ambulatory animals; and finally, when an ambulatory disabled hog with a large necrotic open wound on its leg was selected for removal from the holding pen by the SVMO, several hogs were observed to slip and fall due to the manure coated flooring. The establishment is reminded of the regulations:” Floors of livestock pens, ramps, and driveways shall be constructed and maintained so as to provide good footing for livestock.”; “Disabled animals and other animals unable to move shall be separated from normal ambulatory animals ...” ; “Animals shall have access to water in all holding pens...”. Dave Harmon, establishment owner, was made aware of these observations and the forthcoming non-compliance record.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK5507 090314 N-1	09/13/2018	09/14/2018	04C02	Livestock Humane Handling	313.1	At approximately 0835 hours (b) (6) and myself (b)(6) observed the following noncompliance while verifying the Humane handling Task. The last pen on the left as exiting the slaughter floor contained putrid manure soaked bedding and the entire concrete floor was also covered in wet manure. This pen held 4 head of Holstein dairy cattle at the time of our observation. (b)(6) was informed of the noncompliance and this impending written documentation. Similar noncompliances have been recently observed and documented. The pen was tagged with U.S. rejected tag # B37427501.	OPEN
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK4009 094118 N-1	09/18/2018	09/18/2018	04C02	Livestock Humane Handling	313.1	On September 18, 2018 at approximately 0705 hours at Harmon Brothers, Establishment # 7356, I observed the following noncompliance while verifying the Humane Handling Task. The first pen on the left as exiting the slaughter floor contained putrid manure soaked bedding and the entire concrete floor was also covered in wet manure. Needs through cleaning prior to any animals being contained in that pen. In all of pens brown, manure water of questionable condition for consumption. All pens needs the water troughs cleaned and filled for the animals being held for slaughter. (b)(6) and Dave Harmon, the owner, was informed of the noncompliance and this impending written documentation. Similar noncompliance's have been recently observed and documented. The pen was tagged with U.S. rejected tag # B37427544.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M7464+P7 464	F.B. Purnell Sausage Co., Inc.	CMN54 060623 28N-1	06/28/2018	06/28/2018	04C02	Livestock Humane Handling	313.2	June 28, 2018 HATS category III: water and feed availability. While performing the Livestock Humane Handling task at Purnell Sausage Company (M7464), Simpsonville KY the following non-compliance was observed by the SVMO at approximately 0730 EDT: A semi- trailer load of sows, approximately 90 head, was found at the side of the barn. I inspected the trailer and was unable to find a water source on the trailer. I consulted the security guard and discovered the truck entered the official premises at 0430 EDT. Thus, the semi-trailer in essence had become a holding pen and the sows lacked access to water as required by the regulations. (b)(6) was informed of this observation and the forthcoming non-compliance record.	CLOSED
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF460 708500 3N-1	08/03/2018	08/03/2018	04C02	Livestock Humane Handling	313.2	HATS Category III: Water/Feed Availability; (CFR313.2 (e)), On 8/3/18 at 0815 hours while performing antemortem inspection at Establishment 4271, Greise Brothers Packing, I (b)(6) observed the following noncompliance. There was no water supplied to the veal. I notified (b)(6) he had an employee immediately put a container of water in the pen. The corrective action was immediate, so a US reject tag was not used.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF581 008392 4N-1	08/23/2018	08/24/2018	04C02	Livestock Humane Handling	313.1	HATS Category VII: Observation for slips and falls; 9CFR313.1(a), On August 23, 2018 at 0745 hours, while performing antemortem inspection at Establishment 04271, I, (b)(6), observed the following noncompliance. Pen#7 had a uncovered hole in the cement (approx. 3 feet in diameter), where an animals leg could be injured. (b)(6) was immediately notified and removed the cattle to pens 4 & 5. I took regulatory control using US Retained/Rejected tag No. B37604665 and tagged the entrance to Pen#7. The manager had the metal lid placed back on top of the hole, covering it. The removed the tag and released the pen for use.	CLOSED
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF550 909432 0N-1	09/20/2018	09/20/2018	04C02	Livestock Humane Handling	313.1	HATS category IV: Handling During Antemortem Inspection, On September 20, 2018 at approximately 0900 hours, while I (b)(6) was performing antemortem inspection of the livestock in pen #1, I observed the following non-compliance. The metal fence pole behind the water container in the northeast corner of pen#1 was extremely rusty and had a 3in X 1 in jagged hole in it facing the livestock. I determined the jagged metal hole may injure the livestock in pen #7. I took regulatory control action by placing US Reject Tag #B37604672 on pen #1 immediately and informed the employee in charge of the pens (b)(6). He immediately removed all livestock from pen#1. (b)(6) informed me that pen#1 has been repaired. I re-inspected pen#1. The jagged hole in the pole was now covered with duct tape. There was no jagged edges observed. I remove the tag and released pen#1 at 0920 hours.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M5931	G.G. RUPPERSBERGER & SONS INC	WHD1707070002N-1	07/02/2018	07/02/2018	04C02	Livestock Humane Handling	313.1, 313.2	HATS Category III: Water & Feed Availability and HATS Category IV: Handling of Livestock During Ante Mortem Inspection: 9 CFR 313.1 and 313.2. JULY, 2,18 at approximately 0745hours, while performing the Humane handling task at Establishment 5931M, G. G. Ruppensberger Inc. & Sons, I observed the following non-compliance in the outside animal holding pens: 1) Water was not accessible to livestock in the outside holding pen. I notified (b)(6) immediately notified .I took regulatory control action and applied Retain/Reject Tag Number B37529253 . The water troughs and containers were filled and made available to all livestock. I reinspected the pens and verified that the water was made available to the livestock and removed the Retain/Reject Tag. Mr. Ebb Nuttle was notified of the failure to meet the regulatory requirement of 9 CFR 313.1 and 313.2. The establishment is being notified through this non-compliance record as written notification that further failure to meet the regulatory requirements could result in additional regulatory or administrative actions.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M5931	G.G. RUPPERSBERGER & SONS INC	WHD04 090733 23N-1	07/23/2018	07/23/2018	04C02	Livestock Humane Handling	313.1, 313.2	HATS Category VII: Slips and fall (9 CFR 313.2 (a). One Cow had slipped and falling down as they are handled and moved through the livestock facilities. On July 23, 2018 at approximately 0650 hours, while performing the Humane handling task at Establishment 5931M, G. G. Ruppensberger & Sons, I observed the following non-compliance while animals were moved from live pens to the ramp. As the animals run up into the ramp by (b)(6), one animal had slipped down and felt. I immediately informed (b)(6) that their ramp was slippery, but no action were taken at this time to prevent further action for the animals from falling down. I observed that the ramp had a lot of muddy waste on the ramp from previous day of operation, and as the result, one cow slipped and felt. I immediately took regulatory control actions at this time 0650 hours stopping processing from moving further and applied US Rejected tag # B45309009 to the ramp. I also notified Mr. Eb Nuttle, Plant Manager that regulation 313.2 was not met. I notified my (b)(6), and (b)(6) of the noncompliance.	CLOSED
M8892+P8 892+V8892	Haass' Family Butcher Shop, Inc.	CVJ011 308402 7N-1	08/27/2018	08/27/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.2(f)	At approximately 1:34pm the following non-compliance was observed; a bovine steer in an excited state, was not effectively rendered unconscious on the first knock. There was a menace response. (b)(6), then immediately and effectively provided the second successful knock which rendered the animal unconscious. The animal remained unconscious through shackling, hoisting, and sticking. The establishment failed to meet the regulations in 9 CFR 313.15(a)(1) and 313.2(f). Jeff Haass Sr, the establishment owner was notified of this non egregious noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9979+P9 979+V9979	Smith Valley Meats	AAH111 107143 1N-1	07/31/2018	07/31/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(1) (iii)	On 07/31/2018 at approximately 0800 hours while (b)(6), (b)(6), and (b)(6) was present performing a Humane Handling Assessment, the following noncompliance was observed. After stunning and slaughtering one steer previously this morning without incident, (b)(6) performed an ineffective stun using the same rifle. The ineffective stun was applied to the incorrect location on the head, slightly above the right eye socket due to sudden animal movement. The animal remained standing but did not show signs of distress or excitement. Immediate corrective action was taken by the designated employee, by quickly applying a proper stun with the same rifle, resulting in the animal being rendered unconscious. The establishment does not have a robust systematic approach for Humane Handling.	CLOSED
M10804+P 10804	Wagner Meats, LLC.	IWC450 906322 8N-1	06/28/2018	06/28/2018	04C02	Livestock Humane Handling	313.2	Category III - Water and Feed Availability (9 CFR 313.2) On 06/28/18 at approximately 0648 hours, while performing Anti-mortem Inspection, I observed the following noncompliance: There were three lambs in a holding pin that lacked access to water. I notified (b)(6) who then placed a bucket of water in the holding pin. The establishment failed to monitor the implementation of its written Robust Humane Handling program, which state that all animals will have access to water. The establishment is in noncompliance with 9CFR313.2.	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH301 505432 2N-1	05/22/2018	05/22/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category II- Truck Unloading & HATS Category VI- Electric Prod/Alternative Object Use On May 22nd, 2018 at approximately 1550 (b)(6) observed the following noncompliance. While walking from the kill floor out to the barn to perform ante mortem inspection (b)(6) could hear pigs squealing loudly from one of the trucks that was being unloaded. Upon closer inspection of the situation (b)(6) could see the truck driver using an electric prod on almost every hog moving past him. The truck driver was also making noise using a shaker can, however the truck driver's primary tool for driving the hogs was the electric prod. The truck driver continued to use the electric prod until he noticed that he was being watched at which time he hung up the electric prod and began only using the shaker can. At that time (b)(6) walked around the truck and into the unloading alley area to look for the establishment's dock monitor. The dock monitor was in one of the pens of unloading alley 7 protecting a hog that was down and breathing heavily. (b)(6) observed the truck driver finish unloading the remainder of the hogs with the shaker can. Around the same time the establishment's A- (b)(6) came over and asked what had been observed. The findings were discussed with (b)(6) who then pulled the truck driver aside to address the issue (b)(6) also stated that he would address the dock monitor regarding the situation. (b)(6) informed (b)(6) of the establishment's failure to comply with 9 CFR 313.2(a) and 9 CFR 313.2(b). A similar noncompliance was documented on 03/09/2018 (NR GEH3309035210N-1) and has been associated with this noncompliance record.</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH521 505052 3N-1	05/23/2018	05/23/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category IV- Ante-mortem Inspection & HATS Category VI- Electric Prod/Alternative Object Use On May 23nd, 2018 at approximately 1615 (b)(6) observed the following noncompliance. While performing ante mortem inspection in the barn (b)(6) could hear pigs squealing loudly in the drive alley leading up to the back door into the stunning area. The team members in that area were attempting to drive too many pigs from that staging area up to the back door and were making noise with their shaker cans. The hogs however turned around and moved back towards the closed gate behind them causing them to pile on top on each other as they could not move past the closed gate. The team members continued to shake the rattle cans, causing increased excitement and more hogs to continue to pile on top of other hogs against the closed gate. At that time (b)(6) instructed (b)(6) who was walking with (b)(6) for ante mortem inspection to instruct the team members to open the gates and relieve the issue. The team members opened the gates to which there were so many hogs piled it took a while for the pigs to climb off of each other and into the open pen area. Once the congested area was relieved and the hogs were given room to spread out (b)(6) finished ante mortem inspection and went into the (b)(4) stunning area to address the area supervisor. At that time (b)(6) informed (b)(6) of the situation and of the establishment's failure to comply with 9 CFR 313.2(a) and 9 CFR 313.2(b). A similar noncompliance (GEH3015054322N/1) was documented on 05/22/2018 and has been associated with this noncompliance record.</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH511 509472 ON-1	09/19/2018	09/19/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>The following noncompliance was witnessed by (b)(6), on production date September, 19th, 2018, at approximately 2142hrs. The noncompliance occurred while (b)(6) was observing the stunning of hogs in the suspect hog pen. There were two shooters, the CARE monitor and the bobcat driver present. The two shooters had stunned the first hog, followed their procedure of wiping their hands reloading and switching the loaded guns, and readied to stun the next hog. The second hog was restrained using a u board and sort board. The first shooter positioned the captive bolt stunner and discharged it. The hog dropped below view. (b)(6) moved forward to determine consciousness and saw that the hog was lying in lateral recumbence, blinking, and looking around. It was breathing but did not make any noise. The second shooter moved down and applied their captive bolt stunner, achieving unconsciousness. It was observed that there was a wound that was more caudal and lateral (right) than the recommended region for a good stun with an angle toward the frontal sinus. The second wound was in an appropriate position to penetrate the brain. (b)(6) informed (b)(6) of the noncompliance and requested for (b)(6). (b)(6) arrived with Hot Side (b)(6). (b)(6) also informed him of the noncompliance. Corrective measures will be addressed in the response to this NR.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M1996+P8 242+V1996	Freedom Sausage, Inc.	YQM35 110859 03N-1	08/02/2018	08/03/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>On 08/02/2018 at approximately 0756 hours while observing stunning procedures as part of a 60-day NOIE humane handling verification visit, (b)(6) observed the following noncompliance. Mr. Mark Wiley, owner, attempted to stun a steer with a .22 magnum caliber rifle while it was free standing in the knock box. The first stunning attempt hit the animal but failed to render it unconscious. The animal remained standing and had controlled head and eye movement. Corrective actions were immediately implemented, and the second stunning attempt with the same firearm rendered the animal insensible. Mark Wiley was notified of the noncompliance and the establishment's failure to comply with regulatory requirements prescribed in 9 CFR 313.16(a)(1).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M5502	Ruwaldt Packing Co.	KCA311 005482 2N-1	05/22/2018	05/22/2018	04C02	Livestock Humane Handling	313.2	<p>This is a HATs category II--truck unloading noncompliance report for Ruwaldt Packing Company. On May 22nd at approximately 6:10 am I, (b)(6), received a phone call from (b)(6). (b)(6) informed me that while observing a truck unloading, she observed the driver abuse a pig. (b)(6) said that the driver saw one of the smaller pigs try to run back onto the truck. The driver grabbed the pig by its ears and swung it back down the ramp. At this point, she told the driver to stop unloading and went to inform plant management of what she had observed. (b)(6) says that both (b)(6) and (b)(6) were present when she informed them of her observations. When she came back out to the barn she observed the driver "kneeing" pigs as he attempted to get them into a pen. These actions are a violation of regulation 313.2(a) which concerns the driving of livestock from unloading ramps and into pens. This activity is to be performed with a "minimum of excitement and discomfort to the animals." Even though the driver and his truck are not employed or owned by Ruwaldt Packing Company they were on its premises and thus are considered a part of the premises. The remainder of the livestock intended for Ruwaldt Packing Company was unloaded by one of the plant's employees while under observation by (b)(6). No further issues were noted.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M5659+P5 659+V5659	Schubert's Smokehouse Packing Co., Inc.	IBD240 908093 ON-1	08/29/2018	08/30/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS VIII: Stunning Effectiveness On 08/29/2018 at approximately 1340 hours, I, (b)(6), performed HATSVIII: Stunning Effectiveness on a Black Angus Beef Steer under 30 months of age and approximately 1600 pounds. A hand held captive bolt gun was positioned behind the head of the steer at the poll. When the gun was fired, the steer's front end went down (kneeling position) and then wobbled side to side when it got back up into a standing position. The animal was still conscious. Everyone had to vacate the slaughter floor except for (b)(6), so he could use a pistol to stun the steer. When I heard the shot, I re-entered the room and examined the steer. It was unconscious with a bullet hole in the forehead. Plant Owner Mr. Dave Kossina was notified of the noncompliance and the failure to meet the regulatory requirements prescribed in 9 CFR 313.15(a)(1). No similar noncompliances were documented in the past 90 days.	CLOSED
M5659+P5 659+V5659	Schubert's Smokehouse Packing Co., Inc.	IBD540 709572 ON-1	09/19/2018	09/20/2018	04C02	Livestock Humane Handling	313.2	This Noncompliance is listed in IBD5407095720N/1	CLOSED
M5659+P5 659+V5659	Schubert's Smokehouse Packing Co., Inc.	IBD540 709572 ON-2	09/19/2018	09/20/2018	04C02	Livestock Humane Handling	313.2	HAT Category 111--Water And Feed Availability At approximately 1050, while verifying that water was available to all animals in pens, I observed the following noncompliance. The pen containing cattle had no water available as the water nipples can not be used by cattle. I immediately notified (b)(6) and he immediately provided water via water buckets.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M17419+P 17419	Dewig Bros. Packing Co.	SOF000 609361 9N-1	09/18/2018	09/19/2018	04C02	Livestock Humane Handling	313.15(a)(1)	On September 18, 2018 at approximately 8:40 A.M while performing HATS category (VIII) verification, I (b)(6) observed the plant employee using the hand held captive bolt fail to achieve an effective blow to a beef animal (steer) with the first discharge. After the first blow the steer was still standing and was alert. The employee immediately retrieved another captive bolt, which was located in the stunning area (easily accessible) and effectively rendered the animal unconscious with a single shot in the second attempt. All the above observations were made while the animal was in the knock box. Failure to render an animal unconscious with a single shot is a noncompliance with 9 CFR 313.15(a) (1). The Knock Box was rejected with tag # B21678007 I verbally notified Mr.Tom Dewig (Owner) and Mr.Dean Dewig(Plant manager) of the Humane handling noncompliance .Humane handling with emphasis on stunning procedures was discussed with Plant management.Immediate and planned preventative procedures were also discussed and agreed on. The Knock box was released and the kill resumed at approximately 9:30 A.M.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M18229	Morris Meat Packing Company, Inc.	MXC25 110719 18N-1	07/18/2018	07/18/2018	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3)	HATS VIII: Stunning Effectiveness and 9CFR 313.30(a)(3): Immediate Insensibility and 313.30(a)(1): Insensible to pain On 07/18/2018 at 0835 hours, I, (b)(6), performed HATS VIII: Stunning Effectiveness at the electrical stunning area. I observed a noncompliance, 9CFR 313.30(a)(3) and 313.30(a)(1) during that time. There were two market hogs in the restrainer. The first hog was stunned effectively with the electrical stunner. When the establishment employee applied the electric prongs behind the ears of the second hog, the hog vocalized and turned its head to the left with eyes clamped shut and rigid posture. The establishment employee quickly performed a corrective action by repositioning the electric prongs and effectively stunning it. Owner John Simov was notified that the noncompliance will be documented. No similar noncompliances were documented in the past 90 days.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M18229	Morris Meat Packing Company, Inc.	MXC24 210939 13N-1	09/13/2018	09/13/2018	04C02	Livestock Humane Handling	313.2(f), 313.30(a)(1), 313.30(a)(3)	<p>On Thursday September 13, 2018 at 07:15 hours while I was performing my Livestock Humane Handling Inspection Task, I observed the following noncompliance. While on the Slaughter floor, observing the establishment's employee whose duties are to properly stun the animals and render them insensible to pain and to immediate insensibility; I observed three market hogs inside the restrainer. I observed the establishment's employee apply the electrical prongs to the head of the first hog and the hog clamped it's eyes shut with a rigid posture. Immediately afterwards, I observed the electrical prongs come off the first hog's head and immediately the hog vocalized as it moved backwards while waving it's head side to side as to be in pain. The establishment's employee immediately re-applied the electrical prongs to the head of the first hog and effectively stunned it. Afterwards, I observed the employee effectively stun the other two hogs inside the restrainer at the time. I informed both Owners (John Simov) and (Peter Simov) of my observations as well as having a discussion with the establishment's Stunning Employee along with another establishment's employee for translation. The establishment's Stunning Employee stated before the four of us (Mohammed, Peter Simov, John Simov and (b)(6) that "he had to stun the first hog twice".</p> <p>The plant failed to comply with 9 CFR 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.</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</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								accomplish the desired result quickly and effectively, with a minimum of excitement and discomfort. 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.	
M20263	Halal Farms U.S.A. Inc.	MWN4 712075 116N-1	07/16/2018	07/16/2018	04C02	Livestock Humane Handling	313.2	HATS CATEGORY III Water and feed availability At approximately 1120 at your establishment 20263 in Shannon IL I observed the following noncompliance. I was checking the livestock in the pens. It was (b)(4). There were 10 lambs on the unloading docks. They had no water available. I entered the barn I observed that the gate between pen four and five was closed and latched. There were no livestock in pen 4. All were in pen five, approximately 60 in the pen. There was no water available. I took regulatory control action and found (b)(6) and showed and told him about the noncompliance. I observed (b)(6) give all the livestock water including the livestock that already had water in the other pens. I informed (b)(6) that an NR would be forthcoming. Your establishment has failed to comply with Regulation (CFR 313.2(e) Animals shall have access to water in all holding pens and, if held than 24 hours, access to feed. There shall be sufficient room in the holding pen for animals held overnight to lie down.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ342 208230 1N-1	08/01/2018	08/01/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category III: Water and Feed Availability</p> <p>At approximately 2214 hours while performing humane handling verification activities for HATS Category III Water and Feed Availability, the following non-compliance was observed. While walking past pen 821 to take the ramp down to pens 321/323, I observed the water tank drain plug/filter apparatus sitting atop the south cement wall ledge. This drain plug/filter apparatus when correctly placed in the water tank regulates water outflow of the water tank. When I looked into the associated water tank that is situated directly up next to the south wall of this pen, there was no drain plug to prevent water from exiting the tank. The water tank contained less than ¼ inch of water. While water was running into the tank from the input spout, it was immediately draining out of the tank through the unplugged drain in the bottom of the tank. The water input spout is placed in the farthest southeast corner of the tank and is not readily accessible for water access as the sole source of water without a holding tank. I noted that this pen contained approximately 260 head of market hogs. I informed (b)(6) of my findings and of the forthcoming non-compliance record. Immediate corrective actions were to properly replace the plug/filter. This allowed for immediate filling of the water tank. This is non-compliant with 9 CFR 313.2(e) in part as "animals shall have access to water in all holding pens..."</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M253	Long Prairie Packing Company, LLC	AGL4317092010N-1	09/08/2018	09/08/2018	04C02	Livestock Humane Handling	313.16(a)(1)	At approximately 08:00 hours on 9/8/2018, while out in the barn performing humane handling verification task HATS Category IV- Handling During Ante-mortem Inspection, I observed the following non-compliance for HATS Task Category VIII- stunning effectiveness: a non-ambulatory Holstein cow remained in the pen after all other cattle were removed. An establishment employee then attempted to render the animal unconscious using a .410 caliber shotgun with slug. I stepped back to a nearby safe location. I heard the initial shot and noticed further commotion. I stepped towards the animal and establishment employee to witness the animal using its front legs to attempt to rise, indicating consciousness. No vocalization was made, but the animal remained sternal and appeared to be aware of its surroundings. The animal also had blood dripping from its nose, which had not previously been there. The establishment employee immediately reloaded the gun and made a second attempt to render the animal unconscious. This attempt was successful. A security stun was made on the unconscious animal. I informed (b)(6) and (b)(6) of the forthcoming noncompliance record for failure to meet regulation 9 CFR 313.16(a)(1). The initial attempt was discussed with (b)(6) and verbal preventative measures were provided. I later viewed the head of the dead cow to verify that indeed 3 bullet holes were present in the skin and skull, one wound was in the forehead, slightly below and to the right of center, a second wound was behind the poll and a third wound was made in the temple.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M2439+P2 439+V2439	Ranchland Packing Co.	WHN58 180705 17N-1	07/17/2018	07/17/2018	04C02	Livestock Humane Handling	313.16(a)(1)	HATs Category VIII: "Stunning Effectiveness" On July 17, 2018 at approximately 3:45 p.m., in the alleyway leading to the knock box, the online food inspector observed a plant employee shoot a sow with a 12 Gauge shot gun between the eyes. The sow was standing and started to squeal. The plant employee did not have another shell and retrieved the backup .410 shotgun from the knock box area. The employee shot the sow with the .410 shotgun approximately 10-15 seconds after the first shot, rendering the animal unconscious. The FI tagged the knock with U.S. Reject tag number B18943706. This is non-compliant with 9CFR 313.16(a)(1). Plant Manager, Justin Fisher was notified of this non-compliance record verbally and in writing with the issuance of this NR.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M2460+P2 460	Cimpl's, Inc.	PMB47 090823 28N-1	08/28/2018	08/28/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>At approximately 6:25 a.m., while performing HATS Category IV, Ante-mortem and verifying HATS Category VIII, Stunning Effectiveness, I (b)(6) along with the establishment's (b)(6) and Barn Employee observed two Holstein cows remaining in Pen 14 after the other 13 cows had been moved for ante-mortem inspection. The establishment used rattle paddles and hot shot devices on both animals but neither animal would stand and ambulate when paddled or prodded. The establishment restrained the head of the first Holstein and applied a stun using the 20 gauge firearm. After the first stun, the animal remained conscious; rocked back on its side and then began to right itself. The animal was rhythmically breathing and had a positive palpebral reflex. I stated "This animal is still conscious and needs to be re-stunned". A second immediate stun applied with the handheld captive bolt was effective at rendering the animal unconscious. U.S. Reject tag # B38161942 was applied to the stunning area and stunning devices. I notified (b)(6) of the non-compliance as he was in the immediate area. After receiving verbal preventative measures from Mr. Nik Harkias (Plant Manager), the U.S. Reject tag was removed and slaughter operations resumed.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M2460+P2 460	Cimpl's, Inc.	PMB54 080821 31N-1	08/31/2018	08/31/2018	04C02	Livestock Humane Handling	313.1	At approximately 0750 hours, while performing HATS task II Truck Unloading, I (b)(6) observed the following: While the company was unloading the upper deck of a semi-trailer, a mature Angus cow backed down the ramp, when she was approximately ¾ of the way out of the truck she stopped. Immediately after her a mature Hereford cow also was backing down the ramp. Once the Hereford felt the Angus she also stopped. At this point several of the other cows in the upper deck rapidly started to come down the ramp, causing a jam at the trailer doorway. The first cow (Angus) finally backed the rest of the way down the unloading chute onto the scale, once she was out of the way the cows on the ramp of the truck proceeded to push down the ramp and knocked the Hereford down. Her right rear leg slipped out the side of the unloading chute and became entrapped. Several of the remaining animals on the truck jumped over the downed Hereford and proceeded to the scale area. Once the other cows had either got past the Hereford or stopped coming down the ramp she was able to free her leg, stand and ambulate on her own power. Truck unloading was stopped at this point and U.S. Reject Tag #B38161936 was placed on the alleyway leading to the stunning area at approximately 0805 hours. I notified Nik Harkias (Vice-President of Operations) of the noncompliance. After verbal preventative measures were provided I removed my U.S. Reject tag and slaughter operations resumed. A concern with this unloading ramp was previously discussed and documented at the weekly Consent Order Verification Plan review meeting in MOI #PMB2915085213E dated 8/13/18.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M2580+P2 580+V2580	IBR Group Inc	XW1161 209441 2N-1	09/11/2018	09/11/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	At 0934 hours on September 11, 2018 on the kill floor at establishment M2580, while performing HATS VIII, Stunning Effectiveness, I observed Plant Manager Guillermo Marquez attempt to use a captive bolt stunner to stun a steer confined in the restrainer. Mr. Marquez's first attempt to stun this steer resulted in a missed stun, with no blood on the steer's forehead, no vocalizations, and no changes in consciousness. Mr. Marquez's second attempt with the captive bolt resulted in a head wound to the steer, but the steer remained conscious and standing in the restrainer. I observed animal movements that were reactive to Mr. Marquez's movements. Immediately afterwards, Mr. Marquez reached for the nearby firearm, which is the establishment's designated backup stunner. I followed FSIS safety policy and exited the room. I heard a report or shot and re-entered the room. I confirmed that the animal was unconscious, with a limp tongue and unresponsive, unblinking eyes. Mr. Marquez then performed a security stun with the captive bolt device. Mr. Marquez later informed me that he had used the captive bolt successfully to perform the effective stun on the third attempt. Upon examination of the animal's skull, I observed three holes. One hole was above the right eye, one hole was in the center of the forehead, and one hole was located towards the top of the head between those two holes. I affixed USDA Reject tag #A5712163 to the stunner and USDA Reject tag B39908797 to the restrainer. I informed Mr. Marquez of the humane handling noncompliance and that the stunner and restrainer were rejected and slaughter operations stopped. After verbal preventive measures were received the US Reject tags were removed and slaughter operations resumed.	OPEN

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M2580+P2 580+V2580	IBR Group Inc	XWI081 109011 8N-1	09/18/2018	09/18/2018	04C02	Livestock Humane Handling	313.2	HATS Category III: Water/Feed Availability- (9 CFR 313.2(e)): At 0855 hours; while performing a 30 day Humane handling verification review resulting from a HH NOS at establishment M2580 IBR Group Inc, I observed the following noncompliance: there was no container or other device to deliver drinking water to the beef steer penned in the alley pen directly behind the knock box, thus the beef did not have access to water; the beef had been delivered to the facility at approximately 0736 the same morning. I informed Plant Manager, Guillermo Marquez at 0858 hours of the absence of water, he said he had not provided water and would be killing the animal shortly. This occurrence is noncompliant with 9 CFR 313.2(e), and therefore, a noncompliance record will be documented for this issue.	OPEN

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M7644+P7 644+V7644	Kota Meats Inc.	NBO56 130830 17N-1	08/17/2018	08/17/2018	04C02	Livestock Humane Handling	313.1	<p>CATEGORY II--TRUCK UNLOADING At 0830 hours while performing the Humane Handling task in the barn/corral area, IPP observed regulatory noncompliance as establishment personnel unloaded a bull from a stock trailer and into a pen. A metal gate which separates the barn pen from the chute and separates itself from another pen, was broken, and was separated in two parts of the gate. It also was heavily rusted throughout; and, in the lower portion contained sharp, protruding pointed edges in the metal piping . On this day this area was used for unloading of the bull and the gate was closed to separate personnel from the bull as it was being herded into pen # 7. IIC expressed to Alex Adame-Establishment Owner that an NR would be written, also conferring with DVMS and SPHV concerning this noncompliant equipment. No tag was placed do to the verbal response of the est. and no animals being held in this area. No animal came into contact with the gate at the time. This is nonegregious and is noncompliant of 313.1 livestock pens must be maintained in good repair and be free of sharp or protruding objects to prevent the harm to livestock.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M850+P17 775+V850	Swift Pork Company	HEM46 000810 11N-1	08/10/2018	08/10/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 2208 hours on 08/10/2018 while performing ante-mortem inspection (HATS Category IV – Handling During Ante-mortem Inspection) in the long side alley of the barn, I, (b)(6), observed the following non-compliance with HATS Category VIII – Stunning Effectiveness: Two establishment employees were segregating slow/stress hogs from several pens and moving them into the alley. I noticed the two employees had one hog against the wall lying in a sternal position and were in the process of euthanizing it. The employees were wearing their protective vests and each had a hand-held captive bolt gun (HHCB). As I turned back my attention in the direction of the holding pens I was inspecting, I heard a loud shot followed immediately by a hog vocalizing loudly. I quickly turned my attention back in the direction of the two team members euthanizing the hog and observed the conscious hog to be in a partially standing position with generalized body tremors. As I was walking towards the animal, I observed the secondary team member hand the back-up HHCB gun to the primary team member who immediately placed the gun behind the right ear and fired a shot. The animal immediately went down after the shot and I verified it to be rendered unconscious. I requested second (b)(6) via radio and when he arrived I informed him that based upon what I observed and what actions were taken that I would be documenting the incident on a non-compliance record. We both examined the animal's head and noted one shot wound was directly between the eyes and the other shot wound was behind the right ear. (b)(6) measured the wound depth and found it to be approximately three inches. Corrective actions and preventative measures proffered by (b)(6) are to have Mr.</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								(b)(6) from the Jarvis Corporation come to JBS on 08/20/2018 to hold a captive bolt training class. In addition, on 08/13/2018 the team member that misplaced the shot was re-signed off on captive bolt usage and proper placement on the animal's forehead. A supervisor will shadow the team member and further re-train him on placement and hog movement until a determination is made for him to resume his normal duties.	
M850+P17 775+V850	Swift Pork Company	HEM41 000916 12N-1	09/11/2018	09/11/2018	04C02	Livestock Humane Handling	313.2	At approximately 2220 hours I, (b)(6) and (b)(6) were walking to re-check a downer in pen Local B that at the time was sectioned off by a cross gate (HATS Category V – Handling of Suspect and Disabled). There were two other hogs in the same pen separated by a gate. As I glanced at the two hogs, I decided to verify they had access to water (HATS Category III – Water and Feed Availability) by reaching over the wall and depressing the nipple water valves. This is when I noticed that no water was coming out of the valves. I looked around the perimeter of the pen to see if there was any other source of water available but all of the water pipes that feed the water basins were turned off. I informed (b)(6) that all animals have to have access to available water at all times and that these two hogs did not. At this point (b)(6) noticed the valve controlling the nipple water line was turned off. He turned it on at 2222 hours and I verified that water was now flowing out of the nipple valves. I asked (b)(6) to summon (b)(6). When (b)(6) arrived I informed him of what had transpired and that I would be generating a non compliance record.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M244W	Tyson Fresh Meats, Inc.	BTD481 405422 3N-1	05/22/2018	05/23/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On May 22, 2018 at 18:24 in the barn at Est. 244W I, (b)(6), observed the following noncompliance while performing HATS Category VIII (Stunning Effectiveness): Two team members and (b)(6) were euthanizing via captive bolt the company condemned Subject hogs in the Sub pen. Sub Hog #626 was laterally recumbent and confined within a U-Panel. From my vantage point behind the shooter, I was able to see the body of the hog. I heard the captive bolt discharge, but the hog did not tense up (as it would with a captive bolt stun) and was still breathing as before the discharge. I immediately saw that the hand-held captive bolt gun had been disassembled by the team member, as if to be reloaded, but then the team member grabbed the other team member's loaded hand-held captive bolt gun. A second shot with the back-up hand-held captive bolt gun was immediately effective at rendering the hog insensible. I examined the hog and found two entrance wounds: one that entered centrally between the ears near the dorsum of the head and tracked shallowly through the skin and subcutis, the other located two centimeters rostrally and penetrating the skull. I informed (b)(6) and (b)(6) that an NR would be forthcoming. In response, (b)(6) told me that the two team members and supervisor involved will be disciplined, and a stand down will be held with all team members that perform captive bolt stunning. Failure to render an animal immediately unconscious with the first application of the stunner represents noncompliance with regulation 9 CFR 313.15 (a)(1).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M244W	Tyson Fresh Meats, Inc.	BTD061 906492 2N-1	06/21/2018	06/21/2018	04C02	Livestock Humane Handling	313.5	<p>On June 21, 2018 at approximately 21:25 at Establishment 244W I, (b)(6), observed the following: I was monitoring for slips and falls (HATS category VII) at the loading area to the North (b)(4) CO2 stunning system (b)(4) as a group of hogs entered the area. I heard a popping noise and the predividing gate stopped moving forward. It resumed motion after a team member pushed a button on the control panel. When the outer door to the (b)(4) opened for the hogs to load, the gondola was already filled with recumbent hogs; the gondola loaded on the previous cycle had failed to descend down into the CO2 pit. I began to observe for signs of CO2 exposure (HATS category VIII). Within the gondola, I observed three hogs that were dead or effectively stunned, and two that were blinking, taking gasping breaths, and tracking movement with their eyes. Supervisors opened the side door/wall of the loading area and ushered out the hogs that were to be loaded. One of these hogs entered the gondola and had to be directed out with flags. After four minutes, one hog in the back of the gondola that had been sternally recumbent propped itself up on its forelimbs. Hogs whose heads had moved outside the threshold of the gondola were stunned via captive bolt gun and removed from the area. More than six minutes and thirty seconds passed before the path of the push gate was clear of hogs, and two conscious, dyspneic hogs, as well as three that were dead or effectively stunned, were in the gondola as the outer gate closed. This incident represents noncompliance with 9CFR 313.5(a)(1) and 313.5(a)(3). I instructed (b)(6) to stop stunning in the North (b)(4). At approximately 22:45 I informed (b)(6) of the U.S. Rejected Tag NO.B41932069 I hung across the alley to the north (b)(4). (b)(6)</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								informed Plant Manager Mr. Tom Hart and (b) (6) that this incident would be documented on an NR. I removed the Rejected Tag at 23:40 after verbal preventive measures were provided by (b) (6).	

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M244W	Tyson Fresh Meats, Inc.	BTD240 708300 2N-1	08/01/2018	08/01/2018	04C02	Livestock Humane Handling	313.1, 313.2, 313.5	<p>On August 1, 2018 at Est. 244W at approximately 9:50, I (b)(6) observed the following: I was standing near the inside of the south (b)(4) predividing gate monitoring for slips and falls (HATS category VII) when I heard a hog continuously vocalizing across the room. I walked to the north predividing gate, and the team member across the alleyway and at the (b)(4) entrance were in place and gestured to the vocalizing hog, which had its right forelimb raised with its foot wedged into the partially opened cross gate (which moves horizontally across the alleyway); it was unable to free itself. I reached over the wall into the alleyway and tried to pull the foot out, but was unable to release it, so I waved to a team member across the room (near the south predividing gate) to alert (b)(6). I looked around for another supervisor and then waved again before (b)(6) started to head in the direction of the incident. When he observed what was happening, he tried to get the gate to move with the hand controls, which was unsuccessful. At this point (b)(6) arrived and called for someone to quickly get the captive bolt guns. (b)(6) went into the alleyway and pulled back on the gate, releasing enough pressure that I was able to remove the entrapped foot and free the hog. The hog was vocalizing the entire time that it was caught, a duration of approximately 1 min 30 sec. After release, the hog was toe-touch lame on that limb, and there was a visible indentation on the dorsal aspect of the foot above the claw. The hog walked up the alleyway and was loaded into the (b)(4). This incident represents noncompliance with 9 CFR 313.1(a), 313.2(a), 313.5(a)(2), and 313.5(b)(2). I informed (b)(6) that an NR would be forthcoming.</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M244W	Tyson Fresh Meats, Inc.	BTD400 108141 1N-1	08/10/2018	08/11/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On August 10, 2018 at approximately 1841 hours, while performing HATS task Category VIII, Stunning Effectiveness in the barn, I (b)(6), observed the following noncompliance: A team member and (b)(6) and (b)(6) had restrained subject hog #538 with folding panels. The team member placed a loaded hand-held captive bolt gun against the hog's forehead and attempted to stun the hog. The gun fired with a normal sound and the stun attempt was ineffective as the hog vocalized and was still conscious. (b)(6) was standing close by with another loaded hand-held captive bolt gun and immediately delivered an effective re-stun resulting in an unconscious hog. (b)(6) immediately called for all hand-held captive bolt stunning to be suspended until a preventive measure could be put into place. Later, (b)(6), (b)(6), and (b)(6) met with (b)(6) and (b)(6). A verbal preventive measure was received and hand-held captive bolt stunning resumed. Upon further investigation, it was determined by (b)(6) that the initial captive bolt gun wound was positioned about 1 and 1/2 inches caudo-dorsal to the left eye and nearly in line with the medial canthus of the eye. When probed, the wound tract extended not to the brain, but into the orbit of the left eye in the retro-bulbar space where the nerves and muscles of the eye reside. The first captive bolt wound was located 3/4 inch lateral to the effective second captive bolt wound. (b)(6) was notified the establishment failed to meet the requirements of regulation 9 CFR 313.15(a)(1) which requires rendering an animal immediately unconscious on the first</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								<p>application of stunning and that an NR would be documented. This noncompliance is similar to the noncompliance recorded by (b)(6) for an incident occurring on May 22, 2018 that also involved an ineffective stun due to improper positioning of a captive bolt gun on a hog's forehead. Therefore, this NR is association with NR BT4814054223N/1. The preventive measures proffered for that NR were either not implemented or failed to be effective in preventing a recurrence.</p>	

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M244W	Tyson Fresh Meats, Inc.	BTD001 508221 7N-1	08/17/2018	08/17/2018	04C02	Livestock Humane Handling	313.5	<p>On August 17, 2018 at approximately 06:45 hours, while evaluating HATS category VI, Electric Prod/Alternative Object Use, I (b)(6) observed the following humane handling noncompliance. I was speaking with (b)(6) when I heard a hog vocalizing with multiple, very loud, high pitched squeals from within the North (b)(4) drive alley. I turned around to look through the square east viewpoint into the (b)(4) drive alley and observed a hog standing along the gate with its head facing north and the tip of the left rear foot was trapped underneath the Pre-dividing gate (PDG) as the gate was moving towards the (b)(4) entrance. The foot was bent sideways, causing the medial surface to make contact with the floor. The hog was standing and moving on the three other feet while the left rear leg was held at an unnatural angle as the foot was being pushed. The gate moved approximately 2/3 of the distance of the walkway until it was stopped by the team member. The hog turned and walked away from the gate to join the rest of the group. I notified (b)(6) and (b)(6) that I was placing U.S. Reject tag No B35830524 on the PDG, effectively rejecting the entrance to the North (b)(4). (b)(6) informed Plant Manager Tom Hart that the incident would be documented in an NR. Mr. Hart presented a verbal preventive measure and the reject tag was removed at 08:05. This incident represents a noncompliance with 9 CFR 313.5(a)(2) and 313.5(b)(2). This NR is associated with record No BTD2407083002N on Aug 1, 2018, which involved an animal's foot becoming wedged in the moving single dividing gate. The preventative measures given were not either implemented or failed to be effective in preventing further catching or trapping of a hog's foot in an automated gate.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M245L+P2 45L	Tyson Fresh Meats, Inc	LEI2011 055419 N-1	05/19/2018	05/19/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category IV – Handling during Ante mortem inspection At approximately 0600 hours this morning I went to the yards office to change coats as it was raining heavily. I returned to the main alley to resume ante-mortem inspection at 0610 hours. There were approximately 80 head of cattle in the main alley ahead of where we were performing inspection. The employee’s moving these cattle would approach the group and cut approximately 15 head out to be moved to the single file drive alley. The employees were utilizing “flags” and would flag repeatedly until they were able to get the desired amount of cattle headed to the single file alley. At 0613 hours I noted that when they were flagging, some of the cattle at the far end (closest to my position) were jumping in an attempt to flee the flagging. I noted that two head of cattle went down along the gate closest to my position and were unable to rise because the cattle were packed in around them. The two employees performing ante-mortem and I walked to the gate and the cattle moved away from the gate and the two animals were able to rise with no apparent injuries. The two employees that were flagging and moving the cattle were unaware that the two head had gone down. I then told the employees not to move any more cattle until I talked to a supervisor. Since there was no supervisor in the yards this morning, the yards employee in charge called (b)(6) (b)(6) who arrived in approximately three minutes. I explained to (b)(6) what I had observed, that I would be issuing an NR, and advised him that I needed preventive measures before allowing operations to resume. (b)(6) told me that he would have a meeting with all personnel pulling cattle from the pens. He further advised me that he would instruct them to pull smaller amounts of cattle at a time, and to only allow 20-25 head to be a group in the main alley</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								at a time. I accepted these preventive measures and allowed operations to resume at approximately 0625 hours.	
M245L+P2 45L	Tyson Fresh Meats, Inc	LEI5407 091917 N-1	09/15/2018	09/15/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category III- Water and Feed Availability At approximately 0345 hours while performing odd hour inspection the following non-compliance was observed. I was checking the pens to verify that all cattle present had water available and that the pen stocking density was adequate to allow all animals to lie down. When I came to Pen 49, I observed 9 animals standing and the balance of the pen to be lying in sternal recumbency. The animals lying down completely covered the floor of the pen and the animals standing could not move in any direction. I then went to the yards office and looked at the slaughter line-up sheet. This sheet showed (as well as the pen card) that there were 38 head of cattle in Pen 49. I then looked at the pen diagram which hangs in the office which indicated a maximum of 37 head of cattle for Pen 49 during the nighttime. I advised (b)(6) of the failure to meet the requirements of 9 CFR 313.2(e) as the animals did not have access to water by being penned so densely, nor did they have adequate room to lie down. (b)(6) then moved 10 head of the cattle from Pen 49 to Pen 37 which was empty. The chart in the office showed Pen 49 to have approximately 900 square feet of space. After the pen was emptied, (b)(6) measured the pen and found it to be approximately 620 square feet in area. The cattle occupying Pen 49 had an average live weight of 1,382 pounds.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M889A+V8 89	J.F. O'Neill Packing Co. Inc.	DSC381 109522 7N-1	09/27/2018	09/27/2018	04C02	Livestock Humane Handling	313.1	Category IV – Handling During Ante-Mortem Inspection Shortly after 0900 on Thursday, 09/27/2018, when I, (b)(6), entered the barn area to perform Ante-Mortem Inspection, I observed the following. Pen 5/6 appeared to have more animals than normal, including animals in the small alley leading from the pen to the upstairs area. All of the cattle were standing, and some had their heads over the water trough and into Pen 4. The space was insufficient to allow any of the animals to lie down. After I requested the presence of (b)(6), who observed the lack of room, we counted the animals in Pen 5/6 (51 head) and Pen 7/8 (nine head). The pen cards indicated 30 head were to be in each pen. The establishment initiated corrective actions of sorting the animals into smaller groups and moved them to the upstairs area. I advised (b)(6) that I would be writing a noncompliance record.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M889A+V8 89	J.F. O'Neill Packing Co. Inc.	DSC421 009492 8N-1	09/28/2018	09/28/2018	04C02	Livestock Humane Handling	313.1	Category IV Ante-Mortem Inspection At approximately 0825 on 09/28/2018, as I (b)(6) was watching cattle being moved from Pen 7/8 to the upstairs area of the barn, I observed the following. Four animals tried to fit through the exit door of Pen 7/8 which was too narrow for all of them. As they scrambled and sorted themselves through, the plywood on the outside of the pen was hit and swung outward, thereby appearing noticeably loose. After the pen was empty I examined the boards and found them to be no longer attached to the lower inside pen rails. Moreover, there was an approximately five inch section on the outside of the pen's cement footing that was covered with black hair, indicating at least one leg had been caught by the board and cement at some time in the recent past. I re-inspected the cattle who came from the pen, but did not ascertain any injuries in the present group. I then requested the presence of (b)(6) who admitted the further potential for injury. (b)(6) stated he would have the boards replaced and/or repaired, but until that occurs Pen 7/8 has USDA Rejected tag No B-45200515 applied. At that time, I advised (b)(6) that a noncompliance record would be generated.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M969G	Swift Beef Company	NDH37 190809 14N-1	08/14/2018	08/14/2018	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 1717 hours, while observing HATS Category VIII, Stunning Effectiveness, at the restrainer, (b)(6) observed the following non-compliance: I observed an establishment employee use the pneumatic captive bolt device to stun a beef cow in the restrainer. The animal was still conscious after the first stun attempt as it did not lose posture and was moving its head looking around at the stunner. The second establishment employee immediately and effectively stunned the animal on the second attempt with a pre-loaded hand-held captive bolt device resulting in unconsciousness. (b)(6), requested that the stunner discontinue slaughter until he could assess the situation. After review of the head with the stunning employee and verbal preventive measures were given, slaughter continued. Once the head was skinned, two distinct stun wounds were visible on the frontal bone. One wound was approximately two to three centimeters above the intersection of two lines drawn from the top of the eye to the base of the horn on the opposite side. The second wound was approximately five to six centimeters to the left of the first wound above the left eye. (b)(6) and (b)(6), were verbally notified of the forthcoming non-compliance record with the regulation 9 CFR 313.15(a)(1).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M4653A+P 4653A+V4 653A	Agri Star Meat and Poultry, LLC	HRJ211 608022 7N-1	08/27/2018	08/27/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII: Stunning Effectiveness At approximately 10:39am I witnessed the following noncompliance. After receiving the ritual cut a steer was released from the restrainer and slid to the bottom of the bleed pit, where it immediately stood up and walked several steps and turned around within the pit. The animal then slipped to the floor, but remained conscious; in sternal recumbency with its head raised and moving around, and forcing air through its trachea (due to the ritual cut no vocalization could be heard). An establishment employee used a long handled cartridge driven captive bolt device to apply a stun. After the stun was applied a visible wound was present approximately two inches left of center over the eye and the animal remained conscious in sternal recumbency with its head raised and moving around. A firearm was retrieved and a second stun was applied. Unconsciousness was confirmed. As this was the last animal slaughtered before the lunch break a U. S. reject tag was not applied. I notified the box operator of the noncompliance. After informing (b)(6) [REDACTED], that an NR would be forthcoming and receiving from him verbal corrective actions and preventative measures, I removed regulatory control action and slaughter was allowed to resume.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M5650+P5 650+V5650	Custom Pack Inc.	JWC361 306431 3N-1	06/13/2018	06/13/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 0730 hours, while observing HATS Category VIII, Stunning Effectiveness^{(b)(6)} ██████████ and myself, (b)(6) ██████████, observed the following noncompliance: On the second beef of the day, we observed an establishment employee use a Blitz captive bolt stunning device to stun a beef heifer in the restrainer. The heifer was still conscious after the first stun attempt as it remained standing without any vocalization. The employee picked up one of the two pre-loaded back-up captive bolt devices available at the restrainer and within 10 seconds effectively rendered the animal unconscious on the second attempt. Due to the design of the restrainer box, a wound on the head was not visible until an examination could be performed on the head rack, which showed two penetrating wounds in the skull on the midline of the forehead approximately 2-3 inches apart (dorsal-ventral). In my judgement this appeared to be a noncompliance rather than an egregious act. A US Reject tag was not applied, however an acceptable verbal preventive measure was provided by the establishment before the next animal was stunned. In the future the employee will be retrained on proper knocking procedures, and in addition, the employee was instructed to take as much time as needed to make a proper knock. David Dirks, Establishment Owner was verbally notified of the forthcoming noncompliance with the regulation 9 CFR 313.15(a) (1).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M20863	JNB, Inc.	PNA501 209541 4N-1	09/14/2018	09/14/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 6:49am hours on September 14, 2018, while performing a directed humane handling verification at EST. 20863 INC., I (b)(6) (b)(6) and the establishment manager observed the following humane handling non-compliance: While observing effective stunning category (HATS VIII) a sow was placed into the restrainer in a standing position, using the modified panels to minimize movement. The employee angled the hand-held captive bolt device approximately four inches away from the forehead and engaged the device, producing a louder than normal sound. The hog vocalized and backed away, moving its head inwards and from side to side. A mark from the captive bolt was left on the head. Surrounding employees looked at me, (b)(6) and the establishment manager. I then had to instruct someone to render the still vocalizing sow unconscious. (b)(6) used the back-up stunning device, a 22 magnum rifle, and applied an effective stunning blow that resulted in unconsciousness in the animal. At that point I took a regulatory control action and instructed the CSI to apply US Reject Tag #B28936208 on the door to the restrainer box. I then informed (b)(6) and establishment owner/manager (b)(6) that slaughter operations would be suspended until further notice and the District Office would be contacted for further guidance into the matter. Upon examining the head post mortem, I appreciated the captive bolt attempt had penetrated the right nasal sinus of the sow. The magnum rifle bullet penetrated the brain. This is a failure to comply with rendering an animal unconscious immediately on the first attempt (9CFR313.15(a)(1)).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M278+V278	Tyson Fresh Meats, Inc.	JKJ2016091321N-1	09/21/2018	09/21/2018	04C02	Livestock Humane Handling	313.1	<p>On Friday September 21, 2018, at approximately 0545 hours, I, (b)(6), was performing ante-mortem inspection, when I observed the following noncompliance. A steer located in the drive alley passed its head between the second and third round metal pole rungs in the back gate of pen 16 and became head locked. The establishment recognized the issue, notified me, followed their protocol and euthanized the animal quickly with a minimum of excitement. The animal had no apparent injuries at the time it was humanely euthanized and there was no visible damage to the gate. However, that the gate was constructed in such a way that the animal was able to become entrapped is noncompliant with regulation 9CFR 313.1(a). I notified (b)(6) and (b)(6) that I would be issuing a noncompliance record (NR). USDA Retain/Reject tag B28556258 was applied to the gate following the incident. The reject tag was removed at 1345 hours when the establishment applied temporary preventative measures to block the center opening.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M320M+V 320	Smithfield Fresh Meats Corp.	VWK48 090509 29N-1	05/25/2018	05/25/2018	04C02	Livestock Humane Handling	313.2	On 5/25/2018, at 9:20 AM, I was walking through the barns in order to perform Ante-Mortem Inspection. An establishment employee was driving hogs to the south (b)(4) using a rattle paddle and a hard plastic sort board. When attempting to sort one additional hog he exhibited poor placement and attempted the use the rattle paddle on the top of one hog's head. I advised the employee that objects were not allowed to be used on the head and continued to observe him. He drove the same hog to the south (b)(4) sliding gate where it became stuck and unable to move forward due to the other hogs in the chute. The employee placed his sort board against the hog's hind end and used his foot to repeatedly kick the sort board instead of pushing on it in an attempt to move the hog out of the way of the gate. The hog did not vocalize or move in response to the kicking against the sort board. This is a noncompliance with 9 CFR 313.2(b). I immediately initiated a regulatory control action to stop this employee before his driving aid abuse could escalate to a more serious violation. I immediately notified (b)(6) of the incident at 9:25 AM and informed him that I would be issuing a noncompliance record after contacting the District Veterinary Medical Specialist for review.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M2936+P2 936+V2936	Winter Meat, Incorporated	XOB550 707193 1N-1	07/31/2018	07/31/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII- Stunning Today,Tuesday,7/31/18, at approximately 0730, while performing the Livestock Humane Handling task, I, (b)(6), observed a swine stunned with the captive bolt gun. The hog went down and appeared to be stunned, however there was still eye movement and blinking. The animal was immediately restunned and rendered insensible.The animal showed no signs of pain or vocalization between the stunning attempts. This establishment does have a Robust Systematic Approach program. There have not been any such NRs in the last 90 days to be linked to. I informed (b)(6) both verbally and in writing of their failure to meet the regulatory requirements of the Meat and Poultry Regulations in 9CFR 131.15(a)(1)	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M8699+P8 699+V8699	Wright City Meat Company, Inc.	DTB411 307481 7N-1	07/10/2018	07/10/2018	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3)	<p>On July 10, 2018, at approximately 0910, the employee designated as the stunner attempted to render a market hog unconscious, by use of electrical stunning. The employee made the first application of the stun, however, the animal flinched as the button was engaged and the hog fell away from the stun wand and into the gate and made a loud vocalization; the animal did not become unconscious from the first attempt, the market hog fell to the floor but was not rendered unconscious from the first attempt. The stunner/designated employee immediately applied a second stun behind the ears and then applied a thoracic stun to render the animal insensitive and in an unconscious state, the employee stuck the hog within seconds of the third stun application. With the initial stun attempt not being completely effective this establishment failed to meet 9 CFR 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 feel 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.and 9 CFR 313.30(s)(3) The quality and location of the electrical shock shall be such as to produce immediate insensibility to pain in the exposed animal. (b)(6) and (b)(6) were verbally notified of this noncompliance and (b)(6) in writing upon receipt of this Noncompliance Record. Upon review of the last ninety days it has been determined that there is no linkage to another NR for the same root cause nor a trend being established.</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M86E	Cargill Meat Solutions Corporation	UHM08 110953 20N-1	09/20/2018	09/20/2018	04C02	Livestock Humane Handling	313.1	<p>Regulation: 313.1 HATS Category IV - Handling during Ante-Mortem Inspection At approximately 0705 hours on Thursday, September 20, 2018, while performing ante-mortem inspection, I, (b)(6), observed the following non-egregious human handling noncompliance involving beef slaughter facilities: An area on the swinging door before the knock box in between the secondary and primary single-file serpentine alleys had a 4" long torn and sharp edge of metal protruding 2" into the alley. The metal contacted the steers at approximately the level of their right shoulder to mid flank; animal injury was a potential. I immediately rejected the serpentine leading up to the sharp metal edge with US Reject tag # B36248186 and informed (b)(6) and (b)(6) of the regulatory non-compliance. I maintained control of the area, by my physical presence, while the establishment made immediate corrective actions. The corrective actions included removal of the remaining steers in the serpentine, diversion of all animals to the secondary serpentine alley, which I visually verified had no sharp protrusions, and maintenance to remove the exposed metal. The metal was observed to be smoothed and regulatory control was relinquished for alley use at 0920 hours. Plant management was notified verbally and with this NR of the need for effective and corrective measures, including maintenance of facilities in good repair to prevent animal injury. 9 CFR section 313.1 states: (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.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M337+V33 7	STX Beef Company	UNG23 170618 08N-1	06/08/2018	06/08/2018	04C02	Livestock Humane Handling	313.1	On Friday June 8, 2018 at approximately 1030 hours a heifer was observed inside the unloading north side pen with a portion of her leg stuck within one of the side panels of the pen's metal fencing. Two truck drivers and two of the cattle pen personnel had been attempting to remove the heifer's leg from the panels which began to bleed. The animal was rendered unconscious with a hand knocker and the men continued to attempt to remove the leg from the panel. The north side unloading dock was tagged with U.S. Rejected/U.S. Retained tag No.B40627484 and maintenance personnel were instructed to have the fence panels repaired. (b)(6) was informed of the forthcoming noncompliance documentation. This violates regulation 9 CFR 313.1(a).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M337+V33 7	STX Beef Company	UNG08 170819 08N-1	08/08/2018	08/08/2018	04C02	Livestock Humane Handling	313.2	At approximately 0730 while performing Humane Handling of animals task part 3, water and feed availability the following noncompliance was found. Inspection personnel noted that all 13 available pens at Est. 337 had cattle in them with no other available pens for incoming cattle. It was also noted that 2 trucks had been unloaded and cattle was waiting at the loading dock for pens to become available. The cattle had been there for approximately 15 minutes and had no access to water. No Supervision was available at the time and only one plant employee was present working in the pens. Inspection personnel was not able to talk to a member of management until 0800 to let them know that as per regulatory requirements, if the loading docks are to be used for holding incoming cattle, they must have access to water. By this time the cattle had been on the loading docks for approximately 45 minutes with no access to water. (b)(6) was shown and informed of the noncompliance. 9 CFR 312.e) had been discussed with plant management during the weekly meeting on 08-03-2018 This is a failure to comply with 9 CFR 312. e)	OPEN

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M13324	K & C Meat Processing	WGG07 130904 07N-1	09/05/2018	09/07/2018	04C02	Livestock Humane Handling	313.1	<p>On 09-05-2018 at approximately 1445 hours, I was performing the HATS category 1, Inclement Weather (Ante Mortem). Upon performing ante mortem the following no noncompliance were noted: There were 5 Suspects Hogs in the pen lying directly in the sunlight and not in a shaded area. Due to the weather temperature ranging in the upper 100's for the day, with the assistance of two establishment employees, I took the temperature of the 5 suspects hogs and they were: (1) (b)(4) (b)(6) came to the area and I verbally notified him of the temperatures (b)(6) started corrective action immediately. Upon verifying that corrective action was performed I retook the temperature of two of the suspect hogs with the highest temp of (b)(4) I verbally notified (b)(6) of this noncompliance that would be written. This is noncompliant with 9 CFR 313.1(c), which states: U.S. Suspects (as defined in 301.2(xxx)) and dying, diseased, and disabled livestock (as defined in 301.2(y), which says that Livestock which has or displays symptoms of having any of the following: (2) Abnormal temperature (high or low); 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. (b)(6)</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI180 805111 8N-1	05/18/2018	05/18/2018	04C02	Livestock Humane Handling	313.1	HATS Category III Water and Feed Availability At approximately 0715 hours, May 18, 2018 (b)(6) observed the following while performing ante-mortem inspection task: The unloading pen connected to the driving alley has approximately 35 heads of cattle with no access to water. There are 2 half-drums utilized for drinking water in the unloading pen but are both empty. Apparently, the aforementioned group of cattle were unloaded before 0645 hours of May 18, 2018. This is non-compliance of 9CFR313.2 (e) Animals shall have access to water in all holding pens. The aforementioned inhumane handling incident is considered non-egregious because the condition did not result in severe harm to the animals. Plant Manager Kelsey Lloyd is notified accordingly. She promptly drove the 35 heads of cattle to the adjacent pen, outside official premises.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI221 105572 1N-1	05/21/2018	05/21/2018	04C02	Livestock Humane Handling	313.2	HATS Category III Water and Feed Availability At approximately 1045 hours, May 21, 2018, (b)(6) observed the following while checking water and feed availability on livestock humane handling task: Holding pen no. 2 housing approximately 25 heads of cattle and holding pen no. 3 housing approximately 15 heads of cattle have no access to feed. The left over hay from the round bale in front of their holding pens are beyond their reach. The aforementioned animals are held in the holding pens longer than 72 hours already. This is non-compliance of 9CFR313.2 (e) which requires animals in all holding pens if held longer than 24 hours, access to feed. The aforementioned inhumane handling incident is considered non-egregious because the condition did not result in severe harm to the animals. Plant Manager Kelsey Lloyd is notified accordingly. She claimed to have fed the aforementioned animals earlier in the morning. She promptly forked the inaccessible hay and make them accessible to the aforementioned animals.	CLOSED
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI351 008481 5N-1	08/15/2018	08/15/2018	04C02	Livestock Humane Handling	313.2	On 08/15/18 while conducting ante mortem inspection in the ante mortem pens, (b)(6) and I encountered the following humane handling noncompliance: no access to feed in all 3 ante mortem pens. While there was a roll of hay set outside of each pen, the hay was not close enough for the cattle to reach it through the bars of the pens. These cattle have all been on the premises for more than 24 hours. All animals that have been at the facility for more than 24 hours, must have continuous access to feed. I notified Kelsey Lloyd, plant manager, of our finding and advised her that I would be writing an NR.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M19478	ABF Packing, Inc.	AMH47 170739 19N-1	07/19/2018	07/19/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>Category V - Suspect and Disabled (9 CFR 313.1 and 313.2): Category IV - Ante-mortem Inspection (9 CFR 313.1 and 313.2): Today, at 1323, I, (b)(6), performed ante mortem on 13 head of cattle. At that time, I observed the plant crowd pen was overfilled with 11 head of cattle, and one 300 lb calf was flat on the ground, with a cow standing over the calf's neck. The pen was full to the point that no cattle could turn around or move away from the downed calf. I observed the gate entrance to the knock alley was closed. I notified two employees at the knock box to open the crowd pen gate. After the gate was opened, I observed several head of cattle step on the downed calf. When the cattle moved away from the downed calf, the calf was able to stand but did not put weight on the left rear leg. I discussed this calf with (b)(6) and (b)(6) and determined this calf was disabled when moved for ante mortem and was slow moving into the ante mortem pens at 1117 hours. The disabled calf was not separated from the other cattle and moved to the suspect pen, and this created a humane handling violation. I observed while (b)(6) had the calf moved to a squeeze area and a plant employee successfully stunned the calf. I immediately informed (b)(6) and (b)(6) of the noncompliance (b)(6) retrained the livestock employees on disabled animals and pen conditions to minimize stress and injury to livestock.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M19478	ABF Packing, Inc.	AMH15 180859 07N-1	08/07/2018	08/07/2018	04C02	Livestock Humane Handling	313.2	<p>HAT ACTIVITY: CATEGORY VII: Observation for slips and falls. HAT ACTIVITY: CATEGORY IV: Handling during ante mortem inspection Today, August 7, 2018, at approximately 1140, I, (b)(6) observed cattle presented for ante mortem inspection. I watched while plant personnel moved cattle from off premise to the ante mortem holding pen area. The group of twelve cattle moved about 20 feet into the outside or second holding pen on official premises. To enter the knock box, cattle move from the second holding pen to the first holding pen, to the holding corral and into the knock alley. The group of twelve cattle were moving together in one direction, at a normal walking pace in the second holding pen toward the first holding pen entrance. I observed 4 to 5 head of the lead cattle stop moving forward, and turn away from the far, or first holding pen entrance. The cattle leading the group of twelve turned around, moved away from the first holding pen entrance, and turned into the cattle that had followed them. I observed while the cattle leading the group turned approximately 180 degrees and moved back through the other cattle. At this point, cattle stopped moving forward. Cattle moved away from the returning cattle, stood still or moved in different directions, turning away from the entrance to the first holding pen. I observed a cow near the middle of the group lose footing, slip and fall to a prone position. Several cattle stood around this cow when she fell, and she did not try to regain her footing. I observed a plant employee move cattle away from the downed cow. He moved eleven head of cattle through the 2nd holding pen and into the first holding pen. I observed the downed cow rise and stand, and move to the first holding pen with the other cattle. I informed (b)(6) of the noncompliance with</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								humane handling regulations 312.2. I had previously documented less than ideal cattle movement through the pens in MOI as listed: AMH2414081903G written 08/03/2018 AMH5117082102G written 08/02/2018 AMH3817085402G written 08/02/2018 AMH3416071326G written 07/26/2018 AMH5918072719G written 07/19/2018	
M19478	ABF Packing, Inc.	AMH49 150833 15N-1	08/15/2018	08/15/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS ACTIVITY VIII: Effective stunning Today at approximately 1345 hours, I, (b)(6) witnessed an ineffective stunning during slaughter at Est. M19478. I observed the knocking employee use a captive bolt stunner on beef cow number 126. The employee placed the captive bolt stunner on the cow's forehead and discharged the stunner. I noted the cow bellowed, raised its head, and remained standing in the knock box. The captive bolt stunner did not cause immediate unconsciousness. I observed the employee picked up a second captive bolt stunner, loaded it with a cartridge and immediately knocked Cow 126 in the forehead again. This time the cow was successfully stunned. The employee loaded an additional stunner and gave a security knock behind the poll. I informed (b)(6) of the occurrence. (b)(6) had the head skinned and we examined the head. I identified two bolt impressions and penetrations through the cow's skull. One of the bolts penetrated the skull in the target location. The path of the bolt was perpendicular to the skull. The other bolt penetration was above the target spot by approximately 1 inch and to the right of the target spot by approximately 1 inch. I immediately informed (b)(6) of the noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M6555+P3 4794	Fayette Packing Company, Inc.	WSO23 090640 13N-1	06/13/2018	06/13/2018	04C02	Livestock Humane Handling	313.2	At approximately 08:55 hours, (b)(6) and I observed that there were animals being held in a livestock trailer on the official premises without access to water. This is in noncompliance with 9 CFR 313.2(e). (b)(6) was notified of the noncompliance.	CLOSED
M8327+V8 327	Southeastern Provision LLC	UOF401 005252 2N-1	05/22/2018	05/22/2018	04C02	Livestock Humane Handling	313.2	At approximately 1115, while performing humane handling verification procedure, I observed no water available in the 'outside' pen. The aforementioned pen is located at the truck off loading ramp in the pen area. At the time of observation, approximately 20 animals were corralled in the aforementioned, outside pen. I contacted (b)(6) and informed him of the noncompliance. Additionally, I informed (b)(6), and Plant Manager Wayne Gilberts of the noncompliance. (b)(6) made water available to the animals.	CLOSED
M8327+V8 327	Southeastern Provision LLC	UOF191 406380 7N-1	06/07/2018	06/07/2018	04C02	Livestock Humane Handling	313.1	At approximately 1330, while performing humane handling verification procedures, I observed metal shards, and other sharp metal points being contacted by a bovine animal in the livestock pens. The metal was part of a wall which had become damaged. I contacted (b)(6) and informed her of the noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M8327+V8 327	Southeastern Provision LLC	UOF091 006561 5N-1	06/15/2018	06/15/2018	04C02	Livestock Humane Handling	313.1	At approximately 0930, while performing humane handling verification activities in the pen area (b)(6) and myself observed two bovine animals to be slaughtered in a pen. Inside the aforementioned pen with the two bovine animals was various construction materials (broken bucket with shard edges, spool of wire, baling twine, metal materials with sharp edges, insulated cooler wall materials leaning against the wall, a metal gate laying on the ground, various wooden boards of different sizes, wooden pallets). I contacted plant management personnel James Brantley and (b)(6), and informed them of the noncompliance. Mr. Brantley moved the bovines to an adjacent pen. One of the two bovines became entangled in baling twine as it was walking to the adjacent pen. The baling twine was drug to the adjacent pen, leaving a trail of twine, then released from the animal's back hoof. (b)(6) informed inspection personnel the animals had been brought by a farmer and placed in the pen overnight.	CLOSED
M8327+V8 327	Southeastern Provision LLC	UOF091 006561 5N-2	06/15/2018	06/15/2018	04C02	Livestock Humane Handling	313.2	At approximately 0945, while performing humane handling verification at the back side of the holding pens, I observed a goose neck trailer filled with 14 bovine animals. The aforementioned gooseneck trailer and bovines had been on site since before the start of shift (0700), today. No water was available to the animals on the trailer without water for approximately 3 hours. (b)(6) joined me. We both confirmed the animals had not been provided water. I contacted (b)(6) and informed him of the noncompliance. (b)(6) instructed the driver to back up to a pen. (b)(6) unloaded the animals to a pen (with water).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M8327+V8 327	Southeastern Provision LLC	UOF210 606352 1N-1	06/21/2018	06/21/2018	04C02	Livestock Humane Handling	313.2	At approximately 0705 while performing Humane Handling verification procedures in the pen adjacent to the unloading chute, I observed no water available to the cattle. At the time of observation, approximately 20 head of cattle were in the aforementioned pen with no water. I contacted (b)(6) and informed her of the noncompliance. (b)(6) provided water to the aforementioned animals.	CLOSED
M3L	Mountain States / Rosen LLC	SUL151 206090 4N-1	06/04/2018	06/04/2018	04C02	Livestock Humane Handling	313.1, 313.2	At 10:40 while unloading the top deck of a livestock trailer, lambs were allowed to run down the ramp. Many of the 187 pound lambs were jumping when they reached the bottom of the ramp and sliding into the alleyway when landing. Some of the lambs were falling down after their jump and lambs behind them were crashing into the fallen lambs creating a pile of lambs. I heard a dull snap and when the pile unwound, one lamb's left rear leg was non-weight bearing and dangling free. It had fractured its leg in the pile up. A summer intern named (b)(6) was manning the gate at the bottom of the ramp but did not attempt to control the speed of the lambs running down the ramp. The normal (b)(6) was in the general vicinity of the alleyway and also did not attempt to control the rate of egress of the lambs off of the truck at the time of the incident. The rest of the truck was unloaded more calmly by keeping lambs in the alleyway so that the lambs leaving the ramp had nowhere to run or jump to. (b)(6) was notified that a Non-compliance Record would be generated.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M267	JBS Tolleson Inc.	ECD171 108550 1N-1	08/01/2018	08/01/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV Ante-mortem Inspection On Friday July 27, 2018 at approximately 0630 hrs while performing Ante Mortem Livestock Inspection on cattle from pen 27 on the south side I noted the following regulatory non-compliance. I observed one area of the south pen with protruding rusty jagged irregular edges of metal located from the steel electrical structure in the pen. There were two metal bars bent outward from their original vertical position and were now protruding with sharp irregular rusty edges. In addition, the north side of the pen had a gap between the cement floor and the vertical section of the metal framework on the north side of the pen where the framework had worn away leaving rusty jagged edges. Both areas could potentially cause animal injury if the animal came in contact with them. I placed a U.S. Reject Tag B36800928 on the pen and had the responsible plant employee move the cattle to another pen. I showed (b)(6) my findings and informed (b)(6) that a non-compliance record (NR) would be issued. The establishment failed to meet the requirement of 9 CFR 313.1(a) "Livestock pens, driveways and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects which may cause injury or pain to the animals." (b)(6)</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M267	JBS Tolleson Inc.	ECD1310093924N-1	09/22/2018	09/24/2018	04C02	Livestock Humane Handling	313.2	HATS Category III Ante-mortem Inspection On Saturday September 22, 2018 at approximately 0618 hrs while performing Ante Mortem Livestock Inspection in the Cattle Pens, I noted the following regulatory non-compliance. I observed two water troughs that were empty in Pen 19 and Pen 30. There were cattle being held in both pens. I immediately took regulatory control action and asked the responsible employee to please remove the cattle from both pens and place them in a pen where water was available for the animals. I placed two U.S. Reject Tag B36800510, and B36800728 on the pens. I stayed in the area while the responsible plant employee moved the cattle to another pen. I showed (b)(6) my findings and informed (b)(6) that a non-compliance record (NR) would be issued. The establishment failed to meet the requirement of 9 CFR 313.2(e) "which requires that water is available to livestock in all holding pens." (b)(6)	CLOSED
M6454+P4896+V6454	Elizabeth Locker Plant, Inc.	OAF1115061429N-1	06/29/2018	06/29/2018	04C02	Livestock Humane Handling	313.2	Hats Category III – Water and Feed availability 313.2 At approximately 4:38pm I observed one beef animal in pen #2 with no access to water. The plastic white tub used to hold water in that pen was empty. I verbally notified (b)(6) and plant owner Brian Hundley of the noncompliance. The pen was retained with USDA tag # B23947638 (b)(6) added water to the white tub in my presence. This NR is linked to NR # OAF0616043927N issued on 4/27/18.	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M6482	York Meats	UPJ171 706491 5N-1	06/13/2018	06/15/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3), 313.15(b)(2) (i), 313.16(a)(1), 313.16(a)(3), 313.16(b)(1) (i), 313.2(f)	On 6/13/18 at approximately 0630, I, (b)(6), along with (b)(6) observed the following Non-compliance. The employee in charge of stunning, (b)(6), was using a captive bolt device to knock an adult beef. Upon firing the captive bolt, the animal immediately collapsed and appeared to be properly stunned. (b)(6) checked for eye response before leaving the knocking area, entering the slaughter floor to open the door to release the animal from the knock box. At this time, the sounds of rhythmic breathing became evident from the still-unconscious animal. (b)(6) then returned to the knock box to restun the animal using a 22-gauge rifle available for the purpose. The animal ceased breathing for about 30 seconds, but then returned to rhythmic breathing. Another employee then left the slaughter floor to get a larger rifle from the storeroom. The animal continued rhythmic breathing but did not show other visible signs of a full return to consciousness, until the other employee returned and knocked him a third time with the larger rifle. This time the animal stopped breathing and did not show any further signs of a return to consciousness. From the first knock to the final shot a total time of approximately five minutes had elapsed; the establishment does not have an approved Robust Systematic Approach for Humane Handling. (b)(6) then called the District Office for determination of possible suspension. I tagged the knock box with Retain Tag # A 9334070 at 0638 and informed management they were not to proceed with any more kills until we received word from District Office. After consultation with Frank Gillis, DDM and (b)(6), it was determined that, because the animal did not show evidence of a complete return to consciousness, no suspension would be imposed. I informed Plant	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								<p>Manager, Lawrence Mori, Jr., of the determination, and removed my retain tag from the knock box at approximately 0655. However, I informed Mr. Mori that a noncompliance report would be issued for failing to render the animal fully unconscious with a single shot, and not having an adequate back-up device available.</p>	

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M325	Clausen Meat Company Inc.	FBJ501 207231 3N-1	07/13/2018	07/13/2018	04C02	Livestock Humane Handling	313.30 (a)(2)	<p>On 07/13/2018 at about 1003 H, I, (b)(6) while performing HATS category VIII, stunning effectiveness, observed the following non-compliance. As I observed market pigs being moved into the stunning holding pen, I observed that the holding pen was full of market pigs and the caretaker was still trying to add more pigs to the stunning holding area. I observed one pig try to leap onto another pig, and there was general commotion, as evidenced by squealing pigs. I went outside of the stunning area to the run-up chute, and I observed (b)(6), use the electric prod twice on one pig. The pig squealed when the hot shot was applied. The pen was too crowded for the hog to move any further. I immediately stopped the plant employee. (b)(6) explained to me that he was not using the prod that much. I took a regulatory control action and applied tag number B38098655 to the knock box, until such time as the establishment could provide me corrective actions to ensure that excessive use of the hot shot did not occur in the future. At 1040H, I communicated to (b)(6) that Mr. Lau had given me the following corrective action: 1. The electric prod will be removed from the area. 2. (b)(6), will monitor the movement of animals to holding pen. 3. (b)(6), will be retrained. I conveyed this to (b)(6) and as I deemed the corrective action was acceptable, he concurred that the corrective actions were appropriate and I removed the tag at 1045H. Mr. Lau was advised that a noncompliance will be issued, as the establishment failed to move the animals using a prod device with a minimal amount of excitement in accordance with 9 CFR 313.2(b).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M325	Clausen Meat Company Inc.	FBJ2813071717N-1	07/16/2018	07/16/2018	04C02	Livestock Humane Handling	313.2	<p>On 7/16 18 at approximately 1215 hours, while I (b)(6) was inspecting the ante mortem Inspection pens along with (b)(6) I found the following non-compliance. HAT Category III I observed that in pen #13 outside in the alleyway one Roaster sitting and there was no water provided in a water trough or any kind of material. The Hog appeared to be limping while walking. Ms.Sue Lau and Mr Ping Lau were notified of our observation. The plant management was informed that a noncompliance would be issued Around 1237 hours the Roaster was moved to another pen, where there was source of water. This NR is linked to a similar NR # FBJ 2813071717N issued for the same cause on 5/8/18 FSIS Directive 6900.2 Revision2 Category111 with the regulatory requirements of 9CFR 313.2(e) states that water is to be accessible to livestock in all holding pens ,and that animals held longer than 24 hours have access to feed</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M325	Clausen Meat Company Inc.	FBJ111 107352 3N-1	07/23/2018	07/23/2018	04C02	Livestock Humane Handling	313.2	On 7/23/18 at approximately 0757 hours, while inspecting the holding pens, I found the following Humane Handling non-compliance. I observed that the pen designated as the USDA suspect pen did not have a source of water. There were 2 suspect market hogs in the USDA suspect pen, and those two market hogs had been in that pen since approximately 0530 hours. I informed the plant employee working out in the pens, and the plant employee immediately moved the two market hogs into another pen that had a source of water. I then informed plant owners Ping Lau and Sue Lau of my observations and the forthcoming non-compliance. This is a non-compliance of the regulatory requirements of 9 CFR 313.2(e), which states that "Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed." This non-compliance is linked to a similar non-compliance (NR# FBJ2813071717N) with the same cause, which was documented on 7/16/18.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M325	Clausen Meat Company Inc.	FBJ170 607463 ON-1	07/27/2018	07/30/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>On 7/27/18 at approximately 0930 hours, the following humane handling non-compliances were observed by (b)(6), Dr. Sheryl Beckett, DDM, and I, (b)(6).</p> <p>While inspecting the holding pens, we observed a group of market hogs being held in the alleyway outside of the kill pen with no access to water. Pigs are held in this alleyway for up to 1 hour at a time. This is a non-compliance of the regulatory requirements of 9 CFR 313.2(e), which states that "Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed." This non-compliance is linked to a similar non-compliance (NR# FBJ1111073523N) with the same cause (no access to water), which was documented on 7/23/18. As we continued inspecting the holding pens, we observed that holding pens #11, #12, and #13 were in filthy conditions with poor footing. There were large groups of roaster pigs in all 3 of these pens. The majority of all 3 holding pens contained deep mud, which reached up past the bellies of the roaster pigs as they moved through the pens. These three pens only had small areas of dry dirt for the pigs to be able to get out of the deep mud, and there was not enough room for all of the roaster pigs to lay down in the dry areas of the pens. Additionally, the roaster pigs in pen #13 were crowded around the single water trough in the pen, and some of the pigs were biting the tails of other pigs, trying to get to the water. I took a regulatory control action and applied U.S. Reject tag #B38098661 to pen #11, U.S. Reject tag #B38098662 to pen #12, and U.S. Reject tag #B38098665 to pen #13, to reject the three pens in poor condition. This is a non-compliance of the regulatory requirements of 9 CFR 313.1(b), which states that "Floors of livestock pens, ramps, and driveways shall be constructed and maintained so as to provide good footing for livestock." Plant</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								owner Ping Lau then entered the holding pen area and was informed of the forthcoming humane handling non-compliances.	
M360+P360	Smithfield Packaged Meats Corp.	DAM5607072517N-1	07/17/2018	07/17/2018	04C02	Livestock Humane Handling	313.1	<p>Yesterday, July 16 2018, during verification of water and feed regulation, I observed a squealing market swine stuck on a protruding object in pen 230 by its lip at 1055 hours. The animal was stuck and bleeding for at least 10 minutes. The protruding object was 3/4 inch long with threads with a blunt end at the bottom located along the pipe that runs across the cement wall. This pipe has multiple protruding objects. I looked for plant personnel and found a black hat employee and asked for the supervisor but the supervisor was on lunch. I explained to the employee that an animal was stuck on a protruding object and was bleeding and suffering pain and needed immediate attention. The employee told me they would go look. The employee took a shortcut inside the pen area and I went to the pen through the outside of the building. The animal was now free from the protruding object and bleeding from the lip. I instructed the employee that corrective actions to prevent a recurrence are to be taken. The employee informed me that they would inform the supervisor. The plant performed corrective actions by removing the hogs from that pen and placing a repair tag on the pen. On 7/17/18 the plant had maintenance trim all bolts in the pens that extended past the nut and also retrained the pen/unloading employees on possible ways pigs could get injured in the pens or ramps. The training document was provided to FSIS.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M548	Yosemite Meat Company Inc.	VHM23 180625 06N-1	06/01/2018	06/06/2018	04C02	Livestock Humane Handling	313.2	<p>On 06/01/18, at approximately 0900 hours, while observing truck unloading of a load of market hogs during Antemortem inspection, I observed the following noncompliance. From my vantage point near the exit ramp outside the trailer – with plate number 10351P and ‘South Dakota’ on the license plate, I observed the establishment employee unloading approximately 20 hogs from the top deck of the trailer. During unloading, I observed approximately 8 of the hogs appear to trip and fall as they were exiting the top deck holding area. These hogs were squealing loudly as they landed heavily on their chins and chests during the unloading process. After all of the hogs were guided out of the trailer without further incident and without any apparent injuries, I entered the trailer to get a closer assessment of the cause and observed that there was a 13” step separating the top deck holding area from the next lower deck. Unlike the other deck area on the trailer, there was no ramp or step transitioning the top deck to the lower deck which caused the hogs to appear to trip and fall down the 13” drop. I showed the deficiency to (b)(6) and informed him of the forthcoming issuance of a noncompliance for driving the animals off of the 13” drop without a proper transition such as a ramp or step, and causing unnecessary excitement and discomfort to the animals. My findings indicated a noncompliance with the regulatory requirements of 9CFR 313.2(a).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M783+P78 3+V783	Harris Ranch Beef Company	VNG27 150654 09N-1	06/08/2018	06/09/2018	04C02	Livestock Humane Handling	313.2	On 08 June 2018 around 12:30 pm, the chain broke and the slaughter line stopped. Six cattle were left standing in the serpentine leading to the knock box for 1 hour and 10 minutes without water during downtime. When animals are held in any location for an extended period of time, that location should be treated as a holding pen, and water must be provided. Once I notified the (b)(6) of the noncompliance with 9 CFR 313.2(e), he immediately instructed the employees to back the cattle out of the serpentine and into a pen to provide water. One animal was not able to be backed out, and it was stunned 5 minutes later. The establishment has not had a prior NR for 9 CFR 313.2(e) in the past 90 days.	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M2800+P2 800	Superior Farms	RJO591 605222 1N-1	05/21/2018	05/21/2018	04C02	Livestock Humane Handling	313.2	<p>Approximately at 1230 hours On Monday, May 21, 2018 while (b)(6) was performing ante-mortem inspection of pen#5, lot #131 on about 100 fair goats that were presented for Ante-Mortem inspection, I observed that there was no water available in the water trough in the pen#5 which has only one water trough. I immediately notified (b)(6), holding pens supervisor of this humane handling non-compliance, he immediately took corrective action by turning the water on to the tough and providing water to the animals. This is the noncompliance with 9CFR 313.2(e) which states" Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed. There shall be sufficient room in the holding pen for animals held overnight to lie down". According to (b)(6) these animals arrived today morning around 0500 hours. The goats in pen#5 had no Access to water over seven hours from 0500 hours to 1230 hours. This is a sunny day of the month of May with outside temperature being close to 75 degree F. The establishment needs to take effective measures for inclement weather which also includes constant water availability for animals in holding pens and also keeping the animals comfortable during hot summer weather. This document serves as a written notification of your failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action or suspension.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M2800+P2 800	Superior Farms	RJO020 906132 7N-1	06/26/2018	06/26/2018	04C02	Livestock Humane Handling	313.1, 313.2	At about 1050 hours, while performing Ante Mortem Inspection of Lambs, Humane Handling Activity Tracking (HAT) Category IV, handling animals during Ante Mortem Inspection, I have observed that plant employee was moving about 365 lambs from Pen Number 2 into the alley way. I have observed that several lambs were slipping and 4 lambs slipped and fell down, and they got up and moved. I took regulatory control action and stopped the moving of animals. I have notified (b)(6) " of the noncompliance. The plant immediately identified because for animals slipping as the floor was wet with manure under the wooden shaving, they have put extra wood shavings, and moved the rest of the animals from the pen into the alley way, and I have not observed any slips and falls. This is humane handling non-compliance as per 9CFR 313.1(b) and 313.2(a).	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M4928+P4 928	Islamic Meat & Poultry Co.	DTD161 608232 8N-1	08/27/2018	08/27/2018	04C02	Livestock Humane Handling	313.1	On 08/27/2018 at approximately 1000 hours, while performing an inspection of the establishment's livestock holding pens, driveways and ramps (HATS Category IV, Ante-Mortem Inspection), I observed a corner of the wire fence panel in the west wall of Pen 9 that had a protruding wire. The end of the wire was sharp and protruded into the pen space approximately 2 inches, and was located approximately 2.5 feet above the pen floor, and created a sharp and protruding object hazard. This was a noncompliance with Title 9 CFR 313.1(a). At the time of this inspection there were no animals in pen 9. I applied U.S. Reject tag B42126567 to the pen 9 gate to prevent any animals from being placed in the pen. In Pen 5, I also observe a wire fence panel in the north fence of the pen, and the top east corner of the fence panel, near the gate post, was loose. The loose corner area of the fence panel was also protruding into the pen space by approximately 3-4 inches, which created a protruding object and entrapment hazard, and was a noncompliance with Title 9 CFR 313.1(a). At the time of this inspection there were no animals in pen 5. I applied U.S. Reject tag B42126566 to the pen 5 gate to prevent any animals from being placed in the pen. In Pen 4, I observed a piece of razor wire protruded through the east pen fence by approximately 6 inches into the pen space, and located approximately 3 feet above the pen floor. The razor wire had several very sharp pieces of metal that could cause injury to animals in the pen. I also observed a "2 by 8" wooden board approximately 2 feet long, attached in a vertical orientation to the middle area of the east wall of pen 4, with nails only in the lower end holding it to the fence. The high end of the board was positioned outward away from the fence wall, resulting in the board projecting into the pen space by about a 30-45 degree angle, creating a	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								<p>hazardous condition for any animals in the pen, because the board could fall and land on an animal if placed in the pen. This was a noncompliance with Title 9 CFR 313.1(a). At the time of this inspection there were no animals in pen 4. I applied U.S. Reject tag B42126748 to the pen 4 gate to prevent any animals from being placed in the pen. I inspected all the animals in the pens, and did not observe any signs that could indicate any animal was harmed by the hazards.</p> <p>(b)(6)</p> <p>was notified of the noncompliance. The establishment took corrective action soon after being notified, and after I verified the corrective actions were adequate so that there would be no hazards to the animals, I then removed the 3 U.S. Reject tags from the pen gates.</p>	

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M4928+P4 928	Islamic Meat & Poultry Co.	DTD462 009452 8N-1	09/27/2018	09/28/2018	04C02	Livestock Humane Handling	313.1	<p>On 09/27/2018, at approximately 0800 hours while inspecting the pens and alleyways (HATS Category IV, Ante-mortem Inspection), I, (b)(6) observed two areas of a livestock panel metal rung that had corroded, became broken, and protruded in the small ruminant north pen space near the pen floor. This pen is located just north of the beef lead-up chute. There was also a nail in the same north pen that had its head end protruding approximately an inch outward into the pen space from a plywood panel attached to the north wall of the small ruminant north pen. There was a two-by-four board attached horizontally to the inside surface of the beef lead-up chute that was loose and protruding enough to be a trip hazard for animals being lead up the chute. These protruding and sharp objects were hazards to animals. There were no animals in the small ruminant north pen, or in the beef lead-up chute, during this observation, and no animals appeared to have been previously injured by the sharp and protruding objects. The findings of the sharp/protruding objects was a regulatory noncompliance with Title 9 CFR 313.1. I placed U.S. Reject tag B42126744 to the gate of the small ruminant north pen , and closed the gate. I also placed U.S. Reject tag B42126547 to the entry door of the beef lead-up chute, and closed the gate. (b)(6) was notified of the noncompliance.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M4969+P4 969	J J Meat Co.	JCO251 607583 1N-1	07/30/2018	07/30/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	On July 30, 2018 at approximately 1554 hours, the following noncompliance was noted while observing Category VIII – the Stunning Effectiveness component of the Humane Handling verification task. I observed Plant Manager Javier Juarez Jr. performing Bob Veal calf stunning using a power captive bolt stunner. As he fired the power knocker on a Jersey veal calf that he was simultaneously restraining by the hind legs, the calf moved its head to the left as the captive bolt penetrated the skull at the right temporal area. The calf fell down on both its hind legs and its front right leg as they contracted immediately but the calf's left front leg remained extended and touching the ground. The calf's head remained upright as it pushed the rest of its body to the right with its extended left front leg. Immediately Mr. Juarez attempted to reknock the calf as it was still partially standing using the power knocker, but after several unsuccessful attempts to position the power knocker so as to deliver another stun, he decided to immediately abandon the use of the power knocker and use the handheld captive bolt gun instead. He immediately grabbed the hand held captive bolt just outside of the knock box approximately 4 feet away and as he made his way back to knock the calf with the hand held knocker the calf vocalized. At this time, Mr. Juarez delivered an effective knock with the hand held captive bolt to the calf's head. The calf was immediately rendered insensible, stopped vocalizing and collapsed. I took immediate regulatory control action and stopped any more animals from being knocked. I applied a regulatory control action to the knocking area with US Retain/Reject tag No. B38505989 and informed Mr. Juarez of the noncompliance. At approximately 1630 hours, I removed the regulatory control action after the establishment's corrective actions were reviewed, approved and	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								<p>implemented. The establishment was noncompliant with 9CFR 313.15(a)(1) and 9CFR 313.15(a)(3) The establishment is currently under a Verification Plan due to the establishment's failure to maintain or implement required controls to prevent the inhumane handling and slaughtering of livestock at the establishment and to appropriately handle animals in accordance with Title 9 CFR Part 313.15(a)(1), 313.15(a)(3), 313.15(b)(1)(ii) and 313.15(b)(1)(iii). This noncompliance is being associated with another noncompliance which was observed and documented (NR # JCO5221072030N) on 7/30/18 for failure to prevent recurrence.</p>	

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M4969+P4 969	J J Meat Co.	JCO522 107203 ON-1	07/30/2018	07/30/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	On 07/30/18, while observing the Category VIII - Stunning Effectiveness component of Humane Handling verification, I observed the following incident At approximately 1000 hours, I observed Javier Juarez Jr, production manager performing calf stunning using a power captive bolt stunner. While standing approximately 10 feet behind a calf outside the knock box, I observed him position the standing calf in the knocking area and fire the captive bolt gun but instead of the calf dropping as expected, I saw that the calf remained standing and heard Mr. Juarez make an indiscernible noise and then proceed to immediately fire the captive bolt gun again. This time, the calf immediately dropped to the floor as if from an effective stun. I immediately proceeded to inspect the head of the stunned animal and observed a 1 inch long full-thickness strip of skin and hair as a result of the mis-stun removed from the right temporal area revealing the underlying skull. The underlying skull did not appear to have been penetrated or damaged during the first stun attempt. The second knock was properly placed and resulted in an effective stun. At this time, I discussed with Javier Juarez Jr that livestock are to be rendered insensible to pain by a single blow and because of the mis-stun attempt, I took a regulatory control action and applied a U.S. Retain/Reject tag to the stunning area for the mis-stun and informed him that this is a noncompliance with the regulatory requirements of 9CFR 313.15. The establishment provided an immediate corrective action to better restrain the animal so as to render the animal rapidly and effectively insensible upon the first attempt. At this time regulatory control was released at approximately 1008 hours and the establishment resumed stunning operations.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9008+P9008	Johansen's Quality Meats	FBE0315084722N-1	08/22/2018	08/22/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 08/22/18, at approximately 1005 hours, while performing a humane handling task, I observed (b)(6), push an approximately 900 lb. black beef heifer into the knock box. (b)(6) loaded the captive bolt stunning mechanism with a stunner cartridge (b)(6) (b)(6) aimed the captive bolt to the back of the heifer's head; however, upon administering the blow the heifer shifted its head slightly. Immediately after the blow, the animal went down in the knockbox and was still visibly conscious. The heifer was thrashing about, rhythmically breathing, and the eye of the animal was voluntarily blinking and tracking. (b)(6) quickly recognized the animal was still conscious, loaded a .22 caliber rifle and fired a single round to the back of the heifer's head. The animal was rendered unconscious at this time (approximately 20-25 seconds after the initial mis-stun). I informed (b)(6) of the noncompliance at approximately 1006 hours. Additionally, I informed Mr. Darron Rosen, Plant Manager, of the noncompliance at approximately 1009 hours. The findings of this observation were regulatory noncompliance with 9 CFR 313.15(a)(1) which states "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..." due to failing to render the animal unconscious immediately with the initial captive bolt blow. Failure to comply with regulatory requirement(s) may result in additional regulatory or administrative actions as described in 9 CFR 500.4.</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9008+P9008	Johansen's Quality Meats	FBE4117084529N-1	08/29/2018	08/29/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 08/29/18, at approximately 1405 hours, while performing a humane handling task, I observed (b)(6), push an approximately 900 lb. black beef heifer into the knock box. The heifer repeatedly tried to twist and turn around in the knockbox before going down and getting her head temporarily stuck in a twisted position underneath herself and the knockbox door leading into the kill floor. (b)(6) calmly encouraged her to stand back up and untwist herself. Shortly after, (b)(6) loaded the captive bolt stunning mechanism with a stunner cartridge. (b)(6) aimed the captive bolt to the back of the heifer's head; however, upon administering the blow the heifer thrashed its head causing the captive bolt to discharge off angle. Immediately after the blow, the animal went down in the knockbox and was still showing signs of consciousness. The heifer was rhythmically breathing, voluntarily blinking with strong corneal and palpebral responses and tracking. (b)(6) quickly recognized the animal was showing signs of consciousness, loaded a .22 caliber rifle and fired a single round to the front of the heifer's head. The animal was rendered unconscious and insensible with this second stun (approximately 20 seconds after the initial mis-stun). I informed (b)(6) of the regulatory noncompliance with 9 CFR 313.15(a)(1) at approximately 1410 hours. Additionally, I informed Mr. Darron Rosen, Plant Manager, of the noncompliance at approximately 1430 hours. This noncompliance record (NR) is being associated with NR# FBE0315084722N dated 8/22/18 for a similar root cause. The previous corrective action was either not implemented or was ineffective at preventing reoccurrence. Failure to comply with regulatory requirement(s) may result in additional regulatory or administrative actions as described in 9 CFR 500.4.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M934	Charlie DiMaria & Sons	VMH48 140842 27N-1	08/27/2018	08/27/2018	04C02	Livestock Humane Handling	313.1	<p>On Monday August 27, 2018, at approximately 1215 hours, while performing Ante-Mortem (AM) inspection on a load of Steers that had been placed in the Holding Pen, I observed the following noncompliance: The cattle were being moved out of the Holding Pen and were going at a fairly fast pace (they were being handled appropriately, but the were a little nervous) when one slipped and fell just outside of the Holding Pen. As the cattle were being moved back into the Holding Pen they were moving more slowly, but another Steer slipped (but didn't fall) and a third Steer slipped and fell in the same spot as the first Steer. Although the floors of the pens and alleys are waffled to help prevent slipping, they are showing some wear; they were also very dirty and wet at the time of AM inspection. This is a noncompliance with 9 CFR 313.1(b) which states, "Floors of livestock pens, ramps, and driveways shall be constructed and maintained so as to provide good footing for livestock." I informed (b)(6), of the slipping and falling and the condition of flooring and that the plant would be receiving a noncompliance record (NR).</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M934	Charlie DiMaria & Sons	VMH29 140910 07N-1	09/07/2018	09/07/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	<p>On Friday, September 7, 2018 at approximately 0800 hours, while observing Stunning and Consciousness for a routine Humane Handling Task the (b)(6), observed the following noncompliance: (b)(6)</p> <p>(b)(6) attempted to knock a Holstein Cow. The cow dropped immediately but when the SPHV observed the cow in the Knock Box she observed that, although the knock appeared to be in the correct location, the cow was in sternal recumbency, holding her head up, blinking and was rhythmically breathing. The SPHV continued to observe the cow breathing while the plant employee was switching out the charges in the captive bolt gun. Once he had reloaded the captive bolt gun, he did not appear to be aware that the cow was still showing signs of consciousness. She instructed the employee to perform a second stun because the cow appeared to still be breathing. The employee tried for approximately 10-15 seconds then reported that he could not reach the cow to apply the second stun. The SPHV looked into the Knock Box and observed that the cow's head was now positioned down and to the left and was apparently out of the employee's reach. She then instructed (b)(6) to release the cow from the Knock Box so one of the Kill Floor employees could apply the second stun. As the cow was rolling out of the Knock Box, (b)(6) was instructed by the SPHV to apply a second stun to the cow because it still appeared to be rhythmically breathing. (b)(6) and (b)(6) had difficulty reaching the appropriate knocking location on the cow because she rolled out with her head against the gate separating the blood pit/shackling area immediately in front of the Knock Box and the alley where the Rabbis and Imams stand. They were finally able to move the</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								<p>cow's head such that the second stun could finally be applied by (b)(6). Once the SPHV had verified that the cow was unconscious she immediately stopped further slaughter and notified (b)(6) of the incident and that slaughter would be stopped until she was able to contact the FLS and District Office. The SPHV place US Reject Tag #B41846592 to the Knock Box to prevent further slaughter. The plant was allowed to clear the line of the carcasses already knocked. Earlier that morning, at approximately 0715 hours, the SPHV was observing (b)(6) being trained as per Item 3 of the plant's Humane Handling Verification Plan dated August 17, 2018. (b)(6) applied a first stun on a Holstein Cow which, although it appeared to be placed appropriately, did not penetrate completely. The cow was still standing quietly but she did have a shallow hole in her forehead. (b)(6) then immediately applied a second stun within 20-25 seconds which did render the cow unconscious. These are noncompliances with 9 CFR 313.15(a)(1) which states, "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." and 9 CFR 313.15(a)(3) which states, in part, "Immediately after the stunning blow is delivered the animals shall be in a state of complete unconsciousness and remain in this condition..." The SPHV notified (b)(6) and (b)(6) that she would be taking RCA and that the plant would be receiving a noncompliance record (NR).</p>	

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M934	Charlie DiMaria & Sons	VMH24 090918 14N-1	09/14/2018	09/14/2018	04C02	Livestock Humane Handling	313.2	<p>On Friday September 14, 2018, at approximately 0610 hours, while performing Humane Handling HATS Category III: Water Access and Category IV: Ante-mortem inspection, I observed the following noncompliance: As I was walking the alley checking the cattle in their Pens, I noticed that the water trough shared between Pens 6 and 7 was completely empty and the concrete underneath it was dry. There were 30 Heavy Calves in Pen 6, 2 of which did attempt to drink from the trough; Pen 7 was empty. I informed (b)(6) and Knocker, that there was no water in the trough. He verified there was no water in the trough and informed me he would move the Heavy Calves into Pen 3 which had water (as did the rest of the Pens). After moving the Heavy Calves out of Pen 6 he turned on the water to start filling up the trough. This is a noncompliance with 9 CFR 313.2(e) which states, in part, "Animals shall have access to water in all holding pens..." I informed (b)(6), and (b)(6) that the plant would be receiving a noncompliance record (NR). Because (b)(6) took immediate corrective actions to fill up the water trough after moving the Heavy Calves I did not need to take any further regulatory control actions or tag the affected Pens.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M580+V580	A. Decoite Packing House, Inc.	ZRD0420062413N-1	06/13/2018	06/13/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On Wednesday, June 13th, 2018 at approximately 1335 hours, I (b)(6) and (b)(6) were checking for stunning effectiveness (HATS VIII) and conscious animals on the rail as part of the Livestock Humane Handling task. As we stood outside the knock box on the kill floor, a shot was heard being delivered by a captive bolt apparatus and as we moved up the staircase, we observed a heifer was propped up on its sternum, blinking, holding its head up and shaking. No vocalization was heard and tracking of the eyes was not readily observed by USDA. A captive bolt entry point was noted rostro-lateral. The same captive bolt stunner was then reloaded. Approximately 15 seconds passed before a second knock could be delivered by the captive bolt apparatus. The second shot did not appear to have a significant effect as the animal continued to blink and move its head from side to side. The heifer was then rolled out of the knock box and no loaded captive bolt stunner was available. The previously used captive bolt stunner was reloaded again and used to render the animal unquestionably unconscious after approximately another 10-15 seconds had passed between the second and third stuns. The animal was then hung on the rail and bled out without incident but the knock box was immediately tagged using USDA Rejected Tag #B37212538 and further slaughter of additional animals was prevented. (b)(6) was notified that the establishment was in violation of 9 CFR 313.15(a)(1) and that a non-compliance would be issued. After communication with the district office, it was determined that based on the description of the incident, the signs observed were not indicative of a conscious animal. At approximately 1500 hours, USDA Reject Tag #B37212538 was removed from the knock box and establishment</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								management was notified that they were free to return to their normal slaughter operations.	
M9252+P9 252+V9252	Bright Oak Meats, Inc.	GHD20 170610 29N-1	06/29/2018	06/29/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(1) (i)	At approximately 1145 on this day 06/29/18 (b)(6) came to the office and informed me (b)(6) that while performing inspection tasks in the slaughter room, he heard (b)(6) stunned a pig with a .22 rifle, the result was not effective, the animal was still standing and squealing. A second shot was applied with the bigger rifle.243; the animals were rendered unconscious prior to sticking and bleeding process. The estimated time between the first knock and the second knock was approximately 10-30 seconds. The slaughter process was stopped and an US rejected was applied on the slaughter knocking box at 1200. Reviewing plant Robust humane handling program indicates that the knocker (b)(6) had been trained on how to properly knocking all animals. The document was signed with (b)(6) signature on 03/02/2017. Plant failed to meet the HATS Category VIII: Stunning Effectiveness and the requirements of Regulation CFR 313.16(a); 313.16(b)(1)(i) You are hereby advised of your right to appeal this decision as delineated by 306.5 and/or 381.35 of 9 CFR.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9252+P9 252+V9252	Bright Oak Meats, Inc.	GHD52 140743 11N-1	07/11/2018	07/11/2018	04C02	Livestock Humane Handling	313.2	While performing the Livestock Humane Handling Task Category III Water and Feed availability at approximately 1115, I, (b) (6), noted that two pens did not have water available for the animals present. Pen 6 contained one steer. The water bucket was upright with a dry bottom and an undiluted pile of feces. Pen 2 contained 13 market hogs and sows. Two water buckets were present in the pen. Both buckets were lying on their sides and large pools of water were present around them. I immediately notified (b)(6) who instructed an employee to fill the water buckets. I then notified plant manager Ms. Denise Pohrman of the forthcoming non-compliance. No similar non-compliances have been recorded in the past 90 days.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9265+P9 265	Marks Meat Inc.	CFJ491 309131 7N-1	09/17/2018	09/17/2018	04C02	Livestock Humane Handling	313.2	<p>On 09/17/18 at approximately 0915 hours I, (b)(6) observed the unloading of livestock. The following noncompliance was noticed: The livestock being delivered was a goat for slaughter tomorrow. The transport vehicle was a pickup with a canopy with the goat inside the cargo area. The pickup was backed into the lower ramp causing a step-down for the goat of approximately three feet. The person delivering the goat had the goat on a halter with a rope attached; the person was pulling on the rope trying to unload the goat. This was observed by me and (b)(6); I verbally informed the person handling the goat to not pull it and to let it walk out on its own, (b)(6) went to get the plant owner Mr. Ben Meyer to make him aware of the noncompliance. After the goat was out of the back of the pickup, I observed the handler pull the goat into a gated area just outside the pens. Mr. Meyer spoke with the handler regarding humane handling and presented him with the establishment's document titled: Marks Meat Slaughter Schedule Agreement which states in part "...Pulling, dragging, kicking, or hitting of animals will not be tolerated. All animals must be unload out of the trailer at their own accord..." In addition this establishment has a Robust Systematic Approach to Humane Handling of Livestock. Paragraphs 2 and 3 of this document discuss the pens and ramps, but do not specifically mention handling as does the Slaughter Schedule Agreement. Mr. Meyer was verbally informed that a NR will be issued though his corrective actions were already taken.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9265+P9 265	Marks Meat Inc.	CFJ511 609212 1N-1	09/19/2018	09/21/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 09/21/18 at approximately 0845 hours I, (b)(6) was verifying the Humane-Handling Activities Tracking System (HATS) task for Stunning Effectiveness, which was not met as the beef was not rendered immediately unconscious. Mr. James Serlin, Plant Owner was performing the knock while training a (b)(6). The captive bolt was used with a backup .22 mag loaded and ready for use. The captive bolt knock was ineffective and caused vocalization. I observed the beef still standing then Mr. Serlin immediately used the backup firearm, which was within about 2 to 3 seconds after the mis-stun. I noticed the firearm and retreated to a safe area, I heard one shot, and then turned to see the beef down in the knock box. The second stun attempt; first with the firearm was effective. Then a second shot with the firearm, third totally, was applied for security. After that there was no eye movement. When the beef was shackled and hung, there were no signs of consciousness. Mr. Serlin was verbally informed of the noncompliance and that a NR would be issued.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9265+P9 265	Marks Meat Inc.	CFJ381 709412 4N-1	09/24/2018	09/24/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category II Truck Unloading On September 24, 2018 at approximately 3:25pm (b)(6) observed a customer dropping off lamb for slaughter the next day. The animals were brought in an enclosed wooden crate on a flatbed truck. (b)(6) witnessed the customer open the door to the crate, place a lasso around an animals neck and proceed to pull the animal against its will down the unloading incline and into the pen where other sheep were waiting. The animal remained standing throughout the process however was fighting being pulled. The animal in question was being forced to move by pulling and the unloading was not done with a "minimum of excitement and discomfort to the animal." both of which are in violation of 9 CFR 313.2(a). A review of records shows a similar non compliance written on 9/17/2018 for the same root cause. Therefore this record is being linked to NR# CFJ4913091317N and shows a trend of non-compliance at this establishment. Further corrective actions are necessary beyond previous attempts to ensure compliance with regulations pertaining to the humane slaughter of animals.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9270+P9 270+V9270	Mt. Angel Meat Co.	QYB401 307030 2N-1	07/02/2018	07/02/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	HATS Category VIII Stunning Effectiveness On 07/01/2018 (b)(6) observed the following noncompliance. At approximately 0800 the establishment administered an inefficient stunning attempt on a mature sheep. The establishment stunner utilizes a hand held captive bolt device (HHCBD). The sheep moved its head at the last second rendering the stunning attempt ineffective. The sheep remained standing and shook its head with blood dripping from its right nostril. The establishment had a rifle at the ready to be used as a backup but chose not to employ it. The establishment employee quickly reloaded the HHCBD and administered a second stun that rendered the animal unconscious. The elapsed time between stuns was approximately 8-10 seconds. (b)(6) immediately notified the Establishment owner Eric Feitz of the noncompliance. (b)(6) tagged the HHCBD with U.S. Reject tab #B3535731935 and then notified (b)(6) via phone.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M12448	Nakasone Slaughterhouse	GKK4017063604N-1	06/04/2018	06/04/2018	04C02	Livestock Humane Handling	313.1	On 6/4/2018 at approximately 0300 HRS, the CSI was performing a Livestock Humane Handling Review and Observation Task. While performing this task, the CSI observed the following non-compliance(s). In holding pen "E", the CSI observed a hole in the cement floor. This hole measured approximately 3 inches in diameter and approximately 2 inches deep. The CSI determined that this observation could possibly cause injury to hogs being held in this pen if their hooves should get stuck in this hole while being held prior to slaughter. NOTE: No animals were observed in this pen at the time. The CSI attached U.S. Rejected Tag # B37212930 to the gate of this holding pen, then verbally and visually informed Plant Manager Harry Nakasone of this non-compliance immediately. The CSI also informed Mr. Nakasone (verbally) that no animals shall be placed in this pen until corrective actions have been conducted by Plant Management and the U.S. Rejected Tag has been removed by an FSIS employee. No immediate action was taken by Mr. Nakasone but he verbally provided his further planned/corrective action(s) which will be to have the issue resolved in a timely manner and that no animals will be placed in this pen until repairs are complete. Regulation(s) violated are 9 CFR 313.1 which states that "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." A review of the establishment's NR history shows that no similar or linkable NR's have been issued to this establishment within the past 30 days. Regulation(s) 9 CFR 313.1(a) has not been met.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton, Inc.	KID221 405293 ON-1	05/25/2018	05/30/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV: Handling During Ante Mortem Inspection On Friday morning, 05/25/2018 at 06:40 I, (b)(6), was performing antemortem accompanied by two pens employees. As the employees emptied Pen 31 they discovered that a blonde beef heifer had reached its head through the railing next to the blue water trough and had become trapped in that position. The heifer was pulling back against the railing in attempt to release itself and resisted attempts to turn its head to an angle that would allow it to be freed. . The employees immediately notified the supervisor on duty about the entrapped animal. The heifer was stunned with a hand held bolt device at 06:46am, following the protocols of the Establishment's Human Handling Plan. I informed (b)(6) at that time that a Noncompliance Record would be issued for deficiencies that created potentially hazardous conditions for cattle housed in the pen. Retain tag B42208577 was placed on the railing adjacent to the waterer where the animal had become trapped, and the gate for pen 31 was locked in place by the establishment to block access to the area until repairs could be made. Failure to ensure that the animals cannot become trapped or injured in the holding pens represents a potential hazard to the animals and a failure to comply with § 313.1 Livestock pens, driveways and ramps. (a) Livestock pens, driveways and ramps shall be maintained in good repair.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton, Inc.	KID101 706092 7N-1	06/27/2018	06/27/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>Category 8 - Stunning Effectiveness I, (b)(6) was making routine observations for stunning on Wednesday June 27, 2018. At 9:06am I observed the employee use the pneumatic stunner on a black and white steer. The animal's head jerked downward when the pneumatic stunner sounded, and the animal then raised its head, turning it to the right so that it was looking back over its right shoulder. The animal's eyes moved in a smooth natural motion, directing its gaze from forward to behind, fixing its gaze on me briefly and then directing its eyes forward again. During this brief time the employee took up the hand-held stunner that was kept within easy reach and applied an effective follow-up stun to the animal. I stopped the line at this point and spoke to (b)(6), who was just outside the stun room. (b)(6) questioned the employee, who confirmed that the first stun was ineffective and that he immediately applied a second stun to the animal. No regulatory control tag was required.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M4465	Nicholas Meat LLC	KYM38 110525 31N-1	05/31/2018	05/31/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category VII Observation for Slips & Falls On Thursday, May 31st, 2018 at approximately 1130 hours I was conducting monitoring for Humane Handling on the catwalk in the barn and observed the following non-compliance. A group of 19 beef cattle were unloaded into pen 5 and then the gates were opened to allow them to walk to pen 4. While moving, I observed multiple cattle (at least 6 were counted but more were seen at the periphery of my vision) slip and in some instances fall (hips hitting the ground). These slips occurred throughout the alleyway ranging from the point in which the cattle turn around a corner all the way up to the entrance of the pen. The floors appeared slick which contributed to the cattle losing their footing. (b)(6) (b)(6), was present during this event and afterwards instructed barn employees to place wood shavings in the alleyway. I observed the second set of beef cattle (13 total) from the same truck be unloaded and move into pen 4. Only 1 more animal slipped in an area of the alleyway that did not have any shavings. This is a violation of 9 CFR 313.1. Elliott Keller, Plant Manager, was alerted to the situation and the non-compliance. No RCA was taken because plant employees immediately performed a corrective action. In addition, (b)(6) instructed barn employees to move high strung beef cattle into closer pens as opposed to the ones further away.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M4465	Nicholas Meat LLC	KYM20 150616 11N-1	06/11/2018	06/11/2018	04C02	Livestock Humane Handling	313.15(a)(2), 313.2	HATS Category VI Electric Prod and Alternative Object Use On Monday, June 11, 2018 at approximately 0915 hours (b)(6) was in the USDA office in the barn when she heard a cow bellowing. When she looked outside the window, she saw a beef cow's head turned and stuck between the knock box and serpentine. She observed the plant employee use the prod twice and the paddle several times on her back. She continued to listen and counted at least 15 total uses of the paddle. I was doing ante-mortem in the other side of the barn and when I went back to the office, (b)(6) told me about the situation. I proceed to check the cow, and instructed the plant employee that the use of the paddle was excessive. A few minutes passed and (b)(6) proceeded to the catwalk with (b)(6). She talked to (b)(6) about the issue as they were facing the cat walk and observed the same plant employee use the electric prod a total of at least six times to try to move a different beef cow into the stunning area. (b)(6), was immediately alerted to the situation and the non-compliance. This is a violation of 9 CFR 313.2(a), 313.2(b) and 313.15(a) (2). No regulatory control action was taken because the barn employee's actions were addressed by his supervisor.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M4465	Nicholas Meat LLC	KYM37 110854 03N-1	08/03/2018	08/03/2018	04C02	Livestock Humane Handling	313.1, 313.2	Category V – Suspect and Disabled and Category VII – Observation for Slips and Falls On August 3, 2018 at approximately 0725 hours while monitoring Humane Handling in the barn the following non-compliance was observed: Barn employees were moving cattle from pen 5 into pen 1. When the barn employee walked into pen 5 the cows moved as a group out of the pen. One cow had difficulty walking but tried to follow the other cows. The cow with difficulty walking got excited and tried to run but slipped, fell and its back legs split apart when it hit the floor. Without being prompted this cow attempted to get up approximately four times in the alleyway between pen 5 and pen 1. Every attempt resulted in the cow slipping, falling and its back legs splitting when it hit the floor. The floor hadn't been cleaned from the previous night and didn't have enough bedding to prevent the cow from slipping. The barn employee slowly walked behind the remainder of cows in pen 5 moving them into pen 1, forcing the other cows to walk past the disabled cow, still failing to segregate the disabled animal. When the other cows were moving around it the disabled cow dragged herself from the alleyway into pen 1. The other cows congregated around it in pen 1. No cow was observed stepping on the disabled animal. For approximately 5 minutes no attempt was made to segregate the disabled animal. Later a barn employee moved some of the other animals out of pen 1, but not all, forcing the animals to walk in close proximity around the disabled animal, again failing to completely segregate the disabled animal. The barn employee then attempted to get the disabled animal up approximately 4 times using a rattle paddle, by shaking it and lightly tapping the cow. This forced the disabled animal to drag itself again as it attempted to get up without success, due in part to the slippery floors from lack of cleaning and	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								<p>poor bedding. The disabled cow eventually made it out of pen 1 onto the other alleyway (in front of pen 8) without getting up. At approximately 0740 hours the barn employees properly stunned and rendered the disabled animal unconscious with a hand held captive bolt. The non-ambulatory animal was condemned as per regulations. No regulatory control action was taken. (b)(6) [REDACTED], was notified on this non-compliance. This is a non-compliance of 9 CFR 313.1(b) and 313.2(d)(1).</p>	

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M4465	Nicholas Meat LLC	KYM37 110854 03N-2	08/03/2018	08/03/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	Category VIII - Stunning Effectiveness On August 3, 2018 at approximately 1419 hours while monitoring Humane Handling in the barn the following non-compliance was observed: A slow dairy cow was going to be stunned in pen 5. The barn employees moved the cow to the corner up against the wall and the held her in place with a gate and another employee behind the cow, the animal's head was free from restraint. The company employee used a hand-held stunner and made a first stunning attempt which didn't render the animal unconscious. The cow walked out of the area where it was being held and went to the other side of the pen. I could clearly visualize the injury caused by the first stunning attempt above the right eye. While the animal was standing freely at the other side of the pen the barn employee approached the cow and made a second stunning attempt. The second stunning attempt with the hand-held captive bolt rendered the animal unconscious. A security stun was also performed. After the cow was rendered unconscious I verified again the head and two distinct captive bolt injuries could be seen, one in the middle of the forehead and another one above the right eye. Since the establishment performed immediate corrective actions no regulatory control action was taken. (b)(6), was notified of the non-compliance with 9 CFR 313.15(a)(1) and 9 CFR 313.15(b)(1)(iii).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M4763+P4 763	P&N Packing Inc.	UVF471 009170 4N-1	09/04/2018	09/04/2018	04C02	Livestock Humane Handling	313.2	On Tuesday, September 4, 2018, at approximately 0710 hrs, while performing Ante-Mortem inspection at establishment 4763M, I observed the following non-compliance: A water bucket located in pen # 5 had no water available for the calves being held there. This is a violation of regulation 313.2(e). At this time I informed (b)(6), of this noncompliance. Immediate corrective action was taken by a plant employee and the water bucket was filled.	CLOSED
M4999+P4 999	Pudliner Packing	CGN12 080746 10N-1	07/10/2018	07/10/2018	04C02	Livestock Humane Handling	313.2	At approximately 0800 hours while I was performing ante mortem inspection I observed the following deficiencies in the outside holding pen: 1.)There are holes and jagged edges where the metal has deteriorated on the swinging gate between the 2 pens. 2.)There are also holes and a jagged edge on the lowest metal tubing near the swinging gate. 3.0There is a small hole about 4 inches in diameter in the 4th metal tubing from the top near the water supply. There is a possibility that the degradation of the metal tubing could cause animals held in these pens to be injured. A check of the PIP found that these deficiencies were not documented. No tag applied. No animal injuries observed. (b)(6) was notified orally and in writing with this NR of the noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9369+P9 369	Alex Froehlich Packing Company	SOJ341 206440 6N-1	06/06/2018	06/06/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On June 6, 2018, at approximately 1112 hours while performing humane handling verification activities at Establishment 9369, I (b)(6) observed the following Noncompliance. The Establishment moved a sow into the stun box for stunning with a hand held captive bolt. The sow was standing freely in the stun box. As the Stunner made the first stunning attempt with the captive bolt, the sow's large ears and head movement prevented accurate placement. The stunning attempt hit the head as evidenced by the sow's sudden vocalization and the sow remained standing. Establishment management took immediate corrective action by re-loading the captive bolt and delivering a second stun, which made the sow insensible. Two holes were observed in the skull after the skinning process was complete. Mr. David Froehlich III, Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1)."	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9400+P9 400	Cargill Meat Solutions	WIL331 305533 ON-1	05/29/2018	05/29/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HAT Category VIII, Stunning Effectiveness On May 29, 2018 at approximately 1340 hours, while (b)(6) was verifying HAT Category VIII, Stunning Effectiveness, at establishment M9400, an establishment employee attempted to stun a beef cow in the belly-restrainer in the knock box with a hand-held captive bolt device. The stunning attempt contacted the animal, which was apparent by an abrasion on its head, but did not cause unconsciousness. The cow remained fully conscious and observant of its surroundings, moved its head away from the employee, and vocalized. A second stunning attempt was immediately placed, using a hand-held captive bolt device, and rendered the animal unconscious as evident by lack of any signs of sensibility. (b)(6), and (b)(6), was notified of the noncompliance with 9CFR313.15(a)(1).	CLOSED
M9400+P9 400	Cargill Meat Solutions	WIL090 808293 ON-1	08/29/2018	08/29/2018	04C02	Livestock Humane Handling	313.2	On August 29, 2018 at approximately 07:15 Hours while DDM Dr. Lilystrom Lynda was verifying Humane Handling at establishment number M9400, one of the establishment employee was observed moving a white cow and using whip with a plastic bag attached. The employee was waving the whip and he hit the cow on the face. The cow flinched in response. (b)(6) was notified of the noncompliance with 9CFR 313,2(B). This non compliance was determined to be not egregious.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9442+P9442	Groff Meats Inc.	UTC1511065501N-1	06/01/2018	06/01/2018	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3)	HATS Category VIII - Stunning Effectiveness On June 1, 2018, at 1028 hours while performing humane handling verification activities at Establishment M9442, I, (b)(6) observed the following Noncompliance. An approximate 500 pound sow was standing freely in the stun box. The stunner made the first stunning attempt on the head, at which time the sow squealed loudly and tossed its head causing the stun device to lose contact. The sow then stumbled with both hind legs as it turned around in the stun box then sat down. No regulatory control action was taken as I remained in the area. The sow remained sitting quietly until approximately 1039 when the second stunning attempt with a firearm made the sow insensible. Mr. Frank Groff, Plant Owner, was notified of the Noncompliance and the failure to adhere to the regulatory requirements of 9 CFR 313.30(a)(1) and 313.30(a)(3). This noncompliance record (NR) is being linked to NR UTC2114045906N-1, dated April 6, 2018. Corrective actions of retraining on stunning has either been ineffective or not properly applied.	CLOSED
M9442+P9442	Groff Meats Inc.	UTC2614062115N-1	06/15/2018	06/15/2018	04C02	Livestock Humane Handling	313.2, 313.30 (a)(2)	HAT Category VI – Electric Prod Use Today, Friday, June 15, 2018, at approximately 0915 hours while observing humane handling in the pen area (b)(6) and I observed an employee excessively use the activated electric prod to move a market hog. The employee tapped the hog with the activated prod several quick times to get the hog to turn around, at which time the hog squealed. The employee then continued to use the activated prod in a quick tapping fashion as the hog walked into the stun box. The prod was activated thirteen times. No regulatory control action was taken as Mr. Frank Groff, Plant Owner, was notified and took immediate corrective action. This is noncompliant with 9 CFR 313.2 and 313.30(a)(2).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9442+P9 442	Groff Meats Inc.	UTC521 108542 9N-1	08/29/2018	08/29/2018	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3)	HATS Category VIII - Stunning Effectiveness On August 29, 2018, at approximately 1210 hours while performing humane handling verification activities at Establishment 9442, I (b)(6) observed the following Noncompliance. A roaster hog was moved to the stun box for stunning with an electrical stun device. The hog was standing freely in the stun box. Stunning is performed as a head then heart stun. When the stunner made the first stunning attempt behind the ear, the stun device did not make proper contact with the hog as indicated by the hog squealing loudly then it ran away squealing to the other side of the stun box. No regulatory control action was taken as the stunner took immediate corrective action by re-stunning the hog on the head with the stun device, which made hog insensible. He then proceeded with the heart stun. Mr. Frank Groff, Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.30(a)(1) and 313.30(a)(3).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9482	Espey's Meat Market	YHK161 307432 5N-1	07/25/2018	07/25/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On July 25, 2017, at approximately 0850 hours while performing humane handling verification activities at Establishment M9482, I (b)(6) observed the following Noncompliance. The Establishment moved an Market Hog into the stun box for stunning with a hand held captive bolt. The Hog was standing freely in the stun box. As the Stunner made the first stunning attempt with the captive bolt, the hog moved its head. The stunning attempt hit the head as evidenced by the hog's sudden movement away from the stunner and a spot on the head where the captive bolt hit, but the hog remained standing and vocalized. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which made the hog insensible. Mr. Joe Espey , Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1)."	CLOSED
M9489	Werry's Provision	KUL200 907311 6N-1	07/16/2018	07/16/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(1) (i), 313.16(b)(2)	HAT CATERGORY Stunning Effectiveness At approximately 0845 hours while (b)(6) and myself were observing the first animal being stunned I observed the following deficiency. A plant employee calmly moved the animal into the stunning area.The plant was not able to utilize the head restraint because it was longhorn cattle. The first shot did not render the animal unconscious with the 22 caliber rifle. I observed the animal trying to right itself. The person in charge of stunning immediately retrieved a higher caliber rifle(22 Magnum)per their robust humane handling program. The subsequent shot did render the animal unconscious. During post mortem inspection I observed 2 holes in the head. This is a violation of FSIS regulations 313.16(a)(1), 313.16(b)(1), and 313.16(b)(2). Mr. Werry was notified orally and in writing with this NR of the noncompliance..	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9489	Werry's Provision	KUL471 007111 6N-1	07/16/2018	07/16/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.2(f)	HAT CATERGORY Stunning Effectiveness At approximately 1100 hours while (b)(6) and myself were observing a steer being stunned we observed the following deficiency. I observed the animal calmly being led into the stunning area. The plant was able to utilize the head restraint. The first shot with the captive bolt stun gun did not render the animal unconscious. The stun gun discharged and the captive bolt stuck in the animals head. The animal remained standing. The person in charge of stunning immediately restunned the animal with the captive bolt as per their robust humane handling program. The subsequent shot did render the animal unconscious. During post mortem inspection I observed 2 holes in the head. This is a violation of FSIS regulations 313.15(a)(1) and 313.13(2)(f). Mr. Werry was notified orally and in writing with this NR of the noncompliance. Similar noncompliance documented earlier in the day.	CLOSED
M9687+P9 687+V9687	Lee Bixler's Country Meats	WDB56 070958 28N-1	09/28/2018	09/28/2018	04C02	Livestock Humane Handling	313.2	HATS Category III – Water Availability On September 28, 2018, at approximately 0745 hours while (b)(6) was performing a 30 day verification visit for a humane handling suspension, she observed the following noncompliance. There was one small pig in a pen with a tall water bucket that was not able to be accessed by the pig due to it being unable to reach the water in the tall bucket. There was a short black bucket in the pen but it was empty. Mr. Ken Stiely, Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.2(e) which requires animals have access to water in holding pens.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9701	Holland Brothers Meats	AMO27 060811 07N-1	08/07/2018	08/07/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS CATEGORY VIII: STUNNING EFFECTIVENESS On Tuesday, August 7, 2018, at approximately 7:00 AM, while performing a livestock humane handling task and verifying for stunning effectiveness on cattle, I observed the following noncompliance. A Hereford Steer, was quietly and calmly moved to the stunning box where an establishment employee was prepared to use a hand held captive bolt to stun the animal. Just as the employee went to fire the captive bolt, the steer moved its head slightly. When the stun was made it did not render the animal unconscious. The steer remained in a standing position and alert, but did not vocalize. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which made the steer insensible. Upon observation of the head immediately after the hide was removed, it was observed that both stuns penetrated the skull. Both Brock Holland and Mike Holland, Plant Owners, were notified of the noncompliance and the establishment's failure to adhere to the regulatory requirements of 9CFR 313.15(a)(1).	CLOSED
M9704+V9 704	Springfield Meat Company	QGE081 108401 7N-1	08/17/2018	08/17/2018	04C02	Livestock Humane Handling	313.2	On August 17, 2018 approximately at 1150, while I was performing a Humane Handling task in the Livestock Holding area which is next to the Kill Floor, I observed the following noncompliance. While I was watching a Truck Driver unload 3 cows, I noticed the driver slapped a cow in the face repeatedly to get it to turn around. I immediately informed the Barn Supervisor, who corrected the truck driver right away and at that moment the truck driver began to move the cows in a humane way. After observing the next 2 cows being unload, I did not notice any further issues. I informed the Plant Manager Keith Dewitt that this was a noncompliance of 9 CFR 313.2	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9706	Baringer Bros. Meats	CTF290 906351 2N-1	06/12/2018	06/12/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>Category VIII On June 12, 2018 at approximately 0830 hours while performing humane handling verification activities, I (b)(6) was with (b)(6) when the following noncompliance occurred: This establishment uses a rifle to stun cattle. For safety reasons, (b)(6) and I were behind a wall during stunning but still listening to the stunning process. While a black angus steer was in the knock box, (b)(6) and I heard the first shot. Instead of hearing the animal fall to the ground, as is customary after shooting, I instead heard normal breathing and snorting, not consistent with an agonal breath after stunning. I then heard a second gunshot and the 'All Clear' from establishment personnel, signaling that stunning was complete. (b)(6) and I stepped out from behind the wall and confirmed that the animal was insensible. Examination of the skull revealed two full-thickness defects in the forehead of the animal. This observation, combined with what we heard after the first shot, confirmed that the first stunning attempt did not effect immediate unconsciousness. Mr. Jon Baringer, Plant Owner, was notified of the noncompliance and the establishment's failure to adhere to the regulatory requirements of 9 CFR 313.16(a)(1). Similar non-compliances occurred on 2/6/18 (CTF0309024706N) and 6/13/17 (CTF1307061514N).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9784+P9 784+V9784	Leona Meat Plant Inc	OMK51 120850 30N-1	08/28/2018	08/30/2018	04C02	Livestock Humane Handling		HATS Category VII Slips and Falls On August 28, 2018, at approximately 1030 hours while (b)(6) and DDM Dr. Lynda Lilyestrom were observing the moving of a young beef by the Plant employee into the stun box for stunning, they observed the beef slip and fall as it turned the corner from the pen alley way into the entry to the stun box. The beef slipped and fell onto its abdomen on the stun box entry floor. The floor was concrete without any bedding on top, which might help with slipping. No RCA was taken. The establishment placed wood chips for traction on the floor. Mr. Eric Faust, Slaughter Floor Manager had been moving the beef and was informed that this is non-compliant with the regulatory requirements of 9 CFR 313.1(b).	CLOSED
M20760	USA Pork Packers Inc	YKM52 100649 19N-1	06/19/2018	06/19/2018	04C02	Livestock Humane Handling	313.30(a)(4), 313.30(b)(3)	Category VI - Electric Prod/Alternative Object Use 6/19/2018 1130 hours. On Tuesday June 19, 2018 approximately at 1130 hours when I was at the slaughter floor watching the stunning procedure I saw the following noncompliance: I saw the stunning employee stunning a market hog approximately 260 Lb. (Head-Heart electric stunning) and after he applied the electric current on the hog I noticed that the hog was not rendered unconscious by vocalizing loudly. After the hog was immediately moved to the shackling table I noticed that he was vocalizing loudly, the hog was not rendered unconscious after applying the first stun. I saw the stunning employee performing an immediate corrective action by applying a second stun while the hog was on the shackling table which was effective and rendered the hog unconscious. I informed Junior Colon, plant supervisor and Wayne Kreisl Jr, plant manager with the noncompliance. The plant was not compliant with 9 CFR 313.30 (a)(4) and 9 CFR 313.30 (b)(3).	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M562	JBS Green Bay, Inc.	QSM38 090717 20N-1	07/18/2018	07/18/2018	04C02	Livestock Humane Handling	313.2	<p>At approximately 9:45am on 07-18-18, while performing HATS task VIII Stunning Effectiveness, (b)(6) observed the following noncompliance associated with HATS category VI. (b)(6) observed a stubborn dairy cow refusing to go into the restrainer. The establishment associate located at the top of the lead-up attempted to get the dairy cow to go into the restrainer by forcefully using the vibrating rod on the cows back and rump. Unsuccessful, the associate began using the "hot shot" on the dairy cow, shocking the animal 2 times continuously for approximately 15 feet. Still unsuccessful at getting the dairy cow into the restrainer, the area Supervisor used the "hot shot" 3 more times, shocking the animal continuously for approximately 15 feet. On the last use of the "hot shot", the dairy cow moved into the restrainer and was rendered unconscious. (b)(6) remained in the lead-up area to observe the cattle being moved into the restrainer to find that the associate at the top of the lead-up continued to forcefully use the vibrating rod on the backs and rumps of the cattle causing some to jump or kick. When the last dairy cow in the lot arrived at the top of the lead-up, the associate forcefully pushed the vibrating rod across the top right side of the back/rump area causing the animals hair to be removed. (b)(6) was unable to verify at this point if the forceful use of the vibrating rod on this animal had caused anything more than hair removal. As (b)(6) was leaving the area to get a better view of the carcass, (b)(6) had arrived at the knocking area. All of the observations and/or concerns were discussed with (b)(6), whom stated that she would review the cameras. (b)(6) proceeded to the trailing end of the electric carcass stimulator in the blood pit to observe the</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								<p>back/rump area of the animal for any markings and/or injury. An approximate 4 inch bloody scratch was observed where the vibrating rod had been forcefully pushed across the back/rump area of the animal. (b)(6) took an immediate regulatory control action by stopping the production line and informed area (b)(6) and (b)(6) of the observations. After verbal corrective actions were received, regulatory control was relinquished and (b)(6) kept the production line off, photographed the mark on the animal and called all of the Harvest department management personnel to the area.</p>	

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M952	BEF Foods, Inc.	YUC121 307471 2N-1	07/11/2018	07/12/2018	04C02	Livestock Humane Handling	313.2	<p>On July 11th around 6 am while performing part of my Humane Handling task, I noticed that there were 2 lots of sows from Duplin Rosehill and Goods that arrived on the official premises July 10th that were still in the barn. There were also 3 sows that were held due to vesicular lesions that arrived July 9th. At that point I asked (b)(6) the team leader if he fed the sows that were from the Goods, Duplin Rosehill and the sows with Vesicular lesions from Zantingh and Florence producers. He said that he had not yet but he was going to soon. I went upstairs to find the paperwork for the time that the sows arrived on the premises. The paper work stated 5:40 am July 10, 2018 for the Goods load; 5:30 am July 10, 2018 for the Duplin RoseHill load; 9:50pm, July 9 2018 for the vesicular sow from Florence; 12:12 July 9 2018 for the vesicular sows from Zantingh. The record shows that these sows were not fed until 6 am July 11. I informed James that the establishment would receive an NR for not being in compliance because those sows previously mentioned above were on the premises longer that 24 hours with out access to feed. He said that the sows would be fed. I checked about an hour later and I saw evidence of feed.</p> <p>The establishment is in violation of regulation CFR 313.2(e). The regulation states that Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M952	BEF Foods, Inc.	YUC340 908101 7N-1	08/14/2018	08/17/2018	04C02	Livestock Humane Handling	313.1	<p>On 8/14/18 at approximately 5:35am I, (b)(6) was in the process of performing part of the Livestock Humane Handling task. While watching a sow walk onto the restrainer to be electrically stunned, I observed that the bottle sharp edges and corners of the metal drop gait that closes behind the sow were completely exposed. The rubber that normally covers that part of the gait was absent. The bottle of the metal drop gait has multiple sharp corners exposed to the sows as the gait closes behind them that routinely comes in contact with their back or hind parts. I immediately took regulatory control action by informing the plant employee operating the gait that I would be placing US rejected tag No.B41819857 restricting it from use until the sharp corners and edges were covered. The rubber was replaced and I removed the tag at approximately 5:52am. Approximately an hour later I informed (b)(6) that there would be a Noncompliance record issued for the particular incident. The establishment is in violation of 31.1(d) Livestock pens and driveways shall be so arranged that sharp corners and direction reversal of driven animals are minimized.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M1816+V1 816	West Michigan Beef Co. LLC	TMB40 140641 25N-1	06/25/2018	06/25/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category VI At approximately 1330 hours while coming through the barn into the alley after tagging some deadstock, the (b)(6) observed the following non-compliance. A Holstein cow was down in the alley just outside the personnel door to the slaughter floor with several cattle in a separate gated section of the alley between the PHV and the down animal. The (b)(6) opened up the livestock side entrance door to the knocking area of the slaughter floor and came outside to handle the Holstein animal with a short prod in his hand. All prods observed to be utilized at the establishment are of the handheld battery operated variety. Using vocalizations the animal was unable to be coaxed to rise. (b)(6) added use of the short prod to his handling regimen making contact with the animal several times along the torso and up near but appearing to be behind the face of the animal. No vocalizations of the cow or audible zaps of the prod were discernible at this time, but the animal did appear to react to the prod being used. With the animal still remaining in the down position (b)(6) walked up the alley into the enclosed area where the chute system begins and retrieved a different longer prod. He then began to use the second prod in the same fashion as the first prod to the extent that the animal (b)(6) zaps of the prod were also heard by the PHV during this handling attempt (b)(6) then stopped prodding the animal and briefly went inside onto the slaughter floor. As he was coming back outside, (b)(6) was heard communicating to another employee that the cow wasn't going to get up. Upon coming out to the down cow, (b)(6) opened a gate going down the hill of the alley and began shifting the position of the animal in what looked to be to make space for the several</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								cattle further down the alley to be able to walk past the down cow. However, during this handling of the down cow, (b)(6) again utilized the long prod with audible zaps to the extent that the animal again vocalized. At this point, the PHV spoke up requesting to halt the prod use on the animal. (b)(6) made his way to the slaughter floor and spoke to the (b)(6) where he provided him a summary of what was observed and that a noncompliance report would be issued. The requirements of 9CFR313.2(b) were not met.	
M1816+V1 816	West Michigan Beef Co. LLC	TMB15 050713 26N-1	07/25/2018	07/26/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII On July 25, 2018, at 0925 hours, while conducting ante-mortem inspection, an ineffective stun was observed on a cow that had become non-ambulatory inside the chute leading up to the knock box. She was down on all four legs, with one back leg wedged in-between the metal guard rail. One attempt with the electric prod was made, and the cow gave no indication that she would rise from her position. The employee entered the chute and administered a knock with a hand-held captive bolt. The cows' head remained upright, blood was coming out of her nostril and she had normal eye responses (blinking and eye movement), and consciously moved her head. The employee took immediate corrective action and stunned the animal again, which rendered her unconscious. Ron Vanderboom Jr., Plant Operations, was notified of the non-compliance and that the requirements of 9CFR 313.15(a)(1) were not met. This non-compliance is linked to NR # TMB2312041330N for an ineffective stun dated April 30, 2018.	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M1962+P1 962	Perry Way Foods, LLC	LIN351 608042 7N-1	08/27/2018	08/27/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness. At 0930 hours on 08/27/2018 (b)(6) and myself observed the following Humane Handling noncompliance. Two plant employees were going to stun a down sow that had been passed for slaughter as a U.S. Suspect. One employee restrained the sow with a hog snare and the second employee fired the captive bolt gun. The shot sounded slightly muffled and the bolt struck the sow between the eyes but did not penetrate. The sow was conscious and squealed and had powder burns on the forehead. It strained against the snare trying to right itself and had normal, tracking, rapid eye movement. The gun was reloaded, a second shot fired, and the sow was rendered unconscious. I notified (b)(6) of the noncompliance. I took a verbal control action and stopped the slaughter process at the electrical stunning station. After corrective actions and preventative measusres were received from (b)(6), I removed my verbal control action and slaughter operations were resumed. I informed (b)(6) that a noncompliance record (NR) would be forthcoming.	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M2574	Wolverine Packing Co.	RPA141 008210 3N-1	08/03/2018	08/03/2018	04C02	Livestock Humane Handling	313.2	<p>Category III – Water and Feed Availability Category IV – Handling During Ante-Mortem Inspection At approximately 5:20am on August 3, 2018, I (b)(6) entered the barn to perform ante-mortem inspection. The barn employee was still in the process of moving lambs into pens. There were no animals in the actual down-ramp section of the unloading area, but there were many animals in the long walk-way section of the barn (along the entrance to pens 8-13) waiting to be put into pens. The barn employee finished moving the animals and closed the gate to this area. This area was very crowded, with many animals unable to place all four feet on the ground due to lack of space. The animals were also panting heavily. The barn employee then asked for ante-mortem inspection on all of the front pens. After I saw the crowded condition in that long walk-way section (temporary pen), I stated that I would only perform ante-mortem inspection on pen #1 (in order to get the plant started for slaughter), but immediately after that, the animals needed to be re-located because they were packed particularly tight. About 15 minutes later (after a few minutes of ante-mortem inspection on pen #1 lambs and after the barn employee was almost finished moving all of the tightly packed animals out of that long walk-way section), I noticed him dragging an animal from that temporary pen area in the opposite way of the pens. I immediately looked at the animal more closely and determined that he was dragging a dead lamb (which had no visible injuries). I then asked the barn employee if all the animals had walked off the truck normally, and he said yes. All of the animals were in pens at that point. Two pens were very tight with animals (but not as tight as to the animals being literally on top of each other), so that it would be very difficult for animals in certain locations of the pens to</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								maneuver themselves to gain access to water. The above is a violation of 9 CFR 313.2(a) which states: 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 animal. Also, in violation of 313.2(e) which states: Animals shall have access to water in all holding pens. The above events were immediately discussed with (b)(6). He was told that a noncompliance report would be issued. There have been no similar noncompliances in the past 90 days.	
M10147+P 10147+V10 147	Countryside Quality Meats, L.L.C.	PVG171 406002 5N-1	06/25/2018	06/25/2018	04C02	Livestock Humane Handling	313.2	HATS CATEGORY III—WATER AND FEED AVAILABILITY At approximately 1500 hour on 06/25/2018, while verifying livestock access to water, I found “Humane Slaughter of Livestock” noncompliance. I observed 3 sheep held in a pen did not have access to drinking water. There was no potential source of drinking water in the pen as there was no pan or tray for water to be placed in. This finding illustrates noncompliance with 9 CFR 313.2 (e), due to an animal in a holding pen did not have access to water. I notified (b)(6) of the above described finding as soon as I discovered it. In addition, I immediately notified (b)(6) that the above findings would be documented on a noncompliance record. To address this finding, establishment personnel immediately placed a water pan in the pen and filled it with water. I verified access to water at 1520 hour. This document serves as notification that continued failure to meet regulatory requirements could lead to further regulatory or administrative action.	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M10147+P 10147+V10 147	Countryside Quality Meats, L.L.C.	PVG151 407033 1N-1	07/31/2018	07/31/2018	04C02	Livestock Humane Handling	313.2	HATS CATEGORY III—WATER AND FEED AVAILABILITY At approximately 1355 hour on 07/31/2018, while verifying livestock access to water, I found “Humane Slaughter of Livestock” noncompliance. I observed that a hog held in a pen 1 did not have access to drinking water. The water trough in pen 1 was completely dry at the time of my observation and there was no other source of drinking water in the pen. This finding illustrates noncompliance with 9 CFR 313.2 (e), because an animal in a holding pen did not have access to water. I notified (b)(6) of the above described finding as soon as I discovered it. In addition, I immediately notified (b)(6) that the above findings would be documented on a noncompliance record. To address this finding, establishment personnel immediately filled the water trough in pen 1 with drinking water. In plant inspection personnel documented a similar noncompliance finding, on noncompliance record PVG1714060025N/1, dated 6/25/2018. To address this noncompliance finding establishment management instructed all employees that all livestock must have access to water. However, this action has not prevented further findings of humane handling noncompliance. This document serves as notification that continued failure to meet regulatory requirements could lead to further regulatory or administrative action.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M10147+P 10147+V10 147	Countryside Quality Meats, L.L.C.	PVG211 008002 1N-1	08/21/2018	08/21/2018	04C02	Livestock Humane Handling	313.2	<p>HAT Category III- Water and Feed Availability At 0702 (b)(6) went to the livestock areas to observe the animals being held for today's slaughter. Just prior to performing Ante- Mortem inspection along with Humane Handling activities, I observed that there four swine in pen number 2 with no visible water available. In the process of further inspection it appeared that the water in the metal tank had been blocked from flowing into the basin by bedding from the pens. I informed (b)(6) and (b)(6) of the failure to have water accessible to the swine being held in pen number 2. At 0710 I observed (b)(6) remove the blockage along with the float valve that was determined to be causing the water not to fill into the basin. After the corrective actions were verified, and water was observed to be available, I explained to the establishment manager that I would be documenting noncompliance under Humane handling Category III which is verifying the requirement that water be available to animals at all times. Under this category, I verified that the establishment is in noncompliance with 9 CFR 313.2(e). A similar *noncompliance report was documented, on 07-31-2018 on *NR PVG1514070331N/1. This noncompliance report identifies the same basic root cause, and was responded to 07-31-18 by stating; Explained to new employee All animals need to have access to water. He filled it. Also informed a few employees to monitor the water levels better. The implementation of this training/monitoring may have proven ineffective for the current circumstances. This document serves as written notification that your failure to comply with the regulatory requirements could result in additional regulatory or administrative action.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M10252	Berry & Sons Rababeh Isl Slau	ZEN521 207461 7N-1	07/17/2018	07/17/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category IV - Handling during Ante-Mortem Inspection At approximately 9:05am on 7/17/18, (b)(6) was on the kill floor at a Halal lamb slaughter establishment when the following occurrence took place. The barn at this location is approximately 10 feet above the kill floor. A lamb was shackled on the rear foot and the ring at the end of the chain was placed on the hook and rail. The lamb was then moved off the platform, where it was hanging prior to the ritual cut being made. (b)(6) observed that the lamb fell and landed on its feet on the kill floor. The shackle and chain was still attached to the lamb's foot. The lamb was herded by a plant employee back into the barn. (b)(6) observed no injuries and watched the lamb walk normally back into the pens. He immediately halted any further slaughter by rejecting the shackling area with US Rejected Tag # B41853013. He also notified his (b)(6), who was present in the establishment. After a discussion took place with Mr. Yasseen Rababeh (Owner) at 9:20am, the US Rejected tag was removed. The above occurrence is noncompliant with 9 CFR 313.2(a) which states: 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 animal. Mr. Yasseen Rababeh was notified that a noncompliance report would be issued. There have been no similar noncompliances in the past 90 days.</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M21108	Gary's Meat	BND26 090532 22N-1	05/21/2018	05/22/2018	04C02	Livestock Humane Handling	313.30(a)(3)	<p>On May 21, 2018 at approximately 0800 hours while performing a Humane Handling Review at Gary's Meats Est. (M21108) which does not utilize a Robust Humane Handling System with (b)(6) (b)(6) and (b)(6) (b)(6) along with (b)(6) and (b)(6) observed the following. While attempting to stun the fifth sow, I observed (b)(6) (b)(6), Stunner applied the stunning wand to the head of the sow incorrectly with only one electrode making contact to the head of the sow. The sow dropped to the floor and vocalized once producing an ineffective stun. (b)(6) within one second immediately stunned the sow again with the electrical stunning wand rendering the sow insensible to pain. (b)(6) then verified by direct observation the second stun attempt successfully rendered the sow insensible to pain. (b)(6) stopped stunning procedures and took over stunning responsibilities until he could retrain (b)(6) (b)(6). The miss stun is a Noncompliance with 9 CFR 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." Plant Manager Mike Smith was notified of the situation and that a Noncompliance Record would be issued. After reviewing Noncompliance History there are no same cause Noncompliance Records to associate at this time.</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M21352+V 21352	H & P Meats	XIG340 906220 4N-1	06/04/2018	06/04/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	<p>VIII. Stunning Effectiveness (9 CFR 313.16) At approximately 0904 hrs this date, (b)(6) observed the following non-compliance. (b)(6) attempted to stun a large sow using a 22 magnum long rifle with CCI 22 magnum ammunition. The initial stun failed resulting in the sow showing signs of consciousness by continuing to stand as well as vocalizing. (b)(6) immediately applied a second application of the stun which resulted in effectively rendering the hog unconscious. At this time a regulatory control action was initiated by rejecting the knocking box with US Reject/Retain tag B36837505 and the district office was notified of the circumstance. Through a review of the establishments MOI file I (b)(6) confirmed that (b)(6) had determined on 5/26/18 that this establishment did meet the criteria for having a Robust Systematic Approach to Humane Handling and Slaughter. This information was relayed to the District office which instructed IPP that because of the establishments successful immediate corrective action, its recent history of successful stunning and its maintenance and implementation of a Robust Systematic Approach to Humane Handling and Slaughter the failed stun should be documented on an NR. At this point the regulatory control action was discontinued by removal of the aforementioned reject/retain tag and the establishment was allowed to proceed. There was approximately 10 minutes down time due to this action. Both (b)(6) and (b)(6) were notified of the non-compliance, the plants failure to meet regulatory requirements and the actions to be taken by FSIS which was to document the non-compliance here-in.</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M21352+V 21352	H & P Meats	XIG160 907323 1N-1	07/31/2018	07/31/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	VIII. Stunning Effectiveness (9 CFR 313.16) At approximately 0729 on 7-31-18 I observed the following non-compliance. (b)(6) attempted to stun a 800 lb. beef using a .22 mag rifle using CCI .22 mag ammunition. The initial stun failed resulting in the beef showing signs of consciousness by continuing to stand as well as tracking eye movement. (b)(6) immediately applied a second application of the stun which resulted in effectively rendering the beef unconscious and insensible to pain. The beef remained unconscious through the process of sticking, hoisting, and bleeding. Through review of the establishments MOI file it was determined that the plant operates under a Robust Systemic Approach to Humane Handling plan. Through discussion with (b)(6) it was determined that the plant applied immediate and effective corrective actions in response to the failed first attempt stun and is operating and maintaining a Robust Systemic Approach to Humane Handling. Therefore the failed fist attempt stun will be documented as a non-compliance record. Establishment owner Pete Westmoreland was notified of the non-compliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M20608+P 20608	The Pork Company	KVC491 309202 7N-1	09/27/2018	09/27/2018	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 10:45am while performing ante-mortem inspection, the following noncompliance was observed: I was standing at the holding pen in the barn waiting to finish ante-mortem inspection. The holding pen was full of hogs that needed to be moved to a pen at the back of the barn. Once they were moved I was going to finish performing ante-mortem inspection. However, when the barn employee opened the gate to move the pigs there was one down laying on its side. The employee made a few attempts to get the pig to stand up using a paddle but was unsuccessful. Another employee then came into the barn and saw that the animal was unable to rise. He said to go ahead and put the animal down. The employee who had attempted to get the animal up got a captive bolt gun and stunned the animal, but the stun was ineffective. The pig immediately sat up but did not vocalize. There was a mark on the pig's head where the bolt gun had been applied and the pig's nose started to bleed. While I was looking at the pig I saw the barn employee doing something to the bolt gun through my peripheral vision. He then attempted to stun the pig a second time and the pig was rendered unconscious. The barn employee who said to put the pig down stood next to me and saw the incident happen. I told him that I would be documenting a NR because it took a second attempt to render the pig unconscious. I then went inside the plant and notified (b)(6), and (b)(6) of what had just occurred and that the plant would be receiving a NR. The plant's failure to ensure that pigs are rendered unconscious from the first stun has led to noncompliance with 9 CFR 313.15(a)(1).	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M20855	Chenoa Locker, Inc.	SSH400 906051 5N-1	06/13/2018	06/13/2018	04C02	Livestock Humane Handling	313.1, 313.2	1. Five hogs in one of the establishment pens didn't have access to water. Establishment employee move them immediately to different pen with access to water. .2. A trailer backed up to the loading shoot to unload 1 porcine for slaughter. It was observed that the owner of the animal slid the trailer gate open and entered the trailer. The trailer floor is approximately 18-24 inches off the ground. At this time the animal stopped at the back of the trailer. The owner proceeded to pushed the animal off the trailer with his foot into the loading shoot. When the animal fell off the trailer it hit it's lower jaw, chest and jowl area on the ground. The animal immediately got up and walked into the holding pen showing no signs of serious injury. This incident took place fast enough that plant and inspection personnel didn't have time to stop the owner from pushing the animal.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M20855	Chenoa Locker, Inc.	SSH421 106101 3N-1	06/13/2018	06/13/2018	04C02	Livestock Humane Handling	313.1, 313.2	At approximately 10:30 a.m. a Humane handling inspection was conducted and two discrepancies were identified. The two Humane Handling Hats Categories that are not in compliance is Category II (Truck Unloading) and Category III (Water and Feed availability). 1. There were 5 porcine in a holding pen and did not have access to any water. This is not in compliance with regulation 9CFR 313.2. Upon notification of the noncompliance plant personnel immediately moved the animals into a pen that had water available. 2. A trailer backed up to the loading shoot to unload 1 porcine for slaughter. It was observed that the owner of the animal slid the trailer gate open and entered the trailer. The trailer floor is approximately 18-24 inches off the ground. At this time the animal stopped at the back of the trailer. The owner proceeded to pushed the animal off the trailer with his foot into the loading chute. When the animal fell off the trailer it hit it's lower jaw, chest and jowl area on the ground. The animal immediately got up and walked into the holding pen showing no signs of serious injury. This incident took place fast enough that plant and inspection personnel didn't have time to stop the owner from pushing the animal. This is not in compliance with regulation 9CFR 313.1. Plant management was immediately notified of the findings and that an NR would be issued.	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M21572+P 21572+V21 572	Robert Winner Sons, Inc.	ELD310 806310 1N-1	06/01/2018	06/01/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Humane Handling HATS activity Category 8, Stunning Effectiveness. At approximately 0900 hours, during the humane handling verification observation, (b)(6) observed the following noncompliance. She observed (b)(6) attempted to stun a Bull in the forehead via captive bolt. The first attempt, (b)(6) captive bolted the bull's head and the captive bolt went into the bull's head but did not render the bull unconscious and bull remained standing with no vocalization, (b)(6) immediately grabbed the second loaded captive bolt gun that was right beside him and proceeded to render the bull unconscious with the second attempt with a forehead shot. Due to the immediate preventive measure, the knock box was not rejected. (b)(6) was verbally informed of the noncompliance by (b)(6) This represents a noncompliance with 9 CFR 313.15(a) (1) the animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort.	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M21530	Cabrito Market, Inc.	EOK021 606592 7N-1	06/27/2018	06/27/2018	04C02	Livestock Humane Handling	313.15(a)(2), 313.2	On Wednesday 27, 2018 at approximately 1018 hours, while performing Humane handling inspection (b)(6) and (b)(6) observed the following non-compliance: During the observation of ante-mortem (b)(6) and (b)(6) observed an employee driving the animals up the ramp into the slaughter entry door; we noticed that the employee was handling the animals in a unhuman manner by making loud noises, grabbing goats, (3 goats), from the head and horns in an attempt to make the "horned goats" walk through an overhead gate leading to the stunning area. Compared to the size of the horned goats driven and slaughtered at the time of this incident, the overhead gate opening was not raised high enough to allow the "horned goats" an easy walk through the gate. We notified (b)(6) of the noncompliance failed to meet the regulatory requirement of 9 CFR 313.2(a) & 9 CFR 313.30(a)(2) was not meet. As an immediate corrective actions (b)(6) stopped the employee and addressed this issue with the rest of the employees who normally handle and drive the animals. This document serves as a written notification to (b)(6) as notified of this noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M21595+P 21595	Mayar's Halal Meat Processing	KPD221 207241 3N-1	07/11/2018	07/13/2018	04C02	Livestock Humane Handling	313.2	On 07/10/2018, while performing Humane Handling Verification Task at the Sheep/Lamb/Goat knock Box holding pen, during the lunch break I (b)(6) observed 21 lambs confined with no access to water. (b)(6) was notified of the noncompliance and of the forthcoming noncompliance record at approximately 1322 hours. (b)(6) was reminded that according to the regulation, animals shall have access to water in all holding pens. (b)(6) immediately released the 21 lambs into a pen with access to water. Animals confined to a pen without access to water is a noncompliance with the regulatory requirements of 9 CFR 313.2(e).	CLOSED
M7041+V7 041	Beltex Corporation	CID180 708362 7N-1	08/24/2018	08/27/2018	04C02	Livestock Humane Handling	313.2	HATS category IV: Ante-mortem excitement and discomfort; 313.2 (a). On 08-24-2018 at approximately 1:35 pm (b)(6) reported to me that she observed a loose feral swine in the plant alley. She reported that the feral swine ran considerably while in the process of corralling and a plant employee caught the animal by the hind legs in retrieving it from a narrow cluttered area in the ware house. The feral swine sustained excitement and discomfort in the process of corralling it back to the pens. This is a vilolation of the cited regulation. I discussed this matter with plant manager Ms. Lisa Hernandez and informed her that a noncompliance record would be issued.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M21780+P 21780+V21 780	Burt's Meat & Poultry	QTD471 006001 2N-1	06/12/2018	06/12/2018	04C02	Livestock Humane Handling	313.2	At approximately 0930 while performing a Livestock Humane Handling Verification task for truck unloading, I observed Mr. Kermit Burt, Plant manager, unload cattle, hogs and sheep into the ante mortem holding pens. One of the two beef was moved into the knock box with its neck in the neck catch; the normal restraints immediately prior to rendering the animal unconscious. At approximately 1000 I returned to the slaughter area as slaughter operations had not begun and I observed the same bovine restrained in the knock box neck catch and water was not provided as required by 9CFR313.2(e). I informed Mr. Burt of the noncompliance and that I would be documenting this in a noncompliance record. The establishment took immediate corrective actions.	CLOSED
M22029	Taylor's Meat Processing	EKE550 707192 6N-1	07/25/2018	07/26/2018	04C02	Livestock Humane Handling	313.16(a)(1)	On Wednesday, July 25, 2018, I (b)(6), at approximately 0920 hours while performing HATS category VIII verification, observed the following non-compliance at Taylor's Meat Processing. The initial stunning gunshot that was administered to the last boar for slaughter did not render the boar unconscious. The boar remained standing and briefly vocalized. The employee responsible for stunning, Brandon, had multiple rounds loaded in the gun so he was able to take immediate action and the boar was rendered unconscious with a second shot. Carolyn Taylor was notified of this non-compliance. This is in non-compliance with 9 CFR 313.16(a)(1).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M21799	Olson Meat Plant	ACL090 906280 5N-1	06/04/2018	06/05/2018	04C02	Livestock Humane Handling	313.2	<p>On 06/04/18 at approximately 1608 hours, while observing stocking densities in the pens, I observed Pen #6, overcrowded with market hogs being held overnight to be killed on 06/05/18. I requested the opinion of (b)(6), IIC, regarding the stocking densities of Pen #6. (b)(6) agreed the pen was overcrowded. (b)(6) estimated approximately 110-115 market hogs were located in Pen #6. Approximately 1/4 - 1/3 of the hogs did not have sufficient room to lie down. I took regulatory control action (RCA) and tagged Pen #6 with U.S. Rejected #B42074664. I notified (b)(6) of the noncompliance at approximately 1610 hours. (b)(6) and (b)(6) relocated approximately 30 market hogs from Pen #6 to an empty pen. The RCA was relinquished at approximately 1615 hours. The finding of this observation was regulatory noncompliance with 9 CFR 313.2(e). Failure to comply with regulatory requirement(s) may result in additional regulatory or administrative actions as described in 9 CFR 500.4.</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M21799	Olson Meat Plant	ACL421 608160 2N-1	08/02/2018	08/02/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>On 8/2/18 at approximately 1330 hours while observing the humane handling of hogs in the holding pens, I observed the following humane handling noncompliance. I observed an establishment employee move approximately 80 hogs from holding pen #2 into the staging area and into the stunning carbon dioxide chamber. The employee was observed to be using the electric prod initially before switching to rattle paddles and hog boards to drive the animals in a slightly faster than normal walk out of the pen and into the alleyway. Pen#2 and the alleyway concrete flooring was covered in a mixture of water, feces, urine and wet dirt of varying thicknesses ranging from approximately 1/16th inch to 1/2 inch. During my observations, I witnessed approximately 20 hogs slip and of the 20 that slipped, approximately 8 fell. I mentioned to the employee my concerns about the conditions of the floors in the holding pen and in the alleyways as well as the speed in which he was driving the animals. One of the (b)(6) [REDACTED] was in the near vicinity and was told of the humane handling deficiency as well as the forthcoming issuance of a non-compliance with 9CFR 313.1(b) and 313.2(a). (b)(6) informed me that he would speak with the establishment employee about slowing down and that they would try to stay more on top of keeping the pens and alleyways clean to assist with better footing for the hogs.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M21799	Olson Meat Plant	ACL3516095106N-1	09/06/2018	09/06/2018	04C02	Livestock Humane Handling	313.2	On 9/6/18 at approximately 1250 hours while examining a suspect market hog during ante mortem I observed that the USDA suspect pen did not have accessible water for the non-ambulatory suspect hog. I also observed that the "USDA Suspect" sign was on the ground, covered in dirt and feces with faded, illegible lettering; thus was no longer clearly marked. I took a regulatory control action and placed a USDA Rejected tag #B42074686 to the suspect ante mortem pen and immediately informed (b)(6) and (b)(6) of the deficiency and forthcoming issuance of noncompliance with 9CFR 313.2 (e) and 307.2(a). (b)(6) filled the accessible bowl of water as well as cleaned and reprinted the lettering "SUSPECT" on the sign on the USDA suspect ante mortem pen. The RCA was relinquished at approximately 1420 hours.	CLOSED
M21799	Olson Meat Plant	ACL3614094807N-1	09/07/2018	09/07/2018	04C02	Livestock Humane Handling	313.1	On 9/7/18 at approximately 0845 hours while performing ante-mortem inspection I, (b)(6) and (b)(6) observed (b)(6) move approximately 85 market hogs around in pen #4. (b)(6) moved the animals at a normal walking speed but (b)(6) and (b)(6) observed at least 10 hogs slip and 3 hogs slip and fall down. (b)(6) was informed of the deficiency and forthcoming issuance of a non compliance with 9CFR 313.1(b). This noncompliance record is being associated with NR#ACL4216081602N-1 dated 8/2/18 for a similar root cause. Continued noncompliance could result in further administrative or enforcement action.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M22095+P 22095+V22 095	Creston Valley Meats	QOI581 006212 2N-1	06/20/2018	06/20/2018	04C02	Livestock Humane Handling	313.2	At 7:15 am while unloading a trailer of pigs (b)(6) pushed a sitting, conscious pig across the floor of the trailer and over the edge onto the floor of the pens. The pig had been standing, but sat down, and the employee immediately pushed it. While it was being pushed the pig attempted to stand. It was pushed over the edge of a trailer that was approximately 18 inches of the ground. It landed partially sitting on its left hind side, but had its other 3 legs underneath it. Pushing conscious animals is prohibited and noncompliant with 9CFR 313.2(d)(2).	CLOSED
M22095+P 22095+V22 095	Creston Valley Meats	QOI561 006002 6N-1	06/25/2018	06/25/2018	04C02	Livestock Humane Handling	313.1	HATS II: Truck Unloading. At 12:30 today I observed (b)(6) unload two steers from a trailer. The trailer was approximately two feet off the ground, and was not equipped with a ramp. As the first steer attempted to jump out of the trailer, it slipped in manure, fell out of the trailer and landed hard on its knees. It got up and walked away with no signs of lameness. The second steer exited without falling. This is noncompliant to 9 CFR 313.1(b). There was no manager on the premises. After a previous noncompliance for truck unloading for a market hog was issued on 6/20/18, the establishment stated that their corrective actions would include using a ramp and having a manager help or oversee trailer unloading. This noncompliance is being linked to the NR issued on June 20, 2018. Additional enforcement action may be initiated if your proffered corrective actions are not followed adequately to prevent inhumane noncompliances to 9 CFR 313 regulations.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M22095+P 22095+V22 095	Creston Valley Meats	QOI511 107581 3N-1	07/12/2018	07/12/2018	04C02	Livestock Humane Handling	313.1, 313.2	At 7:15am while performing a HATS Task Category II Trailer Unloading, I observed the establishment unloading a trailer with 12 sheep, one of which was lying down in the middle of the trailer. Plant manager, Ryan Beyler, drove sheep from the back of the trailer, which resulted in 3 of the sheep stepping directly on the sheep that was lying down. The establishment moved the animal once USDA noted the noncompliance of 9 CFR 313.2(a). He then continued unloading the trailer and pushed sheep to get them to move, and in two instances this caused them to slip and fall to the floor of the trailer. Once a trailer enters the premises it becomes part of the establishment, and it is the establishment's responsibility to ensure that the animals inside are unloaded humanely, without slipping and falling, and with a minimum of excitement and discomfort as outlined in FSIS Directive 6900.2 Rev 2 Humane Handling and Slaughtering of Livestock. The regulations regarding humane slaughter of livestock can be found in 9 CFR Part 313. The observed situation is noncompliant with 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." And 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." I notified Ryan Beyler of the forthcoming noncompliance. In the past month, there have been two other noncompliances related to trailer unloading at Creston Valley Meats, including several instances where animals slipped and/or	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								<p>fell while exiting the trailer. On 06/20/2018 (NR QOI5810062122N/1) an employee pushed a sitting, conscious pig out of a trailer, where it fell to the pen floor. The establishment's corrective actions were to instruct employees not to push animals, have a manager supervise unloading and to procure a ramp to use on trailers. On 06/25/2018 (NR QOI5610060026N/1) a steer slipped while exiting a trailer, and fell onto the pen floor. The establishment's corrective action was again to procure a ramp. Also on 06/26/2018 MOI QOI4715063227I was written for a trailer unloading incident where several cattle slipped and fell while inside a trailer. As of this incident the establishment has still not provided a ramp for unloading. This noncompliance is being linked to the above mentioned NRs on 06/20/2018 and 06/25/2018. Repetitive failure to prevent these non-egregious occurrences may lead to further enforcement actions.</p>	

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M22095+P 22095+V22 095	Creston Valley Meats	QOI382 108270 6N-1	08/06/2018	08/06/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	<p>On 8/6/2018 at approximately 15:55 hours while performing a routine Livestock Humane handling task and the Humane-Handling Activities Tracking Systems (HATS) category VIII- Stunning Effectiveness. I observed a non-compliance with the title 9 Code of Federal Regulations (CFR) 313.15(a)(1) and 313.15(b)(1)(iii); as described below. I watched (b)(6) restrain 1 conscious lamb with his body inside the knock box. He positioned the captive bolt stun gun on the head and discharged the gun. At the moment of discharge I saw the lamb move its body. I observed prior to the second attempt a hole from the discharged stun gun on the far right side of skull. I observed the lamb still conscious, standing on its own power and blinking instinctively. No vocalization came from animal. (b)(6) immediately applied a second captive bolt stun gun to the lamb, rendering the animal unconscious. I took regulatory control action (RCA); stopped the stunning of anymore animals, and tagged knocking chute with U.S. reject tag#B31784454. I observed the head after the bleeding process and confirmed that there are 2 holes from the captive bolt stun gun. The first stunning attempt placement was approximately ½ inch from the center on right side of skull. The second stun appeared appropriately placed in the center of head; which was the stun that rendered that animal unconscious. I informed (b)(6) of the stunning failure at approximately 15:58 hours and that a non-compliance would be documented, because the first stunning attempt did not render the lamb immediately unconscious, per 9 CFR 313.15(a)(1). The establishment is also non-compliant with 313.15(b)(1)(iii), because knocking chute is designed for large animals (i.e. cattle) and the operator could not effectively apply the captive</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								bolt gun to render the animal unconscious in one shot. The establishment management informed me that (b)(6) would not be performing stunning for the remainder of day. Simon Caleb (owner) said he would have 1 employee work together with captive bolt operator, using a shield to keep the lambs under control while the operator performs the stunning. At 16:01 hours, I released the knocking chute and normal operations resumed.	
M22095+P 22095+V22 095	Creston Valley Meats	QOI181 208332 4N-1	08/23/2018	08/23/2018	04C02	Livestock Humane Handling	313.1	HATS VII: Slips and Falls. At 8:15 am on August 23, 2018, I watched the (b)(6) load one cow into the knock box. A second cow attempted to enter the knock box, and the employee waved an apron in its face. The second cow ran backwards, slipped in manure on the floor of the loading chute, and landed on the ground on both front knees. As it fell, it hit its nose and began to bleed. The cow continued to be excited, and it slipped to its knees again in manure, and also slipped and fell to the ground on its rump, while in the loading chute leading to the knock box. I notified plant manager Ryan Beyler of the noncompliance. He took the corrective action of washing the manure out of the loading chute. Once the pens and loading chute were clean of manure, no additional cows slipped or fell. No similar noncompliances have been recorded in the previous 90 days.	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M27300	LRN Processors, Inc.	MXN58 150601 13N-1	06/13/2018	06/13/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On June 13, 2018, at approximately 1230 hours, I, (b)(6), was observing stunning and sticking at the stunning platform, verifying stunning effectiveness and that the animals remained unconscious as part of my routine Humane Handling tasks, and observed the following noncompliance. I observed the knocker attempt to stun a small Holstein calf; the captive bolt gun went off with a soft muffled sound, and the impact caused the calf to drop to its knees, but did not produce immediate insensibility. The calf's head was still up and was obviously alert and conscious, with ears up, eyes open, and reacting to its surroundings. The knocker took immediate corrective actions and within a few seconds administered a second knock that was on target, which rendered the calf insensible. Noticing that (b)(6) and Plant Manager Dora Solis were present on the kill floor, I informed them that there was a humane handling noncompliance for an ineffective stun that failed to produce immediate unconsciousness. I placed U. S. Rejected tag No. B43364507 on the entry to the stunning area and instructed the QC they could finish with the animals that were already hanging. I would require the plant's corrective actions prior to resuming slaughter. At approximately 1322 (b)(6) informed me of the plant's corrective actions of replacing the knocker for the day with a more experienced employee, and would thoroughly inspect the captive bolt guns and use a fresh box of bullets. Finding these corrective actions to be satisfactory, I removed the U. S. Rejected tag. 9 CFR 313.15(a)(1) requires that "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</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								a manner that they will be rendered unconscious with a minimum of excitement and discomfort".	
M27440	Valley Beef, Inc.	VEJ471 006551 1N-1	06/11/2018	06/11/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At 0930 on 11 June 2018, (b)(6) observed the following incident while performing the Stunning Effectiveness component of a Humane Handling verification at M27440. (b)(6) was standing at the front of the knock box, out of direct line of sight of the animals but able to view the animals through a crack in the door. A large Jersey calf (approximately 6 months old) was knocked once with a penetrating captive bolt gun by the routine (b)(6). The animal remained standing and conscious, did not vocalize or appear distressed (thrashing about, rearing, etc.). A second stun was applied with the back up captive bolt gun approximately 20 seconds after the first stun, without prompting from SPHV. This knock rendered the animal insensible, as confirmed first by the stun man and then by (b)(6). The first stun was approximately 2 inches laterally displaced from the correct location on the skull. The second stun was in the center of an "X" drawn between the ears and lateral corners of the eyes (b)(6) was notified of the impending non-compliance at approximately 0940. The operator is currently under a Verification Plan for a humane handling incident occurring 30 May 2018. The operator does have a robust humane handling program that was revised in response to the May event. There have been no related non-compliances issued for this establishment in the last 6 months. Large calves are not additionally restrained with the knock box intended for adult cows.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M27364+V 27364	Edgefield Prime Meat Company	TSH250 607192 7N-1	07/26/2018	07/26/2018	04C02	Livestock Humane Handling	313.2	On 7-26-2018 at 0630 upon arriving at the establishment, I witnessed animals and started the days Ante-Mortem inspection. There was not any water available for the animals in the holding pens. There were three animals in three different pens. One hog in pen #4 with a container but empty. One beef in pen #5 with a container but also empty. The last beef in pen #6 had no container and no access to any water. I notified (b)(6) and (b)(6) of the issues and water was placed inside the pens immediately. Regulation 9 CFR 313.2(e), which requires that water be available to livestock in all holding pens, and that animals held longer than 24 hours have access to feed, was not met and resulted in a non-compliance. The animals were not held at the establishment for more than 24 hours so food was not needed.	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M31559	Rantoul Foods, LLC	DRJ451 505063 1N-1	05/31/2018	05/31/2018	04C02	Livestock Humane Handling	313.2	<p>Category IV- Ante-mortem Inspection Category I- Inclement Weather On May 31, 2018 at approximately 1115 I, (b)(6) and Intern (b)(6) entered the barn in order to perform ante-mortem inspection of recently delivered hogs. We observed hogs exhibiting signs of heat distress in pens 19 through 25 (approximately 75% to 80% of hogs in each pen were panting and open mouth breathing). All barn employees were on their lunch break and all sprinklers were off. Hogs in pens 26 to 31 did not look in distress (Most likely because they were unloaded earlier and I observed the sprinklers to be fully functioning during my previous trip to the barn around 0920). (b)(6) showed up around 1120 and I directed his attention to the condition of the animals in pens 19 through 25. He immediately sent his employee to turn the sprinklers on and animals stopped panting and breathing with open mouth shortly after the sprinklers were on. After the lunch break I found Plant Manager Mike Welu and informed him that I would issue non-compliance record with regard to the incident. Every prudent establishment is expected to minimize animals discomfort during unloading, moving and holding animals before slaughter. In case of hot weather animals should be protected from heat exhaustion and heat distress (The air temperature outside the barn was in the mid-80s during inspection). Therefore this was non-compliance with section 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." This non-compliance record serves as a warning that further violations of humane handling regulations for hog slaughter may lead to more serious enforcement actions.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M31561+V 31561	Maple Ridge Meats LLC	PMM01 140956 18N-1	09/18/2018	09/18/2018	04C02	Livestock Humane Handling	313.2	At approximately 1242 hours on September 18, 2018, the following noncompliance was found. While returning from lunch, I (b)(6), entered the offloading area with plant employee (b)(6) observed in the center pen 2 sheep and 2 swine with no water access in this pen. Upon notification, the plant employee immediately provided water to the animals. (b)(6), was immediately notified verbally and in writing of this noncompliance. This is noncompliant with 9 CFR 313.2(e).	CLOSED
M21265+P 21265+V21 265	Smucker's Meats	RYI4913 083407 N-1	08/07/2018	08/07/2018	04C02	Livestock Humane Handling	313.2	HATS Category III – Water and Feed Availability On Wednesday, August 8, 2018, at approximately 1310 hours, (b)(6), observes the following noncompliance in the live pen area; there were two cattle that were not in the holding pen area, cattle were in the far back alley way and did not have access to water. Currently, there were three cattle in stun chute area. There was water location in the holding pen area. A review of the establishment anti-mortem paper shows these cattle was inspected for anti-mortem at 0545 hours, August 8, 2018. Mr. Jay Smucker was informed of the observation. Establishment management has received oral and written communication concerning this noncompliance. Previous NR number RYI1013054603N/1, dated May 3, 2018, and plant action that was not implemented or effective in preventing recurrence of the noncompliance. This is a violation of 9 CFR 313.2(e) that stated, “Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed.” Continued failure to comply with regulatory requirement could result in additional enforcement action described in 9 CFR part 500.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M31866M +P31866+V 31866	Woodson County Prime Meats Pro	HHK291 509511 8N-1	09/18/2018	09/18/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	At approximately 0908 hours on September 18, 2018, while conducting humane handling verification under HATS Category VIII (Stunning Effectiveness), I (b)(6) observed the following non-compliance during slaughter operations. A establishment employee used a 410 gauge shotgun to stun a Holstein steer. After the initial stunning shot, the animal lifted its head and dropped its hind quarters and leaned heavily against the side of the chute away from the knocker. The animal remained conscious based on my observation of it's heavy breathing and blinking eyes. The establishment employee immediately took a second shot and the animal dropped below my line of site as the establishment employee(s) then went to their backup weapon, a .22 caliber magnum rifle. After the animal dropped below my line of site I was unable to properly determine if the actions of the employee failed to produce an unconscious animal after the second shot or the additional shots were merely safety knocks. Based on these observations, I notified Tim Genoble, Plant Manager of the stun failure violation immediately after it was determined the Holstein steer was unconscious and insensitive to pain. The above described event is non-compliant with 9 CFR 313.16 (a) (1) & (3). I verbally notified Mr. Genoble that an NR would be issued.	CLOSED
M18988A+ P18988A+ V18988A	Ebels Family Center, Inc.	BXK001 007582 4N-1	07/17/2018	07/24/2018	04C02	Livestock Humane Handling	313.2		OPEN

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M18988A+ P18988A+ V18988A	Ebels Family Center, Inc.	BXK561 007002 4N-1	07/24/2018	07/24/2018	04C02	Livestock Humane Handling	313.2	HATS Category III-Feed and Water Availability At approximately 1115 on 07/24/2018 the following humane handling noncompliant condition was observed: Four bovine animals were held on site for more than twenty four hours and were not fed as was evident by a lack of feed or feed residue in and around the pens. The animals were located in pens #1 and #2. The four animals were observed by IPP while doing ante-mortem inspection of bison on 07/23/2018 at approximately 0930. The establishment had changed their slaughter operation start time for 07/24/2018 to 1200 instead of their normal start time of 0730. Since it was so close to the start of slaughter operations the animals were not fed due to the increased likelihood of carcass contamination. This is a violation of 9 CFR 313.2(e) which states that all animals will have access to feed if held at the establishment longer than 24 hours. Continued failure to meet regulatory requirements may result in enforcement actions as described in 9 CFR 500.4.	OPEN
M32158+P 32158+V32 158	The Royal Butcher LLC	BXF101 507080 5N-1	07/05/2018	07/05/2018	04C02	Livestock Humane Handling	313.2	HATS Category III-Water and Feed Availability On July 05, 2018, at 10:05 AM while performing ante mortem inspection I observed 2 sheep in the pen without water. This is a noncompliance with 9 CFR 312.2 (e), which states that "animals shall have access to water in all holding pens." Royal Larocque (plant owner) and (b)(6) were notified verbally about the noncompliance. They supplied water to the animals immediately.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M33845+V 33845	Moonlight Meat Processing Inc	PPQ120 707182 5N-1	07/25/2018	07/25/2018	04C02	Livestock Humane Handling	313.1	Hats category #3.07/25/2018 at 700am, Moonlight Meat Processing Inc . When arriving at the establishment I (b)(6) walked around the establishment to observe the animals in the pens. There were 8 small hogs in one pen and they had been held overnight and at this time there was no water in the pens. The establishment fail to comply with Hats category #3 water and feed availability. Anna Bays,Plant owner was notified of this noncompliance.	CLOSED
M33971+V 33971	McNees Meats and Wholesale LLC	LWA43 100707 23N-1	07/23/2018	07/23/2018	04C02	Livestock Humane Handling	313.2	HATS Category III- Water and Feed Availability. On 7/23/2018 at approximately 850 hours while performing ante-mortem inspection in the barn on an incoming shipment of live cattle being unloaded the following non-compliant condition was observed by (b)(6) when walking through the barn. The Pen 3 and Pen 4 (dry) water containers were observed placed on top of the pens. Pen 4 contained 4 lambs and pen 3 contained 6 lambs. The lambs contained in pen 3 did not have ample room to lay down. No other means of access to water was observed provided for pens 3 or 4. No regulatory action was taken because (b)(6) moved all of the lambs to a larger pen and provided them access to water after (b)(6) notified Mr. McNees of the observation. The above non-compliant condition is a violation of 9 CFR 313.2(e). (b)(6) notified Mr. McNees of the violation and informed Mr. McNees (Owner) that a Non-compliance Record (NR) would be documented to record the observations made today. There have been no similar non-compliances issued in the past 90 days.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M34056+P 34056+V34 056	Olsen Farms Meats	XIC591 306082 8N-1	06/28/2018	06/28/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>On June 28, 2018 at approximately 1145 hours, I, (b)(6) while performing a routine Humane Handling task HATS Category VIII, Stunning Effectiveness at Est. 34056 Olsen Farm Meats found the following noncompliance. During the knocking of the fourth beef steer, while using all appropriate restraints, (b)(6) shot the steer with a .357 caliber pistol with .357 bullets. The steer moved its head at the last second causing the bullet to enter the steer at the center of the head below the eyes in the top of the nose area. The beef did not vocalize but remained standing with blood flowing from his nose, the steer moved his head back and forth but had no other reaction. (b)(6) immediately reaimed his .357 caliber pistol, paused no more than 10 seconds for the beef to stop moving and immediately refired his gun hitting the steer at the correct target placement. The steer immediately dropped and was rendered insensible. (b)(6) was immediately called and informed of the noncompliance. I performed an inspection of the head to confirm the bullet placement and confirmed that the first shot hit the nose and the second shot hit in the center of the correct target zone. I informed Owner Kira Olsen and (b)(6) of the non-compliance.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M34056+P 34056+V34 056	Olsen Farms Meats	XIC191 607472 7N-1	07/27/2018	07/27/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On July 27th, 2018 at approximately 11:30 am, while performing a routine Livestock Humane Handling Task HATS Category VIII, Stunning Effectiveness, at Est. 34056 Olsen Farm Meats, I, (b)(6) observed the following noncompliance. A steer remained sensible after the first attempt to knock it using a captive bolt stunning gun. The steer remained standing in the chute and lifted its head; he did not vocalize or move wildly. (b)(6), using the loaded and ready 0.357 caliber rifle, immediately rendered the steer insensible. Although the steer had not been caught in the head gate, he was calm and did not perform evasive moves in the chute. His head and body remained still when the initial blow was delivered; he did not back away or move side-to-side. The captive bolt gun placement was in the correct anatomical position and the angle, perpendicular to the skull surface, appeared correct. Inspection of the skull confirmed appropriate placement of the initial captive bolt shot. The steel bolt had penetrated the skull but did not penetrate the brain adequately to render insensibility. The captive bolt gun had been loaded with a blue "heavy load" cartridge, in accordance with the manufacturer's instruction manual. Based on my observations of the steer in the chute at the time of the shot and of the physical evidence, the root cause of this noncompliance was malfunction of the stunning equipment and not inadequate restraint. This is noncompliant with 9 CFR 313.15(a). (b)(6) and (b)(6) were notified verbally of the noncompliance and owner Kira Olsen was notified in writing.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M34056+P 34056+V34 056	Olsen Farms Meats	XIC321 108441 3N-1	08/10/2018	08/13/2018	04C02	Livestock Humane Handling	313.16(a)(1)	On August 10, 2018 at approximately 1200 hours, I, (b)(6) while performing a routine Livestock Humane Handling Task HATS Category VIII, Stunning Effectiveness, at Est. 34056 Olsen Farm Meats observed the following non-compliance. A steer remained sensible after the first attempt to knock it using a .357 caliber rifle with 357 bullets. The steer remained standing and arched his neck and put his nose in the air then lowered his head with his eyes looking around. The steer did not vocalize but had blood pouring from his nostrils. (b)(6) immediately reaimed the .357 caliber rifle, aimed and shot the steer, which dropped and was immediately insensible. The steer had been placed in the head gate and all appropriate restraints were used. Inspection of the steer skull showed the first shot was directly between the eyes hitting the sinuses. The second shot was approximately 2 inches higher and in the target zone. This is noncompliant with 9 CFR 313.16(a) which states: The firearms shall be employed in the delivery of a bullet or projectile into the animal in accordance with this section so as to produce immediate unconsciousness in the animal by a single shot.....the animal shall be shot in a manner that they will be rendered unconscious with a minimum of excitement and discomfort. (b)(6) and Owner Kira Olsen were informed that an NR would be written.	CLOSED
M33927+P 33927+V33 927	Nelson's Meat Processing, LLC	BUX471 006120 6N-1	06/06/2018	06/06/2018	04C02	Livestock Humane Handling	313.2	On 6/6/2018 at approximately 1015hrs while verifying HATS category III, the following noncompliance was found. There was one beef in pen # 1 with no available water. (b)(6) was notified of the noncompliance and had the noncompliance corrected immediately. . This is not in compliance with 9 CFR 313.2(e). This noncompliance will be discussed in the weekly meeting.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M33927+P 33927+V33 927	Nelson's Meat Processing, LLC	BUX121 206020 8N-1	06/08/2018	06/08/2018	04C02	Livestock Humane Handling	313.2	On 6/8/ 18 at approximately 8:15 am while verifying HATS category III, the following noncompliance was found. There was 4 swine's in pen #1 and there was 2 swine's in pen#2 with no available water and feed availability. (b)(6) was notified of the noncompliance and had the noncompliance corrected immediately. This is not in compliance with 9CFR 313.2(e). A similar noncompliance was written on 06/06/18 BUX4710061206N/1 and association of these noncompliance will be discussed in the next weekly meeting. The preventive measure have either not been implemented or have not been effective. Continued linkage could result in further regulatory action as described in 9CFR 500.	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M34265	Naturally New Mexico Food Products LLC	TJS321 208251 ON-1	08/09/2018	08/10/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HAT Category VIII: Effective Stun- Captive bolt 9 CFR 313.15(a)(1) On Thursday, August 09, 2018 at approximately 0937 hours while performing Humane Handling Task the following noncompliance was observed; failure to effectively stun. A new employee, (b)(6) failed to render a sheep unconscious and insensible to pain on the first attempt with a hand held captive bolt. The sheep was bleeding from the hole in the left side of it's head and remained standing. The immediate corrective action consisted of (b)(6) whom was located near to the Knock box, getting a bullet and applied an immediate second knock. The sheep was successfully stunned evidenced by it being rendered unconscious and insensible to pain. (b)(6) and (b)(6) were notified that an NR would be issued. The establishment failed to meet the regulatory requirements of 9 CFR 313.15(a)(1) 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. Continued failure to comply with Regulatory Requirement (s) could result in additional regulatory or administrative actions per 9 CFR 500.4. Documented by (b)(6)</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M34660	Tran Meat Corporation	XVC281 006090 1N-1	05/31/2018	05/31/2018	04C02	Livestock Humane Handling	313.2	HATS Category III: Water/Feed Availability; Regulation 9 CFR 313.2(e), Regulatory Control Tag #B36347441. On May 31, 2018 at approximately 0800 hours, while performing Ante mortem Inspection (HATS Category IV) at Establishment 34660, Tran Meat, I observed the following noncompliance. The water supply for feral hog in holding pen not provided. Also at 1200 hour, I observed a calf on the transportation trailer without any access to the water, the plant manager claim that the calf will be moved to different area on the plant with water accessibility, however at 1400 hour, the calf was still being held for slaughter on the transportation trailer without any access to the water. The plant manager was notified immediately, and moved the trailer to an area with water supply accessible for the calf. I took Regulatory Control of holding pens and tagged with tag # B36347441 at the entrance to the pen. Water supply to pens with feral hogs was provided, and I removed the tag. The establishment failed to comply with 9 CRF 313.2(e) "Animals shall have access to water in all holding pens". This document serves as written notice that your failure to comply with regulatory requirements could result in additional regulatory or administrative action.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M34699	Cox Butcher Shop	TDU081 207470 6N-1	07/03/2018	07/06/2018	04C02	Livestock Humane Handling	313.1	On 7-3-18 at 0700 as I inspected the empty holding pens I noticed several places that the wire panels that are welded to the walls had pulled lose and could become a hazard for injury to bovine. I notified (b)(6) and Adam Cox of CFR 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.	CLOSED
M34543	Brewer Meats	DFN151 606381 9N-1	06/19/2018	06/19/2018	04C02	Livestock Humane Handling	313.2	On June19, 2018 at approximately 1300 hour, while performing HATS category (III) verifications, I observed approximately 40 head of sheep in holding pen #11. The pen contained one water trough located in the corner, and it was found to be completely dry. These animals had no free access to water, and several sheep were observed with their heads extended over the trough and breathing heavily. Regulation 9 CFR 313.2(e) requires livestock to have access to water in all holding pens. After requesting that a plant employee locate a member of management, I showed and discussed my observations with (b)(6) [REDACTED] I verbally notified her that a humane handling noncompliance would be issued. A plant employee used a water hose to fill the trough with water.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M31578	Trenton Processing Center, Inc.	LKK591 206052 2N-1	06/22/2018	06/22/2018	04C02	Livestock Humane Handling	313.30(a)(3)	HATS Category VIII Stunning Effectiveness While observing electrical stunning at establishment at M31578 at approximately 10:30 am on 6/22/18 the following noncompliance was observed: The last 8 market swine for the day were dirt raised Berkshire weighing over 350 pounds. The first hog had been electrically stunned, head and heart, and was about to be shackled and hoisted when the FLS' heard the barrow vocalize. No other signs of consciousness were exhibited. The stunner immediately re-stunned the animal.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M40169	Salazar Natural Meats, Inc.	NHK09 170949 07N-1	09/06/2018	09/07/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>On Thursday, September 6, 2018 at approximately 1130 AM, I, (b)(6) performed a routine Livestock Humane Handling task. I specifically performed Category III Water and Feed Availability and Category IV Handling During Ante-Mortem Inspection. Upon inspection of the holding pen area of the establishment I found one swine in the back holding pen with no access to water. The normal watering container contained brown feces. This prevents the animals from having access to water. The requirements of 9 CFR 313.2(e) have not been met. No tag was issued. I also observed red metal wire twisted around the pen. The two ends of the twisted metal wires were protruding into the interior of the pen measuring approximately 2-3 inches in length. These were noted to be lining all inside aspects of the pen and there were approximately 5-10 of them. A secondary grey metal wire was noted to be twisted around the pen. The two ends of these twisted metal wires were protruding into the interior of the pen measuring approximately 1 foot in length. These were noted to be lining all inside aspects of the pen and there were approximately 5 of them. The grey metal wire was also noted on the ground on the inside of the pen. The metal wires found on the ground measured approximately 2 feet in length and there were approximately 5 of them. The condition of these pens appear likely to injure animals due to the pens not being maintained in good repair. The requirements of 9 CFR 313.1(a) have not been met. No tag was issued. I informed Mr. Lucas Salazar, establishment owner, of the noncompliance. CA: 1) Removed dirty water and refilled water bucket with fresh water 2) Removed wires from the ground and bent wires noted on the pens so they did not stick out</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M40041+P 40041	Marksbury Farm Foods, LLC	NRW04 130935 12N-1	09/12/2018	09/12/2018	04C02	Livestock Humane Handling	313.2	On 09/12/2018 at approximately 0704 at Marksbury Farms Foods LLC Establishment #M40041 while performing Ante-Mortem inspection (b)(6) observed no water in pen #4 which is HATS category #3 (b)(6) (b)(6) immediately notified (b)(6) (b)(6) and Plant Manager Leonard Harrison of this Non-Compliance 9CFR 313.2(e). Water Trough was filled with water and slaughter allowed to resume.	CLOSED
M40246	Loretto Butcher Shop	BZE151 308370 7N-1	08/07/2018	08/07/2018	04C02	Livestock Humane Handling	313.1, 313.2	August 7, 2018 HATS category III: water and feed availability. The following non-compliance was observed by the SVMO while performing the Livestock Humane Handling task at approximately 0945 hrs. EDT at Loretto Butcher Shop (M40246), Loretto KY: A bovine declared for Federal Inspection was found in a holding pen without access to water. An empty, heavily fecal contaminated bottom portion of a 25 gallon (?) plastic drum approximately 12 inches in height was in the corner of the holding pen. HATS category IV: ante-mortem inspection. A second non-compliance observed: Two boards were found in disrepair in the barn. In the alleyway leading to the kill floor, a top board was found broken and protruding into the alleyway; white hair was sticking to the projection from an animal previously in the barn (no white haired animals in the barn today). A second bottom board was observed disconnected from the posts with a corner resting on the floor, protruding somewhat into the alleyway with multiple rusty nails on the backside exposed. The above observations were brought to the attention of Plant Manager Joe Mattingly, who was likewise informed of the forthcoming non-compliance record.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M44791	Doublebrook Farm LLC	VUF231 008573 1N-1	08/31/2018	08/31/2018	04C02	Livestock Humane Handling	313.15(a)(1)	At around 1115, the IIC witnessed the establishment attempt to stun a large swine (400lb) with a captive bolt in accordance with their humane handling protocol. When administering the blow, the swine dropped to the ground, but when they went to shackle, the swine regained consciousness and stood up. At this point, the establishment tried to use the secondary captive bolt, but could not get a good placement as the pig was moving its head. The establishment then decided to use the electrical stunner, which is usually reserved for swine under 380lb. Application of the electrical stunning was successful and the swine did not regain consciousness throughout the shackling, hoisting, or bleeding. This all occurred within 5 minutes. This is in violation of 9 CFR 313.15(a)(1) which requires immediate unconsciousness from a single blow when using a captive bolt device to stun animals for slaughter. This serves as notice of the non-compliance and that future incidences may result in further regulatory action.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M44801+P 44801	Halal Transaction of USA, LLC.	XJW491 005462 3N-1	05/23/2018	05/23/2018	04C02	Livestock Humane Handling	313.1, 313.30 (a)(2)	<p>AN HUMANE HANDLING REVIEW WAS PERFORMED TODAY BY (b)(6) ALONG WITH STATE (b)(6) AND (b)(6). IT WAS DETERMINED FROM THIS REVIEW THAT THE FOLLOWING DEFICIENCIES EXISTED: 1-METAL WIRING IN SEVERAL PLACES IN HOLDING PENS WERE PROTRUDING WITH SHARP EDGES INTO THE AREA WHERE ANIMALS WALKED THROUGH. 2- (4) METAL BARS ON NORTHSIDE OF ANIMAL WALKWAY LOCATED JUST BEFORE ANIMAL ENTRANCE DOOR TO KNOCKBOX, WERE CORODED LEAVING BARS WITH NUMEROUS SHARP EDGES. 3- BOTTOM AREA OF STAINLESS STEEL WALL COVERING ON NORTHSIDE OF KNOCKBOX IS CORRODED REVEALING SEVERAL SHARP EDGES. 4-METAL ON FLOOR OF KNOCKBOX IMMEDIATELY WHERE ANIMALS ENTER IS LOOSE AND CORROSIVE. (b)(6) ALSO OBSERVED PLANT EMPLOYEES RUNNING OF ANIMAL TO KOCKBOX AND THE FOLLOWINGISSUES WERE OBSERVED; EMPLOYEE GRABBED 3 ANIMALS BY THE HIND LEGS TO PLACE THEM INTO KNOCKBOX AREA. EMPLOYEE WAS OBSERVED USING A PADDLE AND/OR AN ELECTRIC PRODDER AND WAS CONCERNED ABOUT TRAINING OF EMPLOYEE IN THE USE OF THESE ITEMS. PLANTS HUMANE HANDLING PAPERWORK LIST A WEEKLY CHECK OF PLANT FACILITY FOR HUMANE HANDLING ISSUES AND TASK WAS COMPLETED AND MARKED AS OK WITH NONE OF THE ISSUES STATED ABOVE BEING FOUND.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M44824+V 44824	Western Meat Processing, Inc.	XTB141 307491 9N-1	07/18/2018	07/19/2018	04C02	Livestock Humane Handling	313.1	At approximately 1345 hours, I (b)(6) was in the livestock pens observing humane handling, when I observed a Holstein cow in pen # 7 in sternal recumbency. Plant Manager Fidel Ibarra stated that he was going to euthanize the animal as it was non-ambulatory disabled and would not rise. Approximately 5 minutes after Mr. Ibarra informed me of his plans to euthanize the animal, I witnessed her rise and follow the cows from pen 6 as they walked past her into the turnout pen for the evening. After she stood, Mr. Ibarra instructed (b)(6) to immediately move the cow from the turnout pen to the chute leading up to the knock box before she went down again. Once the cow reached the alleyway that leads to the crowd pen prior to the chute, Mr. Ibarra assumed control of the animal and moved the cow through the crowd pen into the beginning of the chute. As the cow entered the chute, she stopped almost immediately and refused to move forward any further. Mr. Ibarra was behind the cow gently tapping the cow on the rump with a hot shot that was not activated in an attempt to get her to move forward. After several attempts to get her to move, Mr. Ibarra used the activated hot shot once to get the cow to continue up the chute. The cow managed to take approximately 3 steps forward before her front feet slipped out from under her and she fell to her knees. She immediately stood back up and managed to walk the rest of the way up the chute to the knock box with no further incident. Once the cow entered the knock box, I was able to note that the chute was covered in a thick layer of wet feces almost completely obscuring the cement of the entire chute leading to the knock box. Mr. Ibarra had entered the establishment after the cow was knocked and did not return to the pens, so I immediately informed (b)(6)	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								(b)(6) and (b)(6) of the forthcoming noncompliance. The above cited noncompliance is in violation with 9 CFR 313.1(b). Failure to comply with regulatory requirements in 9 CFR could result in adulteration or contamination of product and insanitary conditions and could result in additional regulatory or administrative actions as described in 9 CFR.	
M44910+P 44910+V44 910	Abattoir Associates Inc.	JCH170 809321 4N-1	09/14/2018	09/14/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On September 14, 2018, at approximately 0900 hours while performing humane handling verification activities at Establishment 44910, the following Noncompliance was observed by IPP. The Establishment had a beef cow in the stun box for stunning with a hand held captive bolt. The cow was standing in the stun box with its head captured in the head squeeze. As the Stunner made the first stunning attempt with the captive bolt, the beef cow moved its head. The stunning attempt hit the head as evidenced by the cow's sudden movement away from the stunner but the cow remained standing. The stunner took immediate corrective action by delivering a gunshot with an already loaded and available 410 shotgun, which made the beef cow insensible. Examination of the skull afterward revealed 2 separate holes which was consistent with the initial ineffective captive bolt stunning attempt and the subsequent gunshot. Mr. Jay Young, Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1)."	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M44911+P 44911+V44 911	Kinikin Processing	PNQ01 150950 11N-1	09/10/2018	09/10/2018	04C02	Livestock Humane Handling	313.2	<p>On 09/10/18 at 0710, while examining the establishment's practice of Humane Handling Category III Water and Feed Availability for of animals; I, (b)(6) observed the following deficiencies in the holding pen area of the establishment: An elk in the center holding pen with no access to water. Normal watering container was trampled on the floor in the pen. The establishment was asked to supply water to the animal, and they gave the elk water. Owner Jennifer Prock stated she had given the animal water the previous evening. All other holding pens had water at start of operations. At 0810, three holding pens with pigs in each pen were observed without access to water. Holding pens had water in the pens at the start of the day. Pigs were given more water, but continued to turn over the water containers. Establishment's current watering system is not adequate to maintain access to water in the holding pens. These are a Category III Noncompliance which states "Water and Feed Availability (9 CFR 313.2): Under this category, IPP record their verification of the establishment's compliance with 9 CFR 313.2(e), which requires that water be available to livestock in all holding pens, and that animals held longer than 24 hours have access to feed." The water requirement was not met by Est. 44911 Kinikin Processing. (b)(6) was notified of the watering in the pens and corrective action began immediately. All animals were given water. Note: that the USDA, 9CFR 313.2 (e) FSIS Humane Handling regulations states: that animals must have access to water in all holding pens. (b)(6) was notified verbally and in written form with this NR Not official control actions were taken at this time due to immediate corrective actions.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M9199+P9 199	SCR International Corp.	DZD251 106442 7N-1	06/27/2018	06/27/2018	04C02	Livestock Humane Handling	313.1	While performing the Live Stock Humane Handling verification task this morning at approx. 10:30 AM the following noncompliance was observed. My (b)(6) Was out by the pens while a truck was unloading hogs when he noticed a 6" wide gap from the ramp to the unload dock. The employee didn't notice the gap and was driving hogs down the ramp. My supervisor had them stop unloading the animals and let the employee know about the gap. The employee had the truck driver back the truck up closer to the ramp and push the ramp to the unloading dock to remove the gap. My supervisor then went to let me know what he had observed. No regulatory control action was given because employee took immediate action to remove the gap between the ramp and unloading dock before unloading anymore animals. I notified Ms. Yanling Liang (Plant Manager) of the noncompliance's and of the plant's failure to meet regulatory requirements 313.1 (a).	CLOSED
M44950+P 44950+V44 950	Schrader Farms Meat Market	JKL451 207262 4N-1	07/24/2018	07/24/2018	04C02	Livestock Humane Handling	313.30(a)(1)	HATS Category VIII - Stunning Effectiveness This morning at 0945 hrs. while observing the electrical stunning of a swine in the knock box in the slaughter department at Schrader Farms Meat Market M44950 the following non-compliance was noted. Upon the first stunning attempt, the swine jolted but did not drop to the ground. The employee lost contact with the electrodes and the swine began vocalizing loudly. The animal was then stunned effectively as evidenced by the swine collapsing into unconsciousness after which it was hung, stuck, and bled without returning to consciousness. US Retain Tag #B42171078 was applied to the knock box and the plant was informed of the noncompliance. The establishment's inability to render the swine insensible to pain is not in compliance with the regulation cited in block 6 above.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M44993+P 44993	Musa Halal Slaughter House, LLC	JAQ351 308590 2N-1	08/02/2018	08/02/2018	04C02	Livestock Humane Handling	313.2	While performing ante-mortem inspection at approximately 1405 hours, I observed the following noncompliance. A beef cow was being transported from the holding pen to the stunning area. Two employees were chasing the animal and the animal was running back and forth from the holding pen to the stunning area numerous times and was struggling to turn around in the narrow runway. The animal was not calm, was excited and was forced to move faster than a normal walking speed. I immediately notified the owner Mr. Hammad Ahmad of the noncompliance. 9 CFR 313.2 Handling of Livestock (a) states: "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." (b)(6)	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M44998	Green Pasture Meats Inc.	HTJ171 006551 2N-1	06/08/2018	06/12/2018	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII - Stunning Effectiveness "On June 8, 2018, at 1120 I (b)(6)) was observing stunning effectiveness at Establishment 44998 and observed the following Noncompliance. The Establishment moved a beef cow into the mobile stun box/squeeze chute for stunning and restrained it in the headlock. I was able to move 30 feet away from the chute which is outside the mobile unit and protect myself in front of the truck, out of line of the shot. Protocol is after all stuns I am able to see the stunner put the firearm down. The first stunning attempt with a .410 caliber hand gun hit the animal as evidenced by it recoiling backwards and rolling its eyes upwards. However, the animal remained standing and moved its head around in a controlled manner. Because the stunner did not take immediate corrective action to re-stun the cow, I told the stunner to re-stun the cow. After I moved to an area of protection (30 feet away), the stunner then retrieved a bullet from the truck in front of the mobile stun box, re-loaded the hand gun, and re-stunned the animal with the hand gun, (b)(4) ute, with U.S. Rejected tag #B19886819, which was removed after consultation with the District Office resulted in the decision for a Noncompliance Record. (b)(6) , was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.16(a) (1)."	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M1061	Happy Valley Processing Inc.	JYP481 009101 8N-1	09/18/2018	09/18/2018	04C02	Livestock Humane Handling	313.1	On 9/18/18 at approximately 11:00 am, a hog escaped from the alley way of the holding pens through an opening in the employee walkway that was left open by an employee. This is in violation of 9 CFR 313.1(a) Livestock pens, driveways and ramps 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. (b)(6), replied that he would implement a wooden gate over the opening in the employee walk way as the plants corrective action. As well as give further training to employees on operating the new gate system.	CLOSED
M45208+V 45208	ASC Lockers, LLC	XDY591 207471 9N-1	07/19/2018	07/19/2018	04C02	Livestock Humane Handling	313.16(a)(1)	At approximately 1011 hours, while performing HATS Category VIII, Stunning Effectiveness, in the outdoor pens, (b)(6) observed the following non-compliance: The establishment employee attempted to stun a lamb with a .22 long rifle in the first gated alleyway in the outdoor pen. The first stunning attempt was ineffective and the lamb remained conscious. The lamb remained standing and had blood coming from its nose. The establishment employee stated he shot too low, recocked the rifle and immediately and effectively rendered the animal unconscious on the second attempt with the same .22 long rifle. (b)(6) and (b)(6) reviewed the lambs head and observed one shot was approximately half way between, and less than half inch, below the eyes. The second shot was approximately half an inch above. (b)(6) verbally notified the establishment employee and Mr. Aaron Koch, Establishment Owner, of the non-compliance and the forthcoming non-compliance record. After discussing the incident with the employee and owner, stunning was allowed to resume.	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M45208+V 45208	ASC Lockers, LLC	XDY151 309332 ON-1	09/20/2018	09/20/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>At approximately 0617, while performing HATS Category VIII, Stunning Effectiveness, I observed a plant employee attempt to shoot at a beef in the holding pen, within the establishment, at ASC Locker. The animal fell to the floor on its right knee, and after a couple of seconds, got back up as the blood started to flow from the left nostril. The employee immediately took a second shot and successfully rendered the animal unconscious, explaining to me, that the animal had moved at the last second and was why he missed. Long, 22 caliber rifle shells were being used at the time. I notified Aaron Koch, Establishment owner, who was standing by the overhead, livestock entrance door at the time, that his employee had failed to effectively shoot the animal on the first try and a report would be issued for the non-compliance.</p> <p>Since corrective action was effectively performed, stunning was allowed to continue with the remaining five beef in holding. No additional, ineffective shots were observed. During a meeting at 1120, I informed Shawn Koch, Plant Manager, that his killfloor employee had failed to effectively shoot the first beef on the first try, and that a, non-compliance would be issued. We discussed the employee mentioning, how the animal had moved his head during the shot. This is not in compliance with 9 CFR 313.16 (a) A similar noncompliance with the same root cause was observed on 7/19/18, in which, (b)(6) observed the ineffective stunning of a lamb using a rifle on the first try. Noncompliance report, XDY5912074719N was issued. ASC response to this report stated: "Retrained employee regarding dispatching procedures. Observation of procedure since incident has been fully successful."</p> <p>Preventative measure to correct ineffective stunning, appear to have been ineffective or may not have been implemented.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M46707+P 46707	Hartland Abattoir Corp	FMZ19 080856 22N-1	08/22/2018	08/22/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Livestock Humane Handling Category VIII - Stunning Effectiveness At approximately 09:00 am, the following noncompliance was observed. A captive bolt stun was applied to head of a market swine. The captive bolt hit the swine but it remained standing and vocalized. The establishment took immediate corrective actions to apply a second captive bolt stun, which rendered the swine unconscious. The swine then remained unconscious throughout the bleeding process. I informed Establishment Owner Christine Britt of the noncompliance. This is noncompliant with 9 CFR 313.15(a)(1) Review of the past 3 months showed no similar noncompliance.	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M45261	FM Meat Products Limited Partnership	LXG171 709121 4N-1	09/14/2018	09/14/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category VII: Observations for Slips and Falls 9 CFR 313.1(b) At approximately 0720 hours while I (b)(6), was performing a humane handling verification for HATS Category VII at M45261 the following noncompliance was observed: Twenty five Animals were presented for antemortem inspection in a side pen. The flooring of the pen is constructed of smooth concrete and contained a thin layer of moist cattle feces. As the animals were being moved in the pen, three animals were observed to slip (portions of the leg other than the foot were observed to make contact with the ground). Additionally, at least three additional animals were observed to skid (continue to move forward under the force of their momentum even though they tried to brake with their feet) while moving in the pen. Skid trails were observed in the feces. (b)(6) was notified of the noncompliance. She immediately corrected the noncompliance by instructing employees to move all of the animals from the side pen into another pen. The new pen contained waffled/slip resistant flooring that provided adequate flooring and footing for the animals. No animals were observed to slip once moved to the new pen. No U.S. reject tag was applied to the side pen as it would not be used to house any further animals that day. The above noncompliance fails to meet the regulatory requirements of 9 CFR 313.1 (b). This document serves as written notification that your failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M45272+V 45272	Real Meats LLC	NWJ09 120844 16N-1	08/16/2018	08/16/2018	04C02	Livestock Humane Handling	313.1	On 16 August 2018, while performing a Livestock Humane Handling Task, the following noncompliance(s) were observed: There were loose and protruding nails located throughout the entire Feral Hog pen structure. There was a decomposing carcass of a Feral Hog in the Center pen holding area There is insufficient drainage for the holding pen located on the Left. The pen floor is extremely saturated with water and unsuitable for the storage of animals. US Retained Tags B43383959 and 960 were applied to the Left side and Center pen holding areas. Plant Manager Joey Long was informed of the noncompliance(s).	CLOSED
M45321	Upper Iowa Beef LLC	BYF200 909341 4N-1	09/14/2018	09/14/2018	04C02	Livestock Humane Handling	313.2	HATS Category III: Water/Feed Availability- (9 CFR 313.2(e). This morning at approximately 0655 I was in the barn prior to performing ante-mortem inspection at establishment #45321M. A group of 8 cattle that were brought the night prior were locked up by the alley leading into the knock box. Inside this pen was a drum cut in half that holds approximately 25-30 gallons of water. When I observed this drum, it was found completely empty of water. These 8 head of cattle had no access to water, which is non-compliance with 9 CFR 313.2(e). The company immediately sent these 8 head of cattle to the knock box after ante-mortem inspection was performed. (b)(6) was told that an NR would be issued.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M8+V8	Iowa Premium, LLC	VSH570 807241 4N-1	07/11/2018	07/14/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>On Wednesday July 11, 2018, I, (b)(6), was performing a HATS Category IV task, antemortem inspection, at establishment M8 when I observed a noncompliance. When the cattle were removed from pen 24 for observation in motion, I noticed one of the central gates between pen 24 and 19 was ajar. There was a steer between the pens that had gotten under the metal grating that spans the gap between pens over the manure pit. He was trapped between two grates and had a large rubber mat on top of the grating. He was struggling to escape and vocalizing. Eventually he freed himself from the between the grating, however he was still trapped in the manure pit, which has walls approximately 4 feet high on either side. At this time I observed fresh abrasions, lacerations, and hair loss along the spine and tail head. He was still showing signs of excitement and vocalizing. Three fence bars were cut in pen 17, the shallowest area of the manure pit, in an attempt to free the trapped animal. He was unable to free himself of the manure pit and the company decided to humanely euthanize him. He was successfully knocked with a handheld captive bolt device. This is in violation of 9 CFR 313.1(a) and 313.2 (a). I informed (b)(6) of the impending noncompliance. Once the animal was removed from the manure pit, the gates that access the grating between pens 24 and 19 were chained and locked closed.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M8+V8	Iowa Premium, LLC	VSH270 908050 2N-1	08/01/2018	08/02/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	<p>On August 1, 2018 at approximately 3:00 PM, I, (b)(6) was performing a HATS category VIII task, stunning effectiveness, in the barn of establishment M8 when I observed a noncompliance. I observed the designated knocker reach down with the handheld captive bolt device and attempt to deliver a knock to the forehead of a steer in the knock box. The animal moved its head caudally at the moment the captive bolt device went off and caused a small penetrating wound on the center of the forehead of the animal and did not render the animal insensible. The animal remained conscious and was still standing, breathing, and was evading further contact with the knocker. The knocker immediately then grabbed the backup cartridge driven captive bolt stunning device rendered the animal unconscious with a knock that was approximately 1 inch ventral to the initial knock. I took a verbal regulatory control action and stopped the line. I then informed skinning line (b)(6) of the noncompliance and after verbal corrective actions and preventive measures were in place I removed my regulatory control action and allowed the line to resume. I informed (b)(6) of the issue and informed them a noncompliance would be forthcoming. The is noncompliant with 9 CFR 313.15(a)(1) and 313.15 (b)(1)(i).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M8+V8	Iowa Premium, LLC	VSH4813083307N-1	08/07/2018	08/07/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1)(iii)	<p>On August 7, 2018 at approximately 1:15 PM, I, (b)(6) was performing a HATS category VIII task, stunning effectiveness, in the barn of establishment M8 when I observed a noncompliance. I observed the designated stunning employee reach down with the pneumatic captive bolt device and attempt to deliver a knock to the forehead of a steer in the restrainer. The pneumatic captive bolt device went off without making full contact to the skull and caused a small penetrating wound on the center of the forehead of the animal and did not render the animal insensible. The animal remained conscious and was still standing, breathing, and was evading further contact with the designated stunning employee. The stunning employee immediately grabbed the backup cartridge driven captive bolt stunning device and rendered the animal unconscious. I took a verbal regulatory control action and stopped the line. I then informed (b)(6) of the noncompliance and after verbal corrective actions and preventive measures were in place I removed my regulatory control action and allowed the line to resume. I informed (b)(6) and (b)(6) of the issue and informed them a noncompliance would be forthcoming. This noncompliance is associated with NR VSH2709080502N/1 dated 08/01/2018 as the preventative measures proffered by the establishment in response to the previous NR was either not implemented or were not effective.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M8+V8	Iowa Premium, LLC	VSH4215082608N-1	08/08/2018	08/08/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1)(iii)	<p>On August 8, 2018 at approximately 1:20 PM, I, (b)(6) was performing a HATS category VIII task, stunning effectiveness, in the barn of establishment M8 when I observed a noncompliance. I observed the designated stunning employee reach down with the pneumatic captive bolt device and attempt to stun the forehead of a steer in the restrainer. The pneumatic captive bolt device audibly discharged making contact to the skull and caused a small penetrating wound on the center of the forehead of the animal approximately 1 cm in diameter and did not render the animal unconscious. The animal remained conscious and was still standing, breathing, and was evading further contact with the knocker. The stunning employee immediately used the pneumatic captive bolt stunning device to administer a second stun and rendered the animal unconscious. I took a regulatory control action, tagging the knock box with U.S. Reject Tag B41200804. I then informed (b)(6) of the noncompliance and after immediate verbal corrective actions and preventive measures were in place I removed the regulatory control action and allowed the line to resume. I informed (b)(6) of the issue and informed him a noncompliance would be forthcoming. This noncompliance is associated with NR VSH4813083307 dated 08/07/2018 as the preventative measures proffered by the establishment in response to the previous NR was either not implemented or were not effective.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M46822+P 46822	M. L. Mitchell & Son Meat Processing	VCN441 209332 6N-1	09/26/2018	09/26/2018	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 08:15 AM on 09/26/2018 at M.L. Mitchell and Son (TA46822). While performing the HATS category 8, stunning effectiveness, the Instructor from Jarvis was showing the employees on how to use a captive bolt (.25R – 6.3mm R caliber with the 4.0 grain cartridge) and the following non-compliance was observed. The instructor used the captive bolt on the 1st cow of the day and the cow was stunned but not rendered unconscious (the cow did not vocalize or collapse, the head looked up and the eyes were blinking and looking around). The instructor immediately reloaded and used the captive bolt again which was successful. Regulatory control was taken on the Knock box with U.S. Rejected tag # B38054267. The IIC had the head skinned to inspect the captive bolt knocks and one hole was above the eyebrow line and one hole was about an inch above it. Kristi Mitchell (Plant Owner) was immediately notified of the non-compliance and the failure to comply with 9 CFR 313.15(a)(1). Plant owner gave verbal corrective actions prior to the U.S. Rejected tag # B38054267 being removed. The corrective action were to, dismiss the Instructor, continue with the use of their robust system and use the rifle, gun shot, for the rendering of the animal unconscious until they get a better understanding of the captive bolt and then start with small animals and work up to cattle.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP260 705193 ON-1	05/24/2018	05/30/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 5/24/2018 at approximately 1200 hours, I, (b)(6) observed the HATS category of stunning effectiveness for the Livestock Humane Handling task. I observed a water buffalo cow require a second stun with a handheld captive bolt device to properly stun the animal, after the first knock didn't produce full unconsciousness. After the first stun, the cow was still rhythmically breathing and flicking its ears; there was no vocalization, or righting reflex. As the stunning employee took immediate corrective action to properly stun the animal with a second knock per the establishment's written humane handling protocol, and the establishment has a written, robust systematic approach to human handling, the act was not deemed egregious. I notified (b)(6) of the noncompliance, and tagged the knock box with US Reject tag No. B6139606 in accordance with 9 CFR 315 (c) until the establishment could provide corrective actions to ensure that the first knock is effective and that this issue would not occur again. The failure of the initial knock to produce immediate unconsciousness is in violation of 9 CFR 313.15 (a) (1) and 352.10 (a) (5). The establishment proffered the corrective actions of re-training the stunning employee in proper placement of the captive bolt device, and taking more time to ensure the first knock is effective. In addition, when knocking water buffalo, a second employee will be available to assist with proper head positioning. The knock box was released after the establishment provided adequate written corrective actions at approximately 1300.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M45392	TTJ Packing Inc.	HNN30 150935 14N-1	09/14/2018	09/14/2018	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 2:00pm, while observing HATS Category V- Suspect and Disabled and Category VIII - Stunning Effectiveness, I observed the following noncompliance. The stunner operator attempted to stun the only cow left in the barn, a non-ambulatory disabled cow in sternal recumbency condemned on Ante-mortem inspection. The cow was moving her head around, avoiding the stunner operator; however the operator took his time for placement of the shot with the hand-held captive bolt gun. The first shot sounded muffled, however, I saw that the pin extended from the gun, hitting the cow in the forehead. The cow remained conscious and in sternal recumbency, crawled approximately 2 feet from the stun site, and tossed her head. The back-up captive bolt gun was immediately accessed and the operator used it to render the cow insensible on the second shot. There were two wounds penetrating the skin and one wound penetrating the skull on the forehead. No regulatory control action was taken due to the immediate and effective corrective actions (b)(6) [REDACTED] was notified of the noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M19290+P 19290+V19 290	Working H Meats, LLC	NAW49 090957 11N-1	09/06/2018	09/06/2018	04C02	Livestock Humane Handling	313.2	On September 6, 2018, at approximately 0823 hours, I (b)(6), while performing livestock humane handling, I noticed that pen 7 had no water. The establishment employee was walking behind me and immediately picked up the water hose and began filling the tub with water. The establishment employee stated the he continues to fill the tub, but the pigs keep kicking it over. I looked in the pen on the ground and noticed it was wet around the tub, also this tub is not secure or grounded. The pigs were in no distress upon my viewing. I continued to walk down the pathway and came across pens 5 and 3 with no water. The establishment employee followed me and began filling these tubs as well. These tubs were secure and grounded to the pens, and there was no visible sign of water on the ground around the tubs. The pigs were lying down resting and did not appear to be in distress. I went and found the owner, Terrie Hardesty, and began explaining what I found. I stated to Terrie Hardesty that this would be documented as a Noncompliance per 9CFR 313.2 (e). Terrie Hardesty stated that she put a work order in to have pen 7 secure and grounded to the pen; therefore, Terrie stated that the establishment employee would continuously check the pen for water and no other pigs would be placed in pen 7.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M19290+P 19290+V19 290	Working H Meats, LLC	NAW50 120906 06N-1	09/06/2018	09/06/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII--Stunning Effectiveness On September 6, 2018, at approximately 1155 hours, I observed a hog being stunned with the captive bolt. The hog squealed after being stunned and remained in a standing position. The plant employee immediately grabbed the .22 rifle and stunned the hog a second time. The hog was rendered unconscious with the second stun. Once the head was removed from the carcass, I examined the head and found two holes, one approximately 7-8 mm in diameter located in the center of the head between the ears and a second hole, approximately 2-3 mm in diameter slightly below and to the left of the larger hole. Terrie Hardesty, plant owner, was notified of this noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M48095+P 48095	Walke Brothers Meat Processing	XXG290 907271 7N-1	07/17/2018	07/17/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3), 313.16(b)(1) (i)	<p>At approximately 0910 hours while doing post mortem on the kill floor a shot was fired outside in the knock box area. Upon finishing post mortem I washed my hands and equipment. Approximately two minutes had elapsed from the time I finished post mortem washed my hands and equipment and had the opportunity to check on the animals in the knock box. The knock box is to the right of the door as you exit. In the knock box, a large Hereford steer was on his stomach and it appeared that the large Hereford steer was still breathing, but was bleeding from a head wound from the blast of the .410 shotgun. At this point I checked for eye reflex to ensure a good stun. The animal's eyes were reactive to touch, it had some vocalization and was still breathing. The person in charge of the knock box came outside and asked if the animal was still alive. I advised him that he was not insensitive to pain and that it needed knocked again. At this point he retrieved a 12 gauge shotgun and rendered the animals insensitive. The employee stated that he knew he should have used the bigger gun on the larger animal. Up until that point the .410 gauge shotgun had been used on all animals including this steer. The previous animals of the day were all much smaller. Once the steer was rendered insensitive to pain, I used U.S. Rejected Tag B37047556 on the knock box. At this point I advised (b)(6), of the situation and that this would result in a noncompliance for Humane Handling. The aforementioned incidents are in noncompliance with 9 CFR 313.16(a)(1), 9 CFR 313.16(b)(1)(i) and 313.16(a)(3). After notifying management I informed (b) (6) of the noncompliance.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M48095+P 48095	Walke Brothers Meat Processing	XXG431 008430 7N-1	08/07/2018	08/07/2018	04C02	Livestock Humane Handling	313.1, 313.30 (a)(2)	At approximately 1000 hours while monitoring HATS Categories VI and VII a trailer with 2 longhorn steers from Hoffman Longhorns pulled into Walke Brothers Meat to the back of the facility and backed up to the side door, Due to the length of the horns the 2 longhorn steers would need to be killed and dragged in through the larger side door. The steers were separated in the trailer and the steers could not get past the small gate area to get to the back of the trailer where they could be effectively killed. The owner of the beef continued to shock the animals even though there was limited space for the animals to get to the rear. The employee in charge of the pens had already advised the owner that he would need to stop shocking the beef as they were under inspection. As I continued to watch, the gentleman who owned the longhorns shocked the one steer in front again and the steer fell onto its side making the other beef fall to its stomach. He shocked the one that fell to its stomach one more time. The above issues are noncompliant with 9 CFR 313.1 and 9 CFR 313.30 At this time I advised the owner of the steers that he needed to stop shocking the animals and that I was going to retrieve the owners to advise them that they would be getting a noncompliance for slip and fall as well as shocking the animals excessive shocking for his actions. Even though it was not an establishment employee, the animals were on their official premises. After taking regulatory action I then left a message with (b)(6). I then lost reception of my phone for a short period and since (b)(6) is at a conference called my direct supervisor, (b)(6) to keep him apprised of the situation. (b)(6) was immediately advised of the noncompliance. The corrective action of the plant was to ask the owner of the longhorns to leave the premises and not to return as this is a liability for them.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								Slaughter through normal procedures was resumed at approximately 1040 hours. No US Reject/ US Retained tags were used as the trailer was private property of a client.	
M45422+V 45422	Messina Meats	BEJ121 806161 3N-1	06/13/2018	06/13/2018	04C02	Livestock Humane Handling	313.1	On 06/13/18 at approximately 0950 hours while performing humane handling task, I observed the following noncompliance. I observed the metal mesh ("hog fencing") of the middle holding pen (pen # 1) had 1 broken prong along the north fence line and 2 broken metal prongs on the gate of the same pen. In a separate holding pen adjacent to the aforementioned (pen# 1), inside the hog barn, there were 3 additional broken metal prongs on this pen's (hog pen #1) gate. In all cases, the broken sections left pieces of sharp metal sticking out towards alley/walk ways and inside the pens themselves which may result in injury or pain to the animals. I immediately took regulatory control action (RCA) and tagged the affected pens with U.S. Retained #B42074640 and #B43368898 respectively. I notified Mr. Nunzio Femino, establishment owner, of the noncompliance at approximately 0955 hours. A Plant Employee, cut and placed electrical wire over the rough cut edges of all the affected fencing of both pens. Mr. Femino stated that this was a temporary fix until the cut metal prongs could be filed down, possibly over the weekend. Humane handling conditions were restored and the RCA was relinquished at approximately 1015 hours. These observations were a regulatory non-compliance with 9 CFR 313.1(a).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M45422+V 45422	Messina Meats	BEJ011 807560 5N-1	07/05/2018	07/05/2018	04C02	Livestock Humane Handling	313.16(b)(1) (iii), 313.2(f), 313.30(a)(3), 313.30(b)(2)	<p>This report documents failure of the Establishment to follow written humane handling procedures and effectively render an animal insensible according to Agency requirements. On 7/5/18 at approximately 1050 hours, while performing a humane handling verification task at Messina Meats, est #45422, I (b)(6) observed an establishment employee electrically stun a ewe with an electrical stunning device that should have rendered the ewe insensible at the end of the current cycle. However, after getting the probes positioned correctly behind the ears and applying the recommended current, the animal went down in the stunning box, turning its body such that the operator was unable to maintain the proper position of the probes, resulting in an incomplete initial stun. The employee removed the ewe from the restraint box, checked for insensibility and correctly observed the animal rhythmically breathing with directed eye movement. He took immediate corrective action by reaching for and effectively applying the back up captive bolt, which rendered the animal insensible. In accordance with 9CFR 313.50(c), I took regulatory control action by placing the USDA Reject tag #B43368865 to the knock box. I then notified Nunzio Femino, Plant Owner/Manager of the humane handling failure, and informed him that I would be contacting the Alameda District office of this incident. Additionally, I told Mr. Femino that I would be issuing this humane handling non compliant, and waiting for direction from the Agency on further action. The establishment is currently under verification plan for an ineffective stun on a hog.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M46433	SeraTec Inc.	VGF271 206182 3N-1	06/23/2018	06/23/2018	04C02	Livestock Humane Handling	313.15 (b)(1)(ii)	On June 23, 2018, at approximately 1110 hours, during ante-mortem inspection, (b)(6) observed that the air pressure gauge on the air compressor was not operable. Said air compressor is the primary air supply for the compressed air device used for stunning the calves (b)(6) informed (b)(6) of this regulatory noncompliance at approximately 1120 hours (b)(6) stated that he has spoken with the plant manger about the inoperable air gauge, and it was supposed to be fixed by now. (b)(6) stated that he will direct one of the employees to remove the operable air pressure gauge from the old air compressor in the records room to replace the inoperable air pressure gauge on the air compressor in use. The facility failed to have an operable air pressure gauge on their compressed air device to ensure constant and consistent air pressure to the handheld stunning device, therefore creating a regulatory noncompliance. There has been no recent similar regulatory noncompliance therefore this noncompliance record will not be linked as repetitive.	CLOSED
M45471+P 45471	New Angus, LLC	VUE571 209242 ON-1	09/20/2018	09/20/2018	04C02	Livestock Humane Handling	313.1	On 9/20/2018 (b)(6) was doing AM Duties prior to operations and separated a heifer with a 10 inch incision on her brisket from Pen 20. When I arrived to complete the AM, I examined the heifer and verified the wound was fresh. I also found a 2 inch sharp steel edge protruding out of the upper corner of the drinking fountain in Pen 20. At this time the pen was empty and I tagged the gate with US Retain #B22023441 and notified the (b)(6) of the noncompliance with 9 CFR313.1(a).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M48108+P 48108	Julius Falkavage LLC	HDJ201 010342 5N-1	09/20/2018	10/25/2018	04C02	Livestock Humane Handling	313.2	On 9-20-2018 at about 7:30 AM while performing a Humane Handling task I observed a noncompliance of 9CFR313.2e HATS category III Water and Feed Availability. A barrel of water in the holding pen that contained 5 head of cattle was full of contaminated water which was undrinkable. It contained floating feces firm in nature about 4 inches in diameter and 8 inches long as well as other partially dissolved chunks of feces which made the water barrel appear more like a manure storage vessel. The water was undrinkable and appeared to have been that way quite some time. Upon notification of the undrinkable water Manager Ryan Falkavage did nothing to correct the issue.	CLOSED
M51187	Pataskala Meats	PPH420 805272 2N-1	05/22/2018	05/22/2018	04C02	Livestock Humane Handling	313.2	On May 22, 2018, while at the establishment during USDA processing, I performed a livestock humane handling verification. I entered the barn at 0850 hours and following non-compliance was observed. There were approx. 22 lambs and goats within the main holding pen. There were two hogs located in the middle smaller pen and one hog located in another small holding pen. There was no water available in any of the pens. The main pen had an empty water container within the pen. There was not a water bucket/holder within either pen that contained the hogs. I notified (b)(6) of the observation. Establishment employee immediately filled the empty main water container that was empty. He placed a bucket within the pen of the single hog and filled it. He then moved the other two hogs to a different pen that contained water. This observation is non-complaint with 9 CFR 313.2(e) stating "Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed."	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M45572+P 45572	Ozark Meats Inc	LJF3410 081929 N-1	08/29/2018	08/31/2018	04C02	Livestock Humane Handling	313.2	At the time of my observation approximately 30 minutes before the scheduled start of operations, I observed in the northeastern holding pen, three Angus steers standing on the concrete floor. I observed one steel water trough available for the animals. The water trough is capable of holding approximately 8 gallons of water which was not sufficient for the number of animals being held. The water trough was only about 1/3 full of water and heavily contaminated. I also observed in the northwestern pen, five medium sized hogs with only one steel 8 gallon water trough only about 1/3 full of water and heavily contaminated. The pen size is sufficient for the number of animals being held to lie down and also move around freely however, the pen holding the three steers was cramped for the size of the pen. During my observation, it was determined that the establishment was not meeting the regulatory requirements of 9 CFR 313.2(e). Upon (b)(6) arrival, both he and (b)(6) were notified of the noncompliance.	CLOSED
M45585+P 45585+V45 585	Butcher Block & Smokehouse, Inc.	DTK430 905033 ON-1	05/30/2018	05/30/2018	04C02	Livestock Humane Handling	313.15(a)(1)	While verifying HATS task category VIII-Stunning Effectiveness of cattle with (b)(6) on 05/30/2018 at approximately 0755 we observed the following noncompliance. The establishment utilizes a hand-held penetrating captive bolt to stun cattle. The first stunning attempt with the captive bolt behind the poll was unsuccessful at rendering a young bull unconscious. The bull fell but attempted to return to a standing position. The captive bolt operator loaded the captive bolt with a readily available charge and successfully rendered the animal unconscious with a second shot to the forehead. This is noncompliant with 9 CFR 313.15(a)(1). Plant Manager Anthony Austin was notified of the noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M45629+V 45629	Andy's Meats Inc.	DJP411 307241 ON-1	07/10/2018	07/10/2018	04C02	Livestock Humane Handling	313.2	At approximately 0710, (b)(6) and (b)(6); under HATS category III- Water and Feed Availability, observed that the hogs held overnight in Pen #4 and the Chute Pen (approximately 30 hogs in each pen) had no access to water. The faucet supplying the nipple type waterers was turned off. Upon noticing this noncompliance, (b)(6) turned the faucet on and ensured water was supplied. Additionally, at approximately 10:10am, the line was stopped; and no further hogs were slaughtered until after lunch. At the time the line stopped, hogs were loaded in the chute. (b)(6) had informed (b)(6) that the lunch period would be lengthened. At 11:00am, (b)(6) under HATS Category III- Water and Feed Availability, observed that approximately 12 hogs were still loaded into the chute and squeeze pen, with the gate closed and no access to water. There were no employees in the barn as all had gone to lunch. Hogs were being held without access to water. (b)(6) found (b)(6) at lunch and informed her of the noncompliance. She immediately had the hogs backed out of the chute and removed from the squeeze pen, providing hogs with water. This is a noncompliance with 9 CFR 313.2(e) for failure to provide access to water. A similar noncompliance was documented on 4/24/18 on NR #DJP4714044024N/1. The establishment's further planned actions were not implemented or were inadequate to prevent recurrence of noncompliance regarding provision of water to held animals.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M45729+P 45729+V45 729	Westcliffe Meats	UGM03 120606 06N-1	06/06/2018	06/06/2018	04C02	Livestock Humane Handling	313.2	On 6-6-18 at 07:12 while conducting human handling ante mortem inspection I CSI observed the following: There were to beef in the front pen with no water available. One beef in the back pen had water in a 10' high plastic container but it was determined the water was not clean it contained grass hay and dirt making it a brownish green color. The side pen contained one beef and had no water available. I immediately instructed plant personal to get water for the animals and went inside facility and ask plant owner Mr. Miller to meet me outside by pens. I should Mr. Miller my finding and explained I would be writing a noncompliance. I then explained to Mr. Miller that the system he is currently using to water the animals is not working and he should change it and future violations would result in further disciplinary action including me holding up slaughter and contacting DO for further instruction. Mr. Miller stated that he understood. All animals had access to water by 07:22 and Slaughter was allowed to start	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M48144	Abe's Kosher Meats LLC	CFR471 506032 9N-1	06/29/2018	06/29/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII: Stunning Effectiveness</p> <p>At approximately 1027 hours on June 29, 2018, I, (b)(6) was observing the knock box as part of a daily humane handling task. I observed a plant employee place the captive bolt on the skull of a restrained dairy cow. I heard the captive bolt fire, but not as loud as usual, indicating a misfire. The plant employee removed the captive bolt from the skull, but I noted that while there was a small amount of blood and hair on the piston, not as much of the piston had entered the skull as usual. After removal of the piston from the skull, I noted the eyes following the movement of the plant employee. I told the company employee to administer another knock, because the animal was not unconscious. The cow seemed calm, as there was no vocalization, kicking or excessive head movement. The plant employee removed the shell and reloaded the same captive bolt gun. With the second knock the cow was successfully rendered unconscious about 45 seconds to 1 minute later after the first knock attempt. I noticed the second knock also sounded like a misfire. After the second knock, no eye movement was noted. When the plant employee touched the eye, there was no blinking. A third and fourth safety knock were administered by the plant employee. I placed Reject Tag B40096400 on the knock box. I notified (b)(6) (b)(6) that a humane handling incident had occurred at the knock box. Afterwards, I left the slaughter floor and informed the (b)(6) (b)(6), that a humane handling incident had occurred. She allowed the line allowed to continue operating, so the carcasses already on the line could be finished. (b)(6) called (b)(6) (b)(6), who informed (b)(6) (b)(6) with the Denver district about the incident. Plant co-owner, Hillel</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								<p>Shamam, and Plant Manager, Keven Patterson, were notified they would be receiving a non-egregious non-compliance for humane handling. The company has stated they will have a different person continue knocking for the day. While the person performing the knocking duties was trained, that was not the person assigned to that task for the day. The person knocking is somewhat new to the company and was not aware there was a backup gun to use, instead of taking time to reload the first gun. Furthermore, that employee will receive retraining. The company will remove the current box of shells from use and open a new box of shells. Going forward, they have stated they will have a written list and inform USDA IPP daily about who will be the plant person assigned to the knock box duties. If a different person is observed in the knock box position, the company will stop their operations until the assigned person resumes the position or an explanation is offered about the replacement staff change. The company has also stated they will purchase a 3rd captive bolt gun to serve as a second backup and make all trained company personnel aware of having a backup gun. (b)(6) and I observed the skinned skull. There appeared to be three holes overlapping on the center of the skull above the eyes. The bottom hole was only ¼ to ½” deep, while the other two holes were full thickness penetration of the skull. After receiving the corrective actions and preventive measures, the Reject tag was removed at approximately 1130 hours and the company was allowed to continue operations</p>	

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M48161+V 48161	Eggert Slaughtering, Inc.	SBF191 908232 7N-1	08/27/2018	08/27/2018	04C02	Livestock Humane Handling	313.15(a)(1)	On 8/27/18 at approximately 0835 hours, I (b)(6) [REDACTED], was performing a Humane Handling Category VIII (Stunning Effectiveness) Task. An establishment employee attempted a head stun on a beef steer in the restrainer by discharging the captive bolt on the poll area of the steer. After the captive bolt was discharged, it appeared to have no effect on the animal, as the steer remained standing and fully conscious. The initial shot from the captive bolt sounded muffled. I observed blood in-between the eyes on the face of the steer. The steer did not vocalize during this time. The establishment employee immediately reloaded the captive bolt device and applied an effective stun, rendering the animal unconscious. I tagged the knock box with U.S. Reject tag NO. B36822268. During post mortem inspection, I viewed the skull and observed two holes had penetrated the pole area of the skull. This is a noncompliance with 9 CFR 313.15(a)(1). I informed Establishment President, Mr. Keith Eggert, of the noncompliance and issuance of the noncompliance record. Mr. Eggert provided verbal corrective and preventive measures, and I removed the U.S. Rejected tag and slaughter operations resumed.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M45856+V 45856	Prime Pork LLC	ODB44 090832 31N-1	08/31/2018	08/31/2018	04C02	Livestock Humane Handling	313.2, 313.5	While conducting Ante-Mortem inspection and observing HATS Category IV - Handling During Ante-Mortem Inspection, I observed the following noncompliance with HATS Category VI - Electric Prod/Alternative Object Use. At approximately 9:05am, while standing on the catwalk, I observed an employee driving a group of hogs from the pen into the alleyway leading to the CO2 stunner. The employee was using a plastic bat continually batting the last hog as it was running. Although the employee had to jog to keep up with the hog, he continued to force it into a pace faster than a normal walk. As soon as I observed this, I pointed it out to (b)(6) who immediately went to the employee and discussed the issue with the employee. When I came down from the catwalk, I discussed the issue with (b)(6) and told him that I would document the situation on an NR. I tagged the alleyway leading to the stunner with U.S. Reject Tag # B45723932. This situation is noncompliant with 9 CFR 313.2(a), 313.2(b), and 313.5(a)(2). (b)(6) called a meeting with the barn personnel, then requested to work individually with the employee driving the hogs. I removed the U.S. Reject Tag to allow movement of hogs and the corrective actions be completed.	CLOSED
M48195	Farmer's Pride	OBC290 806072 5N-1	06/25/2018	06/25/2018	04C02	Livestock Humane Handling	313.16(a)(1)	On 6/25/18 at 0917, while performing humane handling task, the following noncompliance was noted. The plant designee used a 22 caliber rifle to stun a hog. The shot to the head did not create immediate unconsciousness. Blood was seen coming from the hog's nostrils, but the hog was still standing and vocalizing. The plant took immediate effective corrective action and fired a second shot to the hog's head that immediately created insensibility. Mr. Marlin Whitman, plant owner, was informed of the noncompliance that would be issued for violation of 9CFR 313.16(a)(1).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M34554	Wilson Farm Meats, Inc.	ORQ23 150759 02N-1	07/02/2018	07/02/2018	04C02	Livestock Humane Handling	313.30(a)(1)	<p>On 07/02/18, at approximately 9:15am, while observing HATS category VIII (Stunning Effectiveness); I observed the following noncompliance. The establishment personnel were in the process of slaughtering the final animal of the day which was a small roaster swine. The animal was smaller than what is normally slaughtered at the facility. Due to the animal being smaller, establishment personnel held the animal upside down by the hind feet instead of stunning the animal in a standing position. The stunner operator, utilizing a scissors-type electrical stunning wand, placed the electrodes on the head of the roaster swine. Immediately upon placement of the prong-like stunning electrodes, the animal vocalized in pain and began to wiggle around in the employee's hands. Since the animal still remained conscious after the first unsuccessful attempt, the stunner operator immediately replaced the electrodes on the hog's head, and effectively rendered the hog insensible. I tagged the knock box with US Reject Tag # B33511460. This is noncompliance with 9 CFR 313.30(a)(1). (b)(6), was notified of the noncompliance. On 07/03/2018 a meeting was held with (b)(6) and (b)(6). The immediate corrective action as stated by (b)(6) is to not slaughter any more of these smaller animals until the proper equipment, procedures and training are in place. These smaller animals may be slaughtered in the future, however, proper equipment would be in place and written procedures created as well as the proper training for plant personnel. At 10:50 am on 07/03/2018 I removed the US Reject Tag from the knock box.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M45919+P 45919	Circle C Farm Abattoir & Butcher Shop, LLC	QWL07 120848 09N-1	08/09/2018	08/09/2018	04C02	Livestock Humane Handling	313.16(a)(1)	While doing a routine inspection for the PHIS Humane Handling task on 8/09/18 at approximately 1:00 PM a noncompliance was observed. On the 7 hogs of 10 that were slaughter during this date, the establishment slaughter guy did not produced immediately unconsciousness to the hog after the first shot during antemortem. The animal was being stunned by gun shot when it moved it head just as the shot was being applied. The hog went down and immediately tried to stand up getting up with the front legs. The establishment employee immediately applied a second shot to the hog where the hog was made to be insensible. This is a noncompliance with the 9 CFR 313.16(a)(1) that state: The firearms shall be employed in the delivery of a bullet or projectile into the animal so as to produce immediate unconsciousness in the animal by a single shot before it is shackled,hoisted, thrown, cast, or cut. The establishment owner Mr. Manuel Cruz was notified for this noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M45928+P 45928	Central Missouri Meat & Sausage	CRN221 607121 9N-1	07/19/2018	07/19/2018	04C02	Livestock Humane Handling	313.2	HATS Category III- Water Availability On July 19th at approximately 15:05 hours while performing a routine Humane Handling Verification Task, I (b)(6) observed the following noncompliance. In the west pen, swine that were being held for the following day's inspected slaughter did not have access to water. I observed the nipple type waterer in the pen was turned off, and there was no other source of water for the livestock in the pen. I immediately notified an establishment employee of the noncompliance and the establishment employee turned the water on. I verbally notified Establishment Owner Cory Hawkins of the noncompliance and that a Noncompliance Record would be issued. This is a failure to meet the regulatory requirements of 9 CFR 313.2(e); all livestock must have water at all times. After reviewing the records for the previous 90 days, no associations can be made at this time.	CLOSED
M45945+P 45945	Home Place Pastures	WLT23 090840 02N-1	08/01/2018	08/02/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS VIII Stunning Effectiveness: At 2:50 p.m. on the kill floor, establishment employees were attempting to stun a hog in the knock box. On the first attempt to stun the animal the employee applied the captive bolt gun to the animals head. As the employee squeezed the trigger on the captive bolt the hog moved its head and the captive bolt pin struck the top of the animals head. Immediately plant employees noticed eye tracking, prompting them to do the immediate corrective actions put in place. The second attempt to stun the animal was immediate and effective and rendered the animal insensitive. Plant owner Marshall Bartlett was on the premises when the non-compliance occurred and was allowed to resume slaughter after a verbal corrective action was given. This document serves as a written notification that your failure to comply with regulatory requirements could result in additional regulatory or administrative action.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M45945+P 45945	Home Place Pastures	WLT56 130806 30N-1	08/30/2018	08/30/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS VIII Stunning Effectiveness: At 1:30p.m. On the kill floor, establishment employees were attempting to stun a goat in the knockbox. On the first attempt to stun the animal the employee applied the captive bolt gun to the back of the animals head and squeezed the trigger on the captive bolt. After the first stun attempt the goat vocalized and the plant employee immediately followed with another stun attempt with the captive bolt gun. The second stun was immediate and effective rendering the animal unconscious. U.S. Rejected tag NO. B43321577 was applied to the knockbox and establishment management was notified of the non-compliance.	CLOSED
M45948	Ida-Beef LLC	AKL171 008241 7N-1	08/16/2018	08/16/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HAT Category VIII (Effective Stunning) On Thursday 8/16/18 @ approximately 1600, I (b)(6) observed Mr. Tom Claycomb, the plant manager attempted to stun a dairy cow with a hand-held captive bolt. The first knock was ineffective. The captive bolt fired and contacted the cow, and it was in effective, as the cow remained in standing position in the restraint box. Mr. Claycomb applied an immediate second effective knock that rendered the cow unconscious and remained unconscious through bleeding. Mr. Claycomb related the cause to that (the cow moved its head, as he did not use the head restraint, as he should have). As an immediate corrective action Mr. Claycomb replaced by the plant's primary stun operator. Following this incident, I observed the stunning of several head of cows, with no issues or concern. This non-compliance report (NR) issued to document the establishment failure to comply with 9 CFR 313.15(a)(1).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M791C	Clemens Food Group, LLC	QCF381 405341 8N-1	05/18/2018	05/18/2018	04C02	Livestock Humane Handling	313.1, 313.5	<p>HATS CATEGORY VII--STUNNING At approximately 0945 while verifying the humane stunning of livestock, I observed chemical; carbon dioxide stunning noncompliance. I found that the drive gate that pushes hogs into the west carbon dioxide gas stunning chamber, which was being used to stun hogs at the time of my observation, was in disrepair. The plastic panel fastened to this gate had an approximately 6 inch X 6 inch X 6 inch approximately triangular shaped hole in it. This hole was near the center of the drive gate and approximately 1.5 feet off the floor. The edges of this hole were rough but not sharp or jagged. This finding illustrates noncompliance with 9 CFR 313.5 (b) (2) and 313.1 (a), because there was a hole in a device used to mechanically drive animals that could entrap an appendage and injure an animal. At approximately 1045 hour after reviewing humane handling regulatory requirements, I took a regulatory control of the west side carbon dioxide gas stunning chamber with reject tag B37602068. I immediately notified (b)(6) of my actions and my findings. To address this finding, establishment personnel immediately began repairing the drive gate. At approximately 1125 hour (b)(6) notified me the repair was complete. I then immediately re-inspecting the drive gate. I found the gate in good repair and I immediately released the regulatory control action.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M791C	Clemens Food Group, LLC	QCF380 608382 4N-1	08/21/2018	08/24/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category III On August 21, 2018 at approximately 0514 hours; (b)(6) observed a humane handling Non-Compliance in the barn. While performing Ante-Mortem activities, (b)(6) observed that the alley way in the North-East Corner of the barn, alongside unloading dock 4 had been turned into a pen for hogs that had just been unloaded. Since the barn was full, and all pens occupied by other hogs, the establishment elected to use the alley way as a pen. (b)(6) observed that there was no water available in the pen for the hogs. (b)(6) was asked why there was no water available; she was unaware that there pigs being held there. She immediately started filling the blue tubs with water, and put them in the alley way pen. (b)(6) then reported that the hogs were done unloading at approximately 0458 hours. (b)(6) was notified of the Non-Compliance. This is a Non-Compliance with 9 CFR 313.2(e) which states "Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed. There shall be sufficient room in the holding pen for animals held overnight to lie down.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M46010	North Cascades Meat Producers Cooperative	IGN2317080828N-1	08/28/2018	08/28/2018	04C02	Livestock Humane Handling	313.1, 313.16(a)(2), 313.2	At approximately 8:15 after ante mortem inspection while moving the cattle from the holding pens to the stunning area The two beef steers in the upper pen started running to avoid the handlers as they were attempting to open the gate. The cattle slipped several times and ran to the corner where the gate was located and as the handlers then tried to get the gate open the steers turned and tried to run the other direction. One fell to its knees and the other fell onto its chest. This is in violation of 9 CFR 313.16(a)(2) The floors in the barn are smooth concrete with a small amount of shavings. The cattle were unable to maintain sure footing in this area. This is in violation of 9 CFR313.1(b) The handlers decided to place rubber mats down to prevent further slips and falls. (b)(6) was verbally informed that a written Non Compliance Report would be issued. A review of the establishments non compliance history does not show a similar NR written I the past 90 days.	CLOSED
M46070+P46070	Marble City Meats LLC	KLE3107084024N-1	08/23/2018	08/23/2018	04C02	Livestock Humane Handling	313.16(a)(1)	On 8-23-2018 at 12:45 PM, I (b)(6) was observing slaughter of the first hog. The animal was loaded in the knocking box and while observing the stunning (gunshot) the first shot was off and did not render the hog unconscious (miss stun) A second shot was placed and was effective. (b)(6) was notified of the Non Compliance with 313.16(a)(1). I notified immediate supervisor and tagged the knocking box with tag number B30314650 and suspended slaughter until further notice. It was stressed to (b)(6) the importance having a effective stun.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M46085+P 46085	Stevens Abattoir Inc.	CXM12 140746 30N-1	07/30/2018	07/30/2018	04C02	Livestock Humane Handling	313.1	Category: Water and Feed Availability While conducting a humane handling inspection at Stevens' Abattoir at approximately 8:10am the following non compliance was observed. The animals that were held overnight did not have access to water. No regulatory control action was taken due to Darren, the owner, immediately filling the water trough with water. Plant owner, Darren Stevens, was notified of this non compliance and failure to comply with 9 CFR 313.1.	CLOSED
M51306+V 51306	Powell Meat Company LLC	MCU21 140828 06N-1	08/06/2018	08/06/2018	04C02	Livestock Humane Handling	313.2	On August 6th at approximately 0730 hours while I, (b)(6), was performing a human handling task in the pens I observed the following non-compliance. While observing conditions to the steer in pen 3, I noticed there was no water available. According to the human handling verification category III titled " Water and Feed Availability in 9 CFR 313.2 it states: "Under this category, IPP record their verification of the establishment's compliance with (CFR 313.2(e), which requires that water be available to livestock in all holding pens, and that animals held longer than 24 hours have access to feed." I immediately notified (b)(6) of the situation. He informed me that the steer had only been there approximately 10 minutes and put a tub of water in the pen directly. I verbally informed (b)(6) that I would be documenting this non-compliance on an NR. No USDA Reject/Retain tag was applied because I remained in the area while the animal was watered.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M51306+V 51306	Powell Meat Company LLC	MCU09 110825 15N-1	08/15/2018	08/15/2018	04C02	Livestock Humane Handling	313.2	HATS category III water and feed availability. On August 14th at approximately 0730 hours while performing a human handling I, (b)(6), observed the following non-compliance. There were 3 pigs in holding pen 3 that had no water source at all. There was no bucket or tank in the pen to supply any water. The 3 pigs in holding pen 4 had an over turned water tank and the 4 pigs in holding tank 5 had an empty water tank. I immediately notified (b)(6) who observed the situation. I informed (b)(6) the regulation 9 CFR 313.2(e) states that "Animals shall have access to water in all holding pens and if held for longer than 24 hours, access to feed." (b)(6) immediately got all the animals water. I informed Plant Owner Travis Powell that I would be documenting this non compliance on an NR. This NR is being linked to NR MCU2114082806 dated 8/6/2018 for similar cause.	CLOSED
M51309+V 51309	Texas Packing Co.	OLR241 607082 7N-1	07/27/2018	07/27/2018	04C02	Livestock Humane Handling	313.1	On July-27-2018, at approximately 0605 hours while performing Ante-Morten of cattle two alley gates were observed to have broken rail pipes on one gate and broken lower hinge on the second gate. Livestock was restricted from the cattle alley gates, both gates were rejected at 0605 hours using USDA Reject/Retain tag # B37690093. (b)(6) and (b)(6) were notified of the non-compliance and that a NR would be issued. Both gate were repaired, USDA inspected and released at 0630 hours. This is a violation of 9CFR 313.1	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M46139+V 46139	Cypress Valley Meat Company 1, LLC	UIV561 206050 7N-1	06/06/2018	06/07/2018	04C02	Livestock Humane Handling	313.1	On 6/6/18 at approximately 1100 hours while performing a Humane Handling Assessment, the following noncompliance was observed by (b)(6) [REDACTED]: A steer was driven into the knocking box where it was observed to slip and fall prior to being knocked. The knocking box has a smooth surfaced beveled steel wall that protrudes approximately 12 inches into the middle of the knocking box floor; which is only approximately 26 inches wide in total and a smooth concrete floor. This design restricts the animals ability to support itself. Mr. Benny Jones and Mr. Chris Shaw, Co-Plant Managers, and (b)(6) [REDACTED] were notified of this noncompliance. US Reject tag #B42001479 was applied to the knocking box at approximately 1117 hours and these same gentlemen were informed they could not utilize the knocking box for cattle thereafter until the issue was resolved. A review of records revealed no recent noncompliances to be associated with this NR.	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M46139+V 46139	Cypress Valley Meat Company 1, LLC	UIV071 208432 8N-1	08/28/2018	08/28/2018	04C02	Livestock Humane Handling	313.2	<p>On 8/28/2018 at approximately 0945 hours while performing a Routine Humane Handling Task using the Review and Observation component for HATS Activity Category II Truck Unloading the following was observed. A rather large bull was being unloaded by a single (b)(6) assisted by two nonemployees. There are side gates that close perpendicular to the side of the trailer creating an enclosure for the back of the trailer for offloading. This trailer had fenders that allowed a gap, approximately 10-12 inches, between the trailer and the side gate. The plant employee was utilizing a rattle paddle to encourage the beef to exit the trailer. The bull exited the trailer, then turned around and re-entered the trailer multiple times. The employee then switched to a battery powered electric prod and lightly tapped the bull on the round. The bull offloaded, again turned around and found the gap between the trailer and the side gate, put his head through the gap and appeared to be trying to push his way through this area to exit. One of the nonemployees was standing on this fender and was observed to kick the animal in the head, approximately 2 times to prevent the animal from getting loose and potentially causing the man bodily harm. As I called out to the employee and requested that all attempts to unload be halted, the bull re-entered the trailer. I instructed the employee to simply stop what he was doing and leave everything as it was. He voiced understanding. I informed Mr. Chris Shaw, Co-Plant Manager, that I was going to inform my supervisor of this noncompliance for review by him and slaughter floor production already in progress could be finished but that stunning operations were rejected. US Reject Tag B42001474 was applied to the knocking box.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M46172+P 46172+V46 172	JM Watkins, LLC	IGT281 009052 4N-1	09/24/2018	09/24/2018	04C02	Livestock Humane Handling	313.15(a)(1)	On 9/24/18 at approximately 0710 hours, I, (b)(6) was performing a Humane Handling Category VIII (Stunning Effectiveness) Task. An establishment employee attempted a head stun on a beef steer in the restrainer by discharging the captive bolt in the poll area of the steer. After the captive bolt was discharged, it appeared to have no effect on the animal, as the steer remained standing and fully conscious. The steer did not vocalize during this time and did not appear agitated. The establishment employee immediately reloaded the captive bolt device and applied an effective stun, rendering the animal unconscious. The establishment employee administered a security stun to the forehead of the steer after the effective stun. I tagged the knock box with U.S. Reject tag NO. B38122836. During post mortem inspection, I viewed the skull and observed three holes had penetrated the skull, two holes in the poll area and one in between the eyes. This is a noncompliance with 9 CFR 313.15(a)(1). I informed Establishment Owner Brandon Clare of the noncompliance and issuance of the noncompliance record. Mr. Clare provided verbal corrective and preventive measures, and I removed the U.S. Reject tag and slaughter operations resumed.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M46233+P 46233	University of Wisconsin River Falls	KHE461 209281 3N-1	09/13/2018	09/13/2018	04C02	Livestock Humane Handling	313.15(a)(1)	On 9/13/18 at approximately 1110 hours, I (b)(6) was performing a Humane Handling Category VIII (Stunning Effectiveness) Task. An establishment employee attempted a head stun on a beef steer in the restrainer by discharging the hand-held captive bolt on the face of the steer. After the captive bolt was discharged, it appeared to have no effect on the animal, as the steer remained standing and remained conscious. I observed the steer to have a bloody nose from the initial stun attempt. The steer did not vocalize during this time. The establishment employee immediately reloaded the captive bolt device and applied an effective stun, rendering the animal unconscious. I tagged the knock box with U.S. Reject tag NO. B38122841. During post mortem inspection, I viewed the skull and observed two holes had penetrated the skull, one hole in the pole area and one in between the eyes, just below line between the eyes. This is a noncompliance with 9 CFR 313.15(a)(1). I informed Mr. Steve Watters, Plant Manager, and (b)(6), of the noncompliance and issuance of the noncompliance record (b)(6) provided verbal corrective and preventive measures, and I removed the U.S. Reject tag and slaughter operations resumed.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M46269	CMR Processing LLC	OBU10 180915 24N-1	09/24/2018	09/24/2018	04C02	Livestock Humane Handling	313.2	While performing the Ante-mortem tasks, (b)(6) noticed a pen holding one animal that was awaiting processing. Further examination revealed that there was absence of water for the animal. The plant manager was notified and instructions were given to make water available at all times for the animals. The absence of water in a pen housing animals is a violation of 9 CFR 313.2 (e) 9 CFR 313.2 (e) Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed. There shall be sufficient room in the holding pen for animals held overnight to lie down.	OPEN
M46334	Plymouth Meats, LLC	GPB390 806241 4N-1	06/14/2018	06/14/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.2(f)	Category VIII – Stunning Effectiveness At approximately 0900 hours I observed the following noncompliance: I observed an employee attempt to stun a hog with a captive bolt in the head. When the shot was issued the animal arched, stiffened and went down. The eye that was visible was still open and the animal appeared to still be conscious. Then the animal attempted to rise up and stand on its feet. The employee took immediate corrective action and issued a second captive bolt shot to the head. With the issuing of the second shot the animal went down and remained unconscious and was dead. This is a noncompliance and is a violation of 9 CFR 313.2(f) & 313.15(a)(1). I notified Plant owner Katie Adkins of this situation immediately.	CLOSED