

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	Status	MOI Agenda
25	M1620	Quality Pork Processors	QMO4114 103616G	2017-10-16	04C02	Finalize d	At ~ 1:00pm I met with (b) (6) in the livestock holding area. I mentioned to her that on various occasions I've noticed that different hog handlers are driving animals too faster and with more excitement than necessary. I stated that I'm routinely seeing the yellow flags routinely snapped or cracked which has a tendency to scare hogs (and potentially pile onto one another) rather than aid in effectively driving them. I stated that there are various drivers who move too fast and without regard to how the animals he/she are moving. I once again reiterated the following regulation: § 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. Livestock shall not be forced to move faster than a normal walking speed. This concern has been mentioned at various Weekly Establishment Meetings, most recently on 8/24/17 and 6/29/17

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25	M17D	Smithfield Packaged Meats Corp.	WLJ29171 13909G	2017-11-09	04C02	Finalize d	<p>This MOI is to document my concerns about a humane handling incident and a conversation with Plant Manager Teap Sayasavanh on 11/03/2017. At approximately 2100 hours, I observed a conscious hog that had survived a cycle through the (b) (4) stunning machine. While performing antemortem inspection in the (b) (4) cripple pen", I heard multiple captive bolt gun shots being fired rapidly. I observed employees run into the area between the push gates to retrieve additional captive bolt guns. The noise of the captive bolt shots appeared to be coming from the area of the (b) (4) machines. I walked down the stairs adjacent to the east (b) (4) and observed a conscious hog "dog sitting" on the conveyor belt that exits the (b) (4) calmly looking at its surroundings. There was a group of unconscious hogs lying around it. It was clear that the hog had survived a cycle through the (b) (4) machine and was dumped, along with 6 other hogs, onto the conveyor after the cycle had finished. The manager in the area had already stopped the (b) (4) system and the shackle chain and no additional hogs were being slaughtered at this time. There were hog carcasses on both conveyor belts going to the shackle table, the shackle table itself was full of hog carcasses, and there were hogs that were shackled and hanging in the stick area. I did not observe consciousness in any other hog aside from the hog I observed sitting on the conveyor belt. After my observations, I informed Plant Manager Teap Sayasavanh that I was going to stop slaughter operations and contact the district office for further guidance. I issued US Reject Tags B37082001 and B37082004 for each alleyways leading to the (b) (4) machines. I spoke with (b) (6) and it was determined that slaughter operations could resume. I then spoke with Mr. Sayasavanh to ensure that they had</p>

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							identified the cause of the (b) (4) malfunction. He stated that maintenance was working on the (b) (4) machines over lunch and had inadvertently caused the CO2 levels to drop. Mr. Sayasavanh showed me that the CO2 levels in both machines had now risen to acceptable levels (92% and 95% respectively). I told Mr. Sayasavanh that they could resume slaughter. When slaughter resumed at approximately 2130 hours, I observed stunning effectiveness for the next 15 minutes. I confirmed that hogs being discharged from the (b) (4) machines were insensible during my observations. I told Mr. Sayasavanh that the establishment implemented corrective actions to render the hogs insensible, which was positive. However, conscious hogs emerging from the (b) (4) machine should be avoided. It would be prudent to monitor CO2 levels at all times to prevent this from recurring.
35	M19549A	Elkhorn Valley Packing LLC	KEE360810 5310G	2017-10-10	04C02	Finalized	While performing ante-mortem at 0600 today 1 load of cattle had approximately 6 head slip and fall when returning to the holding pen from the alleyway. The alley had been used to hold the last load of cows to arrive during the previous night and, therefore had a layer of waste on it that contributed to the slipping issue and the cows involved were a very nervous, anxious group. I instructed (b) (6) to stop and spread salt in the alley to help with traction before proceeding. This is something he should initiate and I passed this along to Jeff Venn, plant manager, who was present at the time of this incident.

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50	M20856	Eureka Locker, Inc.	GGG13121 13208G	2017-11-08	04C02	Finalize d	During record check with (b) (6), it was discovered that some of the humane slaughter documentation had not been filled out completely. (b) (6) & I discussed this with owner (Lori Warfel) and she said she would see to it that it was taken care of. I later spoke to the slaughter employee that has been taking over for the employee who regularly does the paperwork. (b) (6) stated that he has been doing the tasks as needed but was not used to filling out each line. (b) (6) and I did see that the overall humane report was being signed and dated that it had been done. (b) (6) was shown the right way to fill out form and stated he would have no problem doing it.
35	M2316	Whisnant Meat Packing LLC	FSF011411 5816G	2017-11-16	04C02	Finalize d	Humane handling concerns at Whisnant Meat Packing: 1. On 11-14-17 (b) (6) saw a plant employee trying to back up a hog from out of the knock box by spraying water in its face. She told the employee if it happened again, slaughter would be stopped. 2. On 11-15-17 (b) (6) observed the same plant employee about to slap a hog in the face with a hose nozzle, again in an attempt to move it out of the knockbox. 3. On 11-15-17 (b) (6) saw a plant employee (across the pens) jabbing a sorting board up and down quickly in a chute. No hog was visible but (b) (6) told the employee to stop. Plant manager Bret Powell has been notified of these observations.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	Status	MOI Agenda
25	M244W	Tyson Fresh Meats, Inc.	BTD482111 4520G	2017-11-20	04C02	Finalize d	<p>At 15:45 on 11-16-17 while in the barn to perform antemortem inspection (HATS task IV) I observed that the “shipper” pen immediately adjacent to the “sub” and “house”/disabled hog pen was overcrowded with hogs, including a mix of lame hogs, undersized hogs, hogs with open wounds or large abscesses, and market-weight uncastrated hogs. A team member opened the gate to the bottom section of the pen when he saw me looking at the pen. When attempting to move some of the hogs to the opened portion of the pen there was agitation, piling, and squealing as the animals tried to avoid the team member and the noise from the adjacent drive alley (to the scale). This excessive excitement was exacerbated by the density of hogs – I counted approximately one hundred animals. There is a waterer in this pen, but at that density of animals, it is unreasonable to expect that all hogs could readily access it or access it without climbing over other hogs. I discussed the issue of pen overcrowding with (b) (6) and (b) (6) (b) (6). This follows a similar incident that I observed on Tuesday, Nov 14: while in the barn to perform antemortem inspection, my attention was drawn to the shipper pen by the sound of hogs squealing. The top portion of the pen was very crowded with hogs, and, seeing me near the pen, a team member opened the gate to provide the hogs access to the bottom portion of the pen. I talked to (b) (6) shortly thereafter, and she went to observe the situation for herself. She reported observing similar conditions earlier in the shift and having already discussed it with team members; she told me there were only supposed to be 30 to 40 hogs in that pen.</p>

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25	M245C	Tyson Fresh Meats, Inc.	ZRG391712 1720G	2017-12-20	04C02	Finalize d	<p>While entering the stairway leading up to the restraining area to observe HATS Category VIII- stunning effectiveness and watching HATS Category IX - for return to consciousness at Tyson Fresh Meats M245C, on 12/19/2017, at approximately 9:05pm, I heard the pneumatic bolt discharge and heard an animal vocalize. Approximately 5 seconds later, I entered the stunning area in time to see that one of the employees had just successfully stunned an animal with the hand held captive bolt device. While I was not able to directly observe the initial stun, nor confirm that the animal that animal that I heard vocalizing was the one that was stunned with the hand held device, it was evident from the location of the knock holes that there were two holes. One was approximately 2 inches above and centered between both eyes, the other about a 1 inch above, and 2 inches to the right of midline above the right eye, basically 1 inch below and 2 inches to the right of where the captive bolt is normally applied. Due to the fact that I did not directly witness the incident, I did not take a regulatory control action. However, I did request to speak to a supervisor, and the (b) (6) (b) (6) was called to the area. I explained my observations, and he stated that he would have an area supervisor perform a stunning effectiveness audit to monitor the placement and effectiveness of the captive bolt for the next 100 head of cattle, as well as to perform (b) (4) audits for the next 5 days, as is stated in their humane handling protocol. It is also company policy to switch positions between primary and secondary stunners when a secondary or safety stun is necessary, which was done immediately.</p>

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25	M2460	Cimpl's, Inc.	PMB01111 01809G	2017-10-09	04C02	Finalize d	<p>At approximately 4:30 p.m. on October 6th, 2017, inspection personnel were notified that an adult beef cow that had been inspected and passed for ante-mortem had escaped from the establishment's animal holding facilities as well as the partially enclosed perimeter fence and had traveled to a grassy area approximately one half mile from the establishment. The establishment noted that a barn employee was in the process of driving a lot of easily excitable cattle from one of the pens on the west side of the barn to the tub area for slaughter. At the same time, two newer employees were actively cleaning pens as it has been raining heavily and the pens require frequent cleaning to prevent slips/falls. One of the newer employees closed the gate to the pen that the animals had just been driven from to facilitate cleaning. In addition, the outside gate was also open as the employee was moving debris to the outside of the barn with the skid loader.</p> <p>One of the animals being driven to the tub doubled back and without the gate to the pen blocking its path, the animal was able to freely move to the outside of the barn. It then proceeded out of the partial perimeter fence. The cow was euthanized within a few hours of its escape by the local sheriff's office and establishment barn employees. The animal was brought back to the establishment and sent to inedible rendering. Title 9 CFR 313.1 requires animals be handled with a minimum amount of excitement as well as in a manner to prevent reversal of direction. Facilities should be constructed in such a manner that prevents an animal from escaping regardless of the temperament of the animal.</p>

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25	M2460	Cimpl's, Inc.	PMB46181 01910G	2017-10-10	04C02	Finalize d	At approximately 1:00 pm, inspection personnel were notified that an adult beef cow escaped from the establishment's animal holding facilities as well as the partially enclosed perimeter fence. At the time inspection personnel were notified, the location of the animal was uncertain. The establishment noted that a barn employee was in the process of sorting cows that had unloaded from a stock trailer. While sorting, the gate to the hold pen was left open as well as the yellow walk through gate for the semi-unloading chute. The cow proceeded to walk through the open yellow gate and fall off the semi unloading chute. She then traveled outside of the partially enclosed perimeter fence. At approximately 4:30 p.m., inspection personnel were notified that the cow had been located and returned to M2460. The establishment's facility should be constructed in a manner to prevent animals from escaping. Title 9 CFR 313.1(d) requires that livestock pens and driveways be arranged so that direction reversal of driven animals is minimized. Title 9 CFR 313.2 (a) requires animals to be driven in a manner to minimize excitement and discomfort to the animals.

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25	M2460	Cimpl's, Inc.	PMB23121 03325G	2017-10-25	04C02	Finalize d	<p>At approximately 1000 hrs. while verifying HATS CaregoryII (truck unloading), I (b) (6)) observed 2 Barn employees unloading a semi-truck of cattle on to the scale. There were several cows on the scale, one exited the scale to the west back towards the semi unloading chute. I noticed both employee/customer gates were open and the cow exited the barn thru these gates. The 2 barn employees contained the cow outside of the barn and slowly and calmly moved the cow through the gate located at the west end of the barn. The establishment's facility should be constructed in a manner to prevent animals from escaping. Title 9 CFR313.1 (d) requires that livestock pens and driveways be arranged so that direction reversal of driven animals is minimized. Title 9 CFR 313.2 (a) requires animals to be driven in a manner to minimize excitement and discomfort to the animals.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	Status	MOI Agenda
25	M2460	Cimpl's, Inc.	PMB31151 14616G	2017-11-16	04C02	Finalize d	<p>At approximately 7:10 a.m., while performing ante-mortem inspection, I observed the barn employees start to move bulls from the tub pen and serpentine back to the holding pens. The establishment had started the stunning of bulls at approximately 6:45 a.m. As it is not routine to stop the stunning of bulls in the middle of a lot, I proceeded to the stunning area to see why the establishment had stopped the stunning of bulls. The QA Monitor noted that the (b) (4) (newest pneumatic stunner) had "bounced" on the first stun of a bull but that the bull was unconscious and noted that a security stun was applied. Due to the "bounce", the establishment stopped stunning bulls at this time and the (b) (4) was removed from production and sent to the maintenance department to be serviced. The QA monitor had recorded the stun as "X" on the monitoring form indicating it was a successful stun but with a notation stating the pneumatic stunner had "bounced". When the affected bull head arrived at the head inspection station (it had not been skinned at the hide puller station and had been placed on the inedible rack for disposal), no QA member or supervisor was present to apply an establishment hold tag so that the head could be further examined. After observing that the establishment did not intend to evaluate the head, U.S. Retain Tag B37535606 was applied. Upon further examination of the head (I skinned the necessary portion), I noted that placement was appropriate. I observed two distinct two stun wounds. One stun wound did not penetrate the skull and one stun would penetrated the skull. Based on dentition, this was a mature bull. However, the bull head was average sized and polled. I discussed my concerns with Nik Harkias (Plant Manager) and Jim Rathke (VP of AFG Fresh Meats Division) that the</p>

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							establishment chose not to observe the skinned head to evaluate how the "bounce" may have affected skull penetration. At approximately 11:30 a.m., (b) (6) informed me that a (b) (4) representative had examined the (b) (4) pneumatic stunner and no abnormalities were noted. At approximately 11:45 a.m., the establishment re-started stunning of bulls using the (b) (4) pneumatic stunner.
90	M27449	O'Guirre Farm Meats Inc	DKG12141 15814G	2017-11-14	04C02	Finalize d	Robust Systematic Approach Determination Task for O'Guirre Farm est# 27449 Date task was performed 11-13-17 at 12:00pm Determination "NO" (Not Robust) establishment management was notified of these facts This MOI # is DKG1214115814G

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80	M33927	Nelson's Meat Processing, LLC	BUX58131 23312G	2017-12-12	04C02	Finalize d	<p>Memorandum of Interview Est. m 33927 Date: 12/12/17 Time: 1400 hrs. Attendees: (b) (6)</p> <p>(b) (6) (b) (6) (b) (6) A memorandum of interview was conducted on this day with Plant Management for Humane Handling potential incident. On this day of Federal slaughter (b) (6) and myself were observing the first swine slaughtered today. The establishment employee discharged the first two shots with the 22 magnum rifle for which it is written in there program to do. The first one is the initial shot and the second one is a security shot. The animal did not react adversely, vocalizing, or had any rhythmic breathing. The plant employee was not sure so he rendered a second security shot which would make a 3rd shot. There was no noncompliance involved at that point. However it was stressed to plant management and kill floor employees that they need to follow their plan as it is written. If they feel that the security shot was not effective enough that they should first verify for signs of unconsciousness.</p> <p>(b) (6)</p>

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25	M3S	Swift Pork Company	PUN49101 23405G	2017-12-05	04C02	Finalize d	<p>This MOI is to document the additional observations that occurred concurrently with NR #PUN1407120101N and the seriousness of the concerns with hogs regaining consciousness due to inadequate stunning by the CO2 machines. On 11/29/17, at approx. 0825hrs, I observed a shackled hog rhythmically breathing at the stick stand, but no other signs of sensibility were verified due to where I was located. I did verify that the establishment took immediate action by captive bolt re-stunning the hog, as well as several other hogs down the line that the shackler employees were identifying as regaining sensibility. The animals were all observed to have the same line of demarcation at the mid-thorax with red/perfused tissues extending cranially on each hog as well as the one observed on the shackle table in the NR description. The establishment humane handling monitor in the area stated that the establishment has had several "gasps" on 11/28 & 11/29/17. The sticker employee at the time stated that the animals were actually breathing. This all occurred immediately before the noncompliance findings of observing a conscious, but not shackled hog on the shackle table. It's the establishment's responsibility to ensure that the CO2 stunning machines are maintained in adequate/good working repair so as to produce surgical anesthesia throughout and to not unnecessarily injure the animals being stunned. The establishment maintenance personnel went through the machines to determine if any mechanical issues could be found, but did not find any specifics issues that day. The establishment's CO2 levels for the last 48hrs were printed off and reviewed by both plant humane handling management and provided for USDA official review. The results of the records showed no drops in CO2 levels suggestive of a CO2 level</p>

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							<p>failure in the machines. The cameras were played back to establishment humane handling personnel who stated that the CO2 stunning machine gondolas/baskets were not being overloaded and the dwell time/stunning times were not changed and maintained at 145-150seconds. The conscious animal was found to have come out of the east CO2 stunning machine based on plant management's review of the cameras. Procurement Management reviewed the live weight averages for that lot of hogs, and found that the averages were near 275-280lbs (not overly heavy). When the establishment resumed stunning operations, the humane handling monitor was retrained, and the humane handling supervisor and members of procurement were present for approx. 1 hour to observe stunning and consciousness on the rail. There were no additional findings of ineffectively stunned hogs the rest of the day. USDA FSIS IPP verified for several hours the rest of the day and evening and did not have any more concerns with sensible hogs or hogs returning to sensibility. The establishment stated that a weekly summary of preventive maintenance findings, concerns and maintenance of the CO2 stunning machines would be made available to discuss at every weekly establishment awareness meeting for official review by USDA IPP.</p>

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80	M413	Smithfield Fresh Meats Corp.	NCA02091 10322G	2017-11-22	04C02	Open	<p>While in the Barn performing ante mortem on suspect pigs at a few minutes before 1600, I walked around the corner from the CO2 Suspect Pen to the ramps that lead to the two (b) (4) when I observed the mechanical gate (that separates the pigs as they are pushed into the (b) (4) repeatedly opening and closing. A plant employee was at the control box mashing the button repeatedly. I realized there was a pig sitting in the doorway and that the gate was repeatedly hitting the pig on the left side of the head. The concussion on the pig's head was causing it to hit the concrete wall on the right side of its head. I called for the employee to stop operating the gate and immediately called for a (b) (6) came over, opened the opposite gate, entered the pen and, by this time, the pig stood up. It was then that I noticed blood dripping from the right side of his nose. (b) (6) guided the pig out of the area and the pig immediately went into lateral recumbency. I tried to explain to (b) (6) what I had observed and, when I realized I could not get him to understand that they needed to stop moving pigs, I had (b) (6) call (b) (6) on the radio to come to the (b) (4) area. All this time, the plant was still moving pigs into the (b) (4) The pig with the bloody nose was now recumbent again but was out of the flow of traffic. I could not get WC to stop long enough to have him ask the employee what had happened so I had (b) (6) (b) (6) call (b) (6) to the area. By this time I had gotten the flow of pigs stopped. It was then that I saw the bloody area where the pig's head had been hitting the concrete wall. The pig was euthanized by the plant. I told the plant to continue running while I went to the USDA Office to call the FLS. I immediately returned to the Barn and applied USDA REJECTED Tags #B40624684 and</p>

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							B40624685 to both (b) (4) at about 1615 and informed the plant that I was taking a regulatory control because of the egregious nature of the incident. (b) (6) and I washed the blood off the bolted pig's head and saw a one inch gash on the right side of his nose. There was a blood trail from where the blood was on the concrete to where the pig walked but there was no trail of blood prior to the area of the gate.

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15	M717CR	Smithfield Fresh Meats Corp.	RZG431211 1709G	2017-11-09	04C02	Finalize d	<p>9 CFR 313.5 Chemical; Carbon Dioxide HATS: VIII Stunning Effectiveness At approximately 1615 hours I, (b) (6), was by the North CO2 machine and observed a group of approximately seven head of hogs being loaded into a basket when an establishment employee noticed that there were hogs already in the basket. The employee stopped the machine and instructed another employee to push the horn for a supervisor. There were seven hogs in the basket. Approximately one minute later, (b) (6) entered the CO2 area. I motioned for him to hurry to the North CO2 and instructed him to knock the hogs with a hand-held captive bolt gun. He instructed the employees to remove the second group of hogs from the area. I then examined the first hog on the right side since it was open mouth rhythmic breathing. There were no additional signs of consciousness. Two hogs on the left side had their mouths open and rhythmically breathing. When I went to perform further observations on the hogs to the left, one significantly reacted upon touching its ear by thrashing about for a few moments and attempting to rise on its forequarters. I then observed that the hog in the back left corner was in right lateral recumbency, looking forward, blinking, and had rhythmic breathing. I then reached out towards the hog and it looked directly towards me and tracked my movements. It was clearly conscious. The remaining four hogs were not moving. (b) (6) then applied security knocks to the two hogs that were rhythmic breathing on the left prior to effectively stunning the conscious hog. The establishment employee then applied a security knock to one final hog on the right. The four hogs that were knocked with the captive bolt gun were removed from the area and the remaining three were sent through the stunning process, at</p>

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							approximately 1620 hours. A U.S. Rejected tag # B34132184 was applied to the North CO2 control panel and (b) (6) was informed that district office will be notified.
25	M7644	Kota Meats Inc.	NBO11131 25907G	2017-12-07	04C02	Finalize d	At appx 1330 hours, and after performing the antemortem on 1 beef, the establishment personnel attempted to move the animal from pen 3 to pen 7(across the alley). Upon them moving the animal, a chain from the gate came unhooked. The animal escaped from the pens, running to a nearby field. The establishment personnel tracked the beef, shot it in the field, and returned the carcass to the establishment for dehiding which was performed under federal inspection regulatory requirements. IIC observed that the carcass contained one single bullet hole in the center of the beef head.

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25	M8	Iowa Premium, LLC	VSH15101 14801G	2017-11-01	04C02	Finalize d	<p>On 10/24/2017 while in the barn of establishment M8 I (b) (6) was observing HATS Category VIII, stunning effectiveness. During this task I observed the designated stunning person reach down with the pneumatic gun and pull the trigger, the gun made the familiar noise that it does when the captive bolt exits the gun, but there was no evidence of any trauma to the head, indicating the captive bolt never deployed from the gun. The animal was still fully conscious and aware of surroundings. After this, the animal shied away from the designated stunner and tried to climb on top of the animal in front of it. The stunner grabbed the backup knocking device and immediately rendered the animal unconscious with one knock. After discussion with plant management, they launched an investigation. The results of their investigation indicated all maintenance records were current and complete for the pneumatic gun as well as the backup hand held knockers. The maintenance department thoroughly checked the entire gun and could find no mechanical reason it would fail to fire. They concluded that the most likely cause of the failure of the pneumatic gun was operator error. They discussed the importance of accurate stunning technique with the operator.</p>

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15	M9252	Bright Oak Meats, Inc.	GHD36141 01802G	2017-10-02	04C02	Finalize d	<p>On the morning of 9/29/2017, no water was available in the pen of 14 cattle being held at Est. 9252 Bright Oak Meats. This regulatory noncompliance was recorded by (b) (6). This is the third instance within 90 days of noncompliance with 9 CFR 313.2(e) for failure to provide water to livestock in pens at all times. Noncompliance records (NRs) were also issued on 7/5/2017 and 8/9/2017. Multiple noncompliances with humane handling regulations indicate a worrying trend towards inappropriate handling of livestock. The NRs, along with your establishment's failure to provide adequate corrective and preventive measures in response to the noncompliances, indicate a current inability to implement humane methods of handling livestock, and failure of your robust written systematic approach to humane handling and slaughter. Should another similar noncompliance occur within 90 days of the most recent noncompliance, a Notice of Intended Enforcement (NOIE) will be issued by the Denver District Office. Such a notice indicates that regulatory control actions including suspension or withdrawal of inspection services will occur if the establishment fails to take immediate and appropriate action. If an NOIE is issued by the Denver District Office, Bright Oaks management will have 3 working days to provide a written response to the NOIE detailing proposed corrective actions. This action is intended to allow you an opportunity to enhance your written program and its implementation and enhance the success of a robust, systematic approach to humane handling. A verification plan will then be in place for a minimum of 60 days. Failure to provide an adequate response to the NOIE will result in suspension or withdrawal of inspection services. Additional noncompliances related to lack of water outside of the 90 day period or</p>

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							other failures of the humane handling system will be evaluated and given an appropriate response. As allowed under the Rules of Practice, 9 CFR 500.3(b), which states in part, FSIS also may impose a suspension without providing the establishment prior notification because the establishment is handling or slaughtering animals inhumanely.

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15	M9252	Bright Oak Meats, Inc.	GHD22141 05719G	2017-10-19	04C02	Finalize d	<p>At approximately 1010 on October 19, 2017, a trailer containing 6 cattle pulled up to the unloading dock at Est. M9252 Bright Oak Meats. The customer then began to unload two steers. The steers calmly walked off the trailer and the customer ensured that a free stall with water was available for them. (b) (6)</p> <p>(b) (6), approached the barn and asked the customer if he was an authorized unloader and if he had taken the barn quiz. The customer was unaware of a barn quiz and stated that he was a frequent customer and was operating as he always had. (b) (6) then asked if he had checked in at the office. The customer said he had not. (b) (6) told the customer to stop unloading and both went to the establishment office for further information. While in the office, plant personnel confirmed that the customer was on the slaughter schedule for the day, but had not yet checked in at the office. Ms. Denise Pohrman, Plant Manager, asked the customer if he was aware of the new establishment protocols. He stated that he had not heard anything yet and did not note any changes at the unloading dock. Ms. Pohrman stated that an email had been sent to all customers to alert them of protocol changes. The customer said that he had not received the email. Ms. Pohrman checked the email and noted that the email address of this particular customer had been misspelled. Ms. Pohrman then explained the new protocol to the customer and directed two plant employees to proceed to the barn in order to unload the animals remaining on the trailer. Additionally, plant employees were told to install a padlock on the chain on the unloading dock. The permanent signs prohibiting entry of unauthorized persons to the barn were delivered today and will be installed. (b) (6) informed Ms. Pohrman that this incident was in violation of</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	Status	MOI Agenda
							<p>the establishment's proffered protocols in response to the suspension enacted on October 4, 2017. The violation will be noted on the weekly verification plan. Should multiple violations occur during the verification period, the suspension become active again. animals remaining on the trailer. Additionally, plant employees were told to install a padlock on the chain on the unloading dock. The permanent signs prohibiting entry of unauthorized persons to the barn were delivered today and will be installed. (b) (6) informed Ms. Pohrman that this incident was in violation of the establishment's proffered protocols in response to the suspension enacted on October 4, 2017. The violation will be noted on the weekly verification plan. Should multiple violations occur during the verification period, the suspension become active again.</p>

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M332	FPL Food	ACA201 010360 2N-1	10/02/2017	04C02	313.1	While performing observations of the live cattle holding facility to determine if they are being maintained in good repair to prevent injury to animals, the following noncompliance was observed. The metal plate lining the walls of the small pen/alley leading to the squeeze chute is rusted and separating from the structure. The metal is damaged, has sharp edges and protruding approximately 5- 6 inches into alley. The failure of the establishment to maintain its livestock pens, driveways and ramps in good repair and free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals is noncompliant with 9 CFR section 313.1(a). Due to the potential of injury to the animals as a result of facility deficiencies and disrepair the pen/alley was rejected with USDA retain tag numbers B38406957 and B43722049 in accordance with 9 CFR 313.50(a) and 9 CFR 500.2(a)(4). No animals were observed being injured due to the sharp and protruding object (b) (6) was notified of the non-compliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M482	St. Croix Abattoir	NAA38 121157 13N-1	11/13/2017	04C02	313.2	On Monday, November 13, 2017, at approximately 9:15 am, two bovines attempted to escape the alleyway into the knocking box area by exiting through a man-gate that was left open at the St. Croix Abattoir, Est. 482M. The first cow made it through and escaped, while the second one was successfully turned back into the alleyway and put into a holding pen. The cow that escaped made it outside the fenced area surrounding the abattoir and was running around the Department of Agriculture grounds. At approximately 9:40 am, the animal was herded back into the fenced area surrounding the abattoir. The establishment failed to minimize the excitement of the animal, by allowing it to escape and the subsequent herding back into the pens. At approximately 10am the animal was successfully contained in a holding pen, The abattoir was not planning on slaughtering the animals; they were brought in to test the newly-installed head restraint system. (b) (6) met with (b) (6) (b) (6), and informed him of the regulatory noncompliance	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M482	St. Croix Abattoir	NAA12 131208 13N-1	12/13/2017	04C02	313.1, 313.2	On December 13, 2017, at approximately 10:20 am, (b) (6) observed the animals in the ante mortem pens. The plant was not conducting slaughter activities yet, as there was an electrical issue that caused the de-hairing machine to spin in the incorrect direction. (b) (6) observed a single goat in the USDA Suspect pen (which is occasionally used as a holding pen) to have no water available or even a bucket for water in the pen with it. The goat had been received by the firm at approximately 8am (b) (6) also observed a single pig in Pen #1 that had a water bucket in the pen with it, but the bucket was overturned and empty, as it was not anchored in any way to prevent tipping. There were three pigs in Pen #2 that had no access to water, as there was no water bucket in the pen with the pigs. (b) (6) (b) (6) informed (b) (6) (b) (6) of the noncompliance and that a NR would be issued.	OPEN
M482	St. Croix Abattoir	NAA20 161218 14N-1	12/14/2017	04C02	313.30 (a)(2), 313.30(a)(3), 313.30(b)(3)	On December 14, 2017, at approximately 1:45pm, a humane handling incident occurred at Est. \$82, St. Croix Abattoir. (b) (6) observed the knocking employee using the electrical stunner to stun swine. The employee had effectively stunned four large swine after lunch break with no issues. The fifth animal was a small roaster size pig. The (b) (6), applied the two stunner probes behind the ears of the pig and shocked it. The animal's body went rigid, indicating the electrical current was going through the body. When the employee released the probes, the animal got to its knees and attempted to stand. The knocking employee reached for the captive bolt device, which was in the knocking area, and used it to effectively stun the animal. (b) (6) applied USDA tag B19323302 to the electrical stunning device and informed (b) (6) that a NR would be issued for the incident.	OPEN

Table: Noncompliance Reports in Response to foia2018-170

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M11159+P 11159	Nettles Sausage Inc	QIA471 211321 5N-1	11/15/2017	04C02	313.1	At approximately 12:30 I (b) (6) was doing a livestock humane handling verification task when I observed the following non- compliance- in pens 1,3,5,7,9,11,13 and pen 14 with major cracks in the concrete. Also in the middle big pen there is a nail sticking out which could harm a hog and there is a crack in the concrete that runs across the pen. All of these issues affect the humane handling of livestock in FSIS humane handling guidelines. I informed Plant manager Mr. Tim Thompson that I would be issuing an NR.	CLOSED
M6590	Randolph Packing Co., Inc.	YBB120 912421 3N-1	12/13/2017	04C02	313.2	At approximately 0905 hours, the following humane handling noncompliance was observed at M-6590 in Asheboro, NC: A water trough in the animal holding area, before the alley to the stunning area, was frozen on top with approximately ¼ - ½ inch of ice. Approximately 15 cattle were in this holding area. There were no other water troughs available in this pen. All other pens had available water at that time (b) (6) (b) (6) took regulatory control action of the area with the U.S. Rejected tag B30935096. (b) (6) then notified (b) (6) of the humane handling noncompliance. (b) (6) broke the ice in the trough and opened a gate to a separate pen that had water available. The area was released from regulatory control at approximately 0920 hours. The establishment did not meet the regulatory requirement of 9 CFR 313.2(e) which states that “animals shall have access to water in all holding pens”.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M19697+P 19697+V19 697	Chaudhry Meat Company, Inc.	ZCA551 010223 0N-1	10/30/2017	04C02	313.1, 313.2	At 0947 hours I was notified of an issue in Pen 3 by the FI. Upon arriving I observed the floor of the holding pen was bloody and a bovine within the pen was bleeding from its foot. Upon questioning the FI I learned he had come to the pens to do ante-mortem and observed blood in the pen and the animal bleeding from its left foot. He said he had questioned the pen person and this person had not realized the animal had been injured until the FI had questioned him about the blood. Upon investigation they had discovered part of the animals hoof wedged under the metal structure of the alleyway. The FI should me the partial hoof and it did appear the part had been pulled off or severed from the animals foot. No one appears to have seen what happened but it does appear the animal managed to catch its foot in the gap between the sheet metal and the floor of the outer side of the alleyway. It does seem the animal either pulled or cut off part of its hoof in the attempt to extricate itself. (b) (6) (b) (6) was notified and the animal was immediately slaughtered. (b) (6) also called someone knowledgeable to repair/correct the gap between the sheet metal and floor of the alleyway. The noncompliance violates 313.1(a) and 313.2(a)	CLOSED

Table: Noncompliance Reports in Response to foia2018-170

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M20129	Custom Quality Packers, LLC	PHA0315122220N-1	12/20/2017	04C02	313.2	<p>At approximately 2:40PM I observed an establishment employee attempting to move a hog from holding pen #1 to holding pen #4. While the employee attempt to move the hog I observed the employee pick up a metal hanging hook made of stainless steel that was approximately 3 feet long and hanging in the corner of pen #1. The employee lifted the metal hook above his head and swung it forcefully down onto the front top portion of the pig. The pig vocalized and attempted to move away from the employee. The employee lifted and swung the hanging metal hook down onto the top of the front half of the pig a second time. The pig vocalized again moved away from the employee. At that time I told the employee to stop his actions and to not hit the pig again. I did not observe any injuries on the pig in the area that had been struck by the hook. I immediately took regulatory control action by applying US Rejected Tag #B37561527 to the knock box and notified plant management. At approximately 3:30PM I returned to holding pen #1 to observe the pig and I did not find any injuries on the pig. Plant Owner Barrett Twitty was notified that the establishment was in noncompliance of HATS category VI, Electric Prod/Alternative Object Use (9 CFR 313.2).</p>	CLOSED

Table: Noncompliance Reports in Response to foia2018-170

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EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M4265+P4 265+V4265	Locust Grove Farm	XBA521 410451 0N-1	10/10/2017	04C02	313.2	HATS category III- Water and feed availability On October 10th., 2017, 0805, the IIC (Inspector In Charge) performed a Livestock Humane Handling verification task along with the Ante-Mortem inspections. Upon entering the holding area, The IIC observed that a large sow in holding pen #1 did not have availability to water. There was no water pail in or around the pen with the animal. The IIC notified the establishment workers of the non-compliance. The animal was next to be slaughtered, so the establishment slaughtered the animal immediately. The establishment then went through and re-filled all other animals water pails. The IIC then notified the establishment owner, Mr. Dean Tripp, of the Non-compliance with 9CFR 313.2(e).	CLOSED
M5430	Bierig Brothers Inc.	DRB580 912580 4N-1	12/04/2017	04C02	313.2	On Monday, December 4, 2017, at approximately 6.58 am. I (b) (6) was performing a Humane Handling (truck unloading) task and I observed three calves delivered to the pen labeled suspect. Two of the calves were standing and one was in a resting position. No water was made available to the calves in the pen labeled suspect. Other areas of the barn have automatic water troths except for the suspect pen. Establishment Owner Micheal Beirig was notified of failure to comply with 9 CFR 313.2(e). "Water and Feed Availability."states that water is to be accessible to livestock at all times in holding pens, and that feed is to be accessible after livestock have been held longer then 24 hours.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M5430	Bierig Brothers Inc.	DRB110 612222 6N-1	12/26/2017	04C02	313.1, 313.15(a)(2), 313.2	On Sunday, December 24, 2017, At approximately, 5:40am thru 10:45am, the following non compliances where observed in the barn at M5430. While performing Humane Handling, I (b) (6), Observed three establishment employees (two trained and one not trained) use their legs and their feet as tools on the calves (backside)rump area to attempt to apply pressure and to force animals from single file chute onto final stun chute for slaughter. I Observed, excessive use of rattle paddle, causing maximum excitement for the animals and in addition, I observed animals in a resting position in the pens and in the single file chute trampled on by other animals while driven by establishment employees. Verbal control action was taken and Establishment Owners, Micheal Bierig and Daniel Bierig was notified of failure to comply with 9 CFR 313.2(a), 313.2(b) and 313.2(c) and 313.15(a)(2)	CLOSED
M7562	Dealaman Enterprises Inc.	XXA461 110181 3N-1	10/13/2017	04C02	313.1	On October 13 2017 at establishment m7562 around 10:00 am while preforming a humane handling task I observed a nail head sticking out of a board approximately one inch in length about 30 inches in height off the floor in the ally way between the holding pens and the stunning area. I immediately notified (b) (6) of this non- compliance with regulation 313.1(a) Livestock Pens , Driveways , & Ramps shall be free from sharp or protruding objects . He immediately applied corrective action by removing the nail.	CLOSED

Table: Noncompliance Reports in Response to foia2018-170

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M17776	Trenton Halal Packing Company	BBE2011113314N-1	11/14/2017	04C02	313.2	At approximately 0900, a bull was loaded into the front compartment of the holding pen to be hoisted for slaughter. The hoist broke while loading the previous bull on the cradle and beef and veal slaughter had to be delayed until the hoist can be repaired. At 1200, I, (b) (6) (b) (6) conducted a walk-through of the holding pens and noticed the bull was still being held separately in the front compartment without access to water. This is a non-compliance in violation of 9 CFR 313.2. I took regulatory action by telling (b) (6) (b) (6) that the bull needed access to water in the holding pen. (b) (6) filled a bucket with water and placed it in the pen with the bull. This is a notice that failure to prevent recurrence may result in further regulatory action, including suspension and notification to the district.	CLOSED
M17965	Gold Medal Packing Inc.	JRF5010101520N-1	10/20/2017	04C02	313.2	Category III-Water and Feed Available On October 20, 2017 at about 07:45am while performing humane handling duties, I noticed that the non-formula fed veals that were moved into pen 1A, 2B and 3B with the bobs veal, do not have adequate water containers, for calves their size. Since they were non formula fed veals they do not suck at the nipples on the containers available and the water and feed levels were too low for them to drink from the top. I informed the supervisor in the pens who directed an employee to retrieve and fill the proper receptacles with water. I also informed (b) (6) of the non-compliance of 9 CFR 313.2	CLOSED

Table: Noncompliance Reports in Response to foia2018-170

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M17965	Gold Medal Packing Inc.	JRF581 210172 3N-1	10/23/2017	04C02	313.15(a)(2), 313.2	Category VI- Electric Prod/Alternative Object Use On October 23,2017 at about 07:25AM while performing my Humane Handling duties on two occasions I observed overcrowding of the non Formula fed Veals, when driving them onto the conveyor from the chute. I witnessed as a Veal that was driven onto the conveyor was on the back of the veal in front of it.The pen supervisor climbed ontop of the shoot and attempted to pull the animals apart. This was a noncompliance of 9CFR 313.2(a), 9CFR 313.15 (a)(2)	CLOSED
M17965	Gold Medal Packing Inc.	JRF250 411341 5N-1	11/14/2017	04C02	313.2	CATEGORY III- Water and Feed Availability: 9 CFR 313.2(e) On Monday November 13, 2017, I observed that there were 2 lambs in pen 6 and 8 hogs in pen 7. They both had water. On Tuesday November 14, 2017 I observed that there was no food provided within the 24 hours since the animals have been here. They both still have water but no food was provided within 24 hours after the animals have been held over. They both arrived at 7:30 am on Monday Nov 13th. It is now Nov 14th and at 7:30 am they have not been provided any food. This is a non compliance with 9 CFR 313.2(e) which states that water is to be accessible to livestock at all times in holding pens, and that feed is to be accessible after livestock has been held more than 24 hours. At 8:30 am and 10:00 am these animals still didn't have any food. No food was provided or accessible for these animals. The plant didn't have any feed in the plant to provide for these animals. (b) (6) (b) (6), Luis Olivera; Plant Manager and (b) (6) were all informed of this non-compliance.	CLOSED

Table: Noncompliance Reports in Response to foia2018-170

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M19989+V 19989	Ward Willard & Son	HMH16 111048 27N-1	10/27/2017	04C02	313.1	HATS Category VII, Slips and Falls On Friday, October 27, 2017, at approximately 0830 hours while performing a Livestock Humane Handling, HATS Category VII: Slips and Falls review and observation task, the following noncompliance was observed in the driveway to the stunning area. Due to inadequate footing a steer fell the whole way down while it was being moved to the stunning chute. It was observed that water and fecal material on the floor caused the animal to slip and fall. John Willard, Plant Manager was promptly notified of this noncompliance. The establishment then proceeded to put non-slip limestone to prevent further reoccurrence. This is noncompliant with 9 CFR 313.1(b).	CLOSED
M20403	American Halal Meat Inc.	PID400 812310 1N-1	12/01/2017	04C02	313.1, 313.2	Category VII - Observations for Slips and Falls: Category VII - Observations for Slips and Falls: At approximately 0710 hours, while conducting ante-mortem inspection in the livestock pens, I observed the following noncompliance: I observed three cattle slipped and fell in pen#9 and pen#10 due to the fact that the animals were forced to move faster than their normal walking speed. I also observed that the flooring does not provide adequate footing (9CFR 313.1(b) and I also observed improper driving of the animals thereby creating excitement and discomfort of the animals. (9CFR 313.2 (a) states that the proper driving of animals should be performed with a minimum of excitement and discomfort of the animals. I immediately informed (b) (6). Regulatory control action was taken by Reject tag #MPD54189033 was applied to both pens. Management took immediate corrective actions and the reject tag was removed after about 20 minutes.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M5300	Rhode Island Beef & Veal Inc.	VEL5811110808N-1	11/08/2017	04C02	313.2	HATS category III: Feed and Water Availability While performing a humane handling task in the holding pens at approximately 11am on 11/08/17, the following noncompliance was observed: 11 pigs housed in the outdoor pen were not provided water. (b) (6), (b) (6) was notified and the animals were immediately provided water. This is in noncompliance with 9CFR313.2(e). (b) (6) (b) (6), was notified of the noncompliance verbally and also informed that a noncompliance record would be generated to reflect this finding. This NR is being linked to NR #VEL2014081030N-1 issued on August 30, 2017, #VEL3311085616N-1 issued on August 16, 2017, and #VEL0108084410N-1 issued on August 10, 2017.	CLOSED
M5497+V5497	Adams Farm Slaughterhouse LLC	FWJ4909104605N-1	10/05/2017	04C02	313.2	HATS category III: Feed and Water Availability While performing a humane handling task in the holding pens during the DVMS annual visit at approximately 10:15AM on 10/5/17, the following noncompliance was observed: One pig housed in the outdoor/indoor pen at the unloading area, as well as multiple pigs on the trailer in two separate compartments were not provided water. Pen/barn employee was notified and the animals were immediately provided water. This is in noncompliance with 9CFR313.2(e). The establishment general manager was notified of the noncompliance verbally and also informed that a noncompliance record would be generated to reflect this finding. Upon review of records, there are no recent similar humane handling noncompliance records.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M5497+V5497	Adams Farm Slaughterhouse LLC	FWJ0007101926N-1	10/25/2017	04C02	313.2	Category IV: Handling during Ante Mortem Inspection While trying to position a large market hog in the kill box for stunning the hog started to squeal and refused to move. As the hog refused to move the employee aggressively used his knee several times on the hog to help position its head for stunning. The on line inspector observed this action and immediately stopped the employee from bringing in any more animals and informed the floor manager of the noncompliance. This is not in compliance with 313.2 (a) which requires animals being driven to the stunning area shall be handled with a minimum of excitement and discomfort. Slaughter activities resumed with the kill floor manager performing the slaughter. No regulatory control was taken due to the immediate action by the floor manager to remove the employee from the slaughter duties. The plant manager was informed of this noncompliance verbally and with this notice. There are no recent similar NR's.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M9428+P9 428	East Conway Beef & Pork Processing	XML24 071029 19N-1	10/18/2017	04C02	313.2	<p>Approximately 10:00AM on 10/18/17: During swine slaughter operations, while performing Ante-mortem inspection and observing trailer unloading of newly arrived market swine, I noticed a large majority of swine had empty water bowls and did not have water available in multiple holding pens. The establishment's barn has 15 holding pens, all of which were full in capacity with market swine. All of the water bowls, inside of all 15 pens, were found to be soiled with a thick coating of mud/fecal matter. The few holding pens that did have water availability were noted to have excessively filthy water, dark brown in color, and unfit for drinking. All animals must have access to water in all holding pens. I immediately notified (b) (6) (b) (6) , of my findings and informed him of the noncompliance. (b) (6) (b) (6) with the assistance of a few other employees, took immediate corrective actions by stopping production and proceeded to wash, scrub, rinse, and fill all water bowls with clean potable water suitable for drinking. There have been no similar noncompliances regarding 9 CFR 313.2 (e) in the past 90 days.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M9428+P9 428	East Conway Beef & Pork Processing	XML57 101232 08N-1	12/08/2017	04C02	313.2	<p>HATS Categories: IV - Handling During Ante Mortem Inspection, VI – Electric Prod/Alternate Object Use, VII –Slips and Falls Friday, December 08, 2017: At approximately 9:50AM I verbally issued a noncompliance pending my written report to (b) (6), after observing the ill treatment of a heavy calf being driven from the barn area, through the kill chute and into the kill box on the slaughter floor. The plant employee who was attempting to drive the animal became frustrated as the bovine was behaving stubborn (e.g. walking in circles within the holding pen, not exiting the pen into the chute, and then entering the chute but then turning around and backing out of the chute). The employee exclaimed aloud, directed towards the animal, that they did not have the patience today. The driving of livestock from the holding pens to the stunning area must be done with a minimum of excitement and/or discomfort to the animal. Livestock must also not be forced to move faster than a normal walking speed. However, I witnessed the animal slip and fall twice due to over excitement and excessive prod usage. The animal also vocalized loudly twice (separate from the times it slipped) while in the barn area due to the excessive prodding, some of which was in close proximity to the female genitalia on the calf. Electric prods, canvas slappers, or other implements employed to drive animals must be used as little as possible in order to minimize excitement and injury. A second employee joined to assist in the driving of the animal. Once the bovine entered the kill box, the employees continued to have difficulties driving the veal forward a few inches to secure its head in the restraints. I was obliged to stop an employee immediately from twisting and pulling the animal's tail as an attempt to drive it forward. This resulted in more prodding of the hind quarter. This is noncompliant with 9CFR 313.2. Once the</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
						animal's head was restrained, I observed that stunning was effectively applied. The calf dropped and immediate unconsciousness was achieved by a single shot of a firearm.	
M995	Swift Pork Company	RKE310 810121 3N-1	10/13/2017	04C02	313.1	<p>October 13, 2017 While performing the Livestock Humane Handling Task at approximately 0735, the following observation was made in the alleyway in front of pen #8/9: an approximately 0.5 inch metal rod was bending down from the roof area into the alley approximately one foot from the floor; a step ladder was lying flat on the floor, and a long wash hose was lying flat on the floor amongst the ladder. There was a section of pipe fence that had railings falling off that exposed rusted, jagged welds. The pipe themselves were rusted with length-wise holes with jagged edges. This non-compliance was brought to the attention of management person Rachael Kempfer who was told the area was a violation. U. S. Rejected tag B19487851 was placed on the post leading to the affected area. (b) (6) was notified as well. No hogs were in the affected area at the time.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M995	Swift Pork Company	RKE311 610402 6N-1	10/26/2017	04C02	313.1	<p>October 26, 2017 At approximately 0730 while performing the Livestock Humane Handling Task the following observation was made at JBS Swift, Louisville, KY: The establishment recently (yesterday) placed what appears to be the bottom portion of a plastic 55 gallon drum in pens number 23 and 22 for water troughs; these troughs have two chains that are bolted to the trough then to the wall. The pens were not placed into use until sometime in the overnight hours. In pen number 22 I observed multiple hogs around the aforementioned trough; the trough was displaced, had hogs standing in it, and contained no water. Establishment personnel entered the pen and drove the hogs from the trough area. During this process a hog fell down and on the trough catching a rear limb, thereby requiring the assistance of the plant person to become free and to regain its footing. I immediately took a regulatory control action and had plant personnel remove the hogs from pen number 22. (b) (6) (b) (6) appeared during this time; I informed her of the situation and advised I was placing U. S. rejected tag B 19487852 on the pen until the trough was corrected. I also informed her of this non-compliance. The way the chains are placed on the troughs has the potential for entanglement of head and limbs, and for situations as observed this morning, thus causing harm to the animals.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M4593	Greenbrier Meat Company, Inc.	XQC200 812582 1N-1	12/19/2017	04C02	313.1, 313.2	<p>HATS Category III—Feed and Water Availability HATS Category IV—Handling During Antemortem Inspection (Facilities) While (b) (6) and (b) (6) (b) (6) preformed a HH Review at approximately 7:30am on 12/19/17, the following deficiencies were noticed. In the lower barn, there were two pens which held animals, but no water had been provided to these animals (no containers for water were present). When (b) (6) (b) (6) was notified of this noncompliance, he stated that the animals came in after hours the previous day, and he had not had a chance to give them water. In the upper barn, the one adjacent to the kill floor, a piece of plywood measuring approximately 4 x 8 feet had been placed over a trench next to the gate entering this area. The piece of plywood was noted to have a hole in it which measured approximately 10 x 10 inches. The hole was directly over the trench. This could result in an animal stepping into the hole, resulting in injury. (b) (6) was notified of the above noncompliances verbally by (b) (6). The establishment is noncompliant with 9 CFR 313.2(e) and 9 CFR 313.1(a).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M6785	Bob Evans Farms Inc.	NRL370 812281 2N-1	12/12/2017	04C02	313.1	<p>Humane Handling Activity Tracking System (HATS) Noncompliance, Category VII: Slips & Falls At approximately 7:30am on Tuesday, December 12, 2017, (b) (6) was performing routine observation of truck unloading at M6785, Bob Evans Farms (b) (6) observed as several sows came off the semi-trailer, across the wooden unloading ramp, and into the barn at Bob Evans Farms. (b) (6) saw approximately a dozen sows lose their footing on the wooden unloading ramp. Some animals slipped and scrambled to maintain their footing, but remained standing. Others lost their footing and fell to the ground. (b) (6) then walked over and examined the wooden unloading ramp. He found it was very slick and did not provide adequate traction for the sows. (b) (6) (b) (6) also found a section of the wooden unloading ramp with a broken slat. The broken slat had a sharp edge which could cause a scrape or cut to livestock walking on the unloading ramp. (b) (6) applied US Reject tag No. B 35 654968 to the sliding door in front of the unloading ramp. (b) (6) notified (b) (6), that the ramp could not be used until the poor footing and broken slat were addressed. (b) (6) also stated that an NR would be issued. (b) (6) then went inside the main building at Bob Evans Farms and found (b) (6) (b) (6) reiterated his findings to (b) (6) and repeated that an NR would be issued. Later that morning a Bob Evans Farms employee notified (b) (6) that the wooden unloading ramp had been repaired. (b) (6) verified that the broken wooden slat had been removed, and noted that a generous amount of skid-resistant powder was applied to the unloading ramp. (b) (6) then removed US Reject tag No. B 35 654968 from the unloading ramp and relinquished</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
						regulatory control. Inadequate maintenance of floors and ramps such that slick conditions develop and cause livestock to slip and fall is noncompliant with 9 CFR 313.1(b). Failure to repair broken boards that may cause injury to livestock is noncompliant with 9 CFR 313.1(a). This NR is not linked.	
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK1106 113716 N-1	11/15/2017	04C02	313.15(a)(1)	On November 15, while performing the HATS task at Harmon Brothers Meats, Warsaw, KY the following was made by the VMO: At approximately 1200 a gilt was placed in the know box; the captive bolt device was applied by the establishment personnel; the gilt vocalized after the device was discharged; the establishment personnel immediately retrieved a rifle, the gilt was heard to grunt and the gilt was rendered insensible with a single gunshot. Examination of the skull revealed a single hole in the forehead. The VMO inquired of the single hole, establishment personnel stated the gunshot was in the same hole. The establishment was made aware of this non-compliance.	CLOSED

Table: Noncompliance Reports in Response to foia2018-170

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK0912 112817 N-1	11/17/2017	04C02	313.15(a)(1), 313.15(a)(3)	<p>November 17, 2017 At approximately 1030 while performing the Livestock Humane Handling Task, the following observation was made by (b) (6), (b) (6) and (b) (6), (b) (6) at Harmon Brothers Meats, Warsaw KY: A Holstein cow was placed in the knock box and the captive bolt device applied to the forehead; the cow was observed to throw her head up and move back in the knock box. When the side of the knock box was opened, the cow was observed to be sternal, thus exhibiting a conscious righting reflex, and having conscious, tracking eye movement. Establishment personnel took immediate and effective corrective action by applying the captive bolt device to the forehead, rendering the cow insensible. (b) (6) tagged the knock box with USDA Rejected tag # B42200566. Establishment (b) (6), and owner Dave Harmon, were informed of this non-compliance. This incident is the second ineffective stun for the establishment this week.</p>	CLOSED
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK4312 125208 N-1	12/08/2017	04C02	313.1, 313.2	<p>December 8, 2017 Upon my arrival at Harmon Bros. Meats, Warsaw, KY the outside temperature was approximately 21 degrees Fahrenheit. While performing the Livestock Humane Handling Task at approximately 1100, I observed the water trough in a holding pen containing numerous sheep and goats to contain frozen over water. In a adjacent holding pen containing several hogs I observed multiple hogs lying in a wet, heavily soiled area of the pen in direct contact with the concrete; the hogs were wet and shivering, thus they were not being adequately protected from the inclement weather. One of the affected hogs was found to be disabled and had to be euthanized by a plant employee. These observations were brought to the attention of establishment (b) (6) who was informed of this non-compliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M15826+P 15826+V15 826	Keystone Meats Inc.	YRL061 412290 1N-1	12/01/2017	04C02	313.15(a)(1)	<p>On Dec 01, 2017 at approximately 1005 hours while verifying HATS category VIII (Stunning Effectiveness) for cattle slaughter at establishment M15826 I observed the following noncompliance. After the first captive bolt attempt, the animal dropped and tried to stand back up still conscious. The captive bolt operator in the process of this stunning attempt lost the gun in the knock box and retrieved a loaded 22 hand gun available with one shot. For safety reasons I climbed down from the stunning platform before the stunning operator fired the hand gun. From my new position, I could no longer see the animal, but thought that when the hand gun went off it misfired due to the soft sound it made when the trigger was pulled. At that time I left to notify plant manager Mike Biederman of the aforementioned deviation. When I returned to the stunning area I still could not see the animal from my vantage point but saw the stunning operator retrieve the dropped captive bolt gun from the bottom of the knock box, reload it, and discharge it. When the knock box door was raised I could see that the animal was unconscious. When (b) (6) and I observed the skull at post mortem, there were two holes in the head and the 22-caliber bullet was lodged but did not fully penetrate the skull. This represents noncompliance with noncompliance with 9 CFR 313.15(a)(1).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M17559	Young & Stout, Inc.	ECG280 510013 1N-1	10/31/2017	04C02	313.1	On 10/30/17 around 0650 hours, while verifying requirements of a Humane Handling task, I observed the following non-compliance: I entered the barn through the kill floor entrance, to find myself facing a cow. The area in which the cow was located is not typically used as a holding pen, and the animal did not have access to water. After some inquiry, I was able to determine that a customer of Young & Stout, had at some point over the weekend unloaded their own animal. This customer had failed to place their cow in the usual pens that have access to water. I notified (b) (6) of this non-compliance. Young & Stout is non-compliant with the following regulation: 9CFR 313.2(e) (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
M19893+P 19893+V19 893	Whitefeather Meats	KNO44 071154 22N-1	11/22/2017	04C02	313.15(a)(1)	At approximately 650 hours while verifying the components of the livestock humane handling task HATS Category VIII the following noncompliance was observed by (b) (6), (b) (6) and (b) (6). While delivering a poll shot with a captive bolt gun to the steer in the stunning area, the steer's head dropped at the time of the stunning blow. This resulted in an ineffective stun. The steer had remained standing and the animal continued to look around. The stunning operator immediately obtained a nearby back up captive bolt gun and immediately administered an effective poll shot stun. Upon further inspection of the back of the head it was noted that there was one penetrating hole and a second wound in the hide indicating that the first shot did make contact with the animal. The requirements of 9 CFR 313.15(a) (1) were not being met. (b) (6) was notified of the noncompliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M717M	Smithfield Fresh Meats Corp.	UYI401 612040 8N-1	12/07/2017	04C02	313.2	While performing the odd hour humane handling verification task, HATS category 3, Water and Feed Availability, I noticed that the hogs housed in pen one did not have access to water; which not in compliance with 9 CFR 313.2(e) which states "Animals shall have access to water in all holding pens..." The pen card stated that the 27 hogs had been received on 12/07/17 in place of the receiving time. I was unable to locate any barn personnel and was informed they were all off-site. I informed (b) (6) of the deficiency. He immediately accompanied me to the barn, where he provided the hogs in pen one with access to water. At approximately 2220 hours, I encountered (b) (6), and (b) (6). I went over the deficiencies that I had previously found with them and informed them of the noncompliance in pen one.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M20263	Halal Farms U.S.A. Inc.	MWN5 110122 815N-1	12/15/2017	04C02	313.2	<p>V Handling of Suspects and Disabled 313.2(d) At approximately 0630 on 12/15/17, at your establishment 20263 in Shannon IL, I observed the following noncompliance. While performing antemortem inspection, all the livestock in the outside pens, approximately 233, were piled up along the outside of the west and north walls of the building. I got in the pens and walked through the livestock. They started to unpile and move freely throughout the pens. About half way through pen 7, along the north building wall, a goat was found lying on the ground gasping for air. This goat could not stand or walk and could barely move its head. I informed (b) (6) (b) (6) that this goat needs to go to the suspect pen. (b) (6) removed the goat. I continued my walk through the pens checking the remaining livestock. No other down, disabled, or suspect livestock were noticed. (b) (6) was observed to shoot the suspect goat, rendering it dead. I informed (b) (6) and (b) (6) of the noncompliance and that a Noncompliance Record would be forthcoming. Your establishment has failed to comply with regulation 9CFR 313.2(d)(1) Disabled animals and other animals unable to move shall be separated from normal ambulatory animals and placed in the covered pen provided.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ440 111503 0N-1	11/29/2017	04C02	313.1	<p>On 11/29/2017 at 2145 hours while performing antemortem inspection in the barns, I observed a pitchfork lying on a ground in a pen full of hogs. While inspecting hogs in pen 807, I observed a three pronged pitchfork lying on the ground. It had a long handle like a shovel, and the prongs were metal and approximately 6 inches long.</p> <p>The tips of the prongs were worn and somewhat blunted, however the narrow metal prongs would likely cause injury or a puncture if a hog sat or fell on it with force. The amount of hogs in the pen was appropriate for its capacity, but it was crowded enough that hogs were consistently walking over and around the pitchfork. I informed (b) (6) that I would be issuing the noncompliance after my observation. The pitchfork was immediately removed from the area. (b) (6) said that he will ensure employees check all pens before being filled with hogs as required by barn protocol. This is noncompliant with 9 CFR 313.1(a) as pens shall be free from sharp or protruding objects which may cause injury or pain to the animals.</p>	CLOSED
M2439+P2 439+V2439	Ranchland Packing Co.	WHN41 091228 06N-1	12/06/2017	04C02	313.2	<p>Category III Water and Feed Availability On December 6, 2017 at 0815 hours (b) (6) (b) (6) and (b) (6) observed a frozen water tank in pen 3. Water was not available to 5 head of cattle. This is in violation of 9 CFR 313.2(e) which states; animals shall have access to water in all holding pens. A regulatory control action was taken by FSIS IPP with the placing of U.S. Rejected tag number B10717903 on pen 3. The designated (b) (6) was verbally notified of the noncompliance at the time of the observation and the immediate corrective action was to replace the water tank heater and break the ice exposing the water beneath. Plant Manager, Justin Fisher, was notified in writing with the issuance of this noncompliance record.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M2460+P2 460	Cimpl's, Inc.	PMB03 141025 11N-1	10/11/2017	04C02	313.1	<p>At approximately 0710 while performing HATS Category IV: Ante-mortem Inspection, the following non-compliance was observed. While moving cows out of Pen 22 for ante-mortem inspection, it was observed that an adult Holstein cow had lodged her head in between the fence bar and water bumper bars at the automatic watering station such that her head was completely in pen 21. Standing quietly, the cow was not in distress. The cow had no abrasions or injuries from being lodged in the area. Despite her inability to remove her head out of the space, the bars which confined her head and neck did not cause any harm to her. The maintenance department was notified. An attempt to remove the water bumper bar from pen 21 was made in order to give the cow more room to maneuver her head backwards. Frocks were placed over the cow's head and neck to prevent any injury or excitement during the bar removal. The cow still could not back out of the bars once the pen 21 bumper bar was removed. Pen 22 bumper bar would also need to be removed. However, this was in very close proximity to the cow's ventral neck region. Establishment elected to humanely euthanize the cow. I observed the company render the cow immediately insensible/unconscious with the first stun and observed them administer a security knock. I placed reject tag B20899086 on pen 21 and reject tag B20899087 on pen 22 until the maintenance department finished removing the bars and dislodging the cow and for FSIS personnel to inspect the area for any sharp edges from bars being cut. At approximately 0920, (b) (6) (b) (6) inspected the area and removed reject tags from both pens as no sharp edges were present. This is violation of 9 CFR 313.1 as the establishment failed to prevent an unnecessary opening for which a head might get through and entrapped.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M2460+P2 460	Cimpl's, Inc.	PMB55 081139 07N-1	11/07/2017	04C02	313.15 (b)(1)(i), 313.15 (b)(1)(ii), 313.15(a)(1), 313.2(f)	<p>At approximately 0700 hours while performing HATS Category VIII: Stunning Effectiveness, I (b) (6) observed a mature Hereford bull enter the stunning area. The stunning employee securely captured the bull's head in the head catch and placed the stunning instrument (Pneumatic Stunner (b) (4)) to the bull's forehead. He depressed both triggers firing the gun. Following the gun firing, the bull was fully standing and remained fully conscious. The bull appeared alert and did not vocalize. I told the employee that the animal was still conscious and instructed him to stun the bull again. He then applied a second stun with the same Pneumatic Stunner (b) (4) effectively rendering the animal unconscious. I then asked (b) (6) that was present to contact (b) (6) out in the yards and have her come to the knocking area and I would be tagging up the stun area. I then applied U.S. Reject Tag #B37545757 to the stunning area.</p> <p>After the establishment provided verbal corrective and preventative measures, the U.S. Reject Tag was removed from the stunning area. This non-compliance is being associated with a similar non-compliance (PMB4217092709N/1) on 9/9/2017 for ineffective stunning of bulls as the establishment's previous preventative measures were either not implemented or not effective at preventing reoccurrences of the non-compliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M2460+P2 460	Cimpl's, Inc.	PMB38 171233 14N-1	12/14/2017	04C02	313.15(a)(1), 313.15(a)(3), 313.2(f)	<p>At approximately 1640 hrs, while verifying Stunning Effectiveness (HATS Category VIII), I (b) (6) observed a mature Hereford cow become non ambulatory in the stunning area. The stunning employee and barn employee used a rattle paddle followed by an electric prod on the animal but she remained sternally recumbent. (b) (6) elected to euthanize the animal and send her to inedible. (b) (6) placed the hand held captive bolt stunner on the head and fired. The cow remained conscious and in sternal recumbency. She was eye tracking and had purposeful head movements. I observed the initial stun wound. The establishment immediately applied a second stun with a back-up handheld captive bolt stunner rendering the animal unconscious. A third stun was applied for security. I notified (b) (6) and requested that he notify (b) (6). I applied U.S. Reject Tag B 37535940 to the stunning area. Upon examination of the hide on head, (b) (6) observed two stun wounds. One of the stun wounds did not penetrate the skull. The other stun wound penetrated the skull. After the establishment provided verbal corrective actions and preventative measures, the U.S. Reject tag #B37535940 was removed from the stunning area. 11. SIGNATURE OF INSPECTION PROGRAM EMPLOYEE You are hereby advised of your right to appeal this decision as delineated by 306.5 and/or 381.35 of 9 CFR. 313.15(a)(3) Remain unconscious 313.2(f) Stunning methods in 313.30 effectively applied 313.15(a)(1) Immediate unconsciousness (captive bolt) Plant Manager 6a. ASSOCIATED NR(s) / 1 The request for this information is voluntary. It is needed to monitor defects found in this inspection system. It is used by FSIS to determine whether establishments are in compliance. 9CFR 301 and 9CFR 381, FORM APPROVED OMB No. 0583-0089.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
						OMB DISCLOSURE STATEMENT: Public reporting burden for this collection of information is estimated to average 7 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, Room 404-W, Washington DC 20250: and to the Office of Information and Regulatory Affairs, Office of Management and Budget. FSIS FORM 5400-4 DISTRIBUTION: Original & 1 Copy to Establishment, 1 Copy to Inspector Page	
M8961+P8 961	New Munich Meats Inc	VQB281 411232 7N-1	11/27/2017	04C02	313.2	At 0708, while performing ante-mortem on the 3 federal beef that were just unloaded in the pens, I observed that water had been given to the first animal in the pen but not the subsequent 2nd and 3rd federal beef. In this establishment, the beef pen is a 14 ft. X 2ft. narrow pen (chute) which runs east to west. The animals are lined up one after another in the pen with no separation between animals (3 beef animals to one pen). I informed the plant owner that all three animals needed water. At 0755, while performing a humane slaughter task (HATS Category III Water and Feed Availability), I observed that the water (a five gallon white bucket) that had been given to the first federal beef animal was outside of the pen and none of the other beef animals had water and there was also a custom beef animal in an adjoining beef pen without water. In the federal swine pen, there was a black rubber water pan that was empty of water. Garry Kuhlmann, Plant Owner, performed the corrective action of providing water to all animals. This non-compliance is being issued because the animals did not have access to water at all times while awaiting slaughter.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M244+V24 4	Tyson Fresh Meats, inc.	HKG422 311030 8N-1	11/08/2017	04C02	313.2, 313.30 (a)(2)	<p>At 18:56, while performing routine antemortem inspection of pen 27 and HATS category VI electric prod/alternative object use at establishment M244, I (b) (6) observed the following humane handling noncompliance: Approximately 12-15 hogs were observed unable to move forwards or backwards from within the North irons alley prior to the conveyor belt and electric stunning area. The confined hogs were vocalizing, sitting on top of one another and trying to squeeze past one another. Simultaneously, the North alley leading up to the circle drive pen was observed to be filled with at least 80 hogs after the closing of the prior gate, an area designed to accommodate fewer, approximately 60. These confined hogs began vocalizing and attempting to ride on one another as a result of the overcrowding. After making these observations, I immediately directed (b) (6) to move out the overcrowded hogs in the North irons alley. He then also took action to summon the raising of the gate for the overcrowded hogs in front of the circle drive. I then spoke further with (b) (6) and explained that I would issue a noncompliance record for not moving the animals with minimal excitement (9CFR 313.2(a) and 313.30(a)(2)), especially after I provided multiple verbal warnings and opportunities for improvement during previous similar situations. The latest verbal warning provided to (b) (6) was documented on 10/30/17 in PHIS as an MOI HKG5601114609G. (b) (6) was also immediately informed of the noncompliance, so to begin implementing corrective actions.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M244+V244	Tyson Fresh Meats, inc.	HKG3001125909N-1	12/09/2017	04C02	313.15(a)(1), 313.15(a)(3)	<p>On 12/8/17 at 23:18, while performing routine antemortem inspection of pen 1 and HATS category VIII stunning effectiveness at establishment M244, I (b) (6), observed the following humane handling noncompliance: Upon examining a moribund hog in slow pen 1, I decided it should be U.S. Condemned (lying laterally recumbent, cyanotic extremities, deep abdominal breathing effort, depressed). An establishment employee came over to pen 1 with a sorting board and loaded captive bolt gun to perform the euthanasia. (b) (6) (b) (6) came over, also with a loaded captive bolt gun. The employee sat the animal in a sternal position for proper captive bolt placement, using the sorting board as an aide. The employee placed the captive bolt device on the forehead, engaged the device, and the hog dropped to a lateral position. I then noticed rapid left and right eye movement (nystagmus) and directed the employee to administer a security knock. The hog then righted itself from lateral back into a sternal position. It was rhythmically breathing and fully conscious. The establishment employee then immediately and effectively rendered the hog unconscious using the preloaded back up captive bolt gun. I then placed U.S. Reject Tag no B41178513 on the electrical stunner and informed (b) (6) (b) (6) that the district office would be contacted for further guidance. (b) (6) was then informed of the issuance of a noncompliance record for failing to render an animal unconscious immediately on the first attempt (9CFR313.15(a)(1)) and failing to remain unconscious (9CFR313.15(a)(3)). After the establishment provided verbal corrective and preventative measures, the U.S. Reject Tag was removed from the stunning area.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M3S+V3S	Swift Pork Company	PUN14 071201 01N-1	11/29/2017	04C02	313.5	At approx. 0825hrs, I, (b) (6), observed the following noncompliance while performing a routine humane handling task for stunning effectiveness (HATS category VIII). I observed a fully conscious, but not shackled hog on the shackle table that had come out of the CO2 stunning machines. The hog was in lateral recumbency and rhythmically breathing, blinking, tracking my hand with its eyes, moving its snout and tongue and vocalizing. There was a clear line/demarcation starting at the thorax extending cranially containing reddened/perfused skin and tissues. I observed the establishment humane handling monitor effectively captive bolt re-stun this fully conscious animal. I halted CO2 stunning operations by rejecting both drive alleys to the CO2 stunning machines (US Reject Tag #B23320115). After verbal corrective actions and preventive measures were proffered by establishment management, I released my regulatory control. This ineffective stun is noncompliant with 9 CFR 313.5 (a).	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M717CR+P 717CR	Smithfield Fresh Meats Corp.	RZG311 511180 8N-1	11/08/2017	04C02	313.2, 313.5	<p>9 CFR 313.2(a) Handling of livestock, 9 CFR 313.5(b)(2) Special requirements for gas chamber and auxiliary equipment HATS: VI Electric Prodding/Alternative Object Use On November 8, 2017 at approximately 1232 hours while I, (b) (6), was performing HATS: VI Electric Prodding/Alternative Object Use at the North CO2 alley way, I observed establishment (b) (6) (b) (6) operating the North CO2 push-gates. There was a group of approximately seven (7) head of market hogs being moved by the second push-gate while (b) (6) used his paddle to keep the hogs in front of the group moving. Two (2) of the hogs in the back of the group were vocalizing and in a sitting position while the push-gate continued to push them forward. Both hogs flipped over onto their backs, vocalizing as they fell. I took a regulatory control action by placing U.S. Rejected tag No. B34132185 on the middle push-gate control panel and notified (b) (6) of the noncompliance. (b) (6) informed me that he will add an additional person to operate the North CO2 push-gates and lower the maximum pressure on the gates from (b) (4) to (b) (4). At approximately 1248 hours, the U.S. Rejected tag No. B34132185 was removed from the control panel (b) (6) was notified that a noncompliance record will be documented and sent to the district office for review.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M5729+P5 729+V5729	Twin Loups Quality Meats	ZRB501 312571 9N-1	12/19/2017	04C02	313.1	On December 19, 2017 at approximately 0830 hours while performing ante-mortem inspection in the barn, I observed two separate wooden pen gates that were broken, one gate was completely off its hinges and had nails sticking out of the wood. There was one beef in pen 12 so I had an employee move this animal to another pen. Pen 11 was missing a latch to hold the gate closed. I placed U.S. Reject tag #B41825026 to the broken gates. I informed owner Jeff Christensen that a non-compliance report would be issued. Corrective actions taken by management were to call someone to come fix the gates. Owner Christensen said the gates will be fixed on Tuesday December 26th of next week. I told him that would be fine and the gates will remain tagged until repaired.	CLOSED
M20748+V 20748	Sig International, Iowa, Inc.	ZSK081 212470 8N-1	12/07/2017	04C02	313.2	On 12/07/17, at approximately 06:45 in the barn, while conducting odd hour inspection, I, (b) (6) observed the following non-compliance under HATS Category III, Water and Feed Availability: The water nipples in pen #4 were frozen and water was not available for the hogs in that pen. I notified (b) (6) and showed him that the hogs did not have water available. (b) (6) immediately assigned an employee to thaw the nipples, and while I was observing, in less than 10 minutes the water was thawed and the hogs had availability to water. (b) (6) was informed that the incident would be documented in a Non-Compliance Report.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M208A	National Beef Packing Co., L.L.C.	LLG112 310442 4N-1	10/24/2017	04C02	313.15(a)(1), 313.15(a)(3)	On October 24, 2017, at approximately 2106 hours while observing stunning effectiveness under HATS Category VIII, I, (b) (6) (b) (6) witnessed an establishment employee attempt to stun a steer in the restrainer using a compliant pneumatic stunning device. The first stun was ineffective in rendering the animal insensible. The animal remained fully conscious. Immediately following the initial stun attempt, the animal exhibited excessive excitement and discomfort; the steer's eyes were tracking the stunning employee, and the animal was exhibiting violent voluntary head and body movement in an effort to evade the stunning device. The employee delivered an immediate, effective corrective action with the same device which produced a state of complete unconsciousness. I informed (b) (6) (b) (6) that a noncompliance record would be issued. This finding is noncompliant with 9 CFR 313.15(a)(1) and 313.15(a)(3).	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M208A	National Beef Packing Co., L.L.C.	LLG411 111550 9N-1	11/08/2017	04C02	313.1	<p>At approximately 1154 hours, I observed a truck driver unloading livestock from the trailer to the holding pen, as the livestock were coming out of the trailer the back legs of an animal collapse between the trailer and the ramp. The trailer was not in contact with the ramp which created a gap between the trailer and ramp where the animals exit the trailer. The animal had minimum excitement and discomfort. At the time of the incident the driver looked confused and did not know what to do to help the animal, a driver on the next ramp released the rope and the trailer door moved to give more space for the animal to be able to get up. The animal removed its legs from the gap, did not vocalize or appear injured and continued on to the holding pens. I immediately asked a cattle pens employee call area supervisor, the employee stated that "he did not have a radio to call for the area supervisor."</p> <p>(b) (6) was notified of the incident and notified that a noncompliance record would be issued. This finding does not meet regulatory requirements of 9CFR 313.1(a).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M208A	National Beef Packing Co., L.L.C.	LLG382 312370 5N-1	12/05/2017	04C02	313.1	<p>On December 5, 2017, at approximately 2045 hours while performing ante-mortem inspection under HATS Category IV, I (b) (6) (b) (6), observed an approximately 8 ft section of missing horizontal pipe located between the top and bottom rail of the fence dividing cattle pens #13 and #15. The missing pipe created an approximately 2 ft x 8 ft gap in the fence. Both vertical metal pipes connecting the horizontal railing had open, rusted, jagged, sharp openings where the pipe was originally welded in place. Cattle were held in pen #15 at the time of the finding. The Cattle Pens Supervisor was instructed to relocate the cattle to a different holding pen. Afterwards, I affixed a U.S. Reject tag to both pen gates, B41195380 and B41195381. The pens were released back to the establishment once the fence was appropriately repaired. I immediately notified (b) (6) that a noncompliance record would be issued. This finding is noncompliant with 9 CFR 313.1(a) which requires livestock pens to be maintained in good repair and free from sharp or protruding objects which may cause injury or pain to the animals.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M320M+V 320	Smithfield Fresh Meats Corp.	VWK03 131048 11N-1	10/11/2017	04C02	313.15(a)(1), 313.15(a)(3)	<p>HATS Category VIII-Stunning Effectiveness This noncompliance is being documented to address a stunning noncompliance after the establishment's appeal to a Notice of Intended Enforcement, issued on August 18, 2017, was granted by the Springdale District Office on October 11, 2017. At approximately 8:00 am, on August 18, 2017, I, (b) (6), and (b) (6), observed live hogs being dumped out of the North (b) (4). The animals were slow and lethargic. The animals rolled out and rose to stand once they were on the shackle table. They were shaky and staggering. Several live hogs moved up the ramp onto the upper platform and were stunned properly. The establishment employee proceeded to use captive bolt stunners on the remaining hogs on the shackle table. One of the hogs received 2 knocks with the bolt gun because the first was ineffective at producing immediate unconsciousness. After the initial knock, the animal began to crane its neck and swing its head back and forth while in a "dog sitting" position. The establishment employee then re stunned the animal rendering it unconscious. The incident is a captive bolt stunning noncompliance therefore a failure of 9 CFR 313.15(a)(1) and 313.15(a)(3). Plant manager, Tim Messman was notified that a noncompliance record would be documented.</p>	CLOSED

Table: Noncompliance Reports in Response to foia2018-170

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M2316+P2 316+V2316	Whisnant Meat Packing LLC	FSF071 112412 1N-1	12/21/2017	04C02	313.1	On 12-21-17 at 1030 hours while performing a Humane Handling task the following noncompliance was observed. A pen supplied with a nipple waterer contained eight hogs. The hose to connect the waterer to a water source was lying on the ground unconnected. No other source of water was in the pen. (b) (6) (b) (6) was asked to check the waterer and so he connected the hose, turned it on, and then verified nipples had water. Two other pens containing hogs did have access to water. Animals not having access to water in a holding pen is noncompliance with 9 CFR 313.2(e). Bret Powell, plant manager was notified of the noncompliance.	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M8699+P8 699+V8699	Wright City Meat Company, Inc.	DTB580 912221 9N-1	12/19/2017	04C02	313.16(a)(1)	<p>On December 19, 2017, at approximately 0840, the employee designated as the shooter used a 22 long rifle to attempt to render a large gilt unconscious, the only large gilt the establishment had that needed to be shot as the rest were small and were rendered unconscious with the use of electrical stunning. The employee made the first shot and the animal did not become unconscious from the first attempt, in fact the large gilt remained in the standing position. The shooter immediately applied a second shot, this shot was effective and the gilt went down in an unconscious state and the employee stuck the gilt within seconds of the second shot. With the initial gun shot being completely ineffective this establishment failed to meet 9 CFR 316.3(a)(1), (a)Utilization of firearms, required effect; handling. (1) 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 before it is shackled, hoisted, thrown, cast, or cut. The animal shall be shot in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort. (b) (6) and (b) (6) (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#	Date	Task	Regs	Description	Status
M13597+V 13597	Seaboard Foods	VMK38 161127 20N-1	11/20/2017	04C02	313.2	<p>HATS Category IV: Antemortem Inspection; 9 CFR 313.2(a). On November 20, 2017 at approximately 1432 hours, while I was on my way to finish Antemortem inspection at Establishment 13597M on A shift, I, (b) (6), observed the following noncompliance. A hog was vocalizing loudly with its head caught between the end of the gate at alley 4 and the wall to extension alley 4. Two plant employees appeared to be trying to dislodge the hog. I went immediately to the Stockyard Superintendent's office and asked if there were any captive bolt back there to knock a hog. Upon returning back into the barn, the two employees knocked the hog. (b) (6) notified facility maintenance to have the gate fixed where this event would not happen again. The establishment failed to comply with 9 CFR 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 document serves as written notice that your failure to comply with regulatory requirements could result in additional regulatory or administrative action.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M10650+P 10650+V10 650	Advanced Meat Processing DBA Garner Abattoir and Meat Processing	AYF481 111090 6N-1	11/06/2017	04C02	313.16(a)(1)	On Monday November 6, 2017 at approximately 1000 hours, I, (b) (6) was notified that a hog was ready for Post-Mortem Inspection. While I was donning my equipment I heard a gunshot and immediately heard the hog vocalize. I entered the kill floor to see the hog standing and shaking its head. Blood was observed coming from the initial gunshot wound and from the nostrils. The establishment implemented corrective actions and applied a second gunshot to immediately render the hog unconscious. An examination of the head showed two gunshot wounds. The establishment failed to meet the regulatory requirements set forth in Title 9 CFR 313.16(a)(1). Plant owner Roger Keys was notified of the forthcoming NR.	CLOSED
M337+V33 7	Sam Kane Beef Processors, LLC.	UNG37 121038 05N-1	10/05/2017	04C02	313.1	On Thursday October 5, 2017 at approximately 11:00 hours (b) (6) informed me that a steer had got one of his legs hung up in one of the side panels on north side cattle unloading ramp a US Rejected/Retained tag # B40631512 was placed on the ramp, I observed two broken panels on the north side unloading ramp where there was blood and hair on the sharp edges of one of the broken panels from where the steer had gotten stuck. I notified (b) (6) of my findings and the forthcoming NR. Maintenance repaired the side panels and I removed the tag and released the loading ramp at approximately 15:30 hours. This is a noncompliance of the above regulation.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M337+V33 7	Sam Kane Beef Processors, LLC.	UNG28 151029 19N-1	10/19/2017	04C02	313.1, 313.2	<p>While conducting ante-mortem inspection at approximately 0745 on October 19, 2017 I observed two empty water troughs for pens 3 and 4. I informed the establishment employee in charge of the pens, (b) (6), and he immediately filled the troughs. (b) (6) (b) (6) was also notified of the incident. While conducting ante-mortem inspection (b) (6) observed cattle tripping and falling after contact with a loose and broken rubber mat at the entrance to the north unloading dock. (b) (6) immediately notified (b) (6) and placed a U.S. Rejected/U.S. Retained Tag No. B40631509 on the dock. (b) (6) and (b) (6) were informed of the incident. Corrective actions were taken by the establishment and following re-inspection the tag was removed at 1413 on October 19, 2017.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M337+V33 7	Sam Kane Beef Processors, LLC.	UNG30 091152 06N-1	11/03/2017	04C02	313.2	<p>During the conduction of ante-mortem on Friday November 3, 2017 at approximately 1600 hours the water levels in the small water troughs between pens 1 & 2 and pens 3 & 4 were observed to be very low while several cattle in pens 1 and 4 were attempting to drink from the troughs. (b) (6) and (b) (6) were notified of the unacceptable water levels in the troughs. We were informed that the main water source had been shut off which is why the water troughs had not been refilled. It was then requested to either relocate the cattle to other pens where the troughs contained plenty of water or to find another way to have the water troughs filled. Minutes later at approximately 1610 hours water pressure was restored to the water lines and the troughs begin to refill as the cattle drank immediately. This finding is in violation of regulation 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

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M7041B+P 7041+V704 1B	Beltex Corporation	UWH06 141054 11N-1	10/11/2017	04C02	313.1	<p>HATS CATEGORY VII Observations for Slips and Falls 9 CFR 313.1 Today between 1000 and 1100 hours, I, (b) (6), observed for slips and falls while cattle at Est. 7041B were moved from the ante mortem pen to the knock box. The plant employee moved seven steers into the final alley at a time. I had observed cattle slipping in the alley and saw that the floor was covered with excessive water and manure on the mats. I informed (b) (6) of the noncompliance. Plant management cleaned that area of the alley. At approximately 1100 hours, I observed a steer enter the first section of the kill alley, turn away from the entrance to the next section and slip on a pen mat. The steer slipped and went down on both knees. The steer regained footing and continue to walk away from the knock alley. I observed that the floor where the steer fell was covered with 2 foot by 3 foot piece of mat and the mat appeared dry. I took regulatory control of the knock alley with US Reject Tag B30 944903 and instructed the plant employee to remove the cattle from the alley. I notified (b) (6) of the noncompliance. (b) (6) replaced several mats with heavier, more textured mats. I released regulatory control at 1130 hours and observed while additional cattle were moved to the knock area. At that time the footing seemed adequate to prevent slips and falls. This report is linked with NCUWH5912094811N-1, documented 9/11/2017 for the same cause.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M7041B+P 7041+V704 1B	Beltex Corporation	UWH47 171100 29N-1	11/29/2017	04C02	313.1	<p>HATS CATEGORY VII Observations for Slips and Falls 9 CFR 313.1 On November 29, 2017, at approximately 0930 hours, I, (b) (6), was notified by (b) (6) that a steer was down in the knock alley and was not able to stand. I arrived at the knock alley and observed a steer in the final section of the alley, approximately 12 feet from the knock box entrance. I noted that the steer was facing away from the knock box, was lying on its left side and none of the steer's feet were in contact with the knock alley floor. I observed while the steer attempted to regain its footing for approximately 3 to 4 minutes. A plant employee put a loop of rope on the downed steer's tail, and tightened the rope on the end of the steer's tail. I observed that the employee held the other end of rope. The rope was approximately 8 feet in length. At the point, I asked (b) (6) to contact (b) (6). Before (b) (6) arrived, I observed the steer struggle to rise, get a foreleg to the alley floor, reposition its body and regain footing. I observed that the plant employee did not pull on the rope he had tightened on the end of the steer's tail. While monitoring the steer's attempt to regain footing and the plant employee's response, I also observed that the kill alley preceding the area with the downed steer did not provide adequate footing. I observed three steers in the wider section of the kill alley. The cattle were standing in excessive water, manure and mud. I observed one steer lose its footing and slip while turning around in the area. I verbally rejected the section of the kill alley for use and I asked (b) (6) to contact (b) (6). When (b) (6) arrived, I informed him of the noncompliance. Plant employees removed the cattle from the area and cleaned the alley to improved footing conditions. (b) (6) also stated additional employees would monitor the</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
						alley footing and cattle moving into the knock box. After the corrective actions were received, I released the alley for use at approximately 0950 hours. This report is linked to NC UWH0614105411N-1, documented 10/11/2017 for the same cause and may indicate a trend in humane handling noncompliance.	
M7050+P7 050	Dalhart Processing	SVK481 511121 4N-1	11/14/2017	04C02	313.2	HATS Category 3; Water/Feed Availability: 9CFR 313.2(e) On 11/13/2017 While Performing Anti-Mortem Inspection at Est, 7050 Dalhart Processing I observed the following Non-Compliance, 3 animals in pens (Swine), no water was available for these animals. I notified Management This is a violation of Directive 313.2(e)	CLOSED
M13189	Union Slaughter House, Inc.	AXL231 512500 5N-1	12/05/2017	04C02	313.1	TODAY DECEMBER 5, 2017 AT 7:30 AM I, (b) (6) OF ESTABLISHMENT M13189 AS I WAS CONDUCTING THE PRE OPERATIONAL INSPECTION ON THE LIVESTOCK PENS, DRIVEWAYS AND RAMPS WITH THE ANTIMORTEM INSPECTION OF THE NEWLY UNLOADED PIGS, I SAW A PIECE OF FLAT IRON SHEET THAT HAD DETACHED FROM THE GI PIPE FENCE ALONG THE RAMP LEADING TO THE KNOCKBOX. THIS PIECE OF FLAT SHEET IRON HAD THE POTENTIAL OF CUTTING THE FOOT OF THE PIGS. I INFORMED (b) (6) ABOUT THIS NONCOMPLIANCE AND WHEN I CAME BACK TO THE RAMP, ONE OF THE KILL FLOOR EMPLOYEE HAD ALREADY REMOVED THE OFFENDING FLAT IRON SHEET. THE RAMP WAS NOW SAFE FOR PASSAGE OF THE PIGS. THIS NR WAS ISSUED TO DOCUMENT THE INCIDENT WITHOUT ANY NEED OF ACTION FROM THE ESTABLISHMENT.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI281 711320 3N-1	11/03/2017	04C02	313.1	HATS Category IV - Handling During Ante-Mortem At approximately 1320 hours, November 03, 2017, (b) (6) observed the following non-compliances while performing humane handling review and observation task: The gate connecting the unloading pen to the off- premise holding pens is broken with 4 out of 5 of its horizontal bars no longer welded on the vertical pipe. The disconnected ends are sticking out and sharp. One cattle jumped over the broken gate but not injured. The driveway midway to the knock box has 4 poles whose base are sharpened by rust. The holding bar which stops the animal in the driveway to backtrack further away is broken, lying on the floor. These are non-compliances of 9CFR313.1 because pens and driveways are to be maintained in good repair or may otherwise lead to animal injury. (b) (6) is notified accordingly. This humane handling non-compliance is considered non-egregious.	CLOSED
M8330+P8 330+V8330	C&F Meats	GBH320 810070 2N-1	10/02/2017	04C02	313.2	Humane Handling Activities Tracking System (HATS) Category III - water and feed availability At 0715 hours on October 2, 2017, while performing a Humane Handling task for the livestock pens, the following noncompliance was observed, 2 hogs were observed in a pen with no water in the water barrel. This is in violation of 9CFR 313.2(e) which states animals shall have access to water in all holding pens. (b) (6) (b) (6) was notified verbally and establishment administrator was notified in writing with this noncompliance report.	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M8330+P8 330+V8330	C&F Meats	GBH280 911180 3N-1	11/03/2017	04C02	313.1	Humane Handling Activities Tracking System (HATS) Category VII: Observation for slips and Falls At approximately 0700 hours while performing a livestock Humane Handling task, the following noncompliance was observed. Two Beef located in pen one were observed slipping to the floor due to soiled conditions within the pen. (b) (6) was notified verbally and in writing with this noncompliance record.	OPEN
M8330+P8 330+V8330	C&F Meats	GBH221 512482 8N-1	12/28/2017	04C02	313.2	Humane Handling Activities Tracking System (HATS) Category I ???Adequate Measures for Inclement Weather Category III ???Water and Feed Availability At approximately 0705 hrs., while performing a Livestock Humane Handling Verification task, FSIS observed the water troughs in each of the five holding pens to be frozen solid due to decreased temperatures, thus prohibiting animals access to water. This is in violation of 9 CFR 313.2(e) which states animals shall have access to water in all holding pens. I informed (b) (6) (b) (6) concerning issuance of this NR.	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M8330+P8 330+V8330	C&F Meats	GBH191 512152 9N-1	12/29/2017	04C02	313.16(a)(1)	<p>At approximately 1405 hours on Friday, December 29, 2017 the last beef was in the chute to be stunned. We, (b) (6) and I, were waiting in the hall just outside the door of the kill floor for the animal to be stunned. (b) (6) (b) (6) was waiting to get a clear shot. The calf had nose tongs and its head was tied down but it was still moving a lot and vocalizing. (b) (6) shot, we went back in and he told us to go back out. I could see that the calf was still alive and standing and I could not see any blood. It was still vocalizing but not any worse than it had been before the first shot. I was unsure if it had even been hit. (b) (6) applied an immediate and effective second shot that dropped the calf and rendered it insensible. I asked (b) (6) if the first shot had hit it or if the gun had misfired. He stated that the rope of the nose tongs broke and he thought the shot had to have hit it. After the head was removed, (b) (6) skinned the head and two holes were visible on the skull approximately 1 inch apart, one directly above the other. A regulatory control action was taken by rejecting the chute and applying tag # B39536518.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M322+V32 2	Double J Meat Packing, Inc.	QOE40 101211 18N-1	12/18/2017	04C02	313.2	On December 18, 2017 while performing Ante-mortem inspection activities on cattle starting at approximately 0705, I, (b) (6), observed the following noncompliance. There were six pens with cattle in them. The pens were 9, 10, 12, 13, 14 and 15. Pens 9, 10, 14 and 15 all had access to water. However, pens 12 and 13 did not have access to water upon observation at 0710. I asked an employee that works in the pens where his supervisor was to which he replied that his supervisor was not going to be at the establishment on this date. Therefore, I immediately then verbally notified Plant Manager Mr. Phil Wicke of the noncompliance at approximately 0715 and that a noncompliance report would be issued. Mr. Wicke asked the employee that unloaded the beef in those two pens the evening before if they had water. This employee responded that he checked the water trough between pens 12 and 13 at roughly 1830 - 1900 hours the evening before (12/17/17) and that at that time, the water was working. Mr. Wicke instructed an employee to provide water to those two pens. I observed that this corrective action had been performed at 0725. As the animals did not have access to water in the holding pens at the time of the observation, the establishment is in noncompliance with 9 CFR 313.2(e). This noncompliance report is not linked to any previous noncompliance report issued in the past 90 days.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M4975+P4 975	Dale T. Smith and Sons Meat Packing Company Inc	IYC1717 124929 N-1	12/29/2017	04C02	313.2	Category III - Water and Feed Availability On 12/29/17, at approximately 1555 hours, I observed the following noncompliance while observing cattle in pens. There were approximately 40 beef cows penned in the long pen on the west side of the road to the cattle unloading ramp. This pen was gated on both ends allowing animals access to only one water trough on the west side. Upon further inspection, I observed the only accessible water trough to be empty. Thus, cattle were not provided access to water. I verbally notified Plant Manager Dennis Smith of the noncompliance and his immediate corrective actions were to open gates on both ends of the pen to allow animals access to water and then to fill the empty water trough. A review of the most recent 90 days of noncompliances revealed none issued for the same cause.	OPEN
M6454+P4 896+V6454	Elizabeth Locker Plant, Inc.	OAF251 610310 6N-1	10/06/2017	04C02	313.2	HATS CATEGORY IV - Ante Mortem inspection At approximately 8:00am on 10/6/17 while performing ante mortem inspection on the animals in the holding pens, I observed 5 larger beef and one smaller beef animal held in pen #2, these animals had come in the previous day . The combined dressed weight of the animals in that pen was 4,275 lbs total. This is a smaller L shaped pen and with that many animals in that pen there was no room for any of the animals to lay down. (b) (6) was verbally notified of the non compliance. An NR review of the past 90 days showed no similar non compliance	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M6454+P4 896+V6454	Elizabeth Locker Plant, Inc.	OAF411 511091 4N-1	11/13/2017	04C02	313.2	HATS CATEGORY III - Water and Feed Availability 9 CFR 313.2 (e) On 11/14/17 at approximately 4:45pm I observed 3 pigs in livestock holding pen #3 and 2 pigs in the suspect holding pen that had no access to water. The white tubs used in those pens to hold water were empty. (b) (6) was notified of the non compliance. I observed (b) (6) put water in the white tubs at 5:05pm. An NR review for the past 90 days showed no similar non compliance issued	CLOSED
M6454+P4 896+V6454	Elizabeth Locker Plant, Inc.	OAF171 711091 7N-1	11/17/2017	04C02	313.1	HATS Category VII - Slips and Falls On 11/17/17 while observing plant (b) (6) trying to move 3 beef cows from livestock holding pen #4 into the side alley I observed one of the animals rear quarters slip and fall to the ground. All three of the animals feet were slipping as they were being moved around the pen. The pen floor is slightly sloped and it was covered in fecal. (b) (6) was verbally notified of the non compliance As per 9 CFR 313.1 (b) flooring shall be constructed and maintained so as to provide good footing for livestock An NR review of the past 90 days showed no similar non compliance	CLOSED
M6454+P4 896+V6454	Elizabeth Locker Plant, Inc.	OAF261 611512 4N-1	11/24/2017	04C02	313.2	HATS Category VII - Slips and Falls On 11/24/17 while observing plant (b) (6) and (b) (6) trying to move 2 beef cows from livestock holding pen #4 into the side alley I observed one of the animals front quarters slip and fall to the ground. The pen floor is slightly sloped and it was covered in fecal. As per 9 CFR 313.1 (b) flooring shall be constructed and maintained so as to provide good footing for livestock This NR is linked to NR #OAF1717110917N issued on 11/17/17 for same root cause	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M400	Los Banos Abattoir	ZIG521 110412 7N-1	10/25/2017	04C02	313.15(a)(1)	<p>On Wednesday, October 25, 2017 at approximately 0915 hours, (b) (6) heard abnormal activity in the knocking area when the fourth cow of the day received a knock. Upon arriving in the dry landing area immediately adjacent to the knocking area, (b) (6) observed a Jersey cow that was down in the knock box attempting to rise and get up from a sternal recumbent position. (b) (6) observed (b) (6), (b) (6), open the knock box door and the cow did not fall from the knock box to the dry landing; rather the cow made two attempts to stand up as exhibited by a righting reflex, a conscious effort to look around, an arched back, and vocalization. (b) (6) took action to restrain the animal's head manually, and (b) (6) immediately handed the second stunning gun positioned in the dry landing area to (b) (6) to administer a second knock, which effectively stunned the animal. (b) (6) immediately stopped production after making sure the animal was unconscious and went to the USDA office to inform (b) (6) of the incident. After obtaining the information from (b) (6), due to the ineffective first stun attempt, (b) (6) informed (b) (6) that she was taking a regulatory control action, and tagged the knock box with US Rejected tag number No. B37582579 in accordance with 9CFR313.50(c), and that she would be contacting District Office and (b) (6), to inform them of the issue. As it was determined that the establishment was able to immediately deliver an second knock that effectively stunned the animal rendering it unconscious, the issue was not deemed egregious, however, failure to properly knock the animal in such a manner that produced immediate unconsciousness is a violation of 9CFR313.15(a)(1). (b) (6)</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
						and (b) (6) were informed of the non-compliance and the knock box was released at 1035 hours.	

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M4928+P4 928	Islamic Meat & Poultry Co.	DTD011 512471 1N-1	12/09/2017	04C02	313.1	<p>On Saturday 12/09/2017, at approximately 0700 hours, while performing an inspection of the establishment's livestock holding pens during an odd-hours inspection on a day that the establishment was not operating, I (b) (6) inspected the holding pens, driveways and ramps (HATS Category IV, Ante-Mortem Inspection). I inspected Pen 9 and observed a piece of wire fence material protruding out of the east pen fence wall; the piece of wire fence was approximately 6 by 18 inches in size, approximately 6 inches above the pen floor, and protruded into the pen space approximately 6 inches. The piece of wire fence was very loosely attached by twine to the east fence wall of the pen. There were no animals in the pen at the time I observed the protruding piece of wire fence, and no animals appeared to have been harmed. The loose and protruding fence material had potential to harm animals if animals were placed in the pen, and demonstrated inadequate maintenance of the pen to keep it in good repair. This was a noncompliance with Title 9 CFR 313.1(a). I placed U.S. Reject tag B42126658 to the entrance gate of Pen #9 and ensured the gate was closed so that no animals could enter the pen. I also inspected the Pen 5 gate, and observed the bottom horizontal metal rung (hollow bar) of the gate was separated on one end and bent outward into the alleyway space approximately 6 inches from the vertical metal gate structures; it appeared that the bottom horizontal gate rung weld had broken and then was bent outward. The bottom rung of the gate was a protruding object that created a trip hazard and had significant potential to cause harm to animals. It also demonstrated inadequate maintenance of the the animal holding facility to keep it in good repair. This was a noncompliance with title 9 CFR 313.1(a). No animals appeared to have been harmed by the protruding rung on the gate. I applied U.S. Reject tag B42126657 to the</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
						gate of Pen 5, and ensured that no animals had access to the protruding object hazard in the alleyway. (b) (6) (b) (6) was notified of the noncompliances. The establishment took corrective action soon after being notified. The protruding piece of wire fence in Pen 9 was secured so that it was no longer loose and protruding, and the protruding metal rung on the Pen 5 gate was adequately secured so that it was no longer a hazard to animals. I verified the corrective actions were satisfactory, and then removed the U.S. Reject tags.	

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M934	Manning Beef LLC	VMH55 131216 08N-1	12/08/2017	04C02	313.15(a)(1), 313.15(a)(3)	<p>On Friday December 8, 2017, at approximately 0915 hours, while performing the Humane Handling Activities Verification (Stunning Effectiveness) Task from the knocking platform, I observed the following noncompliance: The plant (b) (6) performing stunning, (b) (6) (b) (6), knocked a Heavy Calf. The Calf dropped immediately but when I looked into the Knock Box to observe the effectiveness of the stun I saw the calf was still blinking which is a sign of consciousness. The calf was in sternal recumbency (most likely due to falling against the wall of the Knock Box), but was not vocalizing, struggling, or showing other signs of distress. Within approximately 5-10 seconds (b) (6) applied a second stun via a poll knock and the calf fell over into lateral recumbancy and immediately ceased blinking. This is a Noncompliance with 9 CFR 313.15(a)(1) which states, in part, "The captive bolt stunners shall be applied to the livestock in accordance with this section so as to produce immediate unconsciousness..." and 9 CFR 313.15(a)(3) which further states, "Immediately after the stunning blow is delivered the animals shall be in a state of complete unconsciousness..." (b) (6) (b) (6), was present performing the plant's Humane Handling Audit. I informed her of the incomplete stunning of the Heavy Calf and that I was stopping the line to investigate the matter further. The plant was allowed to clear the line of carcasses but no further stunning would be allowed to occur at that time. I observed the knock holes in the head and found the initial knock to be placed correctly along the midline of the forehead but approximately 2-3cm above the correct knocking location. I also observed the placement of the poll knock and it was in the correct location. I determined that since the calf was not in distress and (b) (6) applied a second knock, which</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
						rendered the calf completely unconscious, in a timely manner the plant will receive an NR and be allowed to continue stunning. The plant elected to replace (b) (6) with a different (b) (6). After the plant resumed knocking I observed (b) (6) stunning for approximately 30 minutes and he correctly stunned all animals observed. No further Regulatory Control Actions were taken.	
M934	Manning Beef LLC	VMH14 031230 14N-1	12/14/2017	04C02	313.2	At approximately 1235 A.M. 12/14/17 while conducting a Livestock Humane Handling Verification, verifying the establishment adhered to regulatory requirements a non compliance was observed. I observed there is no water on the reservoir between holding pen#1 and holding pen#6. Approximate 30 plus cows on both pen. This is a non compliance under 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. Therefore Mr. Danny Bove Plant Manager was informed and showed that the establishment did not meet the Federal Meat Inspection Act cited on line (b) (4) of this non compliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M6173	Masami Foods, Inc.	CCC101 311060 8N-1	11/07/2017	04C02	313.1, 313.2	<p>Category IV - Ante-mortem Inspection At 1210 on 11/07/2017 in the west side livestock pens of the barn at Establishment M6173 I, (b) (6) (b) (6) was assisting the (b) (6) (b) (6), with lab sampling on market swine for FADs. These pens normally hold cattle for slaughter. The odor of ammonia in the west most pen was at such a concentration in the air that (b) (6) (b) (6) and myself found it increasingly difficult to breath, and increasingly difficult to remain clear minded to complete the sampling task. It was observed that the livestock (market swine) were in distress and discomfort as they were considerably more vocal, had markedly redder skin, and were much more restless than the hogs held in other parts of the barn. The ammonia level became close to overwhelmingly noxious and my individual level of mental coherence noticeably diminished and I heard (b) (6) remark the same. (b) (6) and I were concerned for our own safety. A USDA FSIS Reject tag No. B 32 115855 was placed on the west side cattle pen. A noncompliance in accordance with Title 9 CFR 313.2(a) and 313.1(a) was issued. (b) (6) (b) (6), and (b) (6) (b) (6) were informed of the noncompliance. (b) (6) advised more ventilation would be let into the barn and the livestock would immediately be moved to the regular swine holding pens. Pending Response for establishment's Corrective action, for 24 hour timeline for cleaning, preventative measures and verification plan.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M6173	Masami Foods, Inc.	CCC551 011522 8N-1	11/28/2017	04C02	313.15(a)(1)	<p>On November 28, 2017 at approximately 0715 hours while performing online inspection duties the on-line inspector witnessed an establishment M6173 employee attempt to stun a market steer with gunpowder charged captive bolt. The employee was able to position the captive bolt at the cross section of imaginary lines drawn from right ear to left eye and left ear to right eye (now referred to as "the target"). Upon discharging the captive bolt the subject animal moved its head and the captive bolt was seen to have missed the mark and head entirely and no outward sign from the steer of pain response. A back up captive bolt was readily available but the employee instead reloaded the primary captive bolt and effectively applied, hitting intended mark and stunned the market steer within 10 to 20 seconds. The animal was quickly stuck, bled and shackled with no signs of returning to consciousness. During post mortem inspection of the head the USDA online inspector found two entrance holes in the skull. One was 2 cm left of midline at the level of the target. The second hole was found at the target. The SPHV informed (b) (6) (b) (6) that a noncompliance record citing 9 CFR 313.15 (a) for failure to effectively stun the steer with one captive bolt attempt.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M6173	Masami Foods, Inc.	CCC1610114130N-1	11/30/2017	04C02	313.2	<p>Today, 11/30/17 at approximately 0620 hrs, (b) (6) informed me, (b) (6) that during ante-mortem inspection he observed that the hogs in all of the pens did not have access to water except in pen 15. He then advised (b) (6), that the pens did not have water and the hogs had to have access to water prior to leaving the pens for slaughter. At the time there were approximately 600 hogs in 11 pens that did not have access to water (b) (6) explained that he observed that the majority of the hogs were lying down peacefully and a few were up at the waterers trying to get a drink of water but did not appear to be in distress. I talked to (b) (6) (b) (6) about the situation and he explained that the supply valve to the water storage tanks in the barn had been mistakenly turned off during clean up in the middle of the night. He informed me that the storage tanks in the barn hold approximately 2500 gallons of water and that the tanks would have been full when the valve was shut off last night. So the hogs would have had access to water throughout the night but the tanks ran out of water by morning. He said that the water was on and available to all of the pens at this time. I inspected the pens in the barns and observed that all of the hogs had access to water and informed (b) (6), (b) (6), that they may proceed with moving the hogs to slaughter. I notified (b) (6) (b) (6), that I would be issuing a noncompliance record for the establishments failure to meet requirements set forth in regulation 9 CFR 313.2(e). This noncompliance record is not linked to any other noncompliance record.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M7722+P7 722+V7722	Jones Meat & Food Services, Inc.	SAN150 910102 6N-1	10/26/2017	04C02	313.1	At approximately 8:00 am while observing unloading of cattle I, (b) (6), observed a broken board in the main livestock pen. The board was along the top rail of the south wall of the main livestock pen. The broken board is a noncompliance with 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. The cattle present for today are not likely to be injured from this board so the use of the pen is allowed for today. Depending on the temperament and size of cattle received the pens involved may need to reject the use of the pen if the board is not repaired.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M7722+P7 722+V7722	Jones Meat & Food Services, Inc.	SAN031 411370 8N-1	11/08/2017	04C02	313.16(a)(1)	<p>On November 8th, at approximately 11:25am, I, (b) (6), observed (b) (6) unable to move a young bull into the knock box due to the animal's temperament. (b) (6) decided to attempt to stun the bull with a rifle, .22 long rifle, while it was still in the pen. The first stunning attempt made contact with the bull but was ineffective as I observed the bull staggered from the impact but failed to go down or lose consciousness. (b) (6) reloaded the rifle and a second stunning attempt was administered approximately 15 to 20 seconds after the first attempt. (b) (6) was prepared for the second attempt, the 15 to 20 seconds is what it took to reload and wait for the bull to turn its head. The second stunning attempt was effective at rendering the animal unconscious. This was the last animal to be stunned on premises at the time so the knocking box was not tagged. This event is a non-compliance with 9 CFR 313.16(a)(1) which requires the animal to be rendered unconscious on the first stunning attempt. This noncompliance will be linked to the previous HATS VIII non-compliance SAN2814095926N, that occurred on 9/26/2017.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M7722+P7 722+V7722	Jones Meat & Food Services, Inc.	SAN121 011172 9N-1	11/29/2017	04C02		<p>HATS VIII On November 29th, at approximately 8am, I, (b) (6), was on the kill floor for post mortem inspection. I heard a hog vocalize after a stunning attempt. I proceeded to the knock box. I saw a bleeding hole in hog's skull in the approximate correct location for proper knocking. The hog was conscious, walking around in the knocking box and distressed (actively trying to escape the knock box by trying to climb the wall away from the plant employee). It took approximately 2 min to reload the captive bolt and get the hog stopped in one position long enough to administer a second knock that effectively stunned the hog. The hogs already killed are allowed to continue to be slaughtered. I applied U.S. REJECT tags to the knocking box and captive bolt handle (NO.B41003527 and NO.B41003528) This event is a non-compliance with 9 CFR 313.6(a)(1) which requires the animal to be rendered unconscious on the first stunning attempt. This noncompliance will be linked to the previous HATS VIII non-compliance SAN0314113708N, that occurred on 11/8/2017 and SAN2814095926N, that occurred on 9/26/2017</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M7722+P7 722+V7722	Jones Meat & Food Services, Inc.	SAN471 212461 1N-1	12/11/2017	04C02	313.15(a)(1)	At approximately 10:50am I, (b) (6), while performing post-mortem inspection heard a possible miss stun on a steer. I proceeded to the knocking box to check the situation. I saw the (b) (6), reloading the captive bolt. The steer was standing on all 4 feet, moving back and forth in the knocking box. The steer had approximately 2 ft of movement front to back in the knocking box. There was visible blood on the steer's skull slightly to the right of the ideal knocking placement. It took 10 to 15 seconds to reload the captive bolt. It took another approximate 45 seconds to get the steer to stop moving long enough to place a second stunning attempt. The second attempt was successful. This is a non-compliance with HATS VIII, which requires immediate unconsciousness on the first attempt to stun the animal.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M7722+P7 722+V7722	Jones Meat & Food Services, Inc.	SAN490 912532 1N-1	12/21/2017	04C02	313.16(a)(1)	At approximately 7:25am I, (b) (6), while performing HATS VII on the first swine of the day, witnessed a miss stun. This was a 488 lbs sow. The size of the swine prevented use of the market hog knocking box. The cattle knocking box was used with appropriate space provided by using boards to limit movement. The plant employee elected to use the .22 mag as the knocking devise. The first shot hit contacted the skull but did not produce unconsciousness. The sow was still standing. The sow had limited movement but could still move its head showing signs of consciousness. The second shot took approximately 45 seconds, reloading the gun and aiming. The second shot was effective. Upon examination of the skull after skinning the first and second shot where located in the same area and the bone was destroyed. I tagged the knocking box and informed employees in the area. This is a non-compliance with 313.16(a)(1) which requires the animal to be rendered unconscious on the first stunning attempt. This non-compliance is linked with the previous non-compliance SAN0314113708N which occurred on 12/11/2017.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M9264+P9 264+V9264	Malco's Buxton Meat Co	QSH441 411590 7N-1	11/07/2017	04C02	313.2	<p>On November 7, 2017 while performing a routine walkthrough of establishment holding pens, (b) (6) identified two separate pens each holding one beef animal without access to water. The pens in question contained a 5-gallon-bucket that had been tipped over spilling the water. This is non-compliant with 9 CFR 313.2(e) "animals shall have access to water in all holding pens..."</p> <p>Establishment management was away from the establishment due to the lunch break so (b) (6) (b) (6) was notified by telephone of the non-compliance. Immediate corrective action was taken by an establishment employee to fill the water buckets in the pens. A previous non-compliance QSH0616095426N was written on 9/26/2017 for the same root cause of animals not having access to water in their holding pens. These non-compliances are being linked and indicate a trend of non-compliance at the establishment. It is the responsibility of the establishment to ensure compliance with all federal regulations as they pertain the humane handling and slaughter of livestock. Continued non-compliance on behalf of the establishment will initiate further regulatory control on behalf of the agency.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M9264+P9 264+V9264	Malco's Buxton Meat Co	QSH441 511531 5N-1	11/15/2017	04C02	313.2	<p>On November 15, 2017 at approximately 0710 hours, while performing antemortem inspection of livestock in the holding pens, I observed two separate pens where livestock did not have access to water. The second pen on the left contained one beef and an empty 5 gallon bucket which had been knocked over and the last pen on the right contained two small beef with an empty 5 gallon bucket which still upright. This is non-compliant with 9 CFR 313.2(e) "animals shall have access to water in all holding pens..." In the past 60 days, there have been two NR's previously written for livestock not having access to water.</p> <p>Non-compliance # QSH0616095426N was written on 9/26/2017 and</p> <p>non-compliance # QSH4414115907N was written on 11/07/2017. (b) (6)</p> <p>(b) (6), was present and also observed the noncompliance at the time of finding. Mr. Gene Malkovsky, Establishment Owner, is hereby notified with the issuance of this NR of the establishment's failure to meet regulatory requirements.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M1311	JBS Souderton Inc.	KID231 712410 5N-1	12/05/2017	04C02	313.1	<p>On Tuesday, 12/05/2017, at approximately 10:30 a.m. I, (b) (6) was by the Pens Office when I observed an employee running to obtain the fire extinguisher by the office. I heard him tell another employee that there was a fire in the pens. I followed the employee to pen 41, which had already had cattle evacuated from it. The wood shaving bedding at the base of the blue plastic water trough was smoldering, throwing off copious smoke that was drifting across into the adjacent pen. The fire extinguisher was employed and the smoke emanating from the bedding stopped. The water trough's heater was missing the white conduit that usually protects the electric cord, which allowed an animal to chew on the cord, causing sparking that ignited the bedding. I informed (b) (6) (b) (6), that an N.R. would be issued for failing to keep the pen in good repair. Retain tags B42208566 and B42208567 were placed on both entrances to the pen series 39, 40 and 41 to prevent the pen from being used until repairs had been effected. At approximately 12:30 p.m. I reviewed the pen with barn personnel and verified that the water heater and cord had been completely removed from that trough. I had the Establishment employee change the water in the trough to ensure no residue remained from the extinguisher and then removed my tags from the pen to allow its use. Failure to ensure that the animals were unable to chew on the electric cord represents a potential hazard to the animals and represents 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

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M1311	JBS Souderton Inc.	KID170 112040 6N-1	12/06/2017	04C02	313.1, 313.2	<p>On Tuesday 12/05/2017 at approximately 2215 hours I, (b) (6) observed a noncompliance at JBS, Est. NO. 1311 as I walked into the Barn to conduct a Humane Handling Task. On Side 5/6 I observed an animal attempting to squeeze herself through an area blocked by a (b) (4) Machine. She kept wiggling her hind legs to climb over the (b) (4) machine. I hollered to get the attention of the Barn Handlers , but the two of them were busy on the other side of the Barn. One was dealing with a dead animal and the other was driving animals on the other side of the barn. The animal eventually squeezed herself through the small space, and joined the other members of her herd. IPP was informed that the electrician was asked by the Barn handlers to close he gate before leaving his task, but he did not chain the gate and it resulted in this situation. The animal did not appear hurt, but I did observe it struggle to get through the small space, as the (b) (4) Machine took up the greater width of the path where the incident had occurred. This written notification is being issued to the establishment for its failure to apply the Meat and Poultry Regulations of [9 CFR 313.1 and 313.2] as animals should experience minimum excitement and discomfort and driveways should be free from any protruding objects which may cause injury or pain to the animals. (b) (6) and (b) (6) (b) (6) are being notified in writing about the above documented noncompliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M1311	JBS Souderton Inc.	KID510 812100 7N-1	12/07/2017	04C02	313.1	<p>On Thursday, 12/07/2017 at 05:36am I (b) (6) (b) (6) was performing antemortem with a pens employee. As the employee emptied the back of Pen 25 he discovered that a Black Angus heifer had reached its head through the railing 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 the head to be freed. . The employee immediately notified (b) (6) (b) (6), of the entrapped animal (b) (6) quickly came to the pen and successfully stunned the heifer with a hand held bolt device at 05:38am, following the protocols or 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 the cattle housed in the pen.</p> <p>Retain tag B42208568 was placed on the gate leading into Pen 25 Back to prevent the pen from being used until repairs are made. Failure to ensure that the animals cannot become trapped or injured in the holding pens represents a potential hazard to the animals and represents 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

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M4465	Nicholas Meat LLC	KYM44 110154 08N-1	11/22/2017	04C02	313.2	<p>On November, 22nd 2017, at approximately 1400 hours, while observing truck unloading, I observed the following non-compliance. While the back section of a large trailer was being unloaded, there was 1 dairy cow lying recumbent on the floor of the trailer. The barn employee attempted to get the cow to stand using an electric prod but was unable to and thus stopped after the cow vocalized. No further attempts were made to get the non-ambulatory cattle to rise or separate it from the other cattle. The barn employee then proceeded to get another dairy cow to turn around by using the electric prod. In the process of turning around, this cow was observed stepping on the down cow. Because of the continued presence of the driver toward the front of the truck (he was here from the beginning of the unloading process), a third cow was then allowed to move towards the exit. During this movement, I observed it stepping on the abdomen of the down cow on the trailer bed multiple times. I notified the (b) (6) of the incident and the non-compliances of 9CFR 313.2(a) and 9 CFR 313.2 (d) (1). A regulatory control action was taken by placing tags B37592939 and B37592940 on the loading dock doors. After consultation with the District Office, the tags were removed at approximately 1530 hours.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M9672+P9 672	Al-Marwa L. L. C.	YYD021 410041 2N-1	10/12/2017	04C02	313.1	HATS Category VII Observations for Slips and fall At approximately 07:45 (b) (6) and (b) (6) were performing antemortem in the barn and observed 3 lambs fall to their knees and multiple lambs slipping on the wet concrete smooth finish floor. There was no bedding, hay, or any other material to prevent slipping. The IPP informed the Plant Manager of the noncompliance. The establishment immediately placed straw on the floor which gave the lambs better footing. This is a humane handling noncompliance with 9 CFR 313.1b (b) (Floors of livestock pens, ramps, and driveways shall be constructed and maintained so as to provide good footing for livestock)	CLOSED
M9672+P9 672	Al-Marwa L. L. C.	YYD351 210313 0N-1	10/30/2017	04C02	313.2	Category III-Water and Feed Availability On October 30, 2017, at approximately 0755 hours while performing humane handling verification in the barn, I (b) (6) noted the following noncompliance: In Pen 1, which contained several lambs, the black rubber container used for water was completely empty. Observation of the pen revealed that there were no additional sources of water available for the animals in it. (b) (6), was immediately notified of the noncompliance. (b) (6) then took immediate corrective action and provided the lambs with fresh water by filling the aforementioned black rubber container, which was then verified by (b) (6), (b) (6) The Establishment failed to comply with the regulatory requirements prescribed in 9 CFR 313.2(e).	CLOSED

Table: Noncompliance Reports in Response to foia2018-170

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M9704+V9 704	Springfield Meat Company	QGE381 411460 7N-1	11/07/2017	04C02	313.2	Category III-Water and Feed Availability On November 7, 2017, at approximately 1010 hours while performing humane handling verification in the barn, I (b) (6) noted the following noncompliance: In Pen 9, which contained two steers, the black rubber bucket used for water was completely empty. Observation of the pen revealed that there were no additional sources of water available for the animals in it. Mr. Keith DeWitt, Plant Manager, was immediately notified of the noncompliance and the Establishment's failure to comply with the regulatory requirements prescribed in 9 CFR 313.2(e).	OPEN
M9704+V9 704	Springfield Meat Company	QGE141 311571 5N-1	11/14/2017	04C02	313.30(b)(2)	"Category VIII – Stunning Effectiveness On November 14th, 2017 at approximately 1215 hours, I (b) (6) was notified by (b) (6) of the following noncompliance: A market hog was placed in the stun box for stunning at approximately 1155 hours. However, while in the stun box, the animal attempted to jump out of the chute and ended up getting wedged on the front end of the stun box, which has an opening approximately two feet above the floor of the stun box. (b) (6) observed that the hog was caught with the front half of his body in front of the stun box while the hips and hind legs of the animal were hung up on the front opening, such that the legs were still in the stun box. The hog was unable to free itself from this position. A plant employee then stunned the hog via electrical current, which rendered it insensible. Mr. Keith DeWitt, Plant Manager, was notified of the aforementioned noncompliance and the establishment's failure to adhere to the regulatory requirements of 9 CFR 313.30."	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M9704+V9 704	Springfield Meat Company	QGE041 412000 7N-1	12/07/2017	04C02	313.15(a)(1)	HAT Category VIII: Stunning effectiveness On 12/07/2017 at approximately 1320 hours while performing humane handling verification activities at Establishment 9704, I (b) (6) (b) (6) observed the following noncompliance. The Establishment employee moved a dairy cow into the stun box for stunning with a hand held captive bolt. The cow was standing freely in the stun box. As the stunner made the first stunning attempt with the captive bolt, the cow was moving its head. The stunning attempt hit the head as evidenced by the cow's sudden movement away from the stunner and a spot on the head where the captive bolt hit, but the cow remained standing, alert and was shaking its head. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which made the cow insensible therefore no US Reject/Retain tag was needed. Keith DeWitt, Plant Manager, was notified of the noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1).	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M9784+P9 784+V9784	Leona Meat Plant Inc	OMK10 061037 11N-1	10/11/2017	04C02	313.1, 313.2	<p>HATS Category III Water and Feed Availability HATS Category VII Slips and Falls At approximately 0645 hours on October 11, 2017 while performing Ante Mortem inspection with (b) (6), I observed the following noncompliances: Pen #1 is the largest pen used to hold beef cows. The main water container in Pen #1 had a thick blackish liquid visible and not of drinking quality. I observed the cattle that were in Pen #1 slipping due to a very wet, fecal covered floor. Pens #2 thru #7 were smaller pens used to hold smaller animals. Pen #2 was observed with 5 swine present and their water container was dry. Pen #3 was observed with 2 goats present and their water container was dry and filled with fecal matter. Pen #4 was observed with 3 swine present and their water container was dry and filled with fecal matter. Pen #5 had one beef cow present. The water bucket in pen #5 was dry and had sheep fecal present. Pens 6-7 were not in use at this time. At this time I informed Charles DeBach, Plant Co-Owner, of these noncompliances. I informed Mr. DeBach that I would be taking a regulatory control action on the pens and the establishment would not begin slaughtering until the pens were brought up to satisfactory conditions. Immediate corrective action was taken by plant personnel. All 7 pens were shoveled out and fresh bedding was applied to each of them. All 7 water containers were emptied of any foreign materials, cleaned and then filled with fresh drinking water. At approximately 0845 I re-inspected and found the pens to be compliant. At this time I released the pens and allowed the establishment to continue its daily production. The Establishment had been in Noncompliance with 9CFR.1 (b) and 9CFR.2 (e).</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M9784+P9784+V9784	Leona Meat Plant Inc	OMK0112114522N-1	11/22/2017	04C02	313.15(a)(1)	On November 22nd, 2017, at approximately 9:30 am, while performing Humane Handling Verification activities at establishment 9784 IPP (b) (6) observed the following noncompliance. A market swine was brought into the knockbox for stunning with a handheld captive bolt. The first stun was properly placed but failed to render the animal unconscious. The plant administered an immediate second stun at which time the animal became unconscious. A security stun was then administered by rifle. The animal did not return to consciousness. Mr. Mike Debach, plant owner was notified of this noncompliance with 9CFR-313.15(a)(1) Animals must be rendered unconscious immediately upon stunning.	CLOSED
M562	JBS Green Bay, Inc.	QSM0811111313N-1	11/11/2017	04C02	313.15(a)(1)	On Saturday November 11th, 2017 at approximately 1450 hours, (b) (6) observed the following noncompliance: While performing HATS category VIII, Stunning Effectiveness, (b) (6) observed the certified stunner use the pneumatic gun to stun a steer. The steer was not rendered unconscious after the first attempt. It lifted its head up quickly and turned its head to the left, looking at the certified stunner. The stunner immediately used the hand knocker to stun the steer, effectively rendering it unconscious. (b) (6) notified (b) (6), (b) (6) (b) (6) that she was taking a regulatory control action and stopped production by placing U.S. Reject Tag #B38149025 on the knock-box. The skinned head revealed a well-defined hole in the nasal bone approximately 5-7cm below a line drawn horizontally from eye to eye. There was second well-defined hole in the frontal bone approximately 1-2cm above the intersection of lines drawn from the medial canthus of the eye to the base of the opposite ear. The establishment management offered immediate corrective actions, regulatory control was relinquished and production was allowed to resume.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M562	JBS Green Bay, Inc.	QSM47 111202 04N-1	12/01/2017	04C02	313.15(a)(1)	<p>On December 1, 2017, at 2:18 pm while performing HATS category VIII stunning effectiveness, (b) (6) observed the knocker take the hand held captive bolt device and attempt to stun a steer. The hand held captive bolt device hit the steer approximately 1.5-2 inches medial and dorsal to the medial commissure of the right eye. The steer was conscious as the steer's head did not drop and was blinking and looking around. The stunner immediately took the pneumatic stunning device and successfully stunned the steer. (b) (6) took regulatory control and tagged the knocking pen with retain tag # B38149030 and notified (b) (6). (b) (6). The head was skinned and showed a fracture of the skull over the right eye with no penetration through the skull into the brain. The second knock hole was in the center of the head; central frontal bone. After the establishment gave verbal corrective actions to (b) (6), (b) (6) released the knocking pen and the establishment resumed production. This noncompliance is associated with NR QSM QSM0811111313 dated 11/11/2017 as the preventative measures proffered by the establishment in response to the previous NR were either not implemented or were not effective.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M952	BEF Foods, Inc.	YUC081 310190 9N-1	10/09/2017	04C02	313.15(a)(1)	HATS Category VIII: Stunning Effectiveness At approximately 1225 I witnessed the following noncompliance (b) (6) attempted to stun a sow that was too large for the chute system using a captive bolt gun. When the gun fired the sow vocalized but remained standing on all four feet with the bolt lodged in her skull. The sow moved her head and front legs while the employee quickly removed the bolt. Once removed, he reloaded the gun and made a second, successful attempt to stun. I notified the employee as well as (b) (6) (b) (6) and (b) (6) that an NR would be issued. This record is being associated with NR YUC5706080701, which was issued on 8/2/2017 for a misstun with a captive bolt gun.	CLOSED
M952	BEF Foods, Inc.	YUC371 511370 7N-1	11/07/2017	04C02	313.30(a)(1), 313.30(a)(3)	HATS Category VIII: Stunning Effectiveness At approximately 1549 I observed the following noncompliance. An establishment employee placed the head-heart electrical stunning wand on a sow in the stunning box. The sow went ridged, then lax and vocalized, then rigid again. This repeated several times while the employee maintained contact with the animal. When the wand was lifted the sow showed signs of consciousness by moving her head and vocalizing. The employee attempted two more times to initiate contact with the wand, but both times the sow showed signs of consciousness but no response indicating an electrical charge. The employee then used a hand-held captive bolt gun kept beside the stunning box. On first contact the sow threw her head up displacing the gun but the gun was not discharged. On second contact the sow was successfully stunned. I informed (b) (6) (b) (6) and (b) (6) (b) (6) that an NR would be issued. The establishment was in violation of regulations 310.30(a)(1) and 313.30(a)(3).	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M952	BEF Foods, Inc.	YUC261 211261 3N-1	11/13/2017	04C02	313.30(a)(1), 313.30(a)(3)	HATS Category VIII: Stunning Effectiveness At approximately 1256 I observed the following noncompliance. The employee stunning animals placed the head-heart stunning wand on the forehead and shoulders of a sow moving into the stunning box. The sow momentarily stiffened and the wand slipped off the front of her head, at which point the sow vocalized and moved her head and front legs. The employee immediately replaced the wand on the sow and successfully stunned it. I informed (b) (6) that an NR would be issued. No tag was used. The establishment is in noncompliance with 313.30(a)(1) and 313.30(a)(3). Noncompliance record YUC3715113707N-1 has been associated with this NR.	CLOSED
M952	BEF Foods, Inc.	YUC290 511352 2N-1	11/22/2017	04C02	313.2	HATS Category III: Water and Feed At approximately 0530 I observed the following noncompliance. A nonambulatory sow that had been delivered and unloaded the previous day, after hours, had been left in the unloading aisle overnight. There was no indication or note as to which load she was from, but two loads had been delivered the previous night, at 2100 and 2200. A rubber water dish was in the aisle, but it was empty and completely dry. There was no other access to water in the unloading aisle. Corrective actions were initiated at the time and no tag was used. I informed (b) (6) (b) (6) and (b) (6) (b) (6) that an NR would be issued. The establishment is in noncompliance with regulation 313.2(e).	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M1816+V1 816	West Michigan Beef Co. LLC	TMB35 091133 13N-1	11/13/2017	04C02	313.15(a)(1)	<p>HATS Category VIII At approximately 0819 hours while performing HATS verifications, the PHV was observing a balking jersey cow in the knock box that the knocking attendant was struggling to place into the head restrainer. After multiple unsuccessful attempts to restrain the animal himself, the attendant tried to lean over the side of the knock box to freehand stun the animal without using any head restraint. The handheld captive bolt device was fired but the animal remained standing in the knock box fully conscious facing away from the PHV's vantage point. Upon the initial discharge of the device, the employee conveyed uncertainty on whether the bolt contacted the unrestrained animal. Following the initial shot, the attendant was able to get some assistance from other employees at this time and the animal was placed in the head restraint. Upon placement into the head restraint, the PHV observed the cow to present with blood-tinged nasal discharge and a bleeding hole in the hide of the animal's head well below the typical target for stunning cattle. The knocking attendant then delivered an effective corrective action stun rendering the animal unconscious. The PHV was able to point out the hole to the Kill Floor Supervisor who was standing near the head restraint just prior to the corrective action stun. This was identified as noncompliant with 9CFR 313.15(a)(1) for failing to effectively render an animal unconscious with a single application of the captive bolt stunning device, and the PHV informed the Kill Floor Supervisor of the forthcoming noncompliance report for the ineffective stun.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M1816+V1 816	West Michigan Beef Co. LLC	TMB22 071110 28N-1	11/27/2017	04C02	313.15(a)(1)	<p>HATS Category VIII At approximately 1315 hours, while performing HATS verifications, the CSI observed the plant bring a large bull into knock box. His head was placed in the head restraint. Each time the knocking attendant attempted to place the handheld captive bolt on the bull's forehead, the animal tossed his head backwards. The attendant made contact; the bull tossed his head again, and the captive bolt released. The bull remained standing, eyes open, looking around the room. It was not clear at this moment if the handheld captive bolt entered the skull. The employee attempted to place the captive bolt on the forehead again, but the bull kept throwing his head backwards upon each attempt. The employee informed the (b) (6) (b) (6) that the bull would not hold still for the handheld captive bolt. (b) (6) spoke to (b) (6) (b) (6) regarding the situation and decided that they would use the shotgun on the animal. (b) (6) went to the second level of the facility to retrieve the shotgun. In the meantime, the animal was kept in the knock box in the head restraint. (b) (6) proceeded to shoot the animal with the .20 gauge shot gun, rendering him unconscious. When the head was presented to the inspection station, the PHV noticed a second hole in the skull that was made by the first attempt with the handheld captive bolt as initially suspected by the CSI. The PHV applied U.S. Reject Tag #B37561145 to the knock box, and verbally informed plant management that a regulatory control action was being enforced. Management was shown the initial hole in the bull's skull in addition to the hole made by the shotgun. The establishment did not take immediate corrective action for an ineffective stun as listed in their Humane Handling Program, and failed to render the animal unconscious on the first attempt. This action is non-compliant with 9 CFR 313.15(a)(1) for failing</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
						to effectively render an animal unconscious with a single application of the captive bolt device. The PHV verbally informed the owner of the forthcoming non-compliance. This non-compliance is linked to NR #TMB3509113313N, dated November 13, 2017 for the same cause.	
M1816+V1 816	West Michigan Beef Co. LLC	TMB17 081136 30N-1	11/30/2017	04C02	313.15(a)(1)	HATS Category VIII At approximately 8:16 am on 30 November 2017 while performing HATS verifications, the CSI observed the knocking box attendant attempt to stun a Holstein cow. The cow's head was placed in the head restraint. The first discharge of the handheld captive bolt device into the cow's head was an ineffective stunning attempt. The cow had remained standing, was alert of its surroundings, moved its head side to side, and had eye movement tracking the knocking box attendant's location. The knocking box attendant immediately reached for the loaded backup handheld captive bolt device, and delivered a second discharge into the cow's head. This second stunning attempt was effective, and rendered the cow unconscious immediately. This was identified as noncompliant with 9CFR 313.15(a)(1) for failing to effectively render an animal unconscious with a single application of the captive bolt stunning device, and the CSI informed the Kill Floor Supervisor of the forthcoming noncompliance report for the ineffective stun. This noncompliance is linked to NR TMB2207111028N/1, dated 27 November 2017.	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M10036	Fillmore Beef Co.	FGG580 811430 1N-1	10/31/2017	04C02	313.15(b)(1)(iii), 313.16(a)(1)	At approximately 1045, October 31, 2017, an ineffective stun (in this case a firearm), did not render a steer unconscious on the first attempt. The animal refused to enter the alleyway to the knock box; therefore, the owner made the decision to shoot the animal in the stall of the barn. Upon shooting the 22 magnum pistol, the steer fell to his front knees. Within seconds, he fully rose to all fours and began to move about the pen. Blood was coming out of his nostrils. Within seconds, the second shot was fired and the animal was rendered unconscious. This firearm is adequate for its usage, and has been used without issue to render bulls unconscious in the knock box. The steer was not restrained in a manner that would keep his head immobilized. This event is non-compliant with HATS category VIII – Stunning Effectiveness; 9 CFR 313.16(a)(1) – Mechanical Gunshot; and 9 CFR 313.16(b) (1) referencing 9 CFR 313.15(b)(1)(iii) - Restraint sufficient to limit free movement and ensure accurate shot placement. The owner, Larry Slenk, was verbally notified that an ineffective stun had occurred, and that a non-compliance (NR) would be issued. There are no linkages (previous NRs) to this non-compliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M10269	Jos. Sanders, Inc.	ZZC081 310032 4N-1	10/24/2017	04C02	313.1	<p>HATS Category IV During a Humane Handling Review by (b) (6) the following was observed in the establishment's barn. (1) In Pen 7 the metal grate drain cover had a 2-3 inch spot that was rusted with sharp edges. Also in Pen 7 at the west end there was a bolt sticking out of a board 2-3 inches and the bottom hinge was rusty with sharp edges. (2) There was a broken hinge on the east ally door. (3) The metal pen pipe ends for Pen 4 had sharp ends and were rusty. (4) Pen 1 in the north end and pen 2 in the east end had rusty pen pipes with sharp ends. (5) The barn side of the Knock box door had a rusty spot in the middle with sharp edges. (b) (6) was notified and shown the items in disrepair. This does not meet the requirements of 9 CFR 313.1(a) of the Meat and Poultry Inspection Regulations. which states: 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."</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M497+V49 7	Bartels Packing	HCD571 110571 8N-1	10/18/2017	04C02	313.1	<p>At 8:40 am on Wednesday Oct. 17 I, (b) (6), while performing Humane Handling Task Stunning Verification was alerted to a screw protruding out of the backup gate at Establishment 497 Bartels Packing. I examined the area and found the offending screw with blood on it. There was also a small amount of blood on the gate and the rump of an Angus cow. The cow was backing up into the screw then moving forward. The cow did not vocalize and did not exhibit any abnormal movements or attempts to flee while in the restraint area. The injury appeared no deeper than a scratch but blood was visible in small amounts. I had the gate lifted to prevent any further injuries, and tagged it using Rejected tag B14450512. The gate was left up while I left to look for a plant employee. At 8:43 am (b) (6) asked me about the tag and I told him what happened and why it was tagged. I told him that the gate was to be left up plus that an NR would be issued. This is in violation of Regulation 313.1 (a) "Livestock drives pens, driveways and ramps shall be maintained in a good repair. They shall be free from sharp objects which may, in the opinion of the inspector, cause injury or pain to the animals." I returned to the area after conferring with (b) (6). The screw had been removed under the supervision of (b) (6) and the blood washed off. At 8:50 after verifying the screw was removed I removed the tag and allowed operations to continue as normal.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M20608+P 20608	The Pork Company	KVC330 811473 ON-1	11/30/2017	04C02	313.2	<p>At approximately 8:30am while performing ante-mortem inspection in the barn, the following noncompliance was observed: As I was walking through the barn looking over the pigs in each pen I noticed that there were two pens that contained too many pigs. There were 23 boars in the pens and they were all lying down. There were 3 pigs lying on top of other pigs in one pen and 2 pigs lying on top of other pigs in the next pen. There was no visible space between any of the pigs. It was evident that there were too many pigs in the pens for them to have adequate space to lie down. These pens were right next to each other and were the same lot of pigs from the same truck. The truck unloaded these pigs the previous evening so these pigs had been in the pens overnight and through the early morning without being provided adequate space. Fortunately all of the pigs appeared to be in good condition and showed no signs of distress. I immediately notified a barn employee who was walking with me while I performed ante-mortem inspection of the noncompliance. He then got (b) (6) (b) (6), and I explained to him why I would be documenting a humane handling noncompliance. (b) (6) then began to immediately move pigs from the overcrowded pens to an empty pen to provide them with the appropriate amount of space. I then continued performing ante-mortem inspection on the other pens while he moved pigs. The rest of the pens were adequately filled with pigs. The plant's failure to ensure that the pigs had adequate space to lie down in the pens has led to noncompliance with 9 CFR 313.2</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M20172+P 20172+V20 172	American Butchers, LLC	EBN511 011382 8N-1	11/27/2017	04C02	313.15(a)(1)	HAT Category VIII Task Stunning effectiveness. At 1630 hours the slaughter employee used the captive bolt to stun a hog. I heard the hog squealing and observed the employee trying to pull the captive bolt out of the hog's head. After the employee pulled the captive bolt out of the hog's head I observed the hog still standing and looking around. The employee quickly grabbed the .22 rifle and shot the hog and rendering the hog unconscious. It was approximately 15 seconds from the time the employee used the captive bolt to the time he used the rifle and rendered the hog unconscious. Calvin Wineland, plant owner, was notified of the noncompliance and the failure to meet the regulatory requirements of 9 CFR 313.15(a)(1).	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M21595+P 21595	Mayar's Halal Meat Processing	KPD591 610272 4N-1	10/24/2017	04C02	313.1	On October 24, 2017, while performing antemortem and inspection of the cattle pens at 1345 hours, I observed the following noncompliance. I observed a broken and frayed 2 inch thick cable that had 2 long protruding wires at the feeding trough. The cable is used as a neck guide for the cattle. The 2 strands of wire measured approximately 4 inches long and were protruding inward towards the pen at approximately 36 inches from the ground. The location of the protruding wires could cause injury to the contained animals. I informed Manager Schwali Mayar of the noncompliance and he immediately emptied the pen of its 4 dairy calves and closed the gate which communicated with another pen containing cattle. A regulatory control action was taken and U.S. Rejected tag, number B41802859, was applied to the pen to prevent its use as an animal holding pen until corrective measures were taken to render the pen safe for use. As of the issuance of this noncompliance record, corrective actions had not been taken and thus the pen remains under a U.S. Regulatory Control Action. I informed Mr. Mayar of the noncompliance for not maintaining pens in good repair and that this is a noncompliance of the regulatory requirements of 9CFR 313.1(a).	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M21595+P 21595	Mayar's Halal Meat Processing	KPD351 612500 4N-1	12/04/2017	04C02	313.1	On 12/04/2017, at approximately 1234 hours, while performing Antemortem at the beef pens, I observed the following noncompliance I observed an approximately 300lb dairy heifer caught between a metal gate and fence that separated 2 adjacent pens. The gate was unsecured and the young heifer, which was caught at the left hip and wedged between the gate and the fence was struggling to free itself. I immediately informed (b) (6) who opened the gate and released the heifer and secured the gate closed to prevent recurrence. After the release, the heifer was ambulatory with no evidence of fracture, open wound or dislocation associated with the incident. I informed (b) (6) of the noncompliance of 9CFR 313.1 and reminded him that livestock pens are to be maintained in a condition as to minimize pain and injury to animals.	OPEN
M21595+P 21595	Mayar's Halal Meat Processing	KPD011 612212 8N-1	12/27/2017	04C02	313.1	At approximately 0830hrs while performing ante-mortem task at the sheep and goat pens I (b) (6) found the following noncompliance. In the alleyway at the end near the entrance to the facility that the animals enter by at the turn there is a gate that had loses wire and a broken bottom frame bar with sharp edges. An animal traveling in the alleyway could be injured by the lose wires and broken bar. U.S. Reject tag #B31409333 was applied to the gate; Mr. Schwali Mayar was shown the condition of the gate and informed of the forthcoming noncompliance. The establishment flailed to meet the requirements of 9 CFR 313.1. At approximately 0900hrs. The gate was respected and found acceptable and regulatory action was withdrawn.	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M31561+V 31561	Maple Ridge Meats LLC	PMM13 111238 05N-1	12/05/2017	04C02	313.2	HATS CATEGORY III At approximately 0811 hours on December 5, 2017 while performing a routine humane handling task, the following noncompliance was observed. I, (b) (6) observed 3 separate pens of swine in which water was not accessible. In these pens, the water tubs were empty and tipped on their side. Following this, I examined the establishment's Daily Water and Feed Log and observed that the appropriate water check had been not been completed. Establishment management, Mr. Greg Hathaway, was immediately notified verbally and in writing of this noncompliance. Plant management immediately performed corrective actions by providing accessible water. This is noncompliant with 9 CFR 313.2(e).	CLOSED
M31795+P 31795	Halal Meat Slaughter House	BZI3514 104926 N-1	10/27/2017	04C02	313.1	On 10/26/17 at Halal Slaughter #31795 while performing a Humane Handling task, (b) (6) and (b) (6) observed the following. In the barn there are four separate pens. Three of the pens on the western half of the barn are all side by side. On all three pens the top gate hinge are secured by nails. Apparently after time of use the nails have worked there way out of the hinges and wooden gates and are starting to protrude out approximately one to one and half inches which could result in injuries to some animals. Plant manager Mohammed Ahmed was verbally informed and this serves as written notification of a noncompliance of CFR 313.1. No animals were involved in injury.	CLOSED

Table: Noncompliance Reports in Response to foia2018-170

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M31776+P 31776+V31 776	Eickman's Processing Co., Inc.	VFI570 811331 7N-1	11/17/2017	04C02	313.2	While performing Humane Handling (HATS) tasks on 11/15/17 around 7:30 am it was observed that the establishment was in non-compliance with water availability for livestock in the holding pens: 1) It was observed that in the buck pen (with fences leading outside) there were 15 cattle and two plastic water buckets were turned over and empty. The holding pen is long and narrow and is too crowded to hold 15 cattle. They were standing horizontally tight to each other and were not able to move in order to get water even though water was provided in the barrels. 2) The suspect pen was used to hold 5 swine and the plastic barrel and the water tube were empty. 3) Two sheep were observed in the small holding pen in the corner of the holding area but there was no water provided for them. The plant owner, Tom Eickman, was notified that the establishment was in non-compliance with 9 CFR 313.2 (e) which requires animals to have access to water in all holding pens.	CLOSED
M32158+P 32158+V32 158	The Royal Butcher LLC	BXF401 212131 4N-1	12/14/2017	04C02	313.15(a)(1)	HATS Category VIII- Stunning While observing stunning as part of a routine HATS task, the PHV observed the following noncompliance: A large beef animal was properly restrained in the stun box for stunning with captive bolt, but the establishment's first stunning attempt did not produce insensibility (the animal remained standing and did not show signs of unconsciousness). The establishment employee immediately took corrective action with a second stun, which was effective (the animal fell to the floor with dropped tongue, no visual tracking or blink, and was completely and instantly insensible). Following the establishment's plan, a security knock was then performed before sticking. This is a noncompliance with 9 CFR 313.15 (a) (1). As always, the establishment has the right to appeal.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M33928+P 33928+V33 928	Frickenschmidt Foods LLC	BWZ13 111215 06N-1	12/06/2017	04C02	313.16(a)(1)	<p>On 12-0602017, at approximately 0945 hours while performing slaughter inspection duties I observed the following stun failure event: A steer was placed in the knock box, and the operator prepared to shoot this animal with a 22 mag rifle. I moved to a position adjacent to the kill floor, the designated 'safe spot' for inspection personnel when a firearm is used for stunning livestock. I heard the report of the gun when it was fired and looked around the corner to see the result of that stun attempt. From my station, I could see this steer was still standing, making voluntary head movements and was breathing normally. Visually, it appeared conscious and fully alert. The employee immediately reloaded the same rifle and fired a second shot to the animal's head. I observed the steer collapse to the floor of the knock box and remain in a prone position. Upon further inspection after the second stun attempt, I noted this animal had a fixed blank glare, it was not breathing, and its head was limp; there was no menues reflex. It visually appeared to be completely unconscious and insensitive to pain. This steer was then shackled and bled out uneventfully. A plant employee performed a post-mortem inspection by skinning the head and noted the two gunshot wounds on the forehead, stating one bullet hole was not centered over the brain. A regulatory action was not necessary (as per FSIS Directive 6900.2 rev. 2) because the immediate corrective measure was effective. This is a violation of 9 CFR 313.16 (a) (1) & (3).</p> <p>(b) (6) was notified of the situation and of the noncompliance (b) (6) stated that he will immediately have the employees start using a 20 guage for the beef slaughter.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M33940	Fauquier's Finest Custom Meat Processing, Inc.	DAG02 081146 10N-1	11/10/2017	04C02	313.2	On Friday November 10, 2017 at 06:05am while performing Ante-Mortem Inspection under Human Handling Verification Task at M33490' I observed the following Non-compliance; During Ante-Mortem Inspection and checking water and feed availability one of the hats category I noticed the large water container which is used to provide water to pen 4 & 5 is very low on water close to empty and is pushed to pen 4 leaving beef in pen 5 with no access to water. I notified (b) (6) with my findings who informed me that beef in pen 5 is crazy and pushed the water container to the adjacent pen. IIC have discussed with management the issue of animals not having access to water when containers are pushed to the adjacent pens. IIC have documented on MOI# DAG5809102123E that management will work on the issue and fasten the containers to prevent them from pushed around. I notified (b) (6) (b) (6) with my findings and Non-compliance report will be generated to document the violation. A review of recent NRs revealed similar reports. M34799 was found in direct violation with 9CFR 313.2. This document serves as written notification that you failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action.	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M33940	Fauquier's Finest Custom Meat Processing, Inc.	DAG50 091148 15N-1	11/14/2017	04C02	313.2	<p>On Tuesday November 14, 2017 at 06:10am while performing Human Handling Verification Task at M33940, I observed the following Non-compliance; While checking water availability inside holding Pens, I noticed the water container between Pen 7 & 8 is pushed all the way to pen 8, leaving 2 Hogs inside pen 7 with no water access. I notified (b) (6) with my observation who took immediate corrective action by pushing the water container so pen 7 would have access to water. Once (b) (6) pushed the container both Hogs ran to the water. I informed (b) (6) with my findings and issuing NR report to document the deviation. IIC discussed the repetitive deviation on previous MOI and NR reports and continue discuss it on this week MOI to know the plant corrective action. Mr. Rodrigues Plant Manager will be notified via email and or verbally with the above deviation. A review of previous NRs report revealed similar deviations. M33940 was found in direct violation with 9CFR 313.2. This document serves as written notification that you failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M33940	Fauquier's Finest Custom Meat Processing, Inc.	DAG27 091208 13N-1	12/13/2017	04C02	313.2	<p>On Wednesday December 13, 2017 at 06:05am while performing Human Handling Verification Task at M33940, IIC observed the following repetitive Non-compliance; While IIC checking Water and Feed availability one of the Hats category under Human Handling verification Task, observed the water container for Pen 8 is pushed all way to pen 7 leaving the pig inside pen 8 with no water access. IIC informed (b) (6) (b) (6) who was available with IIC during inspection with the violation who took immediate corrective action by pushing the water container back to Pen 8 for water access. IIC notified (b) (6) (b) (6) with the violation and NR report will be generated to document the issue. IIC has discussed this issue with management before and documented on NRs and MOIs, and management answer was to chain the containers to the rails to prevent them from being pushed away. Till know containers still loose. On the next weekly meeting to set a date to have all containers chained. A review of previous NRs report revealed similar violations. M33940 was found in direct violation with 9CFR 313.2. This document serves as written notification that you failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M33971+V 33971	McNees Meats and Wholesale LLC	LWA11 111226 18N-1	12/18/2017	04C02	313.2	<p>HATS Category III- Water and Feed Availability. On 12-18-2017 at approximately 1050 hours while performing ante-mortem inspection the following non-compliant condition was observed by (b) (6) when walking through the barn. Pen #16 contained 2 live hogs. The water container was dry with no water observed in the container used to provide water to the animals. Pen #9 contained four beef. Two beef were observed standing near the water container. Upon review the container was wet but no water was in the container. No regulatory action was taken because (b) (6) provided water to the animals contained in pen #16 and pen #9. The two pigs did not show interest once water was provided. The two beef began drinking the water once provided. 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.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M34181	Hemingway Locker & Refrig.	ZEO001 312580 6N-1	12/05/2017	04C02	313.1, 313.2	<p>Category V - Suspect and Disabled (9 CFR 313.1 and 313.2): At 10:30 AM while conducting HATS activities at Hemingway Locker and Refrigeration (b) (6) observed the movement of market hogs in the antemortem pens. The stunning operator moved a group of about 12 market hogs from the first pen on the right into the alleyway in preparation for movement to the knock box. One hog was not able to get up on her back legs and was observed to pull herself along dragging her rear end. The recumbent animal was able to drag herself into the alleyway. At this point, (b) (6) intervened and stopped the activity. The other eleven animals were then moved back into the pen to avoid further injury to the down animal. The stunning operator retrieved the captive bolt gun and crowding board and stunned the animal in the alleyway. The hog was rendered unconscious with the administration of a single blow to the forehead. She was then drug through the knock box and onto the kill floor for processing. The plant owner, Mr. Flynn Cockfield arrived and a discussion was held regarding proper procedure when dealing with a down animal. Mr. Cockfield indicated that he would instruct kill floor personnel in the proper movement of injured animals. There was no regulatory control action taken since the recumbent animal was not injured by the other animals.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M34360+P 34360	House of Halal Meat, Inc	VUA251 212020 4N-1	12/04/2017	04C02	313.2	On Monday, December 4, 2017 at approximately 1315 hundred hours, while conducting a routine humane handling task, I (b) (6) observed the following non compliance: * Approximately 4 cows in a pen with slippery floors falling to the floor surface when they tried walking. The regulations require that all surface should be non slip in order to prevent animals from and falling and hurting themselves. (b) (6) was notified of this violation. Previously (b) (6) had agreed not to house cows in that particular pen, but failed to keep that commitment today. Continue violation could lead to further administrative or enforcement actions.	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M34569+V 34569	Ohio Farms Packing Co. Ltd.	DTY160 612213 ON-1	12/29/2017	04C02	313.1, 313.2	<p>On 12/29/17 at approximately 8:10am (b) (6) entered the driveway of Est. 34569 and noted a truck filled with bob calves that was waiting in line to be unloaded. She noted that this specific truck had many open panels, which resulted in directly exposing the calves to the outside weather conditions. A record check of the establishment's incoming livestock log revealed that the truck had arrived at 7:45 am. According to the information provided by the plant to IPP, the truck had traveled from Mill Hall, PA, a total distance of 254 miles with a transit time of 3 hours and 51 minutes. The outside air temperature according to the National Weather Service at the time of arrival was 14 degrees. When the truck was unloaded later that morning at 10:40 am, the calves were observed to be weak, shivering and lethargic. Temperatures of 6 randomly selected calves were taken and temperatures ranged from 93.1 to 98.9 degrees F. All 6 calves were hypothermic. (b) (6) alerted (b) (6) of the condition of the trucks and the calves, who informed establishment manager Mike Barrett of the failure to provide adequate protection of the calves during inclement weather conditions. This is noncompliant with 9CFR313.1 and 9CFR313.2, with HATS category I, inclement weather adaptations.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M34699	Cox Butcher Shop	TDU521 511342 7N-1	11/27/2017	04C02	313.1	At 1430 on 11-27-17 as I performed humane handling tasks in the empty holding pens I observed that the center divider had several broken welds and several and loose wire panels. In my opinion this is a potential hazard for cattle. I notified (b) (6) of 9 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.	OPEN
M40041+P 40041	Marksbury Farm Foods, LLC	NRW12 131008 11N-1	10/11/2017	04C02	313.15(a)(3)	On 10/11/2017 at 1338 at Marksbury Farm Foods, LLC on the slaughter floor (b) (6) observed the following Humane Handling Non Compliance . The (b) (6) (b) (6) was in the process of stunning a market lamb, on delivery of the first captive bolt the stun was ineffective (b) (6) observed the knock box open and the lamb standing up and looking around. (b) (6) notified, (b) (6) (b) (6) who reloaded and applied a second stun that was effective (b) (6) stopped slaughter and rejected the knock box with US Rejected tag #B28142226 and notified (b) (6) (b) (6) of the Non Compliance. This is a Non Compliance of HATS Category #8 stating All Captive Bolt Stuns must render the animal insensible to pain on the first try.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M40041+P 40041	Marksbury Farm Foods, LLC	NRW25 131125 20N-1	11/20/2017	04C02	313.2	On 11/20/2017 at approximately 0700 while performing Ante-Mortem inspection in the livestock holding pens at Marksbury Farm establishment #40041 USDA (b) (6) noticed cattle in pens #2 and # 3 had no water . USDA (b) (6) (b) (6) immediately told plant Manager Leonard Harrison that the animals had no water. .At approximately 0710 (b) (6) was informed that the plugs in the water trough were backwards ,water troughs were then filled by an establishment employee .This is Noncompliant of 9CFR 313.2(e)and HATS task category #3	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M40342+P 40342	The Ohio State University	RNX051 210480 5N-1	10/05/2017	04C02	313.15(a)(1)	<p>On 10/5/2017 at approximately 0815 hours, while performing a Humane Handling verification task HATS category VIII (Stunning effectiveness), I finished observing the following non-compliance: A bovine was restrained in the knock box. I saw the animal still standing after the first stunning attempt, and it was moving its head side to side and blood was at the opening of the nostrils. Two supervisory personnel where performing the stunning and taking immediate corrective actions. I heard two shots of the captive bolt in total over the whole time frame to stun this animal, and the animal was rendered unconscious after the second shot. On post-mortem examination of the skull, there were three holes. One hole was over the bridge of the nose, and two holes were at the center of the skull above the eyes on midline, with a distance of 1 cm between the two holes. The knock box was tagged with US Reject tag B31996726. I removed the tag after meeting with the supervisory personnel, including (b) (6) (b) (6) to discuss immediate corrective actions, which were to have two people present at the time of stunning, and to ensure the head gate is tighter. I informed (b) (6) (b) (6) and (b) (6) (b) (6) of the non-compliance with 9 CFR 313.15(a)(1). This noncompliance record is linked with a humane handling noncompliance that occurred on 7/13/2017 (RNX5805071314N-1). .</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M40342+P 40342	The Ohio State University	RNX000 811331 4N-1	11/14/2017	04C02	313.15(a)(1)	On 11/14/17 at approximately 0808 hours, while performing a Humane Handling verification task, HATS Category VIII (Stunning Effectiveness), I observed the stunning operator apply and discharge the captive bolt stun gun to the last beef cattle in the knock box. The animal remained conscious on the first stunning attempt. I observed it was standing; I heard the animal's legs struggling, and I observed the head moving. There were two trained stunning operators at the head of the knock box. I observed them immediately assess the situation, and the second stunning operator applied a second pre-loaded stun gun to the animal. The second shot was effective. On post-mortem review of the head, there were two holes along midline. The first was just above the eyes, and the second was an estimated 2 to 3 inches higher. I informed plant manager, Mr. Ron Cramer, of the non-compliance with 9 CFR 313.15(a)(1). This noncompliance record is linked with a humane handling noncompliance that occurred on 10/05/2017 (RNX0512104805N/1).	OPEN
M901+P90 1+V901	Eklund Processing Inc.	BUU590 911150 7N-1	11/07/2017	04C02	313.15(a)(1), 313.15(a)(3), 313.2(f)	HATS CATEGORY VIII Stunning Effectiveness On 11/7/2017, while conducting the Humane Handling Task, I witnessed the following noncompliance. At approximately 9:15 am located in the stun box was a steer. The establishment manager stunned the steer with a captive bolt. The stun did not render the steer unconscious because it remained standing and looked around. The establishment manager immediately reloaded and re-stunned the steer rendering it unconscious. The steer remained insensible to pain throughout the rest of the bleeding and shackling process. I immediately notified the establishment manager of the noncompliance verbally and with this written notice. This is a noncompliance of 9CFR 313.15(a)(1), 313.15(a)(3) and 313.2(f)	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M901+P901+V901	Eklund Processing Inc.	BUU5810124905N-1	12/05/2017	04C02	313.2	Category III: Water and Feed Availability At approximately 11:37 am, after I performed AM inspection on the pigs, I checked to see if the pigs had water available to them. There were 3 pens of pigs; one pen with 4 pigs, one pen with 5 pigs and one pen with 2 pigs. None of the pens had water available to them; two of the pens had empty water containers and the one pen with 2 pigs did not have a water container. During the warm weather, the pens have a nipple system; however, now that is cold the nipple system is turned off. I notified the employee that was assisting with AM inspection about the lack of water. He immediately with the assistance of another employee added water to the water containers and provided water to the pen with two pigs. The noncompliance with 9 CFR 313.2 (e) was discussed with (b) (6). He explained that the pigs had water this morning at 7 am when AM inspection was performed on the beef and lambs. He believed that the pigs dumped the water. He explained that he plans to use tires to hold the water containers and hopefully prevent the pigs from dumping the water in the future.	CLOSED
M38552+P38552	B&M Processing	HJY4109101704N-1	10/04/2017	04C02	313.2	On 10/4/17 at approximately 7:45 AM (b) (6) (b) (6) was observing swine being unloaded at B&M Processing. During the unloading process the owner of the swine would grab the ear of the animal in an attempt to make it move. (b) (6) (b) (6) told the individual to stop but he did not. This is a violation of 9 CFR 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. Unloading area was tagged with U.S. Rejected tag # B42189282 by (b) (6)	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M40147+P 40147+V40 147	This Old Farm, Inc.	LDY340 910523 1N-1	10/31/2017	04C02	313.2	<p>HAT Category III Water and Feed Availability (9CFR313.2) On October 31, 2017 at approximately 08:09 hours the following non-compliance was observed during Ante-mortem. While doing ante-mortem (b) (6) and (b) (6) observed a single animal (pig) in the weigh box presented for ante-mortem inspection. There was a water hose with running water draped over the top of the weigh box, but there was not a bucket or water pan/trough. The water was running onto the ground/floor. (b) (6) notified (b) (6) that there was not adequate access to water. The said animal did not show any distress. (b) (6) immediately put a bucket in the weigh box with the water running directly into the bucket. (b) (6) was informed verbally of this non-compliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M44207+V 44207	Mill Creek Meats and Processing	FWQ16 171100 14N-1	11/14/2017	04C02	313.15(a)(1)	At approximately 0847 hours while performing HATS Category VIII stunning effectivity, the following noncompliance was observed. The establishment owner was attempting to stun a beef bull within the knock box. The bull was confined within the knock box and the head restraint gate was engaged. The bull struggled to free itself from the restraint and when the attempts failed, the bull vocalized. The vocalization continued and the head and neck were extended forward. The head was extended in a somewhat more horizontal position than typical in a head restraint, as opposed to the nose pointing more downward. The establishment owner placed the captive on the forehead of the bull when the head was stationary and in the extended position. The captive bolt device was discharged into the head of the bull and the bull remained standing and continued vocalizing within the knock box. An employee was immediately ready at the knock box with a firearm, aimed the firearm, and effectively stunned the bull. The establishment owner was informed that the ineffective initial captive bolt stun as observed was a regulatory noncompliance in that 9 CFR 313.15(a)(1) requires livestock to be effectively stunned with a single application of the captive bolt device.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M44779	Faulkner Meats	VMV56 131149 21N-1	11/21/2017	04C02	313.2	November 21, 2017 The following observation was made at Faulkner Meats, Taylorsville, KY while performing the Livestock Humane Handling Task: A non-compliance of HATS category III: water/feed availability. At approximately 1430 a pen of pigs was observed to be without access to water. A five gallon bucket was observed to be lying on its side in the corner of the pen, without water. This observation was brought to the attention of (b) (6) who was advised of this non-compliance (b) (6) advised the pigs had been moved to this pen this morning, to make room for the cattle unloaded at approximately 1000.	OPEN
M44886	Adirondack Meat Co.	NGA56 101011 12N-1	10/12/2017	04C02	313.15(a)(1)	HATS Category VIII Stunning Effectiveness At approximately 10:35AM on Thursday 12, 2017 the following noncompliance was observed by the IIC and DVMS while performing a humane handling visit. The HACCP Coordinator was stunning the last lamb with a captive bolt and the first attempt was ineffective as evidenced by the animals still standing and blood from the nostrils. He immediately reloaded the captive bolt and rendered the lamb unconscious with the second shot. This a noncompliance with the regulation 313.15(a) (1). Further noncompliance with the same cause may lead to further regulatory actions.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M9199+P9 199	SCR International Corp.	DZD580 810460 4N-1	10/04/2017	04C02	313.1, 313.2	While performing the Live Stock Humane Handling verification task this morning at approx. 8:30 AM the following noncompliance was observed. My (b) (6) was in the plant parking lot when he heard hogs vocalizing from the hog truck. The truck was backed up to the pens and a plant employee was unloading the hogs, excessively hitting the hogs with a paddle. (b) (6) also noticed that the pen's build in ramp was low and the gap between the truck and ramp was over a foot deep, causing the hogs to not make the jump from the truck to the pens and made at least two hogs slip and fall. I took regulatory control action (tag number B27356240) on pin number one and notified Ms. Yanling Liang (Plant Manager) of the noncompliance's and of the plant's failure to meet regulatory requirements 313.1 (b) and 313.2 (a).	CLOSED
M44932+P 44932+V44 932	BelCampo Butchery	THC301 111011 4N-1	11/09/2017	04C02	313.1		OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M44932+P 44932+V44 932	BelCampo Butchery	THC301 111011 4N-2	11/09/2017	04C02	313.1	<p>On Thursday November 09, 2017 at approximately 0400 hours I (b) (6) did a routine check of the holding pens at Belcampo. I (b) (6), observed one holding pen with approximately 14 hogs and no water access. The condition of the hogs looked to be normal behavior (all the hogs were lying down under shade on concrete and there was no visual signs of heat exhaustion and the breathing looked to be normal). The position of the holding pen was on the South West corner of Belcampo's holding pens. I (b) (6) informed (b) (6) (b) (6) that one of their holding pens with hogs present had no access to water. (b) (6) (b) (6) and (b) (6), quickly grabbed the water hose and a placed water trough and placed it into the holding pen. (b) (6) said they had water but the hogs knock over the small water trough. I (b) (6) (b) (6) confirmed all the water troughs had water (b) (6) said she would watch the water troughs throughout the day. I (b) (6) verbally informed (b) (6) that a noncompliance would be issued for 9CFR313.2 (e) Animals shall have access to water in all holding pens. A similar NR #0005011082715 N / 1</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45029+P 45029	Vermont Packinghouse LLC	FUU100 910370 6N-1	10/06/2017	04C02	313.2	Category VII Stunning effectiveness On 10/6/2017 at approx. 0840 am while on the steps leaving the kill floor I observed the following: the plant employee attempted to stun a steer. After the first captive bolt stun the steer vocalized was looking around and tried to pull its head out of the restraint, its tongue was protruding from its open mouth and it was moving from side to side. The plant employee used the back-up captive bolt and the immediate second stunning attempt rendered the animal insensitive. The plant split the head the first shot was at an angle where the bolt missed the brain case completely, the second one was properly centered. The slaughter floor supervisor was notified of this noncompliance. Tag # B43049882 was applied to the knock box.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45029+P 45029	Vermont Packinghouse LLC	FUU161 410451 9N-1	10/19/2017	04C02	313.2	<p>HATS Category IV At approximately 10:03, the establishment received two cattle from (b) (4). Ante mortem was performed and the animals were immediately put in cue for slaughter behind two beef, already in the chute to the knock box. At approximate 10:15, I was relieving the line inspector for break when I heard loud bellowing from the stunning area. Upon investigating, I observed two beef crowded in one holding area. A third animal was under the other two and not immediately visible from the catwalk. The chute consists the knock box, two holding areas, an enclosed scale, and funnel. All sections are separated with gates. After moving one beef into the knock box and another into the front hold, the handler did not close the gate between the two holding areas, before releasing the next two cattle from the scale. The three cattle tried to crowd into the forward hold causing one to go to the ground and the other two to trample on top of it. The establish took action to back the (b) (4) beef off of the first however that animal was entrapped, on its side, and unable to rise. (b) (6) observed plant employees right the animal while I contacted (b) (6). Upon returning to the kill floor at approximately 10:21, I observed the animal was upright in the knock box and injured. The left horn was broken at the base and hanging down in front of its face. Additionally it was unsteady and having difficulty standing in the knock box. Regulatory control of the knock box was initiated with U.S. Reject Tag B43049579 to prevent additional animals from becoming injured. (b) (6) was verbally notified of the situation and subsequent RCA.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45029+P 45029	Vermont Packinghouse LLC	FUU530 712482 7N-1	12/27/2017	04C02	313.2	<p>HAT Category III – Water Availability On 12/27/2017, at approximately 08:10hrs, while conducting a humane handling task with (b) (6) observed the following non-compliance: Pen # 4 holding 40 swine did not have access to water. The automatic waterer in the pen was frozen solid. (b) (6) identified an issue with this waterer at 14:00 on 12/26, informing a plant employee that the water had a thin layer of ice covering the surface. The sheep in the pen were able to break the layer and drink however; no corrective action was taken to prevent the problem from developing into the non-compliance identified today. I immediately reported my findings to the pen employee who moved the animals into pen 1. The establishment did not meet the regulatory requirement of 9 CFR 313.2(e), which requires that water be available to livestock in all holding pens at all times.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45099+P 45099+V45 099	Responsible Transportation LLC	VOT421 412090 5N-1	12/05/2017	04C02	313.2	<p>This morning at approximately 0645, I, (b) (6) while performing HATS Category IV Handling during Ante-Mortem Inspection at Establishment 45099, observed the following noncompliance. A total of thirty-four head of cattle were presented for ante mortem inspection in pens 1, 2A, 2B, and 3inside. Pen #1 contained seven head of fat cattle. After observation of the cattle in pen #1 it was evident that the pen was so crowded that those beef farthest away from the water trough would have difficulty accessing water. Furthermore, the cattle were standing parallel to each other and were so close to each other that they were not able to turn around with ease, making it so they had to walk forward or backward in order to move in the pen. These beef had arrived at the establishment the night before and the animals were not observed to be able to lie down. The establishment did not meet the regulatory requirements of 9 CFR 313.2(e). I verbally notified (b) (6) of the noncompliance and I advised him that an NR would be issued. The establishment immediately opened the gates to this pen and moved two of the cattle into pen 2A. This NR is being associated to NR# 0001509082011N given on 8/11/2017 for the same root cause of putting too many head of cattle into a pen.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45119+P 45119	Red Barn Meats Inc.	ZWQ22 111238 11N-1	12/11/2017	04C02	313.15 (b)(1)(i)	Category VIII Stunning effectiveness At approx. 0910 while on the slaughter floor the following noncompliance was observed by (b) (6) the plant employee attempted to stun a large hog with a captive bolt. After the bolt fired the hog vocalized and went down but got back up, the employee then immediately stunned the animal with the backup firearm rendering it insensitive. Retained tag #B35531304 was applied to the stun box until the robust plan was reviewed and the plant proffered corrective action. The corrective action was training for the employees stunning and using firearm for stunning on hogs greater than 350 lbs. The tag was removed and the next hog a large one was correctly stunned with the firearm. Jordan Brandt plant manager was informed of this noncompliance with 9 CFR 313.15.	CLOSED
M45272+V 45272	Real Meats LLC	NWJ42 121146 15N-1	11/15/2017	04C02	313.2	On 15 November 2017, at approximately 0735 hrs, while performing a Humane Handling task, I observed the following noncompliance: There was no water available for the approximate 30 Feral Hogs in the southern Holding Pen. I telephonically notified my (b) (6) (b) (6) of the situation and was instructed to take Regulatory Action. I informed Plant Manager Joey Long of the noncompliance and placed US Retained Tag Number B35216051/052 to the exterior of the pen. I instructed Mr. Long to move the animals to another pen so that they could have continuous access to water. At 0840 hrs, Mr. Long informed me that he repaired the water line to the southern Holding Pen and that there was now water available for the animals. I walked out to the pens and observed that two nozzles had been installed in the water line and checked to see that they were functional. I removed the US Retained Tag(s) and informed Mr. Long that he could return animals to the southern pen.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M8+V8	Iowa Premium, LLC	VSH000 911171 3N-1	11/09/2017	04C02	313.1	<p>On 11/9/17 at approximately 6:05 PM, I, (b) (6), was performing an odd hour inspection, HATS Category III- Water and Feed Availability, in the barn of establishment M8 when I identified a noncompliance. Upon doing a walk-through of the barn I noticed the waterer in pen 16 had no water in it with approximately 50 head of cattle in the pen. I examined further waterers and discovered that none of the automatic waterers had water supplied to them. All of the pens that had automatic waterers in them were filled with cattle resulting in approximately 500 animals without access to water. I inquired with the (b) (6) in the (b) (6) (b) (6), as to why there was no water available. He informed me that there had been a water line break in the barn and the water had been turned off for repair at approximately 5:00 PM. At that time he was under the impression it had been fixed and water restored. He discovered the pipe had not been fixed during a subsequent call to the maintenance department. He then requested the maintenance department come and fix the problem immediately. I informed him this was a noncompliance with regulation 9 CFR 313.2(e) and I would be issuing an NR for the noncompliance. The maintenance department fixed the water pipe and water was restored to the cattle.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M8+V8	Iowa Premium, LLC	VSH501 412400 8N-1	12/08/2017	04C02	313.1	<p>On 12/8/2017 at approximately 12:05pm, I, (b) (6) was performing HATS Category III, Food and Water Availability, when I identified a noncompliance. I observed a solid layer of ice across the surface of the water tub in pen 26. There were approximately 20 head of cattle in the pen. The cattle were moved to another pen with a working waterer. I placed U.S. reject tag B41200720 on pen 26. I informed (b) (6), (b) (6), that I would be issuing a noncompliance. The following day, 12/9/2017, tank heaters were installed in pens 26-28. I observed no ice in the water tubs and I removed my U.S. Reject tag from pen 26.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M8+V8	Iowa Premium, LLC	VSH5109122429N-1	12/27/2017	04C02	313.2	<p>On 12/27/2017 at approximately 6:15 PM, I. (b) (6), was performing an odd hour inspection, HATS Category III- Water and Feed Availability, in the barn of establishment M8 when I identified a noncompliance. Upon performing a walk through of the barn- I noticed Pen 16 had a QA tag for no water and held no cattle. This prompted a further examination of the rest of the waterers in the barn. Upon inspection I discovered the waterers in pens 19, 22, 23, 24, 25, and 26 were frozen and had no water available to the cattle in each of the pens. This resulted in approximately 450 head of cattle with no access to water. I inquired with the (b) (6) in the (b) (6) as to how long these waterers had been frozen resulting in cattle without water. He informed me that they had all been properly working at 4:00 PM after the maintenance department had finished thawing them. (b) (6) called for the maintenance department to come fix the frozen waterers immediately. I informed him this was a noncompliance with regulation 9 CFR 313.2(e) and I would be issuing an NR for the noncompliance. This NR is being associated with NR VSH5014124008N/1 from 12/8/17 as the preventative measures proffered by the establishment in response to the previous NR were either not implemented or were not effective. The maintenance department thawed the frozen waterers and water was restored to the cattle.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M46910+P 46910+V46 910	B & R Meat Processing	XXC041 612380 6N-1	12/06/2017	04C02	313.15(a)(1), 313.15(a)(3)	<p>Non-compliant citation for violation of 9 CFR 313.15(a)(1) & (3) stunning effectiveness (HAT task VIII). On December 6, 2017 at B&R Meat Processing, establishment M46910 at approximately 1100 hours, I (b) (6), (b) (6) observed a stunning failure on a market hog presented for slaughter. This hog was confined in the knock box and the first stun attempt with a captive bolt stunner failed. The hog was still standing and alert after the first shot but was not vocalizing or moving about in the knock box. The employee immediately reloaded the captive bolt pistol and successfully performed the stun procedure. I visually inspected the prone carcass after the second stun attempt for any signs of consciousness; none were observed. This hog was now laying on its side in a convulsive seizure; it was not breathing and it's eyes were fixed in a blank stare. I continued to monitor this hog for any signs of conscious during shackling, the stick procedure and bleed-out. I informed Mr. Scott Ridenoure; President & Plant Manager of the stun failure and that a noncompliance record would be documented for the failed stun. A post-mortem inspection of the hog's head indicated the first shot was off target. A regulatory control of the stun process was not taken for this event because the immediate corrective measure (the second stun attempt) was determined to be effective. This document serves as notification that continued failure to comply with regulatory requirements could result in further administrative actions.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP321 010231 7N-1	10/17/2017	04C02	313.2	On 10/17/2017 at approximately 0750 hours, (b) (6) observed the following noncompliance while conducting the Livestock Humane Handling task. She observed that five pigs in the second holding pen did not have access to water. The pen was tagged with U.S. Rejected No. B39355632. Establishment manager Scott Parks was notified of the incident and noncompliance. He took immediate corrective action and instructed an establishment employee to place a bucket of water in the pen. Once (b) (6) verified the bucket had been filled with water, she removed the U.S. Rejected tag at 0805. As the establishment failed to ensure that animals have access to water in all holding pens, a violation of 9 CFR 313.2 (e) exists.	CLOSED
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP011 010182 3N-1	10/23/2017	04C02	313.1	On 10/23/2017 at approximately 0730 hours, (b) (6) observed the following noncompliance while conducting the Livestock Humane Handling task. She observed that the last swine pen (next to the large cattle pen) had three broken pipes along the bottom of the fence, which had sharp jagged metal edges from a missing section of the fence that had broken off/rusted through. The pen was empty at the time, though had evidence of recent use (full water bucket, fecal matter), and was tagged with U.S. Rejected No. B26818760. (b) (6) was notified of the incident and noncompliance, and shown the affected pen. She informed establishment employees to not use the pen until the fence could be repaired. As the establishment failed to maintain the livestock pen in good repair, free from sharp or protruding objects which may cause injury or pain to the animals, a violation of 9 CFR 313.1 (a) exists.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45377+P 45377+V45 377	3D Meats, LLC	VSB561 211453 ON-1	11/29/2017	04C02	313.1, 313.2	<p>HATS Category IV- Ante-mortem Inspection On November 29, 2017, Humane handling specialist from the USDA Chicago district office conducted a routine humane handling audit. During the course of the audit, the following noncompliances were observed. At approximately 0615 hours, (b) (6) observed 5 hogs in the hog knock box area. She noticed that the 2 floor drains approximately 3" in diameter in the knock box area did not have drain covers. This could allow a hog to get its leg stuck in the opening or trip and fall and injure itself. Slaughter was halted until a temporary cover for the drains was located, then slaughter was allowed to resume. Also, in the doorway entrance between the barn and the knock box, there are several sharp areas where the aluminum trim has bent. This has created sharp protruding places in the doorway. (b) (6) observed hair stuck to some of these sharp places, which indicates that the hogs were rubbing up against the sharp areas as they were being shifted into the knock box, which could result in pain or injury to the animal. These issues are noncompliant with 9 CFR 313.1(a) and 313.30(b)(2). (b) (6) was notified of the noncompliance. This document serves as written notification that failure to comply with written regulations may result in further administrative actions as described in 9 CFR 500.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45392	TTJ Packing Inc.	HNN04 081135 21N-1	11/20/2017	04C02		<p>HATS CATAGORIES III WATER AND FEED AVAILABILITY” On November 20, 2017, approximately 08:30 a.m., while performing a scheduled Humane Handling Verification Tasks. I observed the following noncompliance, there was no water in the water trough in the barn pen #3, and there were five to six animals in pen. I showed this noncompliance to Mr. Thomas Bates the establishment owner and (b) (6). (b) (6), who both agreed to my finding. I then took regulatory control action by placing U.S Reject Tag #B36774589 on the water trough. (b) (6) immediately started implementing the corrective action by filling the trough. At about 08:25 am, I reinspected the pen #3 and the water trough was full. I then removed the U.S. Rejected Tag.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M48095+P 48095	Walke Brothers Meat Processing	XXG430 910382 5N-1	10/25/2017	04C02	313.1	<p>Humane Handling Non compliance with 9 CFR 313.1 HATS category VII Slips and Falls: At approximately 0645 hours a beef steer was entering the knock box. As he entered the knock box at a faster pace than what a normal walking speed would be, the steer lost his footing on the sloped floor of the knock box floor and fell to his stomach area with both front and hind legs directly under him. The floor of the knock box is sloped at an approximate 40 degrees. I immediately took regulatory action by applying U.S.Rejected Tag B37047530 to the knock box as this is noncompliant with 9 CFR 313.1. In order to avoid further injury to the animal the employee in charge of the ante-mortem and stun area removed the pins from the bottom of the "squeeze plate" in order to give the animal more room to right itself. After the steer regained an upright position, he backed out of the knock box and into an adjacent pen. John Walke, owner, was immediately notified of the incident and that this would result in a noncompliance. Had regulatory action not been taken, there is the possibility of not only injuring further animals but could possibly result is reduced yield to the owner of the animals due to the trimming that must be done on bruises and abrasions. While on the telephone with (b) (6) to advise him of the above humane handling noncompliance, it was also observed that a Hereford steer that was in pen number one was attempting to turn around. The steer lost his footing and slipped and fell to his knees. The floors of all of the pens that contained cattle were covered in feces, thus reducing any chance of adequate footing. All knocking will be suspended until a correction action is taken to significantly reduce the risk of slipping and falling by the livestock. 9 CFR 313.50 This is the third such noncompliance of a similar nature (slip and fall) in less than 90 days.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45458	Caver Meats	VOP241 410380 4N-1	10/04/2017	04C02	313.16(a)(1)	HATS category VIII Stunning Effectiveness At approximately 1055 hours, a market hog was observed by (b) (6) moving into the knocking box. The employee shot the market hog with a 22 rifle with a solid bullet which left the animal standing with vocalization. The same employee immediately shot the animal a second time, again with a 22 rifle which rendered the animal unconscious. The establishment (b) (6) (b) (6), was verbally notified of the noncompliance with 9 CFR 313. 16 (a)(1). The employee switched stunning method to captive bolt for the rest of slaughter.	CLOSED
M45471+P 45471	New Angus, LLC	VUE271 610282 6N-1	10/26/2017	04C02	313.15(a)(1)	At approximately 1435 while performing a HATS category VIII Stunning Effectiveness Task, the following was observed at the Knock Box: The first animal on the belly belt being moved into the head restraint and before being rendered unconscious by the pneumatic captive bolt stunner was shackled on the lower right leg by the establishment employee. It did not appear that the animal was hurt while the shackle was being placed as the animal was not shaking about while in the restraint system. The steer was stunned, rendered unconscious, and "U.S." Rejected Tag # B22023632 was applied to the knock box. (b) (6) and (b) (6) (b) (6) were notified of the noncompliance according to 9 CFR 313.15(a)(1). "Captive bolt stunners shall be applied to the livestock so as to produce immediate unconsciousness in the animals before they are shackled, hoisted, thrown, cast, or cut." The establishment provided verbal corrective actions, "U.S." Reject Tag was removed, and slaughter operations resumed.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45490	J and L Farm Butcher Shop	HVY180 811163 0N-1	11/30/2017	04C02	313.2	At approximately 0710 hours, (b) (6) and (b) (6) observed the following: There were no water containers for the steer and hog in the truck unloading ally. The animals were immediately moved slaughter. (b) (6) was verbally notified of this non compliance. This is a failure to comply 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."	OPEN
M48108+P 48108	Julius Falkavage LLC	HDJ181 010171 3N-1	10/12/2017	04C02	313.16(a)(1), 313.2(f)	At approximately 0945 hours, while observing HATS Category VIII – Stunning Effectiveness, I (b) (6), observed the following non-compliance on the slaughter floor adjacent to the barn with the restrainer: A Hereford cow was in the knock box with a halter on and an establishment employee attempted to stun the animal with a firearm. The sound from the discharged firearm did not sound quite right. I then entered the restrainer area and observed the animal still conscious, standing with blood coming from a wound in its head. I observed that the gun was jammed. After several seconds the gun was unjammed and a second shot successfully stunned the animal. The establishment employee then delivered a third security stun to the animal. I informed Mr. Falkavage, plant manager, that the district office would be contacted for further guidance. U.S. Reject Tag B40634497 was applied to the stunning area. After the establishment provided verbal corrective action, the regulatory control action was released.	CLOSED

Table: Noncompliance Reports in Response to foia2018-170

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M51187	Pataskala Meats	PPH030 912282 8N-1	12/28/2017	04C02	313.2	On 12/28/2017 at approximately 0622 hours, while performed a Humane Handling verification task HATS category III (Water and Feed Availability), I observed that a pen of 7 goats did not have a bucket in the pen or any other type of container for water. I immediately informed an establishment employee and observed him provide water. On first observation of the water container in the pen with the steer, I could not determine whether it was frozen due to the lighting. After the steer was removed from the largest holding pen, I observed the water bucket more closely, visually and by kicking the bucket, and found that it was frozen. The Plant Owner, Mr. Kirk Hall, was informed of the noncompliance with 9 CFR 313.2(e).	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45629+V 45629	Andy's Meats Inc.	DJP191 410392 6N-1	10/26/2017	04C02	313.15(a)(1), 313.15(b)(1) (iii)	<p>On Thursday, October 26, 2017 at approximately 0830 hours, I, (b) (6), was performing a Humane Handling Category VIII (Stunning Effectiveness) Task. The Establishment Manager attempted a head stun on a steer standing in the knock box by discharging a handheld captive bolt device. As the captive bolt was discharged, the animal moved its head to the right resulting in an ineffective stun. The ineffective stun appeared to have no effect on the animal, as it remained standing and blinking, fully conscious. The Establishment Manager took an immediate and effective corrective action by efficiently reloading the handheld captive bolt device and rendering the animal unconscious. I applied a U.S. Reject Tag B37601678 to the knock box. After the establishment provided verbal corrective and preventative measures, the U.S. Reject Tag was removed. During post mortem inspection, I viewed the skull and observed two holes in the frontal skull. One stun hole was on the midline of the forehead a couple inches above the eyes. The other stun hole was about 1.5 inches to the left of the midline of the forehead. This is a noncompliance with 9 CFR 313.15(a)(1) and 9 CFR 313.15(b)(1)(iii). I informed Establishment Manager, Andrzej Zubek, of the noncompliance and issuance of the noncompliance record. A similar noncompliance occurred on September 7, 2017 (NR#DJP3711090808N), when an ineffective stun occurred due to inadequate restraint. The establishment's response was, "A designee will ensure a rope halter is placed on all calves prior to stunning, and a backup stunning device will be loaded and ready for immediate safety (security) knocks." The proffered preventative measures were inadequate to prevent this noncompliance from recurring.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45629+V 45629	Andy's Meats Inc.	DJP341 011510 6N-1	11/06/2017	04C02			CLOSED
M45629+V 45629	Andy's Meats Inc.	DJP341 011510 6N-2	11/06/2017	04C02	313.2	On 11/6/17 at approximately 1030 hours while performing a HATS Category VI – Alternative Object Use Humane Handling task, I, (b) (6) entered the hog barn and observed an establishment employee in the chute pen using a paddle to move a large group of pigs. (The chute pen is 15' 4" x 16' 6" and leads to the chute that feeds the conveyor to the automatic electrical stunner.) Multiple pigs were vocalizing. The use of the paddle appeared excessive, due to the employee using one hand to raise the end of the paddle over his head to strike the pigs, causing undue stress and excitement to the animals. I told the employee to stop using the paddle in that fashion. Subsequently, the employee stopped this behavior. The animals appeared to be uninjured. I informed Plant Manager Andrzej Zubek of the noncompliance and the issuance of the noncompliance record. This is a noncompliance with 9 CFR 313.2 for the establishment's failure to move livestock with minimal excitement.	CLOSED
M45629+V 45629	Andy's Meats Inc.	DJP221 012100 6N-1	12/06/2017	04C02	313.2	On December 6, 2017 at approximately 0845 hours, while performing a Humane Handling Category III (Water and Feed Availability) Task, I, (b) (6), observed a lame/non-ambulatory market hog lying on the loading dock, after being unloaded the previous evening. The hog did not have access to water during that time. This is a noncompliance with 9 CFR 313.2. Plant Manager Andrzej Zubek was informed of the noncompliance and the issuance of the noncompliance record. Once informed of the noncompliance, Plant Manager Zubek elected to stun the non-ambulatory hog with a handheld captive bolt device. The stun was effective.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45629+V 45629	Andy's Meats Inc.	DJP340 712531 8N-1	12/15/2017	04C02	313.2	<p>On 12/15/17 at approximately 1010 hours while performing a HATS Category VI – Alternative Object Use Humane Handling task, I, (b) (6) entered the hog barn and observed an establishment employee in the chute pen using a paddle to move a large group of pigs. (The chute pen is 15' 4" x 16' 6" and leads to the chute that feeds the conveyor to the automatic electrical stunner.) The use of the paddle appeared excessive, due to the employee using one hand to raise the end of the paddle over his head to strike the pigs, causing one hog to try to climb on top of another hog and undue stress and excitement to the animals. Multiple pigs were vocalizing. The employee stopped this behavior when he saw me. The animals appeared to be uninjured. I informed Plant Manager Andrzej Zubek of the noncompliance and the issuance of the noncompliance record. This is a noncompliance with 9 CFR 313.2 for the establishment's failure to move livestock with minimal excitement. This noncompliance is associated with NR DJP3410115106N/1 documented on 11/6/17. The establishment provided a written response at that time stating "I (Plant Manager Andrzej Zubek) retrained the barn crew. They know that the paddle should not be raised above their shoulder." The establishment's further planned actions were inadequate to prevent this noncompliance from reoccurring.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45729+P 45729+V45 729	Westcliffe Meats LLC	UGM41 101038 25N-1	10/24/2017	04C02	313.2	At approximately 0655 hrs while performing ante mortem , I observed three cows in the first pen, I climbed up on the wooden fence to see better and saw that there was no water in the blue tub provided. This is a noncompliance with 9CFR 313.2(e), animals are required to have access to water at all times. I verbally told (b) (6) that he would be getting an NR for this noncompliance. (b) (6) told me that he would talk to the guys doing slaughter and tell them that there should be water in the tubs all the time. A review of past NR's showed no similar noncompliance's with the same root cause. No product was affected.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45564A	Central Maine Meats	KRJ240 910292 5N-1	10/25/2017	04C02	313.2	HATS Category III - Water and Feed Availability At 1000 hours, during the performance of HATS category III Water and Feed Availability verification task, the following non-compliance was observed. 14 swine arrived at this facility at approximately 0900 hours on October 24, 2017 and were housed awaiting slaughter. Today, October 25, 2017, at 1000 hours the swine were still being housed pending the repair and arrival of the electric stunner. It was observed that the swine had no availability to feed nor was there any feed available on site. I personally informed (b) (6), of the aforementioned who in turn sent an employee out to attain feed. A record review revealed no recent similar noncompliance documented in the past 90 days. According to 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.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45853+P 45853	Hemlock Hill Farm	EGQ431 011003 ON-1	11/30/2017	04C02	313.15 (b)(1)(i), 313.15(a)(1), 313.15(a)(3)	At approximately 0915 hours while performing a HAT Category VIII (Stunning Effectiveness 9 CFR 313.15) a lamb was observed in the Kill Chute for stunning with a Mechanical; Captive Bolt Stunning device. The first shot using the Mechanical; Captive Bolt Stunning device failed to render the lamb unconscious, the lamb lowered its head and closed its eyes but a few seconds later the lamb raised its head and opened its eyes and was fully conscious. A second shot was immediately administered that rendered the lamb unconscious. USDA REJECT TAG # B43043248 was applied to the Kill Chute and (b) (6) was informed of Humane Handling issues observed and action taken. The head of the lamb was observed after removal from the body and two holes were observed in the skull. One being approximately one inch off center to the right of target area, which was the center of the skull between its ears. The other hole was within the targeted area. Failure to comply with 9 CFR 313.15(a) (1), 313.15(a) (3), and 313.15(b)	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45856+V 45856	Prime Pork LLC	ODB43 091234 13N-1	12/13/2017	04C02	313.2	HATS Category III. At approximately 0900 hours, after looking through the day's current ante-mortem livestock pen cards, while following up on a HATS task (Category III) started earlier this morning, I noticed pen 15 (tattoo 3598) arrived at 0651 hours the previous day (12/12/2017). I requested the feeding log for 12/12/17 from (b) (6) at approximately 0915 hours, as the pen had no visible feed or remnants of feed, and it was determined no pigs were fed on 12/12/17 or this morning (12/13/17). Pen 15 was held longer than 24 hours and not given access to feed. Yards personnel immediately provided 50# of feed to the pen of pigs (1/2 of a bag on each end), as they were not slated to be slaughtered until later this afternoon. Not providing animals with feed if held longer than 24 hours in a noncompliance with 9 CFR 313.2(e).	CLOSED
M51241	MoonRidge Foods LLC	WBK54 141151 15N-1	11/15/2017	04C02	313.15(a)(1), 313.15(a)(3)	The following non-compliance was observed at approximately 1030 on November 15, 2017. While performing an annual animal welfare assessment (b) (6) observed a failed captive bolt stunning attempt. A "stressor" hog was loaded into the sled, an establishment employee attempted to stun the hog, however the bolt did not penetrate the skull. The hog vocalized, maintained rhythmic breathing, the eyes were focused and blinking, all signs that the animal remained conscious. The team member immediately used a backup captive bolt device and successfully stunned the animal. (b) (6) witnessed these events; (b) (6) was verbally notified of the non-compliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M45928+P 45928	Central Missouri Meat & Sausage	CRN130 811370 9N-1	11/09/2017	04C02	313.15(a)(1), 313.15(a)(3)	HATS Category VIII--Stunning Effectiveness On 11/9 2017 at approximately 0745 I, (b) (6) observed a stunning failure on a hog in the establishment's slaughter area. An establishment employee applied an initial stun with a hand-held captive bolt stunner after which the animal briefly vocalized, was fully alert and had a normal blink response. The employee immediately applied a second stun which proved to be effective. I took regulatory action and applied U.S. Reject tag #B35132103 to the knock box until immediate corrective actions were proffered. This is a failure to meet the regulatory requirements of 9CFR 313.15(a)(1) and 9CFR 313.15(a)(3). I informed owner Cory Hawkins that a noncompliance record would be issued.	OPEN
M45928+P 45928	Central Missouri Meat & Sausage	CRN280 611171 6N-1	11/15/2017	04C02	313.15(a)(1)	HATS Category VIII-Stunning Effectiveness On 11/15/17, at approximately 0920 hours, I, (b) (6) observed a stun failure on a hog in the establishment's slaughter area. After an establishment employee applied the initial stun with a hand-held captive bolt stunner, the hog remained standing and fully conscious. I observed a hole in the animal's head that began to bleed. The second immediate stun rendered the animal unconscious. This noncompliance is a failure to meet the regulatory requirements of 9CFR313.15(a)(1) and I informed (b) (6) and Owner Cory Hawkins that a noncompliance record would be issued. This noncompliance is being linked to a similar NR (#CRN1308113709N/1) for a stun failure that occurred on 11/9/17. Further planned actions of this similar NR were either not effective or not implemented.	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M48219+P 48219	Panola County Processing LLC	QGD14 101022 24N-1	10/23/2017	04C02	313.2	At approximately 1305 hours, while performing Humane handling verification task (ante mortem), the following observations were made: I observed a market swine located in pen number 2 without access to water. (b) (6) (b) (6) was verbally notified. (b) (6) verbally stated he would go and place water in the water trough for the pig. This constitutes a failure of the establishment to meet regulatory requirement of 9 CFR 313.2.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M48219+P 48219	Panola County Processing LLC	QGD11 091236 01N-1	11/30/2017	04C02	313.15(a)(1), 313.15(a)(3)	<p>At approximately 1622 hours while verifying the stunning effectiveness I observed a trained employee stunned a bull with a captive bolt and the secondary captive bolt gun security knock also. The bull fell to the ground onto his right side. The bull was checked for consciousness by Bill Kneipp, Owner of Panola County Processing. After Mr. Kneipp left the area the stunning operator attempted to hoist the bull. I then observed the bull appeared to be breathing heavily with a mucous-like liquid exiting the right nostril of the bull. On further observation I identified his eyes were blinking while the bull was lying on the floor. I left the Kill floor to retrieve Mr. Kneipp from the retail area since the designated trained monitor (b) (6), was not on the property at the time. Mr. Kneipp instructed the trained employee to initiate the back-up method using the .410 rifle at approximately 1626 hours. After the establishment utilized the backup .410 rifle the bull was stunned with blood exiting the cranium of the animal at approximately 1627 hours. The bull was then hoisted and harvested for postmortem inspection. I implemented control action as per 9 CFR 500.2(a) by affixing US Rejected Tag B27664671 to the knocking box. As documented as part of the corrective actions submitted to the district office, the establishment revised its' Humane Handling Program and stated current and new employees will be trained in Humane Handling. I checked the establishment's Robust Humane Handling Approach training records to identify all the employees working in the kill area on today were trained in Humane Handling. The training records do not identify that Mr. Kneipp has been trained in Humane Handling for proper placement of the captive bolt, signs of consciousness vs. unconsciousness, or the review of videos and slides for signs of consciousness and unconsciousness as required by</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
						the establishment verification plan Revised on November, 9, 2017. Jeff Davidson, Owner was verbally notified of the incident. This constitutes a failure of the establishment to meet regulatory requirement of 9 CFR 313.15(a)(1), 313.15(a)(3)	
M48219+P 48219	Panola County Processing LLC	QGD16 161224 04N-1	12/04/2017	04C02	313.1, 313.15(a)(2), 313.2	At approximately 1116 hours while performing ante mortem and driving of livestock from the pen #2 to the knocking box the following noncompliance occurred. I observed a steer slip and fall on the ground onto its front legs. The steer front legs were suck underneath him. The steer was in that position until establishment employee opens the gate behind him at 1118 hours to allow the steer to get up. (b) (6) (b) (6) was verbally notified of the noncompliance. (b) (6) was reminded that the establishment has a responsibility while driving the livestock to the knocking box to prevent from falling. This constitutes a failure of the establishment to meet regulatory requirement of 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. 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.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M48219+P 48219	Panola County Processing LLC	QGD16 161224 04N-2	12/04/2017	04C02	313.15(a)(1), 313.15(a)(3)	At approximately 1120 hours verifying the stunning effectiveness I observed a trained employee stunned a bull with a captive bolt and the secondary captive bolt gun security knock also. The steer fell to the floor inside the knocking box with his head still inside of the restrainer. (b) (6) (b) (6) remove the steer's head from the restrainer and the head fell to the floor. The bull was checked for consciousness by (b) (6). After (b) (6) left the area the stunning operator hoisted the steer by its front leg to remove the steer from the knocking box in order to hoist the steer from its hind legs. After the steer was hoisted and lifted up by the chain to be bled at 1124 hours. I then observed the steer appeared to be breathing inhaling and exhaling, with his tongue moving also its tail was stiff and moving back and forth and began to regain consciousness. I then instructed the slaughter operator to utilize the .410 to stun the steer and contact (b) (6) entered the kill floor area and instructed the trained employee to initiate the back-up method using the .410 rifle. The operators retrieved the .410 and load the rifle to stun the steer. The stunning operator then went to retrieve his ear muff. After the establishment utilized the backup .410 rifle the bull was stunned with blood exiting the cranium of the animal and the mouth at approximately 1128 hours. The bull was then hoisted and harvested for postmortem inspection. This constitutes a failure of the establishment to meet regulatory requirement of 9 CFR 313.15(a) (1), 313.15(a) (3).	CLOSED
M48219+P 48219	Panola County Processing LLC	QGD57 171233 13N-1	12/13/2017	04C02			OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M48219+P 48219	Panola County Processing LLC	QGD40 111248 19N-1	12/19/2017	04C02	313.2	At approximately 1039 hours, while performing Humane handling verification task (ante mortem), the following observations were made: I observed a bull located in pen number 2 without access to water (b) (6) was verbally notified (b) (6) verbally stated he would go and place water in the water trough for the bull. This constitutes a failure of the establishment to meet regulatory requirement of 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." The plant's response to a noncompliance record dated 10/23/2017 QGD1410102224N/1 with the same root cause of the establishment failure to provide access to water for the livestock was ineffective in or was not implemented in a way to prevent this noncompliance from reoccurring.	CLOSED
M48219+P 48219	Panola County Processing LLC	QGD19 211222 26N-1	12/26/2017	04C02	313.15(a)(1)	At approximately 1426 hours while verifying the stunning effectiveness for the Humane Handling task I observed an establishment employee utilize the poll stunning technique to stun an older beef cow. As documented as part of the corrective actions submitted to the district office, the establishment revised its' Humane Handling Program and stated current and new employees will be trained in Humane Handling. I verified that the establishment's Robust Humane Handling Approach training records to identify all the employees working in the kill area on today were trained in Humane Handling. The training records do not identify that (b) (6) has been trained in poll stunning as required by the establishment verification plan Revised on December, 15, 2017. (b) (6) was verbally notified of the failure of the establishment to have the stunning operator trained and documented in utilizing the poll stunning technique as corrective actions for the verification plan. This constitutes a failure of the establishment to meet regulatory requirement of 9 CFR 313.15(a) (1), 313.15(a)(3)	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M51283	Dean & Peeler Meatworks LLC	YWH32 121026 25N-1	10/25/2017	04C02	313.2	At approximately 1213 hours while performing a Livestock Humane Handling inspection task (Observation of Slips and falls, HATS procedure); I (b) (6) observed a big Steer having difficulty getting into the knocking area. The door entry into the knocking box, was extremely narrow for the big steer go through the door. As a result, this narrow entry, caused excitement and discomfort to the animal. I immediately notified (b) (6) of this noncompliance. I also notified (b) (6) that I will not allow any big cattle to go through this door until it gets adjusted to create a wider entry. 9 CFR 313.2(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."	CLOSED
M46085+P 46085	Stevens Abattoir Inc.	CXM17 141151 16N-1	11/16/2017	04C02	313.1	On 9/16/17 at approximately 2:30 pm while performing a humane handling task at Stevens Abattoir (TA 46085). IIC observed that pen #1 (the pen closest to the kill floor) had a protruding nail sticking out where a broken board had been removed earlier that day. The pen at the time had no animals and had not been used that day. A regulatory control action was taking in the form of a US Reject tag (#B29 838225) Darren Stevens, plant owner was notified of the establishment's failure to comply with 9 CFR 313.1(a).	CLOSED
M51303+V 51303	USA Beef Packing, LLC	IKZ3610 114229 N-1	11/29/2017	04C02	313.2	No water in Pens 3&4 On November 29, 2017 , while performing a humane handling task, at 0750, I discovered the water was shut off to water troughs in pens 3&4 and the Suspect Pen. The water was turned off to facilitate repairs the evening before. I notified (b) (6) and he immediately remedied the situation and agreed to finish repairs today.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M46139	Cypress Valley Meat Company 1, LLC	UIV5914010310N-1	12/18/2017	04C02	313.30(a)(1)	<p>On 12/18/17 at approximately 0915 hrs I returned to the slaughter floor to evaluate the progress of slaughter after having just done ante mortem inspection on 12 newly arrived swine. While performing a HATS Category VIII Stunning Effectiveness verification, I observed an employee holding the swinging door to the slaughter floor as if to brace the door and I asked what was going on. The employee willingly allowed me access to the slaughter floor and I observed Mr. Crow, Plant Manager and (b) (6) trying to herd a swine back out to the knocking box area. The animal was on its feet and walking freely, but staggering and very unsteady, with its mouth hanging open and making slight gasping noises, as if disoriented (b) (6) attempted to apply a captive bolt knock to the animal but the captive bolt did not fire and was ineffective, the animal did not appear to respond at all. At that time, Mr. Crow stepped through the door, grabbed the .410 shotgun and dispatched the animal. I asked Mr. Crow if the animal had been previously stunned and he confirmed they had applied electrical stunning in accordance with their normal procedures that had been unsuccessful. I informed Mr. Crow that I would be tagging the knocking box and would contact my superiors for further instruction. I applied US Reject/Retain tag # B41489373 to the knocking box as witnessed by (b) (6). An evaluation of the swine head revealed a single gunshot wound with no additional wounds that would be expected from a captive bolt indicating the animal did not actually receive a blow from the captive bolt. At approximately 0930 hours I contacted (b) (6) (b) (6) via phone and at approximately 1130 hours, I was instructed to remove the retain tag and the knocking box was released at approximately 1140 hours. Mr. Crow was informed that a Noncompliance Record would be</p>	OPEN

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
						documented for failing to comply with 9 CFR 313.30(a)(1).	

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M46170+V 46170	Quapaw Food Services Authority	IMQ580 911011 4N-1	11/14/2017	04C02	313.15(a)(1)	Category VIII-Stunning Effectiveness On Thursday, November 14, 2017, at approximately 0735 hours, I, (b) (6) was observing stunning effectiveness, HAT Category VIII, on the first steer of the day. I observed the plant employee performing the stunning position the hand held captive bolt pistol on the forehead of the steer and discharge the pistol. I observed the animal was not rendered unconscious with the first blow as the animal blinked and still had intentional movement of his head. The employee stunning immediately positioned and discharged a second knock which was effective in rendering immediate unconsciousness. Additionally, per this establishment's procedure, the employee administered a third knock to the skull neck junction. I verbally informed Mr. Wade Payne, plant manager of the failure to successfully render the animal unconscious with a single blow and that a noncompliance record would be issued for this failure. A review of previous 90 days noncompliance records does not indicate a trend is developing.	CLOSED

EstNbr	EstName	NR#	Date	Task	Regs	Description	Status
M46170+V 46170	Quapaw Food Services Authority	IMQ561 411212 1N-1	11/21/2017	04C02	313.15(a)(1)	<p>HATS Category VIII-Stunning Effectiveness On Tuesday, November 21, 2017, at approximately 0801 hours, I, (b) (6) was observing stunning effectiveness, HATS Category VIII on the second steer of the day. I observed the employee performing the stunning discharge the stun gun, I moved to the front of the knock box to observe the animal and noted he was still breathing rhythmically as I could see vapors exhaled and noted the steer still had situation awareness. The stun operator immediately positioned and executed a second blow which was effective in rendering the animal immediately unconscious. Per the establishment's procedure, the stun operator also discharged a third blow to the skull neck junction. I verbally informed Mr. Wade Payne, plant manager of the noncompliance and that I would issue a noncompliance record for this failure to successfully render the animal unconscious with a single blow. This noncompliance is associated with NR IMQ5809110114N /1 issued on 11/14/2017. In response to the previous NR the establishment indicated their preventative measures as the employee would be retrained and the establishment would make adjustments to the killbox and catwalk to prevent reoccurrence. These preventative measures either were not implemented or not effective in preventing the reoccurrence of this noncompliance. This document serves as written notification that your failure to comply with regulatory requirements could result in additional regulatory or administrative action. This noncompliance will also be discussed in the weekly meeting with plant management.</p>	CLOSED

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M10038	Scotts Hook & Cleaver Inc.	RSH101303 1422G	2018-03-22	04C02	Livestock Humane Handling	Finalized	<p>On 3/22/2018 at approximately 0830 hour, while verifying humane slaughter regulatory requirements, I observed some livestock handling practices of concern. I witnessed establishment personnel bring an injured beef heifer, which had passed ante-mortem inspection, to the stun restraint box holding pen (the pen animals are held in before bringing them onto the slaughter floor for stunning). Immediately after bringing the injured heifer to the stun box holding pen, establishment personnel brought another beef animal into the stun box holding pen. By this time the injured heifer had laid down. Establishment personnel let the injured heifer rest for 5 to 10 minutes, but it remained lying down. Establishment personnel then removed the other beef animal from the stun box holding pen, so they could work on getting the recumbent beef heifer on its feet. To accomplish this personnel prodded this heifer with a battery powered electric prod three times, in the rump area. The heifer tried to rise, but was unable to stand. Establishment personnel then repositioned the heifer by rolling her slightly to get the heifers legs underneath her. The heifer then tried again to stand after a light hand slap on the rump from an employee. The heifer crept forward, but still could not stand. At this point, I condemned the heifer as non-ambulatory. In all this animal handling, there appeared to be a general lack of careful consideration of the circumstances before establishment personnel proceeded with moving this heifer to the stunning area or when establishment personnel proceeded to get the heifer to stand (for example by ensuring extra good footing).</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	M17776	Trenton Halal Packing Company	BBE251002 5507G	2018-02-07	04C02	Livestock Humane Handling	Open	<p>During the 30-day verification visit for the Humane Handling NOIE at Trenton Halal, (b) (6) and I observed an egregious noncompliance, the details and determinations of which (b) (6) describes in the following statement; During the 30-day Verification Visit for their humane handling NOIE, I, (b) (6) observed the following egregious humane handling noncompliance. At approximately 9:15 am, while observing animal handling in the pens, I observed an employee pick a goat up off the ground by its fur along the back of its lumbar spine and throw it into the pen behind him. The goat landed on its side and slid into another goat already in the pen. I immediately stopped the employees from sorting additional animals. (b) (6) placed US Reject/Retain tag #B36924979 on the chute/hanging area. The plant has a documented animal handling plan, but their recent noncompliance history and lack of implementation does not qualify it as being robust.</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
85	M17980	Pilgrim's Pride Corporation	ZBB261201 1531G	2018-01-31	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 1215 hours after giving relief breaks, I was notified by (b) (6) that he observed several loose birds around the live hang dock. I followed up with his concerns and at approximately 1244 hours while performing a Good Commercial Practices (GCP) task in the Live Hang Area, I observed the following situation which resulted in mistreatment of poultry: There were five (5) loose birds on the cage unloading system that were wedged between the cages as they were coming down to the cage unloader. One of the bird's legs was jammed in between a cage and the unloading conveyor system and another bird had its wing stuck as the cages continued to be loaded and moving forward. I immediately notified (b) (6) and (b) (6) of my observations. I notified (b) (6) that I wanted all cage loading by the forklift operator to be stopped until the birds were safely removed, otherwise the birds were at risk of being crushed. After I had the cage loading stopped, all the loose birds were removed. Once they were removed cage loading was allowed to proceed. While watching the unloading process at the live hang belt, I observed a few birds that were getting hung up on the transfer belt at the cage dumper. It was also observed that there was one (1) dead bird (cause of death undetermined). The birds were getting hung up at the junction of two transfer belts. I also showed (b) (6) my observations. She had an employee try to remove the one dead bird, but he was unsuccessful. While observing, I notified and showed an area maintenance technician of the problem at the junction of the two transfer belts. This MOI serves to remind the establishment that the PPIA (Poultry Products Inspection Act) and Agency regulation require that poultry are handled in a manner that is consistent</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								with Good Commercial Practices. I notified (b) (6) that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. (b) (6)

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
85	M17980	Pilgrim's Pride Corporation	ZBB430403 2307G	2018-03-07	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 0507 hours while observing operations in the Kill Room, I observed that there was not very many birds on the kill line so I proceeded to the Live Hang area and observed the following situation which resulted in mistreatment of poultry: There were too numerous to count of dead on arrival (DOA) birds piled behind the live hangers. The DOA sorting process was not being addressed and there were several live birds that were piled under and between the DOA birds. Some of the live birds were being stepped on so the live hangers could have access to the line to hang. Since shift change had just occurred there was no supervisor in the immediate area at the time of my observation. I immediately asked (b) (6) for the live hanging process to be stopped until all DOAs could be properly sorted and disposed of in the DOA bin and the live birds buried in the pile could be removed and placed on the live hang belt. After the live hang operation was stopped for several minutes, I showed (b) (6) my observations. She immediately called for (b) (6). All the live hangers began clearing the area and disposing of the DOAs and the getting the live birds from off the floor. At approximately 0520 hours, I allowed the live hang process to resume. Concerns with the DOA process and handling it in a timely manner to prevent live birds from being buried was previously discussed with establishment management during the weekly meeting documented on MOI # ZBB4015023527G dated 2/27/2018. This MOI serves to remind the establishment that the Poultry Products Inspection Act (PPIA) and Agency regulations require that poultry are handled in a manner that is consistent with Good Commercial Practices. The establishment was notified that this MOI will</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. (b) (6) [REDACTED]

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M17D	Smithfield Packaged Meats Corp.	WLJ09220 12715G	2018-01-15	04C02	Livestock Humane Handling	Finalized	<p>I, (b) (6), am documenting this MOI in (b) (6) absence. Below are observations of (b) (6) late in the shift starting on 1/13/2018 of the describe incident. HATS Category VIII Stunning Effectiveness On 01/14/2018 at 0255 hours (late in the shift starting on 01/13/2018) while performing the humane handling verification task in the barns, I observed the following: I was walking past the cripple pens. (b) (6) and a barn employee were performing captive bolt stunning on a hog in the north cripple pen. From where I was standing, I could not see the hog. I heard a captive bolt shot followed by a quick vocalization from the hog. I peered over the wall and observed the hog "dog sitting" (sitting on its hind quarters and standing on its forequarters) and breathing with chest movement. The employees instantly noticed the hog was still sensible. An additional, loaded captive bolt gun was within reach and was used to take a second shot which rendered the hog insensible immediately. I followed the unconscious hog all the way through the process until the stick pen, and it remained unconscious. I informed (b) (6) that I would be documenting this incident. On 01/05/2018, a noncompliance report, WLJ2217012905N/1, was issued for an ineffective stun with a captive bolt gun. 9CFR 313.15(a)(1) requires that an animal be rendered immediately unconscious through the application of a captive bolt device with a minimum of excitement and discomfort. On 1/16/17, I, (b) (6), verified that the incident was noted on the Fatigue Pen Monitoring Form for second shift 1/13/18.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M17D	Smithfield Packaged Meats Corp.	WLJ34070 42102G	2018-04-02	04C02	Livestock Humane Handling	Finalized	<p>HATS Category VI - Electric Prod/Alternative Object Use This MOI is to document a conversation between myself and (b) (6) regarding an observation I had in the west (b) (4) push gate system on 03/31/2018 at 0906 hours. While observing humane handling activities in the (b) (4) room, I observed concerning behavior from two company employees. In the west (b) (4) alleyway, it appeared that a group of hogs was backed up against the push gate as the push gate was in the middle of the alleyway but was not moving forward. Two employees were standing outside the alleyway, just in front of the push gate. I observed these two employees using their rattle paddles excessively. Both were repeatedly picking up the rattle paddles over their head and coming down very quickly with excessive force. There was vocalizing from the group of hogs in the west (b) (4) alleyway while they were using the paddles. I could not see any of the hogs as they were hidden behind the alleyway wall, so I cannot definitively say that the employees were striking the hogs. I spoke to (b) (6) and told him that I was concerned about my observations. I told him that I couldn't see if they were striking the hogs. If they were, the rattle paddles were being used excessively. I also told him that he should ensure his employees are not using rattle paddles with that much force on the hogs. I said that there is a regulation that requires hogs to be moved with "minimal excitement", and such rattle paddle use on a hog would be a violation of that regulation. As a corrective action, (b) (6) said in the future he could "back up" the push gate if a group of hogs is stopping the gate's forward progress, which would create more room to help the group of hogs disperse.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	M19290	Working H Meats, LLC	NAW45110 30808G	2018-03-08	04C02	Livestock Humane Handling	Open	<p>Today, March 8, 2018, at approximately 1020 hours, I verbally notified Mr. Grant Hardesty, Establishment Manager, of my decision to suspend slaughter at Establishment 19290. I advised Mr. Hardesty that I would be contacting (b) (6), and the Raleigh District Office about my decision. I based my decision to suspend inspection at the establishment on the following: At approximately 0945 hours, an Angus bull, weighing 1800 pounds according to the owner, was loaded into the knock box. Mr. Grant Hardesty attempted to stun the bull using a .22 Magnum rifle. The bull remained calm and standing. The establishment did not have a larger caliber rifle available. Another plant employee, who lives nearby, went to her home and returned with a .223 rifle. Mr. Hardesty attempted to stun the bull a second time, and I confirmed with establishment employees that the second shot produced immediate unconsciousness with the animal dropping to the floor and the tongue hanging out. Mr. Hardesty chose to give a security knock with the .223 rifle. On examination of the skinned head, there were two bullet holes in the skull. I then examined the skin to determine if all three rifle shots made contact with the bull. I found three bullet holes through the skin, indicating that all three rifle shots did make contact with the bull. At this point (1020 hours), I notified the establishment that I was taking a regulatory control action and slaughter was suspended. I further advised the establishment that I was contacting the Frontline Supervisor and the Raleigh District Office to discuss the suspension. After speaking with the Raleigh District office, a tag was placed on the knock box at approximately 1040 hours, US Reject Tag #B43223417. Establishment 19290 does not operate under a robust systematic approach to</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								humane handling. Establishment 19290 had a recent humane handling NR for an ineffective stun in a sow on February 23, 2018.

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M20855	Chenoa Locker, Inc.	SSH111102 5216G	2018-02-16	04C02	Livestock Humane Handling	Finalized	<p>Discussed with owner about methods of Humane Handling of animals that may become wedged in the runways during slaughter and the use of "Safety Shots" after the animal has been successfully stunned. Disposition of Cattle that Become Entrapped in Livestock Handling Areas after Receiving Ante-mortem InspectionPublished 05/26/2009 12:46 PM Updated 08/14/2017 06:23 AM What happens to a bovine animal that, after it has received ante-mortem inspection, becomes entrapped (e.g., stuck/ wedged/ trapped) in the livestock handling areas (including pens, drive alleys, chutes, and restrainers), and the establishment cannot humanely extract it from its entrapment? Slaughter establishments need to design and provide adequate livestock facilities and employ personnel trained in the humane handling of livestock. This obligation includes the need to carefully plan how they will handle livestock whose physical features, size, or conformation (e.g., longhorn cattle; wide-bodied or short-legged cattle) suggest that special handling will be necessary. It should be a rare occurrence that livestock become stuck in a chute or other area if the establishment has assessed how it will handle such animals to facilitate their movement. The Agency has several concerns with this situation and possible Agency actions follow: First, the Agency is concerned with the humane handling of the cattle that become entrapped and would question why such animals would become entrapped (e.g., stuck, wedged) in the establishment's facilities. Under 9 CFR 313.1 and 313.2, the establishment is to provide and maintain adequate facilities for the handling of all cattle that are accepted for slaughter by the establishment. Thus, should the Agency determine that there are facility deficiencies or mishandling practices, under 9 CFR 313.1 and 313.2,</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>noncompliance exists, and appropriate action will follow. Second, in the rare and isolated instance that an animal does get entrapped, and it cannot be freed in a humane manner, the Agency will expect the establishment to notify IPP to observe the humane stunning and removal of the animal. Otherwise, if inspection personnel find dead animals in alleyways, chutes, or pens, these animals will be considered to have died other than by slaughter and will be US Condemned. Third, IPP examination of these entrapped cattle will determine what action will be taken: Cattle that are entrapped and found sitting or lying down and cannot rise and ambulate will be condemned as non-ambulatory disabled cattle. The PHV makes the disposition on non-ambulatory disabled cattle. They will be tagged as US Condemned and properly disposed of. However, the establishment may choose to not wait for a PHV disposition and proceed to euthanize the animal. IPP will condemn this carcass. Cattle that are entrapped and still standing will need to be evaluated to determine whether they are non-ambulatory disabled. The PHV makes the disposition on non-ambulatory disabled cattle. If he/she determines that the animal is non-ambulatory disabled, then it will be tagged as US Condemned and properly disposed of. However, the establishment may choose to not wait for a PHV disposition and proceed to euthanize the animal. IPP will then condemn this carcass. Ambulatory cattle that are driven to a restrainer with a center track conveyor belt (which suspends the animal on the conveyor belt once it moves into the restrainer) and, when entering the restrainer become entrapped because of incorrect positioning (e.g., all four legs on one side of the belt or the front legs are suspended and the animal's weight is on its chest and rear legs), are to be humanely euthanized so</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>that they are not injured as they continue through the restrainer. These cattle do not need to be US Condemned and may be slaughtered for human consumption. Finally, establishments should be aware of incoming cattle that may require special handling and slaughter methods if the cattle are to avoid becoming entrapped in the facilities. For example, cattle may need to be stunned before they pass through the chutes or drive alleys, in a place other than in the restrainer or knock-box. Additionally, the Agency is aware that some cattle breeds (e.g., Longhorns, Watusis) are prevented from moving through slaughter facilities by the size of their horns and are typically stunned in outside pens and then moved inside for processing. (This type of situation should be discussed with IPP before implementation.) As long as these animals can be handled and slaughtered in a humane manner, the new rule on non-ambulatory disabled cattle has no affect on this practice. Also, some establishments may choose to reject cattle for slaughter and then ship them to another destination.FSIS Directive 6100.1 Ante-Mortem Livestock Inspection - Revision 1 Facilitator Guide for Situation-Based Humane Handling Training Module Two – Stunning and Post-Stunning Situations Facilitator Handout – Page 2 Situation-Based Humane Training11-14-11 Step 4 - Read each situation and lead inspection personnel to an understanding of a supportable decision. Note: this training is not intended to cover all possible “what if” situations. It is more important to stress the thought process from the objectives. It should take approximately 45 minutes to discuss the situations. Allow 15 minutes to complete the exam at the end. Situations 1) Inspectors at the cattle head inspection station notice that some heads have 2 or 3 “knock holes”. They notify</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								offline IPP of the multiple knock holes. The offline inspector immediately proceeds to the stunning area and observes that establishment personnel consistently produce insensibility with one shot of the captive bolt gun. The establishment has a good history of properly stunning animals and sometimes the employee doing the knocking administers additional "security" knocks to ensure animals remain insensible. Does this scenario represent noncompliance? No, there is no noncompliance as described if the establishment is consistently producing immediate unconsciousness with a single blow. The establishment may be using additional "security" or "safety" knocks to ensure animals do not return to sensibility. Note: make sure participants understand that "security knocks" are sometimes used especially on large bulls and that the knocks may be administered on the forehead or behind the poll to the back of the head. The key point is that the first shot consistently renders the animals insensible. Additional knocks are used to ensure there is no return to sensibility. Is it an egregious situation? Not applicable What action should be taken by inspection personnel? None

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M20856	Eureka Locker, Inc.	GGG58080 51701G	2018-05-01	04C02	Livestock Humane Handling	Finalized	<p>The below email was sent asking about off-hour animal drop-off: Some of our slaughter establishments have their pens available for drop off overnight. FSIS would like us to be aware of these situations and be observant that animals dropped off during the non-inspection hours are treated the same as the animals dropped off when we are on site inspecting. Observing overnight drop offs are referred to as 'odd hour inspections'. As a current practice, FSIS would like a minimum of one (1) Odd Hour Inspection per month at cull cattle/veal establishments and one (1) Odd Hour Inspection per quarter at all other establishments. So, we need some information: Do the establishments have cull or veal animals and do they allow overnight or weekend drop offs? Establishment Cull or Veal? (Never, rarely, or commonly) Overnight drop-offs? Comments</p> <p>Chenoa Locker, Inc Forrest Meats</p> <p>Eureka Locker Meat Science Laboratory, Univ. of Il</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M2130	Cooper Foods	HEF182101 1004G	2018-01-04	04C05	Poultry Good Commercial Practices	Finalized	<p>On January 2rd at approximately 11:45 PM, I, (b) (6), while performing antemortem inspection outside in the cooling sheds, observed a topmost rear trailer cage that was missing the door on the front of the cage, leaving an open space for turkeys to fall through. There was at least one live turkey visibly within the open cage. I also observed two live turkeys that were loose within close proximity to the trailer. The topmost trailer cages are not reachable without the aid of steps or a ladder, and pose a significant distance for a turkey to fall onto the concrete floor of the cooling sheds, which may result in injury to live turkeys. I informed the employees in the live hang area of the open trailer cage and the loose turkeys, and spoke with (b) (6), who said that the loose turkeys will be caught according to the relevant handling policy, and that maintenance will be attaching a temporary cage door to the open trailer cage until the turkeys are stunned.</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M2130	Cooper Foods	HEF530004 1304G	2018-04-04	04C05	Poultry Good Commercial Practices	Finalized	At 4:15 AM on 4/03/2018 while returning from checking the trailers in the cooling shed, I was passing through the live hang area where stunned turkeys are shackled on a conveyor belt (approximately 3-4 feet in height from the floor), and observed an employee push a stun failure (fully conscious turkey) off of the belt, causing the turkey to fall on the concrete floor on the opposite side of the belt from the employee, where another conscious turkey was also sitting on the floor. The potential for injury of conscious turkeys to occur as a direct result of this handling method is not insignificant. I spoke with (b) (6) about what I observed, and she said she would speak with the employees in the live hang area. An SOP for proper handling of conscious birds was to have been newly implemented in December 2017. This same improper handling method has been observed and documented previously in the following MOIs: (11/01/2017) MOI # HEF1804111001G (11/20/2017) MOI# HEF5520114920G (11/28/2017) MOI# HEF5820111429G (12/14/2017) MOI# HEF3203122815G
50	M2130	Cooper Foods	HEF550305 0515G	2018-05-15	04C05	Poultry Good Commercial Practices	Finalized	On May 15th 2018 at approximately 3:45 AM while performing antemortem inspection in the cooling sheds, I, (b) (6), observed a trailer with a set of cages that was unsecured by the metal bar that normally prevents the cage doors from swinging outwards. Live turkeys were visible within all five cages that were affected, and at least one live turkey had fallen from the cages onto the concrete floor of the cooling shed. The upper trailer cages are not reachable without the aid of steps or a ladder, and pose a significant distance for turkeys to fall, which may result in injury to live turkeys. I informed employees in the live hang area of the unsecured cages and the loose turkey.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
35	M2316	Whisnant Meat Packing LLC	FSF270703 2807G	2018-03-07	04C02	Livestock Humane Handling	Finalized	<p>On 2-28-18, eighty one head of market hogs had been in a holding pen on Est. 2316 premises since 2-14-18 and were being fed ground corn once a day. At 12:15 pm on 2-28-18, they were fed 100 lbs of ground corn in three open plastic tubs. This computes to 1.2 lbs of feed/head/day. In a weekly meeting with the establishment on 2-29-18, (b) (6) addressed this and other humane handling concerns (trailer/pen densities, bedding, sorting boards, ramps). Documented support that the amount fed is a daily maintenance amount, was requested at that time. The next day the 81 hogs were fed 150 lbs of ground corn and on 3-2-18 forty of the eighty-one were slaughtered (averaging 220 lbs dressed – eviscerated, head removed, and skinned). The remaining 41 hogs were fed 100 lbs of ground corn daily over the weekend. On 3-5-18 plant manager Brett Powell offered an e-mail reply from Temple Grandin that the amount of feed was adequate but no actual amount was stated in the document. This is not adequate support that 1.2 lbs of ground corn provides a daily maintenance for that size hog. The establishment needs to be aware of, and feed, a maintenance amount for market hogs. Feed containers that cannot turn over and result in spilled feed should also be considered. The longer the hogs are on the premises, the more important these issues become for the humane treatment of the animals.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M244I	Tyson Fresh Meats, Inc	GEH10190 25022G	2018-02-22	04C02	Livestock Humane Handling	Finalized	At the end of shift, the humane handling liaison said that the south (b) (4) was not functioning and they would be sending hogs back outside. The liaison spoke with the four remaining employees about the situation and requested that they open the alley gates to give the hogs more room to maneuver. The gates between pens 4 and 5 were opened and hogs were sent back down the ramp to the section between pens 4 and 5 in the drive alley. Another group of hogs was sent back from inside and bunched up at the gate between pen 3 and 4. The team members were continue to guide more hogs outside as the team member in the middle exited the drive alley and started to get the hogs into the door for the north (b) (4) This caused the hogs to move in a circle. In the middle of that circle, a hog went down and was determined to have split out its back legs. The downer hog was moved out of the alley and captive bolt stunned. The situation may have been preventable. The management of space and the stress levels in the hogs is a very important issue. It is understandable that the team members may want to move the hogs faster, because they want to go home. It is never appropriate to increase speed at the expense of humane handling.

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M244P	Tyson Fresh Meats, Inc	FJJ340901 2019G	2018-01-19	04C02	Livestock Humane Handling	Finalized	<p>At approximately 1500 hrs, when the outdoor temperature was 6 degrees Fahrenheit, feeling like 10 below zero according to the Weather Channel app, a truck (Kenworth, BL 1994) was seen in the unloading dock with less than 90% of it's slats covered. The same thing had happened the day before and I made the establishment aware of the situation both times, speaking to (b) (6), and (b) (6). The producers were notified by the establishment, and the truck drivers were both made aware of the violation of the Transport Quality Assurance requirement which this establishment adopts and requires 90-95% closure of slats when it is below 10 degrees Fahrenheit.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M244W	Tyson Fresh Meats, Inc.	BTD480102 2008G	2018-02-08	04C02	Livestock Humane Handling	Finalized	<p>At about 16:55 hours on Monday 02/05/18, I (b) (6) was performing ante-mortem inspection at Establishment #244W. I observed the team members who drive for kill putting hogs in the West drive alley and filling the spaces between gates with hogs and leaving little extra room in these spaces. The team members used noise by banging their rattle cans on walls and gates to get a group of hogs on one side of a gate to move North towards the CO2 room. The hogs on the other side of the gate (to the South) also moved away from the noise and piled up on the closed gate to the South of the group, with four or so hogs completely on top of other hogs, feet and all. There was a lot of struggling and squealing going on in the Southern group of hogs. (b) (6) later told me he had, as a preventive measure, instructed his animal handlers to move smaller groups of 30 or so hogs at a time. At about 20:34 hours on Wednesday 02/07/18, I observed a team member moving hogs in pen #6. A group of 60 to 80 hogs had been moved West of the center gate and the gate was closed. When the team member tried to move some of these hogs to the West drive alley, he was banging his rattle can on the wall and then climbed over the wall and about half of the hogs moved West and about half moved East towards the closed mid-gate. The hogs piled up against the closed gate with a marked degree of struggling and squealing and there were six or more hogs which had partially jumped up with their front feet on the backs of other hogs. Animals are to be moved with a minimum of excitement and discomfort to the animals according to 9 CFR 313.2. Furthermore, 9 CFR 313.5(a)(2) explains "delivery of calm animals to the anesthesia chamber is essential since the induction, or early phase, of anesthesia is less violent with docile animals."</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								FSIS & Plant weekly meeting notes bear testament to similar issues being discussed in the past. 01/26/18 B-shift: "hogs should be moved at a walking pace" and "Hog pile-ups should be a clue to stop rattling and allow pile-up to settle." 11/30/17 A-shift: "Saturday hogs were observed piling on top of each other..." 11/30/17 B-shift: "Hog drivers need to move hogs with minimal excitement." 08/31/17 B-shift: "[team members] ...trying to move too many [hogs] at one time causing the hogs to pile and squeal..." 05/04/17 B-shift: "Hogs piling up in the drive alley."

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M244W	Tyson Fresh Meats, Inc.	BTD331204 4106G	2018-04-06	04C02	Livestock Humane Handling	Finalized	<p>At about 22:30 hours on Thursday 04/05/18, I (b) (6) was performing ante-mortem inspection at Establishment #244W. I observed the procurement team members who drive hogs from the scale through the tattoo area to the pens. The team members used noise by banging their rattle cans on walls and gates and a black flag as a visible aid to get a group of hogs on one side of a gate to move north towards the tattoo chutes. The hogs resisted moving through the chutes and circled and piled near the last closed gate before the chutes. One hog climbed over the others and jumped through the closed gate to get away from the noise and scrambling. The animal slid to the ground but got up and moved away without any signs of injury. The struggling and squealing continued for a few moments longer until a few hogs at a time moved through the tattoo chutes. Animals are to be moved with a minimum of excitement and discomfort to the animals according to 9 CFR 313.2. Furthermore, implements employed to drive animals are to be used as little as possible to minimize excitement and injury. FSIS & Plant weekly meeting notes bear testament to similar issues being discussed in the past. 1. 02/07/18 B-shift: "hogs piled up against the closed gate with a marked degree of struggling and squealing and there were six or more hogs which had partially jumped up with their front feet on the backs of other hogs 2. 01/26/18 B-shift: "hogs should be moved at a walking pace" and "Hog pile-ups should be a clue to stop rattling and allow pile-up to settle." 3. 11/30/17 A-shift: "Saturday hogs were observed piling on top of each other..." 4. 11/30/17 B-shift: "Hog drivers need to move hogs with minimal excitement." 5. 08/31/17 B-shift: "[team members] ...trying to move too many [hogs] at one time causing the</p>

Table: MOIs in Response to FOIA2018-32810:22 Wednesday, May 30, 2018 **24**

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								hogs to pile and squeal..." 6. 05/04/17 B-shift: "Hogs piling up in the drive alley."

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M244W	Tyson Fresh Meats, Inc.	BTD140705 1315G	2018-05-15	04C02	Livestock Humane Handling	Finalized	<p>On May 14, 2018 in the barn at Establishment 244W at approximately 10:00 I, (b) (6), observed the following incident: I was near the west drive alley observing prod usage (HATS Category VI), when I saw a production supervisor heading quickly toward the CO2 stunning area; I followed him to the loading area of the South (b) (4). It was immediately apparent that the situation was chaotic and not likely to be quickly resolved, so I started my stopwatch. At that point, there were 3 hogs down over the gondola threshold and facing into gondola. Another supervisor was standing near the gondola entrance holding the outer door up with his hands. Soon thereafter, the post that is used to ensure the outer gate doesn't close by accident was wedged into place to hold the door open. One hog was captive bolt euthanized and removed from the area, and alert/ambulatory hogs were directed out of the gondola with flags. After 5min 15sec there were two hogs down and slowly paddling over the threshold, and, within the gondola, I could see one alert hog with its head up laying over another hog, and two gasping and recumbent on the gondola floor. Team members used flags to try to rouse the hogs, but it was 9min 15sec before one of the hogs over the threshold stumbled its front end out of (b) (4) and it was promptly euthanized via captive bolt. The other hog moved enough that it was entirely in the (b) (4). The gate closed with three hogs in the (b) (4), alive but recumbent and laboriously breathing. (b) (6), two (b) (6) and two (b) (6) and two (b) (6) and (b) (6) were all present by this point. I stopped my watch at 10min 15sec when the gate closed, and I do not know how long the incident was in progress before I came upon it. Per 9CFR313.5 (b)(3),</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								regarding CO2 stunning: "gas concentration shall be maintained uniform so that the degree of anesthesia in exposed animals will be constant." It is inappropriate for hogs to have prolonged exposure to uneven or sublethal concentration of CO2 near the entrance of the (b) (4). This vulnerability of hogs becoming non-ambulatory near the entrance to the (b) (4) was identified and has been brought up multiple times since the (b) (4) were installed in 2015.

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M248B	Butterfield Foods Company	GXN19160 23523G	2018-02-23	04C05	Poultry Good Commercial Practices	Finalized	<p>On 2/21/18, I performed ante-mortem inspection on truck 12 for Lot 3 at approximately 1120 hours. I observed that approximately 50% of the hens on the truck were dead and the carcasses were frozen solid. The dead, frozen birds were focused on the bottom half of the truck (bottom four rows of cages). Evaluation of the rest of the live birds noted no overt signs of disease, but many of the birds were not well feathered and on the thinner side. As the live birds on the upper half of the truck appeared cold, but healthy, I ante-mortem passed the lot. The establishment appeared to be doing a good job ensuring the frozen birds were not entering the facility, to prevent adulterated product; this was achieved by hangers sorting out DOAs from live birds during the hanging process and directing the DOAs to the white, inedible barrels below and hanging live birds for slaughter. However, the concern is with the number of birds frozen upon arrival at the facility and while being held at the facility prior to slaughter. This issue was discussed with Mr. Juan Cervantes (Plant Manager) at approximately 1130 hours 2/21/18, as I observed approximately half a trailer of frozen DOA birds presented for ante-mortem inspection. I asked Mr. Cervantes where Lot 3 birds were from and when they arrived at the establishment; he stated they were transported approximately 2 hours and arrived the day before at approximately 1300 hours (on 2/20/18). The slaughter of Lot 3 started on 2/21/18, at approximately 1150 hours and ended at approximately 1630 hours. Thus, the birds from Lot 3 were held on establishment premise for approximately 22 to 28 hours prior to being slaughtered; the temperature on the morning of 2/21/18 was in the single digits, (approximately 2F) and had risen to the teens (approximately 18 degrees) in the afternoon (Fahrenheit). A weather archive of average high/low temperatures in for</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>these dates in Butterfield, MN, can be found at www.accuweather.com At approximately 1230 hours, I observed the rest of Lot 3 trucks in the holding shed (Trucks 13, 19, and 15; a total of 4 trucks for Lot 3). While being held at the establishment prior to slaughter, the trailers of birds were kept paneled in a 3-sided non-temperature controlled building. Trucks 13, 19, and 15 were all completely paneled with every fourth panel pulled up at the top approximately 8 inches to allow for ventilation. At this time I could not visualize any of the birds. As the trucks entered the hanging room, I observed each one as it was unpaneled. Although these trucks did not exhibit the excessive percentage of dead, frozen birds as truck 12, there were consistently dead, frozen birds in the bottom 1 to 2 rows of each battery on every truck in this lot. Evaluation of the health status of the live birds on these trucks was consistent with truck 12, and passed for slaughter. I observed excessive DOA carcasses piled up in the hang room throughout the live hang process of Lot 3 and did not observe any live birds in the inedible white barrels/floor. All DOAs were denatured and rendered per regulatory requirements. The issue was further discussed with Mr. Cervantes at approximately 1600 hours on 2/21/18. He asked what the health status of the birds were on inspection, and I reported a high number of condemn rates due to septicemia/toxemia (approximately 7.5% due to all condemnable conditions except contamination and plant rejects, calculated on 2/22/18). I also pointed out that the cages are slatted, as I observed the majority of egg white/yolk and fecal/urinary excrement accumulating on the bottom caged birds which also contributes to the freezing process. I discussed that the birds were on the thinner side and not well feathered, but I was also</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>concerned that they had been in very cold temperatures on site for over 24 hours prior to slaughter. It was discussed that multiple factors may have contributed to these birds in particular being more affected by the cold, but the percentage of DOAs in Lot 3 was concerning. Mr. Cervantes stated that they are going to aim for loading trucks with (b) (4) birds or more to help maintain heat of the lot during cold conditions, as he had noted from his records that trucks with fewer birds than that had increased DOA percentages. Mr. Cervantes had recorded the total number of birds on truck 12 from Lot 3 from the daily kill schedule which was determined to be approximately (b) (4) birds. He also stated they were going to monitor each truck when they arrive on premise to assess the status of the birds going forward. (b) (6)) discussed in the weekly meeting on 2/22/18 that the trucking company was also contacted by plant management to discuss the issue regarding Lot 3 DOA numbers slaughtered on 2/21/18. After reviewing the daily totals on 2/22/18, the establishment reported 9,750 DOA birds out of a total count of (b) (4) birds (approximately (b) (4) DOA rate).</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M248B	Butterfield Foods Company	GXN31070 32309G	2018-03-09	04C05	Poultry Good Commercial Practices	Finalized	<p>On March 8, 2018 at approximately 11:53 AM, while performing a Good Commercial Practices Verification Task I observed that the plant was experiencing a higher than normal amount of Dead on Arrival (DOAs) birds in the first load of Lot #2 (Truck #22). I requested (b) (6) accompany me to examine the truck and provide his impression of the condition of the birds on the trailer. Approximately 20 dead chickens were observed on the exterior two lower level cages of the trailer and on palpation approximately 12 were "hard" and "non-flexible". (b) (6) made the observation that here was what appeared to be a larger than "normal" quantity of eggs and waste on the bed of the truck indicating a possible longer amount of time in transit than usual accentuating the effects of the cold weather. While the plant staff went on break and the truck was waiting to be unloaded, I requested (b) (6), and (b) (6), come to the unloading dock with me to examine the condition of the birds on the truck. Gross examination of these birds revealed no remarkable pathology indicating a flock disease. However, many birds had large unfeathered areas. The unfeathered areas revealed deeply reddened skin tissue suggestive of prolonged exposure to extreme temperatures. Many appeared to be dead, as they were not noticeably moving or breathing. Post-mortem pathology observed in live slaughtered birds from this lot was unremarkable. Cold weather protective panels on livestock haulers were in place during transport and holding until the birds were prepared for unloading. The plant ensured all dead birds were properly disposed of and the load was finished with no further incident. The plant subsequently reported that of the (b) (4) birds in lot #2, 330 were DOA. The DOA numbers from previously</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>unloaded trucks delivered prior to the unloading of Truck #22 ranged from 32 to 82 DOA per load. The establishment indicates they will fully employ humane methods of handling and slaughtering consistent with Good Commercial Practices in a way that minimizes injury to poultry. Poultry are to be handled in a manner that prevents needless injury and suffering. Employing humane methods of handling and slaughtering that are consistent with Good Commercial Practices increases the likelihood of producing unadulterated product. Similar GCP observations were made by (b) (6) on 2/23/2018 in an MOI, Subject: Poultry Good Commercial Practices / GXN5608022123I. We will discuss this situation during the weekly meeting on March 9, 2018 with establishment management to determine any additional corrective actions and/or preventive measures could be adopted in the future to minimize the possibility of a similar (or worse) incident happening in the future, especially when birds are held overnight in extreme weather conditions.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M248B	Butterfield Foods Company	GXN21130 32023G	2018-03-23	04C05	Poultry Good Commercial Practices	Finalized	<p>On 3/23/18, at 1010 hours while performing routine poultry good commercial practices verification task by monitoring shackled birds in the immediate vicinity to the entrance of the scald tank, I observed the following: I observed a live, conscious shackled bird with no neck cut enter the scald tank; I verified consciousness as I observed it blinking and it reacted to physical stimuli by trying to avoid contact with my hand by arching its neck and body as I attempted to reach for its head. Approximately one minute later, I collected the cadaver after it emerged from the scald tank/pickers and was placed in a condemn barrel by the sorters. I immediately notified the (b) (6) informing him that I observed this cadaver enter the scald tank alive. He stated that his monitors must have missed one. I continued to monitor the shackled birds immediately prior to the scald tank until approximately 1015 hours and did not observe any more live birds. I then went to the neck cutter/stun area and observed an increase in un-stunned, vocalizing birds prior to the neck cutter (at a rate of approximately 1 bird every 10 seconds with a line sped of approximately (b) (4) birds per minute). I observed the two establishment neck cutter monitors actively trying to pull down necks multiple birds to assure adequate neck cuts and reroute un-stunned birds on the axillary blade. I also observed the monitor identify and cut the necks of three birds with a straight knife on the bleed chain that missed the primary and axillary neck cutter blades entirely. At approximately 1025 hours, I identified another cadaver on the shackle line after the scald tank/pickers that did not have a neck cut which was the second cadaver identified. I immediately notified the (b) (6), showing him both cadavers and informing him that there is an</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>increase in un-stunned birds prior to the neck cutter. I observed (b) (6) check out the situation and adjust the electric plate height. After this adjustment, I observed the shackled birds immediately after the electric stun plate and neck cutter. The majority of the birds were adequately stunned with better positioning into the neck cutter apparatus, and I did not observe any other birds that were conscious or without neck cuts after the neck cutter step. (b) (6) informed me also that he spoke to his monitors to take action sooner and notify him if they are unable to keep up with the conditions in the neck cutter room. Employing humane methods of handling and slaughtering that are consistent with good commercial practices increase the likelihood of producing unadulterated product. Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcass and ensure that breathing has stopped prior to scalding. Stunning of poultry, when performed, is also expected to be done in a consistent and effective manner.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M248B	Butterfield Foods Company	GXN32170 42612G	2018-04-12	04C05	Poultry Good Commercial Practices	Finalized	<p>On 4/12/18, at approximately 0918 hours, I observed the following while performing routine Poultry Good Commercial Practices verification task in the New York Room/Pinning Room, which is located after the feather picker machine: I observed a bright pink to red, de-feathered bird carcass on the shackle line immediately exiting the picker that was also showing generalized muscle fasciculation; no other birds on the line at this time exhibited these signs. I immediately pulled this particular bird off the line to examine it. I observed no neck cut with the bird exhibiting no sign of bleed out as it was engorged, red to pink, and involuntarily twitching in my hand; this bird was determined to have entered the scald tank alive and died other than by slaughter. At this time, the company was going to break and there were no more birds at the neck cutter or the scald tank area; there were no other cadavers seen in the condemn barrels in the pinning room at that time. I immediately called for the (b) (6), and showed him the cadaver with no neck cut. I informed him that the bird entered the scald tank alive. Poultry slaughter in accordance with GCPs requires that birds need to be slaughtered in a manner that results in thorough bleeding and ensures that breathing has stopped prior to entering the scald tank. (b) (6) came to talk to me at approximately 0955 hours and stated that he checked the stunner and the neck cutter when slaughter resumed and there were no issues noted. I observe the bleed chain from the neck cutter to the scald tank at approximately 1005 hours and did not observe any issues at that time. He also stated that he discussed the incident with his neck cutter monitors and that the monitors were changed out with a new rotation after break. On 4/13/18, at approximately 0850 hours, (b) (6) informed</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								me that they had officially wrote up the employee stationed at the neck cutter at the time of the incident for failing to appropriately monitor the birds for un-cut necks. An MOI was also issued on 3/23/18 for observing two live birds without neck cuts entering the scald tank.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M248B	Butterfield Foods Company	GXN53170 42318G	2018-04-18	04C05	Poultry Good Commercial Practices	Finalized	<p>On 4/18/18, at approximately 1153 hours, I observed the following while performing routine Poultry Good Commercial Practices verification task in the New York Room/Pinning Room, which is located after the feather picker machine: I observed a bright pink to red, de-feathered bird carcass on the shackle line immediately exiting the picker; no other birds on the line at this time exhibited these signs. I immediately pulled this particular bird off the line to examine it. I observed no neck cut with the bird exhibiting no sign of bleed out, as it was engorged (especially of the head and neck) and was red to pink in color. This bird was determined to have entered the scald tank alive and died other than by slaughter. At this time, there were no other birds entering the scald tank and no supervisor in the area as it was just before lunch break. There were no other cadavers observed in the condemn barrels in the pinning room. I immediately tried to locate a supervisor but none was present in the hanging area, stun/neck cutter room, or pinning room. I went onto the evisceration floor and spoke to (b) (6)) and asked her to call a supervisor for the neck cutting area. She informed me that the leadmen and the supervisor were not here (either at lunch or gone). I then asked for her to call the evisceration supervisor, but he was also at lunch. I asked for her to contact the next supervisor in charge and she called (b) (6) . I showed them both the cadaver with no neck cut that I pulled off the line immediately after the picker machine and told them I would be following up with a supervisor who is more in charge of that area when they get back from lunch. At approximately 1310 hours, I spoke to (b) (6)) and showed him the cadaver, stating this was the second cadaver found within a week, identified just prior to</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>company break and/or lunch. I told him these are isolated incidents with no loss of overall process control. However, my concern was that there may be a trend in poor monitoring of neck cuts in poultry carcasses just prior to breaks, and that there was no immediate supervision in this area, as it was very hard for me to even locate an applicable supervisor at the time of identification. (b) (6) informed me that he spoke to (b) (6) during lunch at around 1230 hours, who briefed him on the situation. He followed up with all the monitors in that area and the (b) (6), reiterating that all birds need to be monitored for adequate neck cuts, especially before break time or lunch. He stated that the leadman usually leaves after the last bird goes through the neck cutter step. After our conversation, the cadaver was placed in an inedible bin. An MOI (#GXN3217042612G) was issued on 4/12/18 for observing a cadaver exit the picking machine with no neck cut right before company break. In addition, an MOI (#GXN2113032023G) was issued on 3/23/18 for observing two live birds without neck cuts entering the scald tank. Poultry slaughter in accordance with GCPs requires that birds need to be slaughtered in a manner that results in thorough bleeding and ensures that breathing has stopped prior to entering the scald tank.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M248B	Butterfield Foods Company	GXN34160 41327G	2018-04-27	04C05	Poultry Good Commercial Practices	Finalized	<p>At approx. 1802 hrs. on 4/26/18, following the completion of eviscerating operations, I went to the pinning room and unloading area to gather information on approx. how many birds would be carried over to the next day's production. When I entered the unloading (live hang) area I observed that there were two establishment hourly employees whom were gathering live fowl from the hoist pit area. As I observed the employees gathering the birds from the hoist pit, one of the establishment hourly employees, who had approx. 6 live birds in one had, took one of these birds, grabbed it by the head with his other hand, and began to spin the neck of the bird until the neck was broken. As the employee was doing this the bird was vocalizing excessively and violently flapping its wings. Before I could stop him, he had done this to two other live birds. I was finally able to get him to stop what he was doing, and relay to the other employee in the area that what he was doing was not allowed. I then watched as the employee began to shackle the live birds and use a knife to make a decapitation cut on the remaining live birds. I then returned to the USDA office, and informed (b) (6) of my observations. (b) (6) than accompanied me to (b) (6) office, where he was informed of my observations. We (b) (6) (b) (6), and myself) then went to the unloading area at approx. 1808 hrs. where I showed each of them several (6-8) carcasses in an inedible barrel which had no decapitation cut made, and evidence (hemmoraging in cranium/ cervical area(s) not expelled from the carcass) consistent with being killed by hand. (b) (6) then consulted with each of the employees and informed (b) (6) and myself that he would be correlating with the supervisor of the employees right away in the morning. (b) (6)</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								was then informed of the requirements of part 381.65(b) which clearly outline required handling practices for fowl at official establishments, specifically "Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses..."

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M2580	IBR Group Inc	XWI50130 52103G	2018-05-03	04C02	Livestock Humane Handling	Open	<p>Humane handling meeting at M2580, Winona, MN May 2, 2018 2:30 PM Plant personnel attendees: Shanna Eichmann, Plant Manager USDA Personnel attendees: (b) (6)</p> <p>Reason for meeting: On April 30 at approximately 1630 hours a cow not destined for slaughter escaped from the trailer while other bovines were being unloaded at M2580. The trailer was a horse trailer owned by the farmer and the cow was able to squeeze past a divider. The cow was euthanized with a firearm in a lot (off-premise) in close proximity to the federal establishment. An FSIS employee did observe part of the event, though she did not have a direct line of sight. She heard a shot fired, looked out the window approximately 100 feet away and saw the cow standing. Another shot was fired. The cow went down. She picked her head up and a third shot rendered her immobile. FSIS personnel did not witness the entire event nor did we have a direct line of sight, during the incident. It appears that three firearm shots were fired. (b) (6): cow showed aggression coming off the trailer and scared establishment management. This was a safety concern for the humans involved. (b) (6) (b) (6) Animals for custom slaughter must be euthanized humanely. The same humane handling regulations apply to custom slaughter. The animals must be rendered insensible in one attempt, with minimal excitement. Regulatory control action will be taken if USDA personnel learn of inhumane custom slaughter. (b) (6)</p> <p>(b) (6): We understand. Safety of discharging firearm outside in city limits. (b) (6): This is a concern of ours as well. History of issues in unloading. A humane handling visit conducted by (b) (6) in August 2017 noted issues during unloading where employees struggled to separate animals and encourage them off the trailer.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>Animals slipped during unloading. Also, (b) (6) has seen gaps in the trailer/chute which can be a humane handling issue. Animals need to be provided adequate footing to prevent slips and falls. Animal owners who come to unload animals are also responsible for humane handling. It is very important to step in if you see humane handling issues with owners. (b) (6): There was a metal plate would cover up the gap and wouldn't startle an animal. It has not been cleaned as often as it has been, which means that sometimes owners don't use it. (b) (6): we will look at this. Trend of vulnerabilities for an inappropriate trailer being used. This is not the first time an inappropriate trailer was used and an animal escaped. This is a very big concern. If vehicles and ramps are not properly positioned to unload animals, this may lead to regulatory control action being taken. (b) (6): We have purchased a removable gate to be used in these situations. We can bolt the trailer to keep animals from escaping with this temporary gate. MN law does forbid animals from being removed from a slaughter establishment without a specific permit. This definitely applies if all animals were destined for FSIS slaughter. Please inform USDA personnel if this occurs and we will notify the proper authorities. If a future humane handling incident occurs when slaughter is ongoing, we would put a retain tag on the knock box while we contact the district office. Again, if an animal were to escape during unloading, this could lead to regulatory control actions up to and including suspension (depending on circumstances). Nonambulatory animals are not eligible for the marks of inspection. MN law also forbids these animals for custom slaughter. Additionally once an establishment offers an animal for ante-mortem inspection, the establishment cannot change the animal status to "intended for</p>

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								custom exemption. This is not related to yesterday's discussion, but it is important for the establishment to know. Establishment response: We will look at the end of the chute and the establishment to see what can be modified. Perhaps the plates can have better traction. We will also unload with two people. We will look at Temple Grandin's book on humane handling.
90	M27257	Central KY Custom Meats, Inc.	KIF330805 4407G	2018-05-07	04C02	Livestock Humane Handling	Finalized	While IPP (b) (6) was performing Antemortem inspection at approximately 7:35 AM on the USDA hogs this morning I observed that the custom hog did not have available water to drink in pen 4. I advised (b) (6) and (b) (6) that then needed available water at all times. This was a custom hog so an NR was not issued. This MOI is the means of informing plant management that agency policy was not being followed regarding Human Handling.
05	M27389	Pitman Farms	NCO19150 33915G	2018-03-15	04C05	Poultry Good Commercial Practices	Open	This MOI is being issued by (b) (6). On 03/13/18 at approximately 0634, while performing a routine tour of the receiving area, I observed two chickens on the ground under one of the trailers. Upon closer inspection I discovered an open cage on one of the modules of trailer (Lic. # 4LJ5260). There was a total of nine chickens out of their cage running around on top of the trailer and in between the modules. At 0643 (b) (6) and three other employee's arrived and recovered the chickens by 0705.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M32130	Dakota Provisions LLC	JEB350804 2111G	2018-04-11	04C05	Poultry Good Commercial Practices	Finalized	<p>Est. 32130, Dakota Provisions, 04/11/18, 0545 hours. Meeting Attendance: (b) (6) and (b) (6). On 04/11/18 at approximately 0450 hours, while performing ante-mortem inspection, I observed a turkey that had his left wing caught between the framework and the fiberglass floor above him. The bird was discovered in trailer #27, back cage, middle tier under the trailer shed outside. The cages are designed with 3 compartments/levels per coop and the floors are comprised of green fiberglass material held to the cage framework with rivets. I immediately notified (b) (6), (b) (6) and (b) (6), of the injured bird. (b) (6) used two bars to leverage between the floor and framework which took pressure off the wing and allowed the wing to be dislodged. Evaluation of the turkey wing revealed excessive bruising approximately 6 inches in width and a laceration that was bleeding. I placed a US Reject Tag No. B42252448 on the cage so it could be evaluated and repaired. The fiberglass floors need to be installed appropriately to prevent injury. This was previously discussed in three other instances which were documented in MOI JEB 5009052618I on 5/18/17, MOI JEB2207055216L written on 5/16/17 and MOI JEB0206055711I written on 5/11/17. It was also discussed in the establishment weekly meeting on 5/11/17. A discussion was held with (b) (6) of my observations and concern for animal welfare at approximately 0545 hours. Allen stated that today production personnel would mark cages needing repair with a repair card. They have arranged for a crew to work on those cages needing repair on Saturday, 4/14/18.</p> <p>The establishment must employ humane methods of handling and slaughtering consistent with Good Commercial Practices in a way that</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								minimizes injury to poultry. Poultry are to be handled in a manner that prevents needless injury and suffering. Employing humane methods of handling and slaughtering that are consistent with good commercial practices increase the likelihood of producing unadulterated product.
80	M33831	Ayrshire Farm Management, LLC	PVD37060 23906G	2018-02-06	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 8:10 hours, I, (b) (6) met with (b) (6) to discuss the execution of Good Commercial Practices at the establishment. Earlier, while performing the Poultry GCP verification task, I had observed that, after being stunned and then given the kill cut, some of the very small chickens being slaughtered were not remaining inside of the cones being used for this process. When necessary, these birds were being pulled through the cones and reinserted but twice I observed birds fall through the cones and into the blood trough. These two birds were picked up out of the trough and then also reinserted into the cones for full bleed out. I informed (b) (6) of my observations and then noted the apparent need for better accommodations for the smaller birds during the slaughter process; especially as the demand for these birds increases. (b) (6) stated that he would order smaller cones to accommodate these birds and then said that he expected these cones to arrive in time for next week's slaughter. This meeting was then adjourned. (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	M33940	Fauquier's Finest Custom Meat Processing, Inc.	DAG16150 15309G	2018-01-09	04C02	Livestock Humane Handling	Finalized	<p>The following incident occurred at establishment M33940 (Fauquier's Finest Custom Meat Processing) at 12:45pm on January 9, 2018: The slaughter floor personnel brought the last hog of the day into the chute. It was a large hog, in the 1000-1200 lb. range. As per their protocol, they applied the squeeze chute to immobilize it, then applied the electrical stunner to the brain at the voltage recommended for a 1200-lb. hog (580 V) until it went limp and dropped to the ground. At this point, the animal was unconscious. As per their protocol for swine, slaughter employee applied a secondary ("security") knock, in this case with the .22 rifle due to the size of the animal, and because of the size of the animal, applied a second rifle shot. Still following protocol, the slaughter employee stuck the animal, at which time it began paddling in a circle, but remained recumbent. Once it had circled about 120 degrees, it came to a stop, at which point the slaughter employee applied the full cut severing both carotid arteries. It was at this point that the animal came to its feet and began staggering. It eventually fell into sternal recumbency. The slaughter employee applied two more shots with the .22 rifle. In each case, the animal vocalized, paddled a bit, but did not get up. At this point, since the animal was still breathing intermittently, they elected to have their co-worker shoot it with his .357, which he did (twice). Shortly after this, the animal was fully unresponsive (clinically dead) and they were able to process it. The animal regained consciousness after the initial stunning event; therefore, this constitutes an egregious noncompliance with 9 CFR 313.30(a)(1). (b) (6) applied U.S. Rejected tag #B41301176 to the knock box at 2:35pm and informed both slaughter floor personnel of the regulatory control action (Plant Manager Michael Rodrigues was informed by</p>

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								phone). The establishment does not currently have a robust systematic approach to the humane handling of livestock.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M3W	Swift Pork Company	GJC052105 2910G	2018-05-10	04C02	Livestock Humane Handling	Finalized	<p>At approximately 7:20pm, (b) (6) met with (b) (6); and at approximately 8:50pm, (b) (6) met with (b) (6) and (b) (6). The following concerns and observations were pointed out and discussed. 1. (b) (6) noted that stressed hogs are regularly brought into the area between the two chutes leading to the (b) (4). She noted that on occasion, these hogs are not immediately stunned and are left sitting in the area. (b) (6) stated that the employees are supposed to stun the hogs ASAP. She pointed out to (b) (6) a hog that was sitting in the area when she walked by, probably about 10 minutes earlier. Employees were not moving towards stunning the animal immediately. These hogs do not have access to water, and while this area is not a typical holding pen, FSIS expects animals that are held be provided access to water. Compliance with 9 CFR 313.2(e) is questionable in this area. (b) (6) agreed to provide these animals with water. The establishment will provide a pan of water in the area for now, and follow up with running a line and water nipples into this area for the future. 2. (b) (6) noted that in the central area between the (b) (4) chutes, hogs that are brought into that area occasionally get up and wander around. She observed that there are areas in this place that could lead to injury of hogs. For example, she observed a hog wander to the corner behind (b) (4) (b) (4) #1. The hog, if startled, could jump through the bars and fall and injure itself. The establishment will look at this area more closely. A cursory look through the establishment's written Systematic Approach to Humane Handling does not appear to specifically address this area.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M40041	Marksbury Farm Foods, LLC	NRW10130 25615G	2018-02-15	04C02	Livestock Humane Handling	Open	On 02/15/2018 at 1100 at Marksbury Farm Foods, LLC on the slaughter floor, (b) (6) heard activity at the knock box. She proceeded to the stair of the knock box and observed the stunner use a captive bolt gun to administer a stun to a beef. After the stun was administered the beef retained ability to stand and displayed conscious eye movement. Another stun was immediately applied; (b) (6) observed the beef continued to retain the ability to stand and display conscious eye movement. Another stun was immediately applied rendering the beef unable to stand and insensible. (b) (6) applied U.S. Rejected tag #B28142221 to the knock box and notified (b) (6).
90	M40041	Marksbury Farm Foods, LLC	NRW33120 35814G	2018-03-14	04C02	Livestock Humane Handling	Open	On 3/14/2018 1230 hours at Marksbury Farms Foods(M40041)on the livestock slaughter floor while observing activity at the knock box, (b) (6) observed a market lamb roll out of the knock box after being stunned. When it hit the floor landed on its belly, head was raised and displayed conscious eye movement. Immediate corrective action was applied however the stun proved to be ineffective since the lamb was able to rise on its front limbs and still had conscious eye movement .An additional stun was applied and proved effective. (b) (6) applied USDA Rejected Tag #B41495755 to the knock box and notified Plant Manager Leonard Harrison.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M44779	Faulkner Meats	VMV20060 51509G	2018-05-09	04C02	Livestock Humane Handling	Open	May 8, 2018 Today at approximately 1330 while performing the Livestock Humane Handling task at Faulkner Meats, Taylorsville, KY the following observation was made by the SVMO. A small holding pen of 20+ mature sheep was observed to be without water. There did not appear to be sufficient space in the pen for all animals to lie down, either. Granted, the animals had not been declared for Federal Inspection. However, according to Directive 5930.1 Rev 4, the HMSA (Humane Methods of Slaughter Act) requires that livestock be humanely handled in connection with slaughter, (21 U.S.C. 610(b)). The animals should have access to water and if held overnight the ability to lie down. A MOI dated May 1, 2018 was presented to the establishment for a similar incident involving the lack of water access.
80	M44791	Doublebrook Farm LLC	VUF44070 43006G	2018-04-06	04C02	Livestock Humane Handling	Finalized	When checking the livestock outside I noticed that the water containers were not filled with water. (b) (6) said that the swine had knocked the water over and so it was spilled. I asked him to refill the container.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
60	M45029	Vermont Packinghouse LLC	FUU20110 12823G	2018-01-23	04C02	Livestock Humane Handling	Finalized	<p>HAT Category VIII – Stunning On 1/22/2018, at approximately 10:00am, while on break in the observation room above the slaughter floor, the stunning employee informed (b) (6) he had double stunned a couple of lambs that morning because although they went down, he was unsure as to whether or not they were unconscious or not when he was dragging them in. (b) (6) immediately went to observe stunning activities following break. At approximately 10:20am that same morning, (b) (6) observed the following: The employee stunned a lamb. The lamb's head went down, but the lamb remained standing, and started to shake its head back and forth. The employee immediately grabbed the backup captive bolt and attempted to re-stun the lamb. The lamb fell to the ground, but when the employee went to grab the lamb's back leg, the lamb stood up and ran to the back corner of the weigh-in chute area where the animal had been restrained. The animal was observed by (b) (6) to have blood running out of one of the stun holes, and both eyes were open and blinking. The animal also demonstrated the following movements: standing, running, walking, and rhythmic breathing. The employee reloaded the captive bolt and re-caught the animal. The employee stunned the animal. There was a delay of approximately 2-3 minutes between the second and third stunning attempt. The third stunning attempt was successful and the animal remained unconscious throughout the bleeding process. Immediately (CSI) took a regulatory control action to the weigh-in chute area where the lambs are stunned. Regulatory tag#B43049629</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
60	M45134	Birdsboro Kosher Farms Corp.	FKJ071505 1007G	2018-05-07	04C05	Poultry Good Commercial Practices	Open	<p>On 05/07/2018 at approximately 1545 hours, I was walking through the ante-mortem area and looked inside the DOA barrel and found a slaughtered bird that wasn't completely dead and still breathing and moving. I stopped the line and informed Mr. Urieta, Plant Manager and (b) (6). The bird was removed from the DOA barrel and put in the area specified for that situation until it completely died and stopped breathing, and then was moved to DOA barrel. It is not consistent with Good Commercial Practices to have breathing birds in a barrel specified for dead birds. (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M45856	Prime Pork LLC	ODB43120 41520G	2018-04-20	04C02	Livestock Humane Handling	Finalized	<p>On April 17, 2018, while performing routine Veterinary inspection at 1415 hours on the harvest floor, I was presented with a carcass (MPD65229431) for Veterinary disposition. This carcass had tattoo 70XX on the dorsal mid line. In addition, there were six additional tattoos one each on the shoulders, the flank, and the hams. I made an inquiry with (b) (6) as to the placing of the tattoos and if they were applied while the hog was still alive. I was informed that this was a "sub" (Slow or crippled) and that the tattoos were applied while the hog was still alive. I advised him that this may be excessive. On April 18, 2018, while performing ante-mortem with (b) (6) I described my findings from the previous day and again asked if the hog was alive when the tattoos were applied. Again I was informed that these tattoos were applied immediately after moving the hog to the "sub pen" and before the hog being stunned. I let (b) (6) know that this was an excessive number of tattoos to be applied. The "subs" are already at a higher level of stress and care should be taken not to increase their stress and excitement. On April 19, 2018, (b) (6) advised me that the procedure for handling the "subs" was modified to have the additional tattoos applied after the hog had been stunned.</p>
25	M45856	Prime Pork LLC	ODB54110 42824G	2018-04-24	04C02	Livestock Humane Handling	Finalized	<p>While performing Ante-mortem inspection with (b) (6) at pen 0954 hours I discovered the following issue. While inspecting the hogs in pen 22, there was a hog with his head under the gate in a manner that the corner of the gate appeared to be penetrating the left eye at the medial canthus (b) (6) gently opened the gate and on inspection both the eye and the icitating membrane were intact. This gate does pose a potential hazard.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M46185	Detweiler Meats N More	WPP09100 34121G	2018-03-21	04C02	Livestock Humane Handling	Finalized	At 7:15 this morning I witnessed (b) (6) attempt to stun a hog with a captive bolt. He shot twice with this not effectively stunning the hog. After two attempts the hog was still not effectly stunned. (b) (6) left the slaughter floor to retrieve a rifle in which he shot the hog and at that time the hog was effectively stunned.. I placed a tag on the knock box and called (b) (6) and then I called District Office. This establishment is Detweiler Meats M 46185.
80	M56	PILGRIMS PRIDE CORPORATION	MBJ01130 32726G	2018-03-26	04C05	Poultry Good Commercial Practices	Finalized	At approximately 1007 hr. I, (b) (6) performed a Good Commercial Practice check in the Live Hang Department, along with (b) (6). We observed a live bird breathing in the outside dumper. I went to the Pinning Room to find (b) (6). We returned to the dumper where (b) (6) observed the live bird. He then took the bird to the live hang line. (b) (6) and I returned to the USDA office and informed (b) (6) of our findings. This incident is not in keeping with Good Commercial Practices, especially those practices related to handling of live poultry. This MOI serves as a written notice that future oversight of this nature may result in the taking of additional administrative actions. Please submit documentation of corrective and preventive measures relating to this incident. (b) (6) cc: (b) (6) Raleigh District (b) (6), (b) (6), Raleigh District (b) (6) (b) (6)

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
35	M5842	Tyson Foods, Inc.	NPF37210 12902G	2018-01-02	04C05	Poultry Good Commercial Practices	Finalized	<p>On 01/02/2018 at approximately 2130 hours (b) (6) was notified by the online inspector on Evisceration Line #1 stand #2 that he had identified and hung back for disposition a carcass with the head still attached and no identifiable neck cut (b) (6) notified me of the finding and upon inspection I noted that the carcass was cherry red to purple in color with no neck cut and no evidence of exsanguination. I confirmed that the carcass was a cadaver and showed it to (b) (6) and (b) (6). At this time one additional carcass that was cherry red to purple in color with the head attached and no evidence of exsanguination was observed in the condemn barrel at the Line #1 rehang area. Poultry carcasses which show evidence of having died other than by slaughter reflect poor commercial practices. 9 CFR 381.65(b) states that "poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding".</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
35	M5842	Tyson Foods, Inc.	NPF40190 15705G	2018-01-05	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 1840 hours as I was walking through the live hang area I observed movement inside a condemn barrel located next to the end of Kill Line #1. The condemn barrel was almost completely filled with dead chicken carcasses. I notified (b) (6) and observed as he uncovered a live, bright alert chicken underneath approximately 6 carcasses. The live chicken was removed from the condemn barrel and placed on the kill line for slaughter. At 1900 hours I discussed my findings with (b) (6). We discussed the unlikely possibility of a live hang employee inadvertently placing an alert live chicken into the condemn barrel. (b) (6) suggested that the live bird could have jumped or been inadvertently pushed into the barrel because of the proximity of the barrel to the kill line. He stated that as a preventative the condemn barrels would be moved further away from the kill lines to reduce the chance of a live bird jumping/falling into the condemn barrels. A live bird being covered by dead chicken carcasses has a high risk of smothering. Death caused by smothering reflects poor commercial practices and is noncompliant with 9 CFR 381.65(b).</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
35	M5842	Tyson Foods, Inc.	NPF58130 43025G	2018-04-25	04C05	Poultry Good Commercial Practices	Finalized	<p>As described to me by (b) (6) on 4-23-2018: "April 23, 2018 at approximately 1313 hours, at the start of second shift as I entered the evisceration department I noticed that the evisceration line 1 was running empty. The live hang line one was stopped and maintenance personnel were making repairs on it at the rehang area. I proceeded to the live hang area and observed that birds were still hanging on the kill line 1. The birds between the stunner and the kill blade had a purplish color and were not moving and not breathing; I did not see a cut on the bird's necks. The birds showed evidence of dying other than normal slaughter process. Multiple birds that were hanging on the kill line prior to the stunner machines had swollen reddish purple heads and there was drool coming from their beaks. They were also vocalizing and flapping their wings excessively. I stood in front of the stunner machine for a few minutes and I did not see anyone attempting to retrieve these birds from the line. At approximately 1320 hours I walked out of the area to inform the SPHV of my observations. When I came back to the area the birds that were hanging prior to the blade had been removed (approximately 11 birds). (b) (6) was in the area at this time and I described my previous findings to him. I also showed him two of the birds that were left hanging near the neck cutter. I informed him that the other birds were in the same conditions as these birds prior to being removed." On April 24, 2018 I held a discussion with night shift Assistant Plant Manager Brad Massengale concerning the above issues. Mr. Massengale stated that he had interviewed employees in the area in order to gather information about the events. I expressed to Mr. Massengale my concerns about birds dying other than by slaughter and the condition of live birds that</p>

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								remain hanging on the kill line during extended down time. He stated that he intends to correlate with plant management personnel in order to develop a program to address live birds that remain on the kill lines during extended down time to ensure that poultry good commercial practices are maintained.
05	M6012	U. C. Davis Meat Laboratory	BKO25170 20214G	2018-02-14	04C02	Livestock Humane Handling	Finalized	<p>I asked (b) (6) on 2/14/18 at approximately 1120 hours after our regular weekly meeting (Est. 6012, U.C. Davis Meat Laboratory, located at 1 Shields Avenue, Davis, CA 95616) if the animals (Market and Roaster hogs) that were harvested today had access to water during their brief stay in the ante-mortem pens alley way prior to the lead up chute. I was performing post-mortem duties inside of Harvest Room and could not go outside to verified that the animals had access to water. He explained that there is no access to water in the alley way and would be difficult to place water in area because animals (Cattle, Hogs for example) could knock off the water containers or similar units. Policy considers the alley way a holding pen and per 9 CFR 313.2(e) "Animals shall have access to water in all holding pens and,....". I returned to first assignment of my work day and informed (b) (6) of the discussion and decided to write the Memorandum of Interview (MOI) in regards to this issue. I informed (b) (6) via text message of the impending MOI. (b) (6)</p> <p>Badge (b) (6) Cc: (b) (6) file @ Est. 6012, (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
05	M6137	Foster Farms	BXL331603 0202G	2018-03-02	04C05	Poultry Good Commercial Practices	Finalized	<p>Establishment P6137 – Plant 2, Foster Farms, March 12, 2018 In attendance : (b) (6)</p> <p>This MOI is intended to document the discussion I had with (b) (6) about the Poultry Good Commercial Practices incident that occurred in Plant 2 - Line (b) (6) on Thursday, March 1, 2018. At Approximately 1450 hours on March 1, 2018 I noticed a carcass hanging on the rack adjacent to the pre-sorter station in line (b) (6) of plant number 2 that had the characteristic appearance of a cadaver. As I approached the pre-sorter station, I noticed a number of carcasses inside the condemn barrel placed near the pre sorter station that also have the characteristics appearance of a “Cadaver”. I verified that 5 out of 8 carcasses in the condemn barrel were Cadavers with the head intact and no visible cuts along the neck. In addition 1 out of the 8 carcasses had a cut on the neck area that had only penetrated the subcutaneous tissue of the neck. I called the attention of (b) (6) and showed her what I saw and she immediately called (b) (6). I showed (b) (6) the cadavers from the barrel. After a few minutes, the sorter on the pre-sorter station pulled another cadaver with the head intact and without any neck cut as well. (b) (6) informed me that they are addressing the problem as this was a result of moving kill line employees from plant 1 to plant 2. I also informed (b) (6) through the phone what my observations were. I reminded (b) (6) that the PPIA and Agency Regulations do require that live poultry be handles in a manner that is consistent with good commercial practices, and that they not die from other causes other than slaughter. Please review Federal Register Notice Vol. 70, No 187, published September</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								2005 (Docket No. 04-037N) for FSIS recommendations concerning treatment of live poultry before slaughter. (b) (6) was informed that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. (b) (6) - Livingston Circuit Establishment P6137 FSIS- USDA

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
05	M6137	Foster Farms	BXL340504 2724G	2018-04-24	04C05	Poultry Good Commercial Practices	Finalized	<p>This MOI is intended to document the discussion I had with (b) (6) about the Poultry Good Commercial Practices incident that occurred on Monday, April 23, 2018. On 4/23/2018 at approximately 2320 hours while performing the Poultry Good Commercial Practice in plant 1, (b) (6) observed that the auto-kill machine for line 2 was not functioning correctly and groups of birds (approximately 3-6 birds at a time) were going through the machine without cuts or not adequately cut to bleed out. The backup cutter was struggling to keep up with the amount of miss-cuts and I observed one bird go through without a cut. I went to the pre-sorter station for line 2 and observed one cadaver removed from the line and hanging on the rack for further disposition. I later learned this was already the third cadaver that was found on the line. I informed (b) (6) of the problem with the auto-kill machine. (b) (6) response to me was that he would go investigate the issue. I discussed the issue with (b) (6) and was informed that the pre-sorter for line 2 notified (b) (6) for each cadaver found but there was no communication with (b) (6) to address the issue until I had brought it to his attention. At approximately 0710 hours I observed that three more cadavers were pulled from the line at the pre-sorter stations. When I went to discuss my findings with (b) (6), he informed me that one cadaver from line 1 was pulled but he was unaware that another two cadavers were pulled off line 2 at a later time. (b) (6) was called down to evisceration and he was not aware more cadavers were occurring. "I reminded (b) (6) that the PPIA and Agency Regulations do require that live poultry be</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								handles in a manner that is consistent with good commercial practices, and that they not die from other causes other than slaughter. Please review Federal Register Notice Vol. 70, No 187, published September 2005 (Docket No. 04-037N) for FSIS recommendations concerning treatment of live poultry before slaughter." "I informed (b) (6) that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended."

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	M6541	Gunnoe Sausage Company, Inc.	SLD540904 0818G	2018-04-18	04C02	Livestock Humane Handling	Finalized	Held a meeting with plant manager, Craig Gunnoe, regarding the use of an electric prod in driving the animals and the set-up of the holding pen directly prior to the knock box. While observing humane handling and stunning today, the employee responsible for movement held just an electric prod and used it exclusively to move sows into the knock box. The employee was approached and notified that a rattle paddle is to be used unless the sows are being more difficult and an electric prod is required to get them to move. The employee proceeded to switch to only a rattle paddle and had a lot of difficulty moving the sows (at this time only four were left in the building). The employee needs to be more judicious in the use of the electric prod and was notified of this fact. During the meeting with Mr. Gunnoe, we discussed not only the use of the electric prod but the limitations in the design of the facility to help with movement of sows from the holding pen in the building directly into the knock box. We discussed ideas such as blocking vision on the narrow alley towards the box (slowly limit the sow's vision on one side and then both sides in the box), boarding off one side of the pen diagonally to create more of a funnel effect, when having trouble moving just 3-4 sows that are left (too much room is available for them to turn around and avoid the box) either run them back out to the pens to let them calm down, or routinely move additional animals into the building to limit the space available so the alley is the only option. We also discussed running two animals towards the knock box and letting one completely enter before removing the second.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	M6590	Randolph Packing Co., Inc.	YBB261204 4812G	2018-04-12	04C02	Livestock Humane Handling	Finalized	<p>Attendees: (b) (6); Mr. Craig Hamlet, Vice President M6590 Meeting Time and Date: Approximately 11:30am on April 12, 2018 Location: Veterinarian USDA office of M6590 in Asheboro, NC I notified Mr. Hamlet of the following situation: On the morning of April 12, 2018 at approximately 9:00am, (b) (6)</p> <p>(b) (6) and I observed a concerning incident in the alleyway to the knocking box at M-6590. A Holstein dairy cow was refusing to go into the knock box from the alleyway. When we began observing the incident, the plant employee was using his boot to inappropriately push the cow into the knock box area. He and other employees also used the cattle electric “hot shot” prod about 10-12 times over the course of about 4 minutes. The animal kept backing up and still refused to enter. No breaks were taken in the attempts to coerce the animal into the knock box. Mr. Hamlet agreed that the above situation was not acceptable and that he would have a meeting with the barn manager to address the situation. He also stated that he would monitor the employee for conformance to the establishment’s standards. I agreed that it is appropriate to address the issue immediately. The information provided in this MOI includes all of the topics discussed during the meeting.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M717	Smithfield Fresh Meats Corp.	TAE080702 4007G	2018-02-07	04C02	Livestock Humane Handling	Finalized	<p>While (b) (6) was performing the Livestock Humane Handling task on 02/05/2018 at Est. 717 in Denison, IA., she observed the following: While observing an establishment employee driving hogs to a pen, there was one hog that repeatedly would sit down, get back up and take a few steps, then sit back down and move with its front legs and drag its back legs. She informed the employee to not put that hog in the pen. The employee left that hog in the alley and proceeded to move the rest of the group into the pen. The employee then came back and using a rattle paddle to move the hog, drove it back approximately 30 feet to where the skid loader was waiting. At that point, another employee attempted to load the hog into the skid loader bucket but did not get the hog loaded completely before the employee driving the skid loader lifted the bucket. Another establishment employee and (b) (6) instructed the skid loader driver to stop because the hind legs of the hog were hanging over the edge of the bucket. The employee then proceeded to lower the bucket and the hind legs of the hog curled underneath. (b) (6) and the establishment employee again told her to stop, which she did, preventing the hog's hind legs from becoming stuck. After a discussion with (b) (6) and (b) (6), the following is a summary of the conversation I had with (b) (6) and (b) (6), procurement and humane handling management at Est. 717: There are a couple of concerns that were raised from this incident – how the hog was identified and moved as a non-ambulatory/disabled animal, and how it was loaded into the bucket. For the most part the employees are very conscious and follow both your voluntary segregation program and properly identify, protect, and transport non-ambulatory/disabled animals. From the</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>description it sounds like this hog was attempting to walk and went down repeatedly and then was still moving somewhat. From what I was told the hog was not vocalizing, but its inability to fully walk to the pen should have resulted in its identification as a non-ambulatory/disabled animal. At that point, the employees typically bring the skid loader to the disabled hog; I'm not sure what was different in this situation that caused them to drive the hog back to the skid loader, but it should have been brought to the hog. I know we have had conversations before about making sure the hog is fully in the bucket before raising it and you have addressed it with your employees. In this instance the hog didn't vocalize and wasn't injured, but in the future, the hogs should be completely loaded into the bucket before it is lifted. These concerns do not rise to the level of non-compliance; therefore this discussion will be documented in an MOI. Establishment management immediately held a meeting with the employees involved after notification from (b) (6) of the incident. After my discussion with them they planned to have a meeting with all employees in the barns to ensure that they were aware of FSIS' concerns and how to correct these issues in the future and stated that they would continue to monitor to ensure compliance.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M717CR	Smithfield Fresh Meats Corp.	RZG091601 5010G	2018-01-10	04C02	Livestock Humane Handling	Finalized	<p>At 1300 hours on January 10, 2018, I, USDA (b) (6) (b) (6), met with (b) (6) and (b) (6) to discuss humane handling concerns. Concerns are: - Creating excitement when moving hogs from holding pens to kill alley and stunning alleys. - Placing more hogs in holding areas then is stated in the establishment's animal welfare program. We discussed signs of excitement in hogs when being handled. National Pork Board Transport Quality Assurance Handbook, "Pig Behavior, Handling & Fitness" was used as a reference. This falls under 9CFR 313.2(a). (b) (6) stated that she will monitor the kill and stunning alley areas and talk to the supervisors responsible for the employees in that area. There were no other concerns or questions.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M7356	Harmon Brothers Meats, Inc.	IJK5810040 813G	2018-04-13	04C02	Livestock Humane Handling	Open	<p>April 13, 2018 HATS Category VIII-Stunning Effectiveness: At approximately 1045 EDT while performing the Livestock Humane Handling task at Harmon Bros. Meats, Warsaw, KY a stunning failure was observed on the kill floor. A market hog was placed in the knock box; plant personnel shot the hog with a rifle and vocalization was heard; plant personnel attempted a second shot with the rifle, again vocalization was heard. I looked in the knock box and observed the hog standing-conscious righting reflex. After a period of time a third shot was attempted with the rifle; the hog went into a sternal position. Plant personnel retrieved the captive bolt device; the side of the knock box rose and the hog was observed to have conscious eye tracking and a conscious righting reflex—it attempted to crawl out of the knock box. Plant personnel lowered the side of the knock box to prevent the hog from escaping and in doing so lowered the side onto the hog's neck causing it to vocalize. The fourth attempt to stun the hog was made with the captive bolt device and it did render the hog insensible. U. S. Rejected tag # B19860162 was placed on the knock box. Plant manager Roy Palmer was informed of this observation and the regulatory control action.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M7356	Harmon Brothers Meats, Inc.	IJK3711052 311G	2018-05-11	04C02	Livestock Humane Handling	Finalized	At 1028 Hours on 11 May 2018, (b) (6) and I observed a hog in the end hog pen with a large bloody abscess on left rear knee. The hog was lying down, and another hog was eating the abscess. I immediately informed a plant employee that the injured hog needed to be separated immediately from the others. There were a total of 19 hogs in the pen. The establishment employee moved the injured hog to a holding area, and (b) (6) discussed this incident with Karen Allen, Vice Manager, and the Plant Manager, Roy Palmer. These animals had not been declared for FSIS inspection. The plant has stated that they were not doing anymore USDA inspected hogs today. Based upon the fact that the affected animals were not declared for federally inspected slaughter, the guidance of FSIS Directive 5930.1, Revision 4, and as such this MOI was issued per that Directive's guidance.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	M7470	Mountaire Farms Inc. - NC Division	YRA341204 1613G	2018-04-13	04C05	Poultry Good Commercial Practices	Finalized	<p>On 04/12/2018, at approximately 1337 hours evisceration line station 3 Food inspector ask for me to look at a bird that was pulled and hung back on the station's USDA/VET shackle for disposition. I observed that the bird had a swollen head: the skin on the head and neck area was dark purple in color and around the upper breast area the skin was a light reddish color. These are indications of bird dying from causes other than slaughter. No viscera was presented. I informed the (b) (6) that I did not see any cut along the neck/head that would allow the bird to bleed out properly. (b) (6) took the bird and stated the bird will be shown to the kill floor supervisor and condemned. At approximately 1344 hours I informed (b) (6) about the bird and MOI would be issued. (b) (6) stated that he had seen the bird and did notice a small nick on the back of the head. The PPIA (21 U.S.C. 453(g)(5)) as well as the Agency's regulation (9 CFR 381.90) require that live poultry be handled in a manner that is consistent with good commercial practice (GCP), and that they not die from causes other than slaughter.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M751	Pitman Farms Inc. (Moroni Turkey Processing)	MMK2912 035614G	2018-03-14	04C05	Poultry Good Commercial Practices	Finalized	<p>Memorandum of Interview to Discuss Birds Held in Shackles during a Line Breakdown Norbest Turkey / Est# P01049 Meeting Time: Tuesday, March 13, 2018 between 1402 and 1540 Attendees: USDA (b) (6) Establishment (b) (6)</p> <p>(b) (6)</p> <p>(b) (6)</p> <p>(b) (6)</p> <p>(b) (6)</p> <p>This memorandum was necessitated by observations and discussions made while performing a Good Commercial Practices task during a prolonged mechanical breakdown on March 13, 2018. On March 13, a chiller malfunction caused the evisceration line to be stopped from 1402 to approximately 1540. During that time, I visited with the five different supervisors listed above and asked each of them what their protocol was in regard to the live birds remaining in shackles in the hanging bay. All stated the birds are monitored for signs of discomfort and would then be either killed or removed from the line if signs of discomfort developed. After approximately one hour of downtime, (b) (6) and (b) (6) removed the birds in the hanging bay from the shackles which were within reach. I observed a couple which had already died but did not observe the actual removal of the rest as I was not in the area at that time. The shackle line travels up and around the ceiling before descending again to enter the stun and kill area so not all shackles were within reach. After they removed the birds which were within reach, I counted approximately 45 birds remaining in shackles around the ceiling and descending toward the entry to the stun and kill area. After the chiller was repaired and the line</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>was restarted, I was in the rehang area to observe the approximately 45 birds which had remained in the shackles. When they presented in the rehang area, I counted eight dead birds on line within the group. Seven were rehung to enter evisceration and were condemned by USDA inspectors in the evisceration department as cadavers. The establishment protocol concerning birds remaining in shackles during a breakdown of the line is documented in SOP #332 Line Breakdown. According to the SOP, birds in shackles are assessed for signs of discomfort. For birds hanging in elevated shackles where it is not possible to reach them, they will be left to hang if comfortable "but at the first signs of discomfort they will be bled." To reach the birds, "they will be accessed by the proper personnel with a lift." Lastly, "All animals will be treated in the most humane and sanitary manner possible." During the incident of March 13, no attempt was made to access the elevated birds with a lift. They remained in the shackles for the duration of the breakdown and yielded seven which had died prior to stunning and bleeding. This memorandum serves to document what was discussed and also provide the Denver district office with information concerning the operations being conducted at this establishment. A copy of this memorandum of interview was provided to establishment management, and the signed original will be placed in the USDA files. (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M751	Pitman Farms Inc. (Moroni Turkey Processing)	MMK1516 030316G	2018-03-16	04C05	Poultry Good Commercial Practices	Finalized	<p>Memorandum of Interview to Discuss Birds Held Over for Slaughter Norbest Turkey / Est# P01049 Meeting Time: Friday, March 16, 2018 at 0945 Attendees:</p> <p>USDA Establishment (b) (6) (b) (6)</p> <p>This meeting was necessitated by observations made while performing a Good Commercial Practices task each day for the week of March 11, 2018. The establishment protocol concerning live birds held over is documented in both their Animal Welfare Program and also SOP #307 Live Bird Holdover. The written procedure pertains to an unscheduled live bird holdover due to a deviation such as a breakdown or shutdown and “is in conjunction with applicable best industry practices, notably National Turkey Federation (NTF) “Animal Care Best Management Practices, 2012.” Tuesday Holdover (approx. 2,700 toms) Three full trailer loads and a partial trailer load of toms were held over from Tuesday morning to Wednesday afternoon. According to (b) (6), the deviations in production causing the holdover were “due to the delayed start from sanitation and the breakdown experienced with the chiller.” Toms from this particular producer had a high incidence of airsacculitis, inflammatory process and synovitis which were associated with documented failures of an FPS check and a zero tolerance check as well as reduced line speeds on Tuesday. When unloaded on Wednesday for slaughter, company records show the three full trailers yielded 26, 23 and 24 dead birds in comparison to 5, 1, 6, 5, 3 and 3 for the other trailers which arrived from the same producer Wednesday and were slaughtered Wednesday. Line speed reductions occurred during the processing of those toms on Wednesday. Wednesday Holdover (approx. 1,000 toms) A</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>trailer load of toms (truck #74) from the same producer was held over from Wednesday morning to Thursday afternoon. According to (b) (6), "the holdover was necessitated by a picket breakdown and subsequent lower line speeds." Another FPS failure and reduced line speeds occurred during the processing of those toms on Thursday afternoon. During the weekly meeting on Thursday morning, the holdovers were discussed with Colby Mellor, the plant manager. A review of the matter included the condition of the toms coming from this particular producer, the dead counts on the holdover trailers Wednesday afternoon, and the failure of an FPS check and a ZT check and lower line speeds during the processing of these particular toms. Despite those findings, Thursday's slaughter schedule showed an increase from the planned (b) (4) toms to a scheduled (b) (4) toms plus the holdover trailer, all from the same producer. In addition, the hens planned and delivered for slaughter Thursday remained the same. Colby stated the scheduled numbers for Thursday's toms may have been an overestimation. On Thursday, all trailers of scheduled toms were delivered for slaughter. Colby later informed FSIS there would be an additional holdover of toms on Thursday evening, but the scheduled hens on Friday would be decreased to allow for the additional toms held over from Thursday. Thursday Holdover (approx. 1,800 toms) Three trailer loads of toms were held over from Thursday to Friday afternoon. According to (b) (6), the "birds are held due to slower than anticipated line speeds needed for the condition of the birds." Birds held over at this facility, including this week, are routinely held for more than 24 hours because production begins with hens and ends with the toms so the toms held over didn't get killed until the following afternoon even though they had arrived the</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>previous day. As documented in previous MOI, issues outside of mechanical breakdowns (a trend of lower line speeds due to quality of birds, zero tolerance failures, FPS failures, etc) may be historical and anticipated aspects of a particular poultry operation for a prudent establishment to consider when planning production. (b) (6) is going to review the matter further with Mr Mellor. According to (b) (6), production schedules are built for a roughly 5 week projection, and they can be modified long term or short term in response to holdovers; however, the short term modifications are more problematic to absorb thus contributing to the holdovers becoming a multiple day event. Also according to (b) (6) returning the birds to the farm may contribute to higher losses which compounds the problem. As was discussed previously, it is not a good practice nor is it in the establishment's interest to hold birds overnight. A previous complaint was filed with the district office by an observer that concerned holdover birds. (b) (6) understood, therefore, that FSIS will continue to issue MOI for this matter. This memorandum serves to document what was discussed and also provide the Denver district office with information concerning the operations being conducted at this establishment. A copy of this memorandum of interview was provided to establishment management, and the signed original will be placed in the USDA files. (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M751	Pitman Farms Inc. (Moroni Turkey Processing)	MMK4017 033423G	2018-03-23	04C05	Poultry Good Commercial Practices	Finalized	<p>Memorandum of Interview to Discuss Birds Held Over for Slaughter Norbest Turkey / Est# P01049 Meeting Time: Friday, March 23, 2018 at 1245 Attendees:</p> <p>USDA Establishment (b) (6)</p> <p>This meeting was necessitated by observations made while performing a Good Commercial Practices task each day for the week of March 18, 2018. The establishment protocol concerning live birds held over is documented in both their Animal Welfare Program and also SOP #307 Live Bird Holdover. The written procedure pertains to an unscheduled live bird holdover due to a deviation such as a breakdown or shutdown and "is in conjunction with applicable best industry practices, notably National Turkey Federation (NTF) "Animal Care Best Management Practices, 2012." Tuesday Holdover (approx. 500 toms) A partial trailer load of toms (truck #96) were held over from Tuesday morning to Wednesday afternoon. According to (b) (6), the holdover was determined appropriate due to the unscheduled deviation from a late start due to sanitation contractor performance and our inability to process all of the birds scheduled. Birds held over at this facility, including this week, are routinely held for more than 24 hours because production begins with hens and ends with the toms so the toms held over didn't get killed until the following afternoon even though they had arrived the previous day. As documented in previous MOI, issues outside of mechanical breakdowns may be historical and anticipated aspects of a particular poultry operation for a prudent establishment to consider when planning production. According to (b) (6), production schedules are built for a roughly 5 week projection, and they can be modified long</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>term or short term in response to holdovers; however, the short term modifications are more problematic to absorb thus contributing to the holdovers becoming a multiple day event. Also according to (b) (6) returning the birds to the farm may contribute to higher losses which compounds the problem. As was discussed previously, it is not a good practice nor is it in the establishment's interest to hold birds overnight. A previous complaint was filed with the district office by an observer that concerned holdover birds (b) (6) understood, therefore, that FSIS will continue to issue MOI for this matter. This memorandum serves to document what was discussed and also provide the Denver district office with information concerning the operations being conducted at this establishment. A copy of this memorandum of interview was provided to establishment management, and the signed original will be placed in the USDA files. (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M751	Pitman Farms Inc. (Moroni Turkey Processing)	MMK2417 044820G	2018-04-20	04C05	Poultry Good Commercial Practices	Finalized	<p>Memorandum of Interview to Discuss Birds Held Over for Slaughter Norbest Turkey / Est# P01049 Meeting Time: Friday, April 20, 2018 at 1600 Attendees: USDA Establishment (b) (6) (b) (6)</p> <p>This meeting was necessitated by observations made while performing a Good Commercial Practices task on Friday, April 20, 2018. The establishment protocol concerning live birds held over is documented in both their Animal Welfare Program and also SOP #307 Live Bird Holdover. The written procedure pertains to an unscheduled live bird holdover due to a deviation such as a breakdown or shutdown and (b) (4)</p> <p>Thursday Holdover (approx. 1,000 toms) A trailer and a partial trailer load of toms (trucks #78 and 59) were held over from Thursday morning to Friday morning. According to (b) (6), the deviation in production causing the holdover was “due to the late start experienced this morning in relation to Sanitation issues.” The start of operations in evisceration was delayed on Thursday morning due to deficiencies found during USDA preoperational inspection. It was observed that the partial trailer of toms was moved back to the storage area with many of the coops of birds remaining open. Live birds were observed on the ground under the trailer Thursday afternoon. Friday morning, when the trailer was brought into the facility, live birds were found outside where the trailer had been parked despite the supervisor’s affirmation that all birds had been collected and brought into production. The lead supervisor for the (b) (6) went back out and collected the loose</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								birds after I notified him not all had been gathered. Those birds would have remained loose in the trailer storage area until Monday's production at the earliest had they not been collected. As documented in previous MOI, issues outside of mechanical breakdowns (a trend of lower line speeds due to quality of birds, zero tolerance failures, preoperational deficiencies, FPS failures, etc) may be historical and anticipated aspects of a particular poultry operation for a prudent establishment to consider when planning production. As was discussed previously, it is not a good practice nor is it in the establishment's interest to hold birds overnight. A previous complaint was filed with the district office by an observer that concerned holdover birds. (b) (6) understood, therefore, that FSIS will continue to issue MOI for this matter. This memorandum serves to document what was discussed and also provide the Denver district office with information concerning the operations being conducted at this establishment. A copy of this memorandum of interview was provided to establishment management, and the signed original will be placed in the USDA files. (b) (6)

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M791C	Clemens Food Group, LLC	QCF55090 30128G	2018-03-28	04C02	Livestock Humane Handling	Finalized	<p>(b) (6) met with M791C (b) (6) from approximately 1000 to 1015 hours in the west alleyway of the barn today (03/28/2018). Also in attendance was (b) (6). Discussed during this meeting were observations (b) (6) has made concerning hog movement at the entrance of the serpentine. Of note were (b) (6) observations that the leading hogs in a group being moved fairly consistently balk at the vertical opening gate (with it's bottom consisting of an approximately 3 foot high black rubber flap) that separates the main central alleyway in the barn from the serpentine. When the vertical gate is in the full open position the opening through which the hogs must pass is approximately three feet high. Other than when exiting a trailer this is the first location in the barn where hogs are required to pass through a more "confined" opening. Usually two barn employees drive the hogs into the serpentine from the main alleyway but because of the balking, this movement is often done with at least some difficulty for the initial hogs as they approach this opening. Once a few hogs have traversed this opening, the remainder of the hogs, in most cases, seem to follow without much difficulty or hesitation. (b) (6) also discussed the inefficiency and often times inability to drive larger groups of hogs from the rear, especially at this location. As far as the opening is concerned, (b) (6) indicated that he is aware of this potential bottle neck location. (b) (6) indicated that he had previously tried cutting a few inches off the bottom of the flap to increase the opening height. (b) (6) indicated that this helped a little but not sufficiently so. He is planning as a next step to paint the rubber flap a grey color so that it blends in more with the overall grey surroundings. He is hoping that the grey will make the upper limit of the opening (now demarcated</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								by the black rubber flap) less noticeable to the hogs and thus hoping that they will have less of a tendency to balk at this location.
15	M9252	Bright Oak Meats, Inc.	GHD29170 43618G	2018-04-18	04C02	Livestock Humane Handling	Finalized	A customer attempted to unload a non-ambulatory cow and attempted to pull its tail. The CSI and plant personnel stopped the customer before the tail was touched or any other potentially harmful actions taken. The animal was humanely euthanized and discarded. Plant management immediately discussed the incident with the customer and informed the customer that this was unacceptable behavior. Plant management will follow-up with additional written information to this customer as well as provide general humane handling information to all customers to inform them of the expectations of appropriate animal handling at the establishment and in accordance with USDA regulations.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M9289	Oregon Beef Co.	AKG16150 21601G	2018-02-01	04C02	Livestock Humane Handling	Finalized	<p>A lot of 6 longhorn bulls were slaughtered at M9289 Oregon Beef Company on the morning of 2/1/18. The bulls' horns were too wide to enter the normal chute, so the animals were unloaded from the owner's trailer directly into a chute specifically designed for longhorn cattle ("Joe's Longhorn Chute") that the owner had provided. The chute was placed flush with the trailer and adjacent to the side entrance of the kill floor. The first 5 bulls were unloaded and stunned uneventfully. The sixth bull was unloaded successfully into the chute. The bull was positioned in the chute with its head facing away from the building and its horns locked between two rails of the chute. The chute contains a small gate on the top that can be opened so the animal's head can be accessed. This gate is approximately 32 inches wide by 36 inches high and placed approximately 36 inches from the bottom of the chute. The animal's horns were approximately 62 inches wide. The gate was closed but unlatched as the employee performing stunning was about to shoot the animal. The bull made a sudden movement to butt open the gate, turned its head sideways, and leapt out of the opening. It then ran off premises and into the grassy hills around the plant. Plant employees immediately ran after the bull. Mr. Tom Jones, plant manager, retrieved a high-powered rifle equipped with a scope. When the bull was spotted after approximately 15-20 minutes, Mr. Jones was able to effectively shoot the bull with one shot. Appropriate facilities to unload, pen, and restrain livestock are required for humane handling. This incident was considered an aberration from typical handling that occurs at this plant and the bull exhibited very unique behavior. However, should the escape of animals from holding facilities become a routine occurrence or should an animal be injured upon</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								escape, the behavior could be considered non-compliant or even egregious and further enforcement action would be necessary.
35	P1009	Wayne Farms LLC	DSM39150 20527G	2018-02-27	04C05	Poultry Good Commercial Practices	Finalized	<p>While doing a good commercial practices task, I visited the live hang area and observed a live hang employee hurrying along from the incoming conveyor belt past the stunner with a live chicken in each hand. He then proceeded to hang a chicken by one leg just before the automatic kill machine and back up killer. It seemed he couldn't find another empty shackle to place the other bird in, so he walked back to the live hang conveyor area with the other bird. The hung bird was noticed by the back up killer and able to be bled out. The bird that was hung on the line, wasn't stunned prior to being slaughtered. There is some room for improvement in this case. I discussed the issue with (b) (6) and (b) (6) counseled the employee to not hang birds past the stunner and to hang the birds by both legs in a single shackle.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	P1209	Whitewater Processing Co.	FFG280805 1604G	2018-05-04	04C05	Poultry Good Commercial Practices	Finalized	<p>Est. P1209 Whitewater Processing Co. At 0903 hours while observing birds entering the scald tank as part of a routine DVMS GCP audit, (b) (6) observed the following. An old breeder turkey (hen) was observed to be breathing on the production line just before the scald tank. (b) (6) alerted (b) (6) of the finding, and (b) (6) hit the kill switch in the immediate area to stop the production line. She then left to retrieve a knife. When (b) (6) returned to the area, she was joined by an establishment employee, who re-cut the hen's neck and then removed the bird from the production line and carried her away. The line was then restarted. (b) (6) observed this area for an additional 12 minutes without further incident. The stunning and sticking area was then observed. No issues were identified. The observations were discussed during the exit meeting of the audit. Exit Meeting 1020 hours in attendance Establishment Management- (b) (6) (b) (6), FSIS- (b) (6) and (b) (6).</p>
50	P1209	Whitewater Processing Co.	FFG191305 4309G	2018-05-09	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 1412 while observing live hang at the end of the kill last truck pulled out of the live hang dock. As the truck pulled out I noted a breeder Tom between the rear wheels he has still alive and moved briefly after the wheel passed over and crushing him. I also noted a breeder hen also alive who was sitting on the ground in the center of the dock area where the trailer had passed over her. I instructed a plant employee to retrieve the bird and he hung it on the kill shackle. I informed (b) (6) immediately following the incident and informed her I was issuing a GCP MOI.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	P1241	Tyson Foods, Inc.	MGJ31150 14323G	2018-01-23	04C05	Poultry Good Commercial Practices	Finalized	<p>Poultry Mistreatment MOI At approximately 1455 hours, while performing a Poultry Good Commercial Practices task on the Live Receiving dock, I observed an establishment employee dump a coop of chickens onto the live hang belt. After he dumped the coop, I observed a live chicken that remained in the coop. The coop was then removed from the dump system and replaced back onto a trailer of empty coops. I informed the forklift driver that there was a live chicken still in the coop, and he retrieved the coop and removed the live chicken from it. I immediately informed (b) (6) and (b) (6) of my finding and of the impending MOI. This finding was not in accordance with Poultry Good Commercial Practices because the chicken would have remained in that coop for an extended period of time. At approximately 1710 hours, I met with (b) (6) and asked him what actions were taken to prevent a reoccurrence of this incident. (b) (6) informed me that (b) (6) was going to have a meeting with all of her live hang employees at the next scheduled break, and she was going to inform each of these employees to make a visual inspection of each coop after dumping it, to make sure that no live chickens remained in the coop. (b) (6),</p> <p>Est.1241-P Corydon, IN 47112</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	P1241	Tyson Foods, Inc.	MGJ26210 15224G	2018-01-24	04C05	Poultry Good Commercial Practices	Finalized	<p>Poultry Mistreatment MOI At approximately 2215 hours on Wednesday, January 24th, while performing a Poultry Good Commercial Practices task on the Live Receiving dock, I observed an establishment employee dump a coop of chickens onto the live hang belt. After he dumped the coop, I observed a live chicken that remained in the coop. The coop was then removed from the dump system and replaced back onto a trailer of empty coops. As that same employee dumped the next coop of chickens onto the live hang belt, I again observed a live chicken that remained in that coop. I immediately informed the forklift driver and (b) (6) of my findings. The forklift driver removed the live chicken from the coop that had been placed back on the trailer, and (b) (6) instructed the employee working the dump system to remove the live chicken that remained in the second coop. Once I observed that the chickens had been removed from the coops, I then informed (b) (6), and (b) (6) of my findings and of the impending MOI. This finding was not in accordance with Poultry Good Commercial Practices because the chickens would have remained in those coops for an extended period of time. I had already issued a MOI for the same finding the night before this incident occurred. I also had just addressed this same issue in the weekly USDA/Establishment meeting earlier this afternoon. (b) (6) informed me that the establishment employee working the dump would receive a written reprimand for failing to ensure that all chickens were emptied from the coops at the time they were dumped. (b) (6) also informed me that additional measures would soon be implemented in an attempt to prevent this from happening again. One such measure will be the</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								installation of a mirror which will enable the employees working the dump system to see inside the coops after they are dumped. (b) (6) [REDACTED], Est. 1241-P Corydon, IN 47112
80	P1243	Perdue Foods, LLC.	XLB370804 1418G	2018-04-18	04C05	Poultry Good Commercial Practices	Finalized	<p>While performing the good commercial practice task at approximately 0649 hours on 04/18/2108, I observed a live bird in the DOA bin. It was on top of the pile and had denaturant on its feathers and body. I observed the bird blink its eyes and move its head. (b) (6) [REDACTED] was walking by at the time and I called out to him. As he approached, I asked him to look at this bird. He picked the bird up and saw that it was breathing, moving its head, and blinking. He agreed that it was alive. At this time, he had the bird humanely euthanized via cervical dislocation.</p> <p>I prepared this report on 04/18/2018 and I certify that this report has recorded in it a summary of all pertinent matters discussed. (b) (6) [REDACTED]</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P1254	Koch Foods of Ashland, LLC	YFA442002 0111G	2018-02-11	04C05	Poultry Good Commercial Practices	Finalized	<p>On February 9, 2018 at approximately 2111 hours while performing the Good Commercial Practices and Ante Mortem task with (b) (6) the following was observed outside where the establishment disposes of DOAs. A long transfer belt is used to bring DOAs outside from live hang and drops them into a metal basket prior to them being disposed of in a final large metal dumpster. At the end of the belt in the basket there were approximately 15 birds, two of which were alive. One of the live birds was very weak. There were dead birds on top of the live birds in the basket. Upon finding the live birds intermingled with the DOAs and them being in imminent danger of becoming crushed/suffocating/death by means other than slaughter, I asked (b) (6) to notify a Supervisor since there was no one in the area. DOAs (approximately 7) continued to pile on top of the live birds while waiting for assistance. (b) (6) an establishment employee and (b) (6) arrived to the area and (b) (6) was informed of the issue. One of the live birds was returned to production and the other bird was humanely euthanized. The Supervisor was also notified that a GCP MOI would be issued. The establishment is responsible for ensuring that birds under their control on the official premises are treated in a humane manner that will minimize excitement, discomfort, injury and/or death by means other than slaughter. As per Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter," the Food Safety Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by the Good Commercial Practices (GCPs) as described by industry guidelines. My observations are consistent with</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>less than Good Commercial Practices. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the District Office. Respectfully submitted on February 9, 2018 (b) (6)</p> <p>Cc: (b) (6)</p> <p>Dr. David Thompson, DDM (b) (6)</p>
85	P1272	Pilgrim's Pride Corporation	CCA420802 1108G	2018-02-08	04C05	Poultry Good Commercial Practices	Finalized	<p>Todd Shoemak, Plant Manager Pilgrim's Pride Corporation P-1272 113 McNeal Drive Douglas, GA 31533 On Wednesday, February 7, 2018 at approximately 1718 hours while performing a Good Commercial Practices Task at P-1272 I, (b) (6)</p> <p>(b) (6) observed an issue with the implementation of Good Commercial Practices in the live hang/receiving area. I observed one live bird enter the scald vat on line number one alive. The bird was holding its head up and blinking. I notified (b) (6)</p> <p>(b) (6) of the observation. (b) (6) stated he would be switching out backup killers immediately as a corrective action. No other live birds were observed entering the scald vat alive. This issue was discussed with management at a small meeting in the USDA veterinarian's office shortly after the occurrence. (b) (6)</p> <p>(b) (6) and (b) (6) were present. (b) (6)</p> <p>(b) (6) stated the matter would be addressed immediately. Respectfully, (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
85	P1272	Pilgrim's Pride Corporation	CCA420904 2218G	2018-04-18	04C05	Poultry Good Commercial Practices	Open	<p>Mark Dean, Plant Manager Pilgrim's Pride Corporation P-1272 113 McNeal Drive Douglas, GA 31533 On Monday, April 16, 2018 at approximately 0840 hours while performing a Good Commercial Practices Task at P-1272 I, (b) (6), observed an issue with the implementation of Good Commercial Practices in the pre-evisceration area. After approximately 30 minutes of downtime in the pre-evis area on line number one, I observed the stunner filled with water. I immediately notified (b) (6) of my concern of the stunner being filled with water and birds still hanging on the line in the water. The water was drained from the stunner to reveal approximately 15 birds deceased. Once observed, I immediately notified (b) (6), and (b) (6) all of which observed this. All deceased carcasses (approximately 15) were removed from the line and verified as deceased. All previous mentioned establishment personnel observed these birds as being deceased. All deceased birds were placed in the DOA bin for condemnation. This issue was discussed with management at a small meeting in the USDA veterinarian's office shortly after the occurrence. (b) (6) and (b) (6) were present. (b) (6) stated that as a preventative in the future, stunners will be drained immediately and will not be refilled until instruction is given from himself or another supervisor in his absence. Also, it was stated that in future instances, a designee will be assigned to the area to ensure no one fills stunners before the correct time. These things as stated by (b) (6) were given as a preventative.</p> <p>Respectfully, (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
85	P1284	Pilgrim's	GDA21200 44524G	2018-04-24	04C05	Poultry Good Commercial Practices	Finalized	<p>Est. P-1284, Pilgrim's April 24, 2018, 0138 hours. (b) (6) At approximately 0138 hours, while verifying Good Commercial Practices in the live room, I (b) (6) observed a live chicken in the DOA trailer. The chicken was beneath several layers of DOA's. The chickens head and neck were visible and I could see the chicken slowly moving its neck. I immediately called (b) (6) to notify him of this finding, and he was accompanied by establishment (b) (6). (b) (6) informed me that the chickens often move their head and neck after cervical disarticulation. I requested the chicken be retrieved from the trailer. The chicken was removed with a catch wire. The chicken opened it eyes and was alive despite its thin and unkempt appearance. (b) (6) elected to euthanize the chicken by decapitation. I then notified (b) (6) of my findings. I reminded (b) (6) that the PPIA and Agency regulations do require that live poultry be handled in a manner that is consistent with good commercial practices (GCPs), and that they not die from causes other than slaughter. Poultry are also to be handled in a manner that prevents needless injury and suffering in order to produce a commercially marketable product. Compliance with these requirements helps insure that poultry are treated humanely. I recommended that the Federal Register on Treatment of Live Poultry before Slaughter, published September 2005, be reviewed for FSIS recommendations concerning treatment of live poultry before slaughter. A copy has been provided to the establishment. The establishment will provide any planned actions with their written response. This MOI will be forwarded to the District Office and the District Veterinary</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								Medical Specialist (DVMS) in the event additional follow-up is recommended. Respectfully, (b) (6) , P1284, Pilgrim's

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
60	P1304	Farmers Pride Inc.	YVB500001 3405G	2018-01-05	04C05	Poultry Good Commercial Practices	Open	<p>On 01/05/18 (shift started on 01/04/2018), at approximately 0119 hours, a night shift meeting was held at establishment 1304P, Farmer's Pride, Inc., located at 154 West Main Street, Fredericksburg PA, 17026. (b) (6) attended the meeting for USDA. (b) (6) , attended the meeting for the establishment. At approximately 0119 hours on 01-05-2018, I (b) (6) was conducting a GCP audit in the live receiving/live hanging area. While observing operations on the live hanging area, I noticed that the birds taken out of the coops and dropped onto the walking stand by the live hanging establishment employees, were making a rock like thump when they hit the stand. I proceeded to further investigate and noticed that most all of the feathers were missing from the belly of the birds and the birds were hard to the touch. A total of five to seven birds appeared to be frozen birds. Furthermore, two and one quarter barrels containing birds identified by plant management as DOA birds were present at the time of the audit. Discussion during this meeting focused on these observations during the GCP audit and on the prolonged period of abnormally low temperatures. Night time temperatures in Fredericksburg, Pennsylvania during the week of December 31, 2017 thru January 6, 2018 were in the single digits with daytime highs in the teens. In addition, the birds originated from a truck intended to be processed during day shift beginning on January 4, 2018 but was held over because of production delays until night shift of January 4, 2018 (approximately 11 hours). Moreover, there was a marked increase in the total number of birds listed by the plant as DOA and plant rejects identified in the lot that included the birds from the truck that was held over. Lot</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								#1 (DOA) = 38-Birds (Plant Reject) =453-Birds Lot #2 (DOA) =32-Birds (Plant Reject) = 238-Birds Lot#3 (DOA) = 65-Birds (Plant Reject) = 70-Birds Lot #4(DOA) = 43-Birds (Plant Reject) = 956-Birds

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P1307	Mar-Jac Poultry-AL	KIL241301 5718G	2018-01-18	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 07:15 on January 18, 2018, I observed less than Good Commercial Practices (GCP) while performing Antemortem/GCP/Mishandling verification at Mar-Jac Poultry in Jasper, AL. I observed a large pile of DOA carcasses (approximately three feet tall and approximately two feet in diameter) on the floor at the end of live hang belt #2. At the time of my initial observation, no one was working to remove the DOA's from the area. I notified (b) (6) to stop the hanging process on line #2 because the process appeared to be out of control, and there could possibly be live, weak chickens trapped under the pile of DOAs. I also notified (b) (6) of the situation. As two live hang employees removed DOA chickens from the pile, I observed three live chickens being removed from the pile and placed back on the hanging belt. (b) (6) and (b) (6) also observed the finding of these live chickens. I notified (b) (6) that this is not consistent with good commercial practices because of the potential for the live chickens to be suffocated and die from causes other than slaughter. I further notified him that the findings would be documented on a GCP MOI. While the live employees on line #2 were completing the cervical dislocation of the pile of chickens, I observed that there was an accumulation of DOA's at the end of line #1 (approximately 2 feet high and approximately one foot in diameter). Three live chickens were removed from this pile and hung on the line. Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry Before Slaughter" states that under the Poultry Products Inspections Act (PPIA) and Agency Regulations, all establishments engaged in the slaughter of poultry to make every effort to treat poultry</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								humanely and abide by Good Commercial Practices. cc: (b) (6)
90	P1317	Wayne Farms LLC	QUI121301 4826G	2018-01-26	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 10:01, on January 26, 2018, while performing the Review and Observation component of the PHIS task, "Poultry Good Commercial Practices," I, along with Guntersville (b) (6), observed three live birds covered by and comingled with dead birds in a pile on the floor at the end of the live bird belt. (b) (6) was notified of the finding and implemented corrective action(s). As per Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter," the Food Safety Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by the Good Commercial Practices (GCPs) as described by industry guidelines. Corrective and preventive measures addressing this incident are appropriate. I look forward to your response. Respectfully submitted, (b) (6) P-1317</p> <p>Cc: (b) (6) Dr. Lorraine Dozier, Acting DDM (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P1317	Wayne Farms LLC	QUI221702 0702G	2018-02-02	04C05	Poultry Good Commercial Practices	Finalized	<p>TO: Mr. BRYAN ELROD, Plant Manager Wayne Farms LLC. 700 McDonald Ave. Albertville AL, 35950 FROM: (b) (6)</p> <p>Dear Mr. Elrod, At approximately 16:30 hours, on February 2, 2018, while performing the Review and Observation component of the PHIS task, "Poultry Good Commercial Practices," I, observed one live bird covered by and comingled with dead birds in a pile on the floor at the end of the live bird belt (b) (6) and (b) (6) were notified of the finding and implemented corrective action(s). As per Federal Register Notice Docket No. 04-037N dated September 28,2005, 'Treatment of Live Poultry before Slaughter,' the Food Safety Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by the Good Commercial Practices (GCPs) as described by industry guidelines. Corrective and preventive measures addressing this incident are appropriate. I look forward to your response. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the Jackson District Office (b) (6), Acting DDM (b) (6)</p> <p>Respectfully submitted, (b) (6)</p> <p>Albertville 02/02/2018</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P1353	Pilgrims Pride Corporation	WUM3902 023005G	2018-02-05	04C05	Poultry Good Commercial Practices	Finalized	<p>On February 5, 2018 at approximately 0255 hours, while performing a Good Commercial Practice Check, I observed a pile of dead birds at the end of the live hang belt. The pile had reached the belt itself and was approximately 3 feet in height. I immediately notified (b) (6) and instructed that he cease hanging birds until the pile of birds was taken care of. Two live birds were on the top of the pile, but no additional live birds were uncovered when transferring to a DOA container. The inattentiveness of plant personnel put live birds at risk of dying of means other than by slaughter. Under my observation, the plant employees finished disposing of the dead birds at approximately 0300 hours and resumed hanging at that time. (b) (6) was notified that a MOI would be filed with the Jackson District Office. Per Federal Register Docket #04-37N, the establishment is to treat poultry in a manner consistent with good commercial practices and take steps to prevent the mistreatment, harm, distress and injury by means other than slaughter. Also such abuse of poultry and treatment in a manner not consistent with good commercial practices, and death by means other than slaughter, may render the poultry adulterated. Respectfully submitted, (b) (6) Cc: Dr. David Thompson, DDM; (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
85	P1480	Tip Top Poultry, Inc.	JBA091903 5108G	2018-03-08	04C05	Poultry Good Commercial Practices	Finalized	<p>This MOI is for P-1480 Tip Top Poultry at approximately 1635 on 03/07/2018. Attendees at the meeting wer (b) (6)</p> <p>(b) (6)</p> <p>(b) (6) and (b) (6)</p> <p>(b) (6). At approximately 1730 (b) (6) asked me (b) (6) to come to the picking room. (b) (6) informed me that she had observed 5 birds that were entered the scalders alive. (b) (6) notified (b) (6). (b) (6) and I observed 500 birds. We both observed 3 birds that were vigorously moving when entering the scalders. I notified (b) (6) that I observed several birds moving vigorously when in the scalders. I mentioned to (b) (6) that I would give him five minutes due process. I returned to the picking room at approximately 1740 -1745 with (b) (6) and I observed several birds vigorously moving as they entered. We also observed several birds that did not have the neck cut enter the scalders moving violently and water being splashed on us. (b) (6) said that he would adjust the kill line speed. I again checked another 500 birds at 1750-1755 and observed several birds moving violently once into the scalders. (b) (6) said he would adjust the kill line speed again. I again checked from 1800 -1817 and observed 5 birds once into the scalders violently moving and observed a bird entering the scalders without the neck being cut. I mentioned to (b) (6) what I had observed. (b) (6) said he was going to check and explain to the backup cutter to cut the necks of the birds that miss the kill blade. I performed a 500 bird check at approximately 1830 and (b) (6) and I observed a bird enter the scalders without the neck being cut and observed the bird moving violently</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>in the scalders. I took regulatory control and said to (b) (6) to stop the live hang area. (b) (6) said he is stopping the live hang area and asked me if we could take an early lunch. We took an early lunch break. I mentioned to (b) (6) that production in the evisceration area would not resume until management could assure me that they could control this process. I met with (b) (6), (b) (6) and (b) (6). At approximately 1930 I performed a 500 bird count and did not observe any birds moving as they entered the scalders. At approximately 2145 I performed a 500 bird count and did not observe any birds moving when in the scalders. I performed a 500 bird check at 2300 hours and did observe any birds moving at all once entering the scalders.</p>
90	P164	Tyson Foods Inc	IJM261201 3515G	2018-01-15	04C05	Poultry Good Commercial Practices	Finalized	Excessive DOA, weather related 7.5% for the day's production. IPP did not observe any moribund birds that were handled contrary to Principles of Good Commercial Practices. All were euthanized in accordance with AVMA humane methodology.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P164	Tyson Foods Inc	IJM120802 5014G	2018-02-14	04C05	Poultry Good Commercial Practices	Finalized	<p>(b) (6), On February 12, 2018 at approximately 0540, I, (b) (6), observed less than Good Commercial Practices (GCP). In the Picking Room while performing a Good Commercial Practice Task, I observed a live small chicken, prior to entering the Scalder, with its head lifted up, eyes wide open and then it entered into the Scalder on Line (b) (4). I immediately brought the matter to the attention of (b) (6). (b) (6) and I went back into the picking room and waited for the bird to exit the Scalder. (b) (6) and a Plant employee got the carcass in question off the Picking Line after the carcass exited the Scalder and the first Picker. Upon closer observation the carcass was red in appearance, with lots of blood under the skin in the neck area. No visible cut was present to the neck. This finding is consistent with a Cadaver, having died by means other than slaughter. (b) (6) was notified at approximately 0544. (b) (6) notified (b) (6) at 00164—P, of her findings while performing the GCP Task. At approximately 0640 Mr. Ricky Meyers, Assistant Plant Manager at P-164 was notified verbally of a GCP MOI that would be written. Allowing birds to enter the Scalder live is not consistent with Good Commercial Practices and bird(s) dying by means other than slaughter results in adulterated product. Every effort must be made by the Establishment to prevent live bird(s) from entering the Scalder, and measures to prevent mishandling of poultry must be adhered to by the Establishment to ensure unnecessary suffering by poultry under the Establishment's control. Refer to FSIS Docket No. 04-37N, Treatment of Live Poultry before Slaughter. (b) (6), 00164--P Forest, Ms CC. (b) (6), (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								(b) (6)
40	P165H	OK FoodsProcessing Plant	DAF42070 25727G	2018-02-27	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 0623 on 2/27/18, while performing a good commercial practice check, I observed a sensible bird (eye open) proceeding down the line and into the line 2 scalders. (b) (6)</p> <p>(b) (6) was notified of my observation. We traveled down the line and observed a cadaver exit the pickers. (b) (6) removed the cadaver from the line, examined it and notified me that there was no cut on the neck. Shortly thereafter, I performed a recheck and observed zero sensible birds prior to the scalders. During the discussion that followed, (b) (6) and (b) (6) notified me that both employees past the automatic knife would be retrained and be disciplined according to company policy.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
40	P165H	OK FoodsProcessing Plant	DAF02040 52216G	2018-05-16	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 2036 hours, while performing ante mortem in the live shed, I noticed a bird that had its head caught in between the door and the cage cell side. The bird was not showing any signs of life at the time of my observations. The live side employee also saw this and immediately began trying to open the door to free the bird's head. Although he was able to free the bird's head, the bird was not alive due to the crushing of the throat in the extremely narrow space that exists between the door and the side wall of the cage cell. I immediately located (b) (6) who works for the live side department of OK Foods. I explained to (b) (6) my observations and concerns for the welfare of the chickens. (b) (6) stated that he would address this with the appropriate people on live side. I also informed (b) (6) of my observations. USDA's concerns are that the employees are not being watchful when the chickens are loaded into the cages, which has resulted in the strangulation type death as seen today. Last week, both live side and the establishment were notified 4 out of 5 nights for cage doors being open on cages loaded with birds. USDA is concerned that the continued situation with the doors may result in additional birds being seriously injured. The establishment is encouraged to reply to this MOI.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
35	P165S	OK Foods, Inc.	LWA00060 15303G	2018-01-03	04C05	Poultry Good Commercial Practices	Finalized	<p>On Tuesday, January 02, 2018, at approximately 0525 hours, while performing the Good Commercial Practices Task, I observed DOAs, too numerous to count. It was 17 degrees F. The trailers of birds had shield boards on the front end and back end of the end cages, and side shield boards on approximately 1/4 of each cage, leaving 3/4 of each cage exposed to the weather conditions. I met with (b) (6) about the conditions and my concern of numerous DOAs. I asked (b) (6) if there were additional ways to keep the birds warm. He stated that there wasn't. I met with (b) (6), to inquire of actual counts of DOAs. (b) (6) presented me with the record that indicated a high number of DOAs in the morning weather conditions, and quite a significant reduction as weather temperatures warmed. (b) (6) had also met with Plant Manager Amelia Lawhorn regarding this issue. He had requested information regarding the distance the birds were hauled and if the trailers were going to be tarped or if there were some other measures going to be implemented to protect the birds from the cold. She said that she would have to get with Live Haul for that information. She returned to the USDA office approximately 7AM Wednesday. She said that she was told that the birds had been hauled about 50 miles and that the trucks stopped for 15 minutes about half way to let the birds warm up. (b) (6) asked how stopping alongside the road would allow the birds to "warm up" when the temperature was in the mid teens. (b) (6) wasn't sure. She stated that she was relaying information that had been given to her. (b) (6) also asked about if/when measures were going to be taken to protect the birds from the cold. She said that they were going to begin adding boards to the outside of the cages. She said that they may have done some of</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								them. (b) (6) stated that as he was coming to work this morning (Wednesday, 1-3-18) he met two live haul trucks on their way out. He didn't see any protection on the cages of either trailer. However, they were empty.
90	P17766	Southern Hens, Inc	SSN441501 0031G	2018-01-31	04C05	Poultry Good Commercial Practices	Finalized	<p>Good Commercial Practices MOI: On January 30, 2018 at approximately 1338 hours, (b) (6) and (b) (6) observed a less than good commercial practice while performing Ante-mortem inspection and a Good Commercial Practices check at Establishment P-17766. While performing a 500 bird count, a live, uncut bird was observed entering the scalders. The bird was lifting its head in an attempt to right itself as it approached and entered the first scalders.</p> <p>(b) (6) was immediately notified of this finding. In accordance with FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, live poultry must be handled in a manner that is consistent with good commercial practices. In order for this to occur, poultry must be treated in a manner that will minimize excitement, discomfort and accidental injury throughout processing. A copy of this Memorandum of Interview will be sent to the Jackson District Office for further review. Thanks for your attention to this matter. Respectfully,</p> <p>(b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P17766	Southern Hens, Inc	SSN281502 1612G	2018-02-12	04C05	Poultry Good Commercial Practices	Finalized	<p>Good Commercial Practices MOI: On February 9, 2018 at approximately 1020 hours, (b) (6) and (b) (6) and I observed less than Good Commercial Practices while performing a routine Ante-mortem and Good Commercial Practices audit at P-17766. On the back loading docks, the workers were aggressively tossing cages containing live hens onto the conveyer belt that feeds into the live hanging room. The cages were being tossed from stacks ~10ft high, as well as ~3.5ft from left to right. The metal unloading chutes were not in use at the time. We immediately informed (b) (6) and (b) (6) of this mistreatment; each manager was accompanying us as we were performing the GCP task. In accordance with FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, live poultry must be handled in a manner that is consistent with good commercial practices. In order for this to occur, poultry must be treated in a manner that will minimize excitement, discomfort and accidental injury throughout processing. A copy of this Memorandum of Information will be sent to the Jackson District Office for further review. Thanks for your attention to this matter. Respectfully, (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P17766	Southern Hens, Inc	SSN171203 3416G	2018-03-16	04C05	Poultry Good Commercial Practices	Finalized	<p>On March 15, 2018 at approximately 0750 hours, I observed less than Good Commercial Practices while performing a routine Ante-mortem and Good Commercial Practices task at P-17766. On the back loading docks, a worker was aggressively tossing cages containing live hens onto the conveyer belt that feeds into the live hanging room. He was working without any assistance from other back dock employees. The cages were being tossed from stacks ~10ft high, as well as ~3.5ft from left to right. The metal unloading chutes was not in use at the time. (b) (6)</p> <p>(b) (6) was immediately informed of this mistreatment. In accordance with FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, live poultry must be handled in a manner that is consistent with good commercial practices. In order for this to occur, poultry must be treated in a manner that will minimize excitement, discomfort and accidental injury throughout processing. A copy of this Memorandum of Information will be sent to the Jackson District Office for further review. Thanks for your attention to this matter. Respectfully,</p> <p>(b) (6),</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P17766	Southern Hens, Inc	SSN341705 3314G	2018-05-14	04C05	Poultry Good Commercial Practices	Finalized	On 5/14/18 at ~1640 hours, while performing a routine Ante-mortem and Good Commercial Practices check, I observed less than Good Commercial Practices at establishment P-17766. In the live hang room, a live bird was submerged in water in the drain beneath the receiving conveyer belt. The bird was trapped between a grate and the floor of the drain. The bird was retrieved and evaluated until it was deemed eligible for slaughter; the breaths were mildly shallow. Immediately next to this area was a 2-3 ft. gap in the drain cover. This missing grate was eventually located against the wall of the live hang room. A few moments prior, a carcass was retrieved from standing water from another drain gap. In accordance with FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, live poultry must be handled in a manner that is consistent with good commercial practices. In order for this to occur, poultry must be treated in a manner that will minimize excitement, discomfort and accidental injury throughout processing. A copy of this Memorandum of Interview will be sent to the Jackson District Office for further review. Thanks for your attention to this matter. Respectfully, (b) (6) (b) (6) P-17766
60	P18414	MB Consultants LTD	JYI4807010 230G	2018-01-30	04C05	Poultry Good Commercial Practices	Finalized	At 0814 while performing antemortem inspection of young chickens on trailer #87210, IPP noted an empty plastic bottle of Welch's Orange Pineapple juice in a crate with the chickens on the right side of the truck, mid-truck, in the second row of crates from the bottom. What initially drew the attention of IPP to this crate was an amputated, decomposing foot that was spanning the space between this crate and an adjacent row of crates.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
60	P18414	MB Consultants LTD	JYI4207025 901G	2018-02-01	04C05	Poultry Good Commercial Practices	Finalized	While performing ante-mortem inspection at 0828, IPP observed a blue rubber glove in a crate with chickens on truck #148 between the bottom crate and second crate on the right side of the trailer in the second column. The blue fingers of the glove were extending into the bottom crate.

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
60	P18414	MB Consultants LTD	JYI5608032 928G	2018-03-28	04C05	Poultry Good Commercial Practices	Finalized	<p>On 03/27/2018 at 14:55 I was conducting a routine Poultry Good Commercial Practices task. I observed the chickens entering the bleed-out loops from the kill room by looking through the small window in the hallway where the kill line shackles return to live hang from the bird transfer machine. I noticed that one chicken was still attempting to right itself near the end of the first loop although its neck had been cut and it was visibly bleeding. I continued to watch to confirm that the chicken had stopped trying to right itself, but the chicken was still attempting to right itself when it reached the end of the second loop. The third loop is not visible from the window in the hallway, so I ducked under the kill line to walk through to the rooms with the scalding vats in order to confirm that the chicken was dead before it entered the water. As the chicken entered through the doorway from the bleed out room, it was still attempting to right itself, and as it entered the cold water vat, it was struggling violently. On exiting the cold water vat, the chicken was coughing up water and shaking its head from side to side. At this point I chose not to continue to observe the chicken as it entered the first scalding vat still alive. No other chickens were observed to be attempting to right themselves after their necks were cut, and this was the first time that I have observed an animal entering the water vats while still alive. In accordance with 9 CFR 381.65(b), Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding. Furthermore, in accordance with 9 CFR 381.1(d)(v) a poultry carcass is considered adulterated if it has died other than by slaughter as would be the case with a chicken that died by drowning in the scalding. As a reminder, our</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								expectation is that all live poultry should be treated in a manner consistent with good commercial practices, which means they should be treated humanely.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P18557	Sanderson Farms, Inc.	QNA31060 31229G	2018-03-29	04C05	Poultry Good Commercial Practices	Finalized	<p>On March 29, 2018 at approximately 0615, (b) (6), observed less than Good Commercial Practices while performing an Ante-Mortem Inspection and Good Commercial Practices check at 18557 P in Summit, MS. While observing the kill machine of each picking line for proper function, I did not observe any abnormality in the equipment's operation. I did observe several of the birds on line 1 were only being hung by one leg and the employee was having some difficulty addressing the birds that were missed by the kill machine. I walked to the end of the blood trough to observe for any live birds entering the scalders. I observed a single, live bird at 0615 enter the scalders on picking line #1. The bird was hanging on the shackle with its eyes open, still breathing, and without a cut on its neck. This bird entered the scalders alive and still breathing. I did not take any regulatory action with this single-bird incident, since no evidence of a system failure existed. I notified (b) (6), of the observed nonconformance, during a brief meeting held in his office at approximately 0618. I presented the cadaver to him, explained my observation, informed him that a Memorandum of Information (MOI) was going to be documented, and relinquished the carcass into his control. FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, states that under the Poultry Products Inspection Act (PPIA) and Agency regulations, live poultry must be handled in a manner that is consistent with good commercial practices. In order to ensure that poultry is handled and slaughtered in a manner that is consistent with good commercial practices, poultry should be treated in such a manner as to minimize excitement, discomfort, and accidental injury throughout processing. A copy of this Memorandum of Information will be forwarded to</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>the appropriate personnel in the Jackson District Office. Respectfully, (b) (6)</p> <p>cc: (b) (6), and (b) (6)</p> <p>(b) (6) Jackson (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P19128	Case Farms of North Carolina, Inc.	FCA430901 4227G	2018-01-27	04C05	Poultry Good Commercial Practices	Open	<p>On Saturday 1/27/18 at approximately 1006 hours I was returning to the inspection office after performing ante-mortem evaluation of birds presented for slaughter. As I walked in front of one of the trailers staged under the live dock canopy I heard a loud "Bang" and then looked down and saw at least one loose chicken under the trailer. I walked back around the trailer and noticed an entire cage had dropped off the fork truck from the 2nd tier of the trailer and it was now sitting on its side next to the trailer. I observed that all 5 individual tiers of the cage had open doors with several loose chickens on the ground in front of it. There were many more chickens remaining in the tiers of the cage and they were sitting on top of one another at least 2 to 3 birds deep. I tried to communicate with the fork truck driver regarding what happened but due to a language barrier could not; however the driver pointed up to the cage next to where that one came from and I noticed the top right cage door was open with chickens poking their heads out. I went to the dumper operator to see if he had a radio but he did not so I entered the back end of live hang. I observed a maintenance employee and I asked him to notify a supervisor to come outside due to a cage falling. He did come out and radioed (b) (6) to come to the back dock. In the interim I requested that an empty cage be placed to begin unloading birds to reduce suffocation deaths. Several more people arrived and began to move birds however there was a lot of discussion amongst them on how to proceed including knocking the cage down for it to sit properly and load onto the dumper platform. However, I interceded more than once informing (b) (6) that while everyone was discussing what to do birds were suffocating, i.e. no one was trying to move birds during some of these</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>discussions. I had already noticed several chickens that displayed signs of recent death including agonal breathing or muscle fasciculation observable during the dying process. I also observed injuries such as broken and bleeding wings and cut skin. Associates did end up knocking the cage back down about half-way through the process of unloading chickens from one cage to another. Ultimately, all birds were removed to a new cage however at least 4 to 6 birds per tier, i.e. 20 to 30 birds, likely suffocated due to the pile up. I notified (b) (6) that I would document a MOI and that he needed to determine what happened and how he would ensure it didn't happen again. The incident was resolved around 1045 hours. At approximately 1100 hours (b) (6) entered the inspection office and informed me that a video from the dock showed that while the cage was being removed it caught on a partially opened cage door on the cage next to that one causing it to hang up and come off the forks. The door that caught was the one I had previously observed open. (b) (6) informed me both cages were removed from the process for repairs. I did discuss my concerns with (b) (6) that it was not clear of who was in charge of responding to the incident on the dock as I had to point out the suffocation issue on more than one instance. The continued discussions between establishment associates on how to deal with the cage on its side likely lost valuable time that may have reduced suffocation deaths. (b) (6) discussed his concerns regarding the event in which he believed the associates were not entirely sure what to do in this type of event as none of them had ever been involved in one. He also felt they responded in the manner they thought appropriate and there was a concern with safety of associates with the cage sitting on its side. (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								(b) (6) suggested that moving forward they would include training for the associates on how to address birds involved in a pile up situation after ensuring personnel safety was not at risk. I conceded this was a good practice and I informed (b) (6) about the Federal Register regarding treatment of live poultry before slaughter. Also, I informed him that the documentation of our discussion would be forwarded to my supervisor and the DVMS in case additional follow-up was necessary. Respectfully, (b) (6) P19128

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P192	Pilgrims Pride Corporation	OOB23190 22313G	2018-02-13	04C05	Poultry Good Commercial Practices	Finalized	<p>Establishment P-912 Prigrim's Pride, February 13, 2018 @ ~1835 hr. At approximately 1835 hour, while observing conditions during Ante mortem inspection and Poultry Good Commercial practice task, I observed ~5 or more live birds lying underneath a pile of approximately 3 feet high full of dead birds and debris in the Live Hang area from off the floor. The amount of birds was ~ 50-75 that were on the floor, surrounding the entire area. I could walk the area for full inspection of the birds due to the pathway being blocked by the birds; one person started to work on removing the pile of birds from off the floor, but it wasn't sufficient enough to keep up with the constant moving of birds on the conveyor belt pushing more loose birds onto the floor and by birds not being picked up at a reasonable amount of time to make a significant difference. I took regulatory action by instructing all live hanging personnel to stop hanging immediately until the live birds were removed from the floor and DOA birds were cleared out enough to walk the passageway for more observation. I informed the (b) (6) and (b) (6) of finding live birds cluttered among dead birds, and that it was not acceptable due to discomfort and suffering of birds in such conditions. I also told them that I will document it as an MOI for failure of humane handling. (b) (6) discussed to me that the plant would be assigning additional personnel to the live hang area to prevent such high numbers of birds on the floor. He also mentioned that he was not aware of negligence concerning the high volume of birds on the floor, and that he will be sure it doesn't happen again during the remainder of shift.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P192	Pilgrims Pride Corporation	OOB32200 30315G	2018-03-15	04C05	Poultry Good Commercial Practices	Finalized	On March 12, 2018 at 1835, while performing a Good Commercial Practices (GCP) task, I observed a live bird underneath a pile of DOAs. The bird was moving his leg and breathing. I immediately notified live receiving clerk and she immediately removed the birds. I asked to speak with the live receiving supervisor, but was not able to because he was hanging birds in the hanging pen. The live receiving clerk immediately notified the supervisor of the noncompliance and informed him that they would be receiving an MOI. The establishment has failed to adhere to the Federal Register 04-037N, which encourages those involved in the slaughter of poultry to abide by Good Commercial Practices.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P20245	Equity Group Kentucky Division, LLC	ISL112101 5424G	2018-01-24	04C05	Poultry Good Commercial Practices	Finalized	<p>On January 24, 2018 at approximately 0003 hours while performing the Ante Mortem and Good Commercial Practices Verification Task, the following was observed in live hang at the distal end of the belt under the shackles that feeds evisceration line one. There was a pile of approximately 15-20 DOA birds with one live bird towards the bottom of the pile that was weak, moribund and in imminent danger of dying from becoming crushed or suffocating. When I first entered live hang I approached the belt that feeds evisceration line two first and used my flashlight to check for any live birds intermingled with DOA birds at the end of the belt as this has been a previous issue at this establishment. There were only two DOAs on this belt. I then approached the belt that feeds evisceration line one and discovered the large pile of DOAs. There was no floor person in the area working on the pile of birds. I started to look through the pile for several minutes prior to a line lead and (b) (6) arriving and removing the dead birds. As several layers of dead birds were removed I discovered the live bird by shining my light on it. I pointed this bird out to the supervisor and informed him that this would be documented in a GCP MOI and was unacceptable to have live birds intermingle with dead birds. In depth discussions have been had with Supervision / Management at this establishment about this issue in the past.</p> <p>The establishment is responsible for ensuring that birds under their control on the official premises are treated in a humane manner that will minimize excitement, discomfort, injury and/or death by means other than slaughter. As per Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter," the Food Safety Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of</p>

District	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>poultry to make every effort to treat poultry humanely and abide by the Good Commercial Practices (GCPs) as described by industry guidelines. My observations are consistent with less than Good Commercial Practices.</p> <p>Respectfully submitted on January 24, 2018 (b) (6)</p> <p>Cc: (b) (6)</p> <p>Dr. David Thompson, DDM Dr. Lorraine Dozier, acting DDM (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P20245	Equity Group Kentucky Division, LLC	ISL120201 4424G	2018-01-24	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 0135 hours on January 23, 2018 while performing the Good Commercial Practices verification task, the following was observed at the entrance to the scald tank. A young chicken was seen entering the scald tank with an uplifted head, pupillary reflexes, rhythmic breathing, controlled movements and a superficial cut that only penetrated the skin (no vasculature was cut). This bird by-passed both of the establishments head pullers thus entering the scald tank alive. Just after the start of this evenings shift (approximately 2020 hour) I informed (b) (6) that I had seen numerous superficial cuts on the birds necks and many birds were by-passing the first head puller and it only would take one bird entering the scald tank live to result in documentation. An additional verification was started at approximately 0100 hour and the same conditions were present and again this information was relayed to plant supervision. When the bird went in alive at approximately 0135 an establishment maintenance worker with a radio was in the area. I had asked him to please radio (b) (6) for me and let him know a live bird just entered the scald vat. A brief meeting was held in the USDA office and (b) (6) was notified that a GCP MOI would be issued as well as live birds entering the scald vat was discussed. Live bird(s) entering the scald system live is a less than Good Commercial Practices and results in adulterated product. The establishment is responsible for ensuring that birds under their control on the official premises are treated in a humane manner that will minimize excitement, discomfort, injury and/or death by means other than slaughter. As per Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter," the Food Safety</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by the Good Commercial Practices (GCPs) as described by industry guidelines. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the District Office. Respectfully submitted on January 23, 2018 (b) (6)</p> <p>Cc: Dr. David Thompson, DDM Dr. Lorraine Dozier, acting DDM (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P20245	Equity Group Kentucky Division, LLC	ISL420303 3902G	2018-03-02	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 0130 hours on March 2, 2018 while performing the Good Commercial Practices and Ante Mortem task, the following was observed in live hang. At the end of the belt under the shackles that feeds evisceration line #1 there was a pile of 4 large/heavy birds. Two of the birds were dead, one of the birds on top of the pile was alive and more alert, and the bird on the bottom of the pile was barely breathing and could not be observed well due to the other birds on top of it. There were no supervisors in the immediate area or any "floor employees" to alert to the pile of birds. As part of the establishment's previous corrective actions to GCP MOI's written for live birds intermingled with DOAs they were to have a floor person present at all times. This has been the fourth incident this week where a floor person was not present and has been discussed with management. The bird on the bottom of the pile was pulled partially out for closer observation. This bird was breathing agonal, was weak and could not support its own neck in an upright position. An establishment employee was seen and I flashed my flashlight at him. Once he approached I asked for him to please get a supervisor for me. By the time (b) (6) arrived the weak bird now was breathing normally, sitting up and blinking now that it was no longer being crushed/suffocated. I informed Supervision of my observations and that a GCP MOI would be issued. At approximately 0136 (b) (6) and (b) (6) arrived at the USDA PHV office. The above information was relayed to them and it was also discussed again that live birds should not be comingled with DOAs due to imminent danger of birds becoming crushing and dying by means other than slaughter. The establishment is responsible for ensuring that birds under their control on the official premises</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>are treated in a humane manner that will minimize excitement, discomfort, injury and/or death by means other than slaughter. As per Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter," the Food Safety Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by the Good Commercial Practices (GCPs) as described by industry guidelines. My observations are consistent with less than Good Commercial Practices. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the District Office. Respectfully submitted on March 2, 2018 (b) (6)</p> <p>DDM (b) (6) Cc: Dr. David Thompson,</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P20245	Equity Group Kentucky Division, LLC	ISL022104 5011G	2018-04-11	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 0126 hours on April 11, 2018 while performing the Good Commercial Practices verification task, the following was observed at the entrance to the scald tank that feeds evisceration line two. A young chicken that was much smaller than the remainder of the lot was seen entering the scald tank with an uplifted head that was moving from side to side, rhythmic breathing, controlled movements with wing flapping, blinking and a superficial nick that only penetrated the skin (no vasculature was cut) to the very front of the neck. This bird by-passed both of the establishments head pullers thus entering the scald tank alive. Verification of a 500 bird sample set was done shortly after the incident was observed and no other live birds were observed entering the scald vat alive. A brief meeting was held with (b) (6) to discuss the above and he was notified that a GCP MOI would be issued. Live bird(s) entering the scald system live is a less than Good Commercial Practices and results in adulterated product. The establishment is responsible for ensuring that birds under their control on the official premises are treated in a humane manner that will minimize excitement, discomfort, injury and/or death by means other than slaughter. As per Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter," the Food Safety Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by the Good Commercial Practices (GCPs) as described by industry guidelines. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the District Office. Respectfully submitted on April 11, 2018 (b) (6) Cc: Dr. David Thompson,</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								DDM (b) (6)
15	P20251	Tecumseh Poultry, LLC	PBM18100 22609G	2018-02-09	04C05	Poultry Good Commercial Practices	Finalized	<p>On 02/09/2018, at approximately 0940 hours, (b) (6) and (b) (6) observed the following Good Commercial Practice (GCP) issue. In the dead-on-arrival (DOA) barrel in the CAS room, IPP observed a live bird (breathing, bright, alert, responsive, and blinking) in the barrel, sitting on top of dead birds. Live birds coming into contact with dead birds in the DOA barrel is not consistent with Good Commercial Practices. IPP immediately showed (b) (6) the GCP issue. She removed the live bird from the DOA barrel and placed the bird back on the belt prior to the CAS system. The Poultry Products Inspection Act and Agency regulations (9 CFR 381.65(b)) require that live poultry be handled in a manner that is consistent with Good Commercial Practices (GCPs). Compliance with GCPs increases the likelihood of producing unadulterated product. Poultry are to be handled in a manner that prevents needless injury and suffering in order to produce a commercially marketable product. Establishment management may review Federal Register notice "Treatment of Live Poultry before Slaughter", 70 Fed. Reg. 56624 (September 28, 2005) for FSIS recommendations concerning the treatment of live poultry before slaughter. This MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. Respectfully, (b) (6)</p> <p>MPH, CPH</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	P20251	Tecumseh Poultry, LLC	PBM58100 23809G	2018-02-09	04C05	Poultry Good Commercial Practices	Finalized	<p>On 02/06/2018, at 610 hours, while performing ante-mortem inspection and Good Commercial Practice task in the loafing shed for the “veggie” trailers, I, (b) (6), observed a Good Commercial Practice mistreatment of young chickens on trailer T325. The trailer had a module on the bottom row with a compartment that had damaged floor board. The floor board was bent downward on one end of the compartment creating a dip. This dip collected several birds that were piling on each other. When viewed on the side of the trailer, 3 birds can be seen in plain view layered on each other to create 3 layers of birds. The bird on the bottom, under 2 other birds, was stretching its neck and was open-mouth breathing. It was unable to move. Further back toward the middle of the compartment, there were also an unknown number of birds on top of each other. One of these birds attempted to unsuccessfully climb (flapped its wings and moved its legs) out of the dip onto the even surface of the floor board. At 639 hours, when I showed (b) (6) of the mistreatment, the bird on the bottom that was open-mouth breathing has died (stopped breathing and did not move its head when I manipulated its head and neck). (b) (6) stated that when the “veggie” lot is slaughtered, she would have Trailer T325 be one of the first trailers to be slaughtered. She also took a picture of the mistreated birds. At 930 hours, I met with (b) (6) and (b) (6) to discuss this mistreatment. The Poultry Products Inspection Act and Agency regulations (9 CFR 381.65(b)) require that live poultry be handled in a manner that is consistent with Good Commercial Practices (GCPs). Compliance with GCPs increases the likelihood of producing unadulterated product. Poultry are to be handled in a manner that</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								prevents needless injury and suffering in order to produce a commercially marketable product. Establishment management may review Federal Register notice "Treatment of Live Poultry before Slaughter", 70 Fed. Reg. 56624 (September 28, 2005) for FSIS recommendations concerning the treatment of live poultry before slaughter. This MOI will be forwarded to the District Office and the District Veterinary medical Specialist (DVMS) in case additional follow-up is recommended. Respectfully, (b) (6)

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	P20251	Tecumseh Poultry, LLC	PBM05140 45509G	2018-04-09	04C05	Poultry Good Commercial Practices	Finalized	<p>On 04/09/2018, at approximately 1003 hours, while performing a routine Poultry Good Commercial Practice Verification task, I, (b) (6) observed a live bird (bright, alert and flapping its wings) in an inedible barrel in the carousel room (where the hangers hang stunned birds). The bird had its neck bent toward the bottom of the barrel and laid in an almost vertical angle. This barrel in the carousel room is often used to hold birds that are dead-on-arrival (DOA) and disposed of by the establishment hangers.</p> <p>(b) (6) and (b) (6) were in the area and were notified of this live bird. (b) (6) agreed that this bird was alive, removed it from the barrel, and placed it onto the conveyor belt to be stunned again in the CAS machine. The Poultry Products Inspection Act and Agency regulations (9 CFR 381.65(b)) require that live poultry be handled in a manner that is consistent with Good Commercial Practices (GCPs). Compliance with GCPs increases the likelihood of producing unadulterated product. Poultry are to be handled in a manner that prevents needless injury and suffering in order to produce a commercially marketable product. Establishment management may review Federal Register notice "Treatment of Live Poultry before Slaughter", 70 Fed. Reg. 56624 (September 28, 2005), for FSIS recommendations concerning the treatment of live poultry before slaughter. This MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended.</p> <p>Sincerely, (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	P20251	Tecumseh Poultry, LLC	PBM22090 40417G	2018-04-17	04C05	Poultry Good Commercial Practices	Finalized	<p>On 04/12/2018, at approximately 0600 hours, while performing a routine Poultry Good Commercial Practice Verification task, I, (b) (6) [REDACTED], observed three instances of bird mistreatment on two “veggie” trailers in the loafing shed. On trailer number 529, I observed a bird with its left antebrachium being trapped between a metal bar and the floor board of the compartment above. Due to the anatomical part being trapped, the bird was unable to lie down and its breast was slightly held above the floor board so that it appeared to be partially “hung” by its trapped wing. On trailer T-797, I observed two trapped birds. One of these birds had its left distal antebrachium trapped between the hinged door mechanism. The bird had attempted to unsuccessfully free itself and was resting in an abnormal position; the medial side (inner wing) of the stretched out left wing and the left side of its body were resting adjacent to the side of the compartment. The other bird had its left foot also trapped by the hinged door mechanism. I observed the bird struggle to free its leg and flap its left wing multiple times against the compartment’s side bars, leading to an abrasive injury on this wing. At 0630 hours, I met with (b) (6) [REDACTED] and (b) (6) [REDACTED] to show them the mistreatments. The birds were subsequently freed with only one showing signs of visible external injury. The Poultry Products Inspection Act and Agency regulations (9 CFR 381.65(b)) require that live poultry be handled in a manner that is consistent with Good Commercial Practices (GCPs). Compliance with GCPs increases the likelihood of producing unadulterated product. Poultry are to be handled in a manner that prevents needless injury and suffering in order to produce a commercially marketable product. Establishment management may review Federal Register notice</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>"Treatment of Live Poultry before Slaughter" 70 Fed. Reg. 56624 dated September 28, 2005, for FSIS recommendations concerning the treatment of live poultry before slaughter.</p> <p>This MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. Sincerely, (b) (6)</p>
40	P206	Pilgrim's Pride Corporation	KCC131201 2102G	2018-01-02	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 1000 hours after identifying three birds that appeared to be misbleeds, I observed a large number of DOAs piled on the floor in the Live Hang area. There were birds piled behind both hang lines (approximately 100 birds total) as well as birds piled approximately 2 feet high against the east wall. Upon closer observation, live birds (approximately 4-5) were observed interspersed in with the DOAs. Due to the loss of process control, regulatory control action was taken immediately by stopping both lines. (b) (6)</p> <p>(b) (6) and (b) (6) were notified. (b) (6) stated that he did not know if the birds had been transported for a long distance or had been at the complex for a long period of time. The area was experiencing cold temperatures. Regulatory control action was relinquished at approximately 1025 hours after all of the birds had been sorted and the area was cleaned.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
40	P206	Pilgrim's Pride Corporation	KCC480805 4202G	2018-05-02	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 1200 hours, on my way to re-inspect the offal trailer area, I immediately noticed a cage with major damage on a trailer that was waiting to be picked up and reloaded. I went back to the USDA office and requested Plant Manager Tonya Byers to walk with me so that I could show her the cage. As we approached the trailer, I showed Ms. Byers the damaged cage. One of the metal sides of the cage was bent outward leaving an approximate 4-5" gap between the metal and the cage floor. The metal was bent in an arc shape which would allow for a chicken to get caught in this gap and injure itself. Depending on the size of the chicken, a medium size chicken could fall out of the cage through this gap. I continued then to show her other cages with minor damage to them. I asked her if anyone was supposed to be identifying these cages so that they could be repaired. She told me that they did have someone that was supposed to be identifying these cages. As we were standing there discussing the issue, a semi backed up to the trailer and hooked up to it to take it to a farm and reload. Ms. Byers immediately spoke to the driver and told him that he could not take this trailer. I then showed her another trailer that had several of the wires broken on the metal frame. The broken ends of the wires were sharp and pointed. They were also angled inward which could cause injury to a bird. Approximately 4 weeks ago, I was covering for (b) (6) and noticed several damaged cages on trailers that were going to be reloaded with chickens. At that time, I informed and showed (b) (6) the damaged cages. Yesterday, 4/30/18, I also noticed numerous damaged cages on trailers that were waiting to be reloaded. I informed (b) (6) of my findings at that time. On both occasions, (b) (6) informed me that he had spoken to the necessary</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								employees to ensure that these cages were being identified and removed for repair. The observations that were made today indicated that the employees are continuing to fail in identifying cages with major damage. USDA's concerns are that cages with major damage in which a bird could be injured are not being removed from circulation for repair but instead are being refilled and putting more birds at risk of injury. The establishment has not been proactive in addressing this issue since it was discussed with them approximately 4 weeks ago and yesterday. USDA encourages the establishment to respond to this MOI.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
40	P206	Pilgrim's Pride Corporation	KCC241405 0404G	2018-05-04	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 1350 hours, while performing ante mortem on Lot 3 at the back dock area, I observed a chicken with its head caught in an approximate 2" gap. The chicken had its eyes closed and the mouth was opening in a gasping motion. I immediately had the driver radio for a management team member (b) (6) arrived and I showed him the chicken that was caught in the gap. The wires on the cage were bent at an angle which allowed for this gap to be created. I requested that the cage be gently removed from the trailer and placed on the ground so that the birds head could be freed. (b) (6) had the employee gently place the cage on the ground and then gently freed the bird's head. I expressed my concern to (b) (6) about the cages having both major and minor damage that could injure birds on several occasions (week of 3-11-2018, Monday 4-30-18, and 5-1-2018). On Tuesday, 5-1-2018, a MOI was issued to the establishment for the failure to identify and repair cages with sufficient damage that would cause injury to a bird. At that time, I encouraged the establishment to respond to the MOI and implement a program that would identify these cages to prevent unnecessary injury to a bird. USDAs concerns are that the establishment is not being proactive in addressing these cages in which birds can become injured, which has resulted in this incident today. I strongly encourage the establishment to respond to this MOI and prevent any further incidents where birds could become injured or trapped.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
35	P208	George's Processing, Inc.	XIC592001 0804G	2018-01-04	04C05	Poultry Good Commercial Practices	Finalized	<p>January 04, 2018 at approximately 1940 hours, while observing the scalding and picking process on Kill Line #1 I observed a live, conscious bird enter the scalding. The bird did not appear stunned and there was no evidence of a cut on the neck or head. Due to the height and speed of the line I was unable to safely remove the bird from the kill line before it entered the scalding. I immediately observed the stun and kill operations for both lines and determined that the slaughter process was not out of control. I notified (b) (6) and (b) (6) of my findings. (b) (6) immediately investigated the incident. I monitored scalding and picking operations on both kill lines for an additional 10 minutes and did not observe any more live birds enter the scalding. Live poultry entering the scalding reflects poor commercial practices and is noncompliant with 9 CFR 381.65(b) which states that "poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding".</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
35	P208	George's Processing, Inc.	XIC461901 1615G	2018-01-15	04C05	Poultry Good Commercial Practices	Finalized	<p>On 01/15/2018 at approximately 1935 hours while observing operations in the live hang area I noticed a condemn barrel staged next to the condemn auger and filled to near capacity with carcasses. Upon closer observation I identified a live chicken in the condemn barrel partially covered by two of the carcasses. The live chicken was depressed and cool to the touch but was breathing and slightly responsive to being handled. I immediately removed the live chicken from the condemn barrel and notified (b) (6) of my findings. (b) (6) quickly directed a live hang employee to sort through the remaining carcasses in the condemn barrel for signs of other live chickens. No other live chickens were found in the condemn barrel. The stainless steel condemn auger located in the live hang area macerates chicken carcasses allowing them to be delivered to offal through a pipe system. A live chicken in a condemn barrel which is staged next to the condemn auger could potentially be placed in this auger. I discussed my findings with (b) (6) who told me that a meeting would be held with live hang personnel at the end of the shift to discuss proper bird handling in the live hang area.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
35	P208	George's Processing, Inc.	XIC181204 5423G	2018-04-23	04C05	Poultry Good Commercial Practices	Finalized	<p>On 4/23/18 at approximately 0736 hours, I observed the line two pile of carcasses at the end of the live hang belt and observed there was a live carcass on the left side of the pile that had about 1/4 to 1/3 of the tail end of its body sticking out from the dead-on-arrival (DOA) carcasses on top of it. (b) (6), removed the bird and placed it back on the line. I started looking through the pile and identified another live bird that was completely covered and surrounded by DOA carcasses. (b) (6) removed this bird and placed it back on the line. I notified (b) (6) that this was not in accordance with good commercial practices and I would be issuing an MOI relating to this incident. I stated I would need to know the actions he was going to take to prevent this in the future. At about 1155 hours that same day, I met with (b) (6) and (b) (6) and (b) (6) stated that the event happened during their water breaks and they are going to pull the lead from the paw room to the area during the water breaks to ensure that there is someone offline at all times.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P2178	PERDUE FOODS LLC	MXM2910 023307G	2018-02-07	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 0950 hours, one of the Food inspectors on Evisceration Line#2 identified a cadaver. She held that carcass for Veterinary disposition and immediately notified me. Upon arriving at her station I observed that head of the carcass was intact with no bleeding cut on neck. The facial area was swollen; skin around the neck area was purple in color while rest of the carcass was bright red in color. (b) (6) and (b) (6) were notified of USDA findings. I reminded (b) (6) that the PPIA and Agency regulations do require that live poultry be handled in a manner that is consistent with good commercial practices (GCPs), and that they not die from causes other than slaughter. I recommended that (b) (6) review the Federal Register on Treatment of Live Poultry before Slaughter, published September 2005 for FSIS recommendations concerning treatment of live poultry before slaughter, and provided her a copy of this document. I notified (b) (6) that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended.</p> <p>Respectfully, (b) (6) P-2178 Perdue Foods</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P2178	PERDUE FOODS LLC	MXM0208 033921G	2018-03-21	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 12:55 hours on Tuesday, March 20, 2018, while performing a routine Good Commercial Practice/ Ante Mortem task in the receiving area of P-2178, a live bird was found in the DOA bin. The bird was on top, head down, tail up and appeared to be struggling to breathe. I immediately notified (b) (6) of the finding. The bird was removed from the DOA tank; its head was bloody, was breathing and was not dead at the time of my finding. The bird was hung on the line for appropriate slaughter. I discussed the finding with (b) (6) at approximately 13:45 hours and stated that a MOI will be issued for this animal welfare concern. On Wednesday, March 21, 2018 at approximately 08:00 hours I discussed the finding and that an MOI will be issued with (b) (6) told me that corrective actions including immediate trainings, re-certification and evaluations of associates assigned to floor duty in receiving were already being implemented by Establishment Management. Thank you for this consideration in this important matter. (b) (6) at P-2178 CC: (b) (6) and (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
40	P218	Pilgrim's Pride Corporation	WOD4216 013204G	2018-01-04	04C05	Poultry Good Commercial Practices	Finalized	<p>At about 1440 on 01/04/2018 while performing a Poultry Good Commercial Practices task USDA (b) (6) observed a yellow condemned barrel at the end of live hang belt number two that contained one DOA and one live bird. Upon further inspection, the live bird could be seen breathing buried underneath a pile of feathers and dirt. (b) (6) was notified and he removed the live bird from the barrel. He stated that the employee working with DOAs and the condemned barrels would be disciplined. The establishment is reminded it is important to treat poultry in a way that minimizes accidental injury to include proper sorting of live and dead birds at rehang as well handling prior to euthanasia. In addition, employing humane methods of handling consistent with Good Commercial Practices can help produce an unadulterated product. (b) (6) was notified that although, non-regulatory, USDA expects the establishment to employ handling methods consistent with Good Commercial Practices. Plant Management is asked to consider these USDA concerns and prevent future occurrences. Copies of this Memorandum of Interview (MOI) will be distributed to the establishment, inspection file and District Veterinary Medical Specialist per FSIS Directive 6100.3. Documented by (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
40	P218	Pilgrim's Pride Corporation	WOD5219 013910G	2018-01-10	04C05	Poultry Good Commercial Practices	Open	<p>At approximately 1640 while performing a Poultry Good Commercial Practice task USDA (b) (6) observed birds on line #1 not being properly bled out prior to entering the scalding. While observing birds entering the head remover just prior to the scalding for about one minute 15 birds could be seen flapping their wings, moving their heads up and down, and swallowing before their head was pulled off. (b) (6) was notified immediately. He stated that the cutting machine was making improper cuts and needed to be adjusted. (b) (6) was instructed to stop hanging birds. Maintenance was notified to replace the blade on the cutting machine and make the proper adjustments. Following the plant break around ~1720 (b) (6) observed the birds being properly bled out prior to going into the scalding. 9 CFR 381.65(b) states "Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcass" and thus the establishment was not operating in accordance with Good Commercial Practices for Poultry. Plant Management is asked to consider properly investigating the root causes contributing to the observations at P-218 regarding GCPs, particularly to the design/setup of the stunning/kill equipment. The establishment is asked to establish and implement effective preventive measures to avoid future occurrences. Copies of this Memorandum of Interview (MOI) will be distributed to the establishment, inspection file and District Veterinary Medical Specialist per FSIS Directive 6100.3. The establishment is reminded that NRs for noncompliance with 381.65(b) and MOI for GCPs when finalized are posted for public review on the FSIS website and that the information associated with NRS and GCPs can be FOIA requested by individuals from the general</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								public. Documented by (b) (6)
40	P218	Pilgrim's Pride Corporation	WOD5016 051803G	2018-05-03	04C05	Poultry Good Commercial Practices	Finalized	<p>On May 3, 2018 at approximately 1430 (b) (6) observed a chicken in the middle of the road in route to the Pilgrim's Pride facility. (b) (6) informed (b) (6) as well as (b) (6) of the observation. (b) (6) performed a Poultry Good Commercial Practice task to observe the truck trailers and cages that the birds are transported in. On inspection of the trucks there were numerous damaged cages with holes variable in size with some big enough for chickens to fit through. There were also cages with wire bars bent inward with the ends of the rods pointed toward the chickens. The damaged cages were marked by establishment personnel with blue tape to be identified for repair. (b) (6) (b) (6) was notified of the findings. The establishment is reminded that it is important to treat poultry in a way that minimizes accidental injury and death prior to humane euthanasia. This includes the transportation, loading and unloading of chickens onto the truck trailers. The cages should be maintained in good repair so that the chickens remain safe during transportation, loading and unloading. It is the expectation that the establishment employ handling methods consistent with Good Commercial Practices. Plant Management is asked to consider these USDA concerns and prevent future occurrences. Copies of this Memorandum of Interview (MOI) will be distributed to the establishment, inspection file and District Veterinary Medical Specialist per FSIS Directive 6100.3.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
60	P244	Hain Pure Protein Corporation - Plainville Farms LLC	GCN43150 13609G	2018-01-09	04C05	Poultry Good Commercial Practices	Finalized	<p>Attendees: (b) (6), FSIS USDA. On 1/9/18 at approximately 12:30 pm, while walking in the yard, I observed 2 trucks with multiple pointy wire grates that were bent inward into the cages creating a hazard. The cages that were in disrepair utilized a thinner more tightly spaced grate that appeared to be more malleable, and thus easier to bend. The trucks were # 832303 and # 220227. This is not consistent with Good Commercial Practices. Following Good Commercial Practices prevents mistreatment of poultry and decreases the production of adulterated carcasses. (b) (6) met with (b) (6), at approximately 3:30 pm to discuss the findings. And she will pass along the information to (b) (6). (b) (6) It was discussed that the pointy wires can injure the birds and result in mistreatment, adulterated product and production losses. (b) (6) understands and was in agreement. (b) (6) said the cages with the smaller metal mesh are probably the older cages, and they plant is probably trying to phase those out.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P308	Koch Foods of Mississippi LLC	SPL421602 2706G	2018-02-06	04C05	Poultry Good Commercial Practices	Finalized	<p>P-308 Koch Foods of Mississippi LLC Dear (b) (6)</p> <p>Today at approximately 0642 hr, I observed a less than Good Commercial Practice. While performing portions of a routine Good Commercial Practice check in the live hang area, (b) (6) observed a pile of DOAs inside the DOA catch bin just past the DOA conveyor. Upon further observations, I observed a live bird commingled in with the DOAs. The bird was in eminent danger of smothering under the pile of others birds. The bird was breathing and the pile of birds was moving as the live bird was breathing. This occurred on the big bird side along the north side of the holding shed. I asked the (b) (6) to notify the supervisor for the area to come to the bin. However, the (b) (6) arrived, observed the live bird and removed the bird from the bin. (b) (6) was informed of the finding of the bird, but did not arrive in time to see the bird. My observation leads me to conclude that had I not observed, discovered, or otherwise intervened, it is reasonable to conclude that the bird would have been crushed or suffocated and as such died by means other than slaughter. (b) (6) as well as (b) (6) was notified of the good commercial practice issue. I was informed by (b) (6) that the lead person turned the DOA conveyor on but did not see the live bird. I informed Management for the establishment that preventing mistreatment of poultry decreases the production of adulterated carcasses. This MOI documents the discussion between myself, (b) (6) and the establishment management about this poultry mistreatment event. It has been discussed with Management previously about the concerns of the treatment and conditions relative to the establishment handling of birds.</p> <hr/>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P320	Sanderson Farms, Inc.	MRA39160 10517G	2018-01-17	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 0942 hours on January 16, 2018 while performing the Good Commercial Practices verification task, the following was observed at the entrance to the scald tank. One young chicken was seen entering the scald tank with an uplifted head, pupillary reflexes, rhythmic breathing, controlled movements and a superficial cut to the side of the neck that only removed the skin (did not penetrate any vasculature). At 0945, 0946 and 0948 additional live birds entered the scald tank that appeared physically the same as the one described above. The (b) (6) was present and shown the last two birds that entered the scald vat live and informed that as of that moment it would be documented as a GCP MOI but was approaching the point where they would have to stop hanging to take corrective actions prior to resuming production and would lead to a noncompliance being issued. (b) (6) elected to stop hanging and start lunch a couple minutes early to be proactive with corrective actions and avoid any further live birds entering the scald vat. Several minutes later (b) (6) entered the USDA office of inform USDA that the blade had been adjusted to make deeper cuts and he asked to be present at my next verification check. I informed him that I would do a 500 bird verification as soon as production resumed after lunch. During that time no additional live birds were seen entering the scald system. Verification was done approximately 1 ½ hours later with (b) (6) present as well and again no other live birds were seen entering the scald system. Live bird(s) entering the scald system live is a less than Good Commercial Practices and results in adulterated product. The establishment is responsible for ensuring that birds under their control on the official premises are treated in a humane manner that will minimize excitement, discomfort, injury</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>and/or death by means other than slaughter. As per Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter," the Food Safety Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by the Good Commercial Practices (GCPs) as described by industry guidelines. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the District Office. Respectfully submitted on January 16, 2018 (b) (6)</p> <p>(b) (6) Cc: Dr. David Thompson, DDM</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P320	Sanderson Farms, Inc.	MRA36140 23615G	2018-02-15	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 2105 hours on February 14, 2018, while verifying the PHIS Good Commercial Practices in Poultry (GCPIP) verification task at P320, Sanderson Farms, Laurel, MS, the following less than GCPIP incident was observed. One live young chicken from an approximately 500 bird sample subgroup entered the first scald tank exhibiting rhythmic breathing, pupillary reflexes, uplifted head, controlled movement of the head, and an approximately ½ inch cut to the neck. Establishment took immediate action according to their written welfare policy and made adjustments to machinery. A second verification prior to the scalding of an approximate 500 bird sample subgroup had three live birds exhibiting the same signs entering the scalding at approximately 2125 hours. The establishment took further action, added a second backup killer and readjusted the machinery. Slaughter process ended approximately 2135, so a third verification was not performed. This was determined to be an isolated incident and not a loss of process control. Birds entering the scalding while still breathing is not consistent with GCPIP and results in adulterated product. Establishments are responsible for birds entering the official premises and must employ GCPIP to prevent unnecessary suffering, injury and death. This will be discussed at the weekly meeting with establishment personnel on 2/15/2017. As per Federal Register Notice Docket 04-037N, dated September 28, 2005, "Treatment of Live Poultry Prior to Slaughter", the Food Safety Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to abide by Good Commercial Practices (GCPs) as described in industry guidelines. Respectfully, (b) (6)</p> <p>(b) (6) Public Health Veterinarian USDA FSIS OFO Jackson District, Est. P-320, 2nd Shift Phone: (b) (6) Email:</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								(b) (6) @fsis.usda.gov Cc: Dr. David Thompson, DDM (b) (6) [REDACTED]

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P320	Sanderson Farms, Inc.	MRA02170 45124G	2018-04-24	04C05	Poultry Good Commercial Practices	Finalized	<p>To: (b) (6) (b) (6)</p> <p>Sanderson Farms, Inc., P320 At approximately 1426 hours on April 24, 2018, the following less than Good Commercial Practices in Poultry (GCIPI) incident was observed at P320 Sanderson Farms, Inc., Laurel, MS. A live bird was observed by (b) (6) sitting on a pile of decapitated carcasses inside the dead on arrival (DOA) bin. The (b) (6) was present at the time of discovery and immediately removed the live bird from the DOA bin. The live bird was not covered by any carcasses, and appeared to be sitting up with no obvious sign of morbidity. As there was no sign of morbidity and the bird had no denaturant on it, the live bird was returned to production. (b) (6) and (b) (6) were notified of the incident at approximately 1430 hours. This incident was determined to be an isolated event and not a loss of process control or systemic event. Allowing live bird(s) to become entrapped under other live birds and DOAs is a less than GCIPI and can cause needless suffering and death from suffocation resulting in adulterated product. Poultry slaughter establishments must take every precaution to ensure poultry under their control on the official premises are treated in a humane manner, subjected to minimal excitement, discomfort, and injury, or death by means other than slaughter. (b) (6), and (b) (6) met at the time of notification to discuss the less than GCIPI. No response to the incident was given at this time, other than they will investigate the incident and the employee responsible for removing the DOAs and live birds from the hanging pen floor would be disciplined. (b) (6) was advised a GCIPI Memorandum of Interview would be issued to management</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								pending review by (b) (6). As per Federal Notice Vol. 70, No. 187, Docket No. 04-037N dated September 28,2005, treatment of Live Poultry Prior to Slaughter the Food Safety and Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by Good Commercial Practices (GCPs) as described in industry guidelines. Respectfully, (b) (6) USDA FSIS OFO Jackson District Sanderson Farms, Est. P-320, 2nd Shift cc: Dr. Larry Davis, DM Dr. Gregory Brookhauser, DDM (b) (6)

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
40	P34308	Sanderson Farms, Inc.	PHY102103 3807G	2018-03-07	04C05	Poultry Good Commercial Practices	Finalized	<p>On March 7, 2018 at approximately 1600 while conducting a Poultry Good Commercial Practice task, I was reviewing at the Animal Welfare records and found the following concerns with the broken wing section of the animal welfare record. The paper work states: All of the checks below are to be conducted on 500 birds per line. If the limits are exceeded on any item immediately notify Production and QC Supervisor A retest must be done following corrective action. The Limit for broken wings is 15 per line. On 2/21/2018 First shift at 0523 on line 1 had 22 broken wings. There was no corrective action recorded. A retest at 11:36 on line 2 resulted in 15. On 2/22/2018 Second shift at 1507 on line 1 had 24. There was no corrective action recorded. A retest on line 2 resulted in 14 2/26/2018 First shift at 0826 had 20 on line 1. There was no corrective action recorded. A retest on line 1 resulted in 15 Second shift at 1505 had 24 on line 1 There was no corrective action recorded. A retest on line 1 resulted in 15 2/27/2018 Second shift at 1510 had 18 on line 2. There was no corrective action recorded. A retest on line 2 resulted in 11 3/01/2018 First shift at 0523 had 17 on line 1 and 22 on line 2 Retest line 1 14 Line 2 15 There was no corrective action recorded. A retest on line 1 resulted in 14 A retest on line 2 resulted in 15</p> <p>Second Shift at 1502 had 17 on line 1 and 19 on line 2 There was no corrective action recorded. A retest on line 1 resulted in 14 A retest on line 2 resulted in 15 03/02/2018 Second shift at 1501 had 20 on line 1 and 23 on line 2 There was no corrective action recorded. A retest on line 1 resulted in 14 A retest on line 2 resulted in 15 03/05/2018 Second</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>shift at 1459 had Line 1 20 and line 2 20 There was no corrective action recorded. A retest on line 1 resulted in 14 A retest on line 2 resulted in 15 The monitoring form states a retest must be done following corrective action. There is no corrective action on the monitoring form. Documented by (b) (6)</p>
40	P34308	Sanderson Farms, Inc.	PHY071703 2721G	2018-03-21	04C05	Poultry Good Commercial Practices	Finalized	<p>Sanderson's Farm (est. #P34308) has developed a procedure which allows only 10 miscuts in a 500 bird inspection to prevent birds still breathing from entering the scalders. These machines are used to properly cut the necks of the birds prior to stunning. When the kill machine is properly working, the time that is allowed for proper bleeding of the birds will make inspection stations easier. On March 21, 2018 at approximately 1400 hours, various size birds were being slaughter on the evisceration floor. Upon further investigation in the picking room, TNTC (too numerous to count) miscuts were observed from both kill machines. At approximately 1530 hours, the kill machine on line #2 missed 30 cuts and the kill machine on line #1, 15 cuts was missed in a 3 minutes 10 seconds time. (b) (6) was verbally notified. A retest was conducted at 1645 hours, and kill line #2 and passed with 7 miss cuts and kill line #1 had 5 miss cuts. Due to the smaller bird size, the establishment adjusted the height of the kill machine and reduces the possibilities of a bird still breathing from entering the scalders. Documented By: (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P34668	Simply Essentials Poultry, LLC	SFJ461501 2605G	2018-01-05	04C05	Poultry Good Commercial Practices	Finalized	<p>While performing ante-mortem inspection in the Live Receiving area at approximately 0530 hours on 01/04/18, I observed the following Good Commercial Practice concern on Trailer #40. I observed a live chicken with both wings trapped between the corner of the floor above it and the metal frame of the cage. The chicken was exhibiting signs of extreme lethargy: shallow breathing, did not open its eyes to stimuli of flashlight and touch, and felt cold when I touched it. There was no available management personnel to show the affected chicken to at that time. I also observed in the Live Receiving area during this same time a cage move down the track after being dumped and going past the door closing machine with several drawers still full with chickens and all the doors to the cage open. One chicken fell out through an open door as the cage was lifted by the forklift from the track. I continued my observations with walking over to the dumping apparatus. There, I observed 4 live chickens under it and 2 dead chickens. One of the dead chickens appeared to have been smashed by a cage because its belly and chest were ripped open, exposing torn and strung-out viscera, and a leg and awing were separated from the body and laying strung-out on the floor between the dumping apparatus and the door closing machine. The other dead chicken's breast skin was partially removed, exposing muscle beneath. One of the live chickens appeared to have broken wings because they were not tucked in close to its body and it was reluctant to move. At approximately 0630 hours while in the Live Receiving area, I observed employees remove approximately 20 DOAs from a cage that had already been dumped and removed from the track. I observed 4 DOA hoppers full of chickens at this time, as well. I checked the number of DOAs recorded by that time and saw that out of</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>2.5 trucks, approximately 800 DOAs had been recorded. Usually there is approximately (b) (4) chickens per truck, indicating the establishment was at a (b) (4) DOA rate already for the day. This was addressed in the Weekly Meeting MOI from today (MOI #SFJ3911015504G) and at that time Management still did not know the cause of the large number of DOAs. At approximately 1530 hours I observed a cage removed from the trailer but the roof was not intact above one of the top drawers. It had partly fallen inside of the drawer on top of chickens. I did not see an employee remove any DOAs from the drawer prior to placing the roof back on top of it. I noticed the roof did not appear to be secured back into place, but rather resting on top. I watched the cage get dumped and saw the roof fall into the drawer blocking the door and chickens from getting dumped out of the cage. I was walking away from the dumper when I heard the alarm go off at the dumper. I saw that the roof from the cage I watched dump was under the next cage at the dumper. It must have fallen off when the cage moved away from the dumper and then jammed up the track for the next cage. The chickens in the top drawer that was now missing the roof appeared to be unharmed. This MOI is associated with weekly meeting MOI #SFJ3911015504G dated 01/04/18 and GCP MOI #SFJ4108121230G dated 12/30/17. The establishment must employ humane methods of handling and slaughtering consistent with Good Commercial Practices in a way that minimizes injury to poultry. Poultry are to be handled in a manner that prevents needless injury and suffering. Employing humane methods of handling and slaughtering that are consistent with Good Commercial Practices increases the likelihood of producing unadulterated product.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P34668	Simply Essentials Poultry, LLC	SFJ051101 2806G	2018-01-06	04C05	Poultry Good Commercial Practices	Finalized	<p>While performing ante-mortem inspection in the Live Receiving area at approximately 0415 hours on 01/05/18, I observed 4 live chickens sitting directly on the bed of Trailer #42 in the space between the 4-tier cages and the 5 tier cages. One of the chickens was lying on its back and struggling to correct itself onto its feet by kicking and trying to push itself up with the back of its wings. The other 3 chickens appeared to be uninjured. In the top 5-tier cage on one side of the space, I noted a larger-than-normal gap between the roof and the backside of one of the top drawers. A chicken from this drawer climbed onto the edge of the drawer in the mentioned gap and jumped down to the bed of the trailer with the other loose chickens. The chicken showed some difficulty walking at first, but was able to stand and appeared to be uninjured. There was no supervisor in the area at this time and at approximately 0430 I asked an employee to turn the chicken that was lying on its back over to its feet, and he did so. I also noted that the second drawer of the mentioned 5-tier cage was missing a door and half of its floor and the back corner of the other half of the floor was collapsing into the 3rd drawer. Neither the 2nd or 3rd drawer were holding any chickens. At approximately 0610 hours while in the Live Receiving area, I observed on Trailer #40 2 cages each with a chicken with its wing trapped between the floor above it and the frame of the cage. I also observed a cage with its plastic side and metal bar bent inward toward chickens. I showed (b) (6) my observations and he released the trapped wings. As I continued to make my observations, I observed 5 live birds under the dumping apparatus and one dead chicken with skin torn away from its body and muscle exposed. I observed a cage dump and from where I was standing I observed a smashed chicken on</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>the arm that lifts the cage to dump it. After the cage dumped, I observed 5 more chickens fall to the floor under the dumping apparatus. One chicken had a broken wing where the humerus bone was protruding through the skin at the elbow joint, and another chicken appeared half-dead (purplish in color, hanging head, gasping for air) when it fell and died shortly after landing on its back on the floor. The other chickens that fell appeared unharmed. I watched the second cage dump without incident. As I was walking away from the dumping apparatus I observed a cage that had already been emptied and the doors closed, sitting up on the track second in line to be removed by the forklift. One drawer door was closed on a live chicken's neck with its head out the door. The chicken was struggling to breath/ gasping for air and its head was starting to turn purple in color. I asked an employee if there was any way he could open the door for that bird. He first shook his head, but then he ran and got a hook (used to snare a loose chicken by the leg) and pulled the door open with it. The chicken was still alive. The cage behind this one also had a chicken caught in a door in the same way, but it appeared to be dead. The employee opened this door too, and we were able to confirm the chicken was dead. At this time I observed one full DOA hopper and another that was a quarter of the way full. I saw that 900 DOAs had been recorded with the first trailer only half way through. At approximately 0800 hours I met with (b) (6) and told him of my observations. He informed me that the birds falling from the dumper was likely due to all the DOAs, and that he did not know at that time what could be the cause for the large number of DOAs. At approximately 1000 hours I met with (b) (6) to find out what he found out about the previous two</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>days (Wednesday 1/3/18 and Thursday 1/4/18) high numbers of DOAs, and to discuss the possible cause of this morning's high number of DOAs. I explained that I had not noticed anything on ante-mortem nor post-mortem inspection indicating that a disease process could have caused the high numbers of DOAs. He said that the previous two days is still unexplained because the holding shed checks were all okay. He explained that today's DOAs are very surprising because the chickens had a short travel time of about an hour. He said that the trailer were parked in the holding shed for approximately 3 hours prior to slaughter, which is about an hour longer than they usually like to hold them, but that it should not have caused an issue like this. This MOI is associated with GCP MOI #SFJ4615012605G for the discussion on the DOAs from productions day 1/3/18 and 1/4/18 and previously mention observations of injured and/or loose chickens due to poor cage conditions. The establishment must employ human methods of handling and slaughtering consistent with Good Commercial Practices in a way that minimizes injury to poultry. Poultry are to be handled in a manner that prevents needless injury and suffering. Employing humane methods of handling and slaughtering that are consistent with Good Commercial Practices increases the likelihood of producing unadulterated product.</p>

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25	P34668	Simply Essentials Poultry, LLC	SFJ131001 0410G	2018-01-10	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 0900 hours, while I was performing a Good Commercial Practices Task in the Live Receiving area, I observed a cage on Trailer #44 (second trailer of lot 2) that the floor panel on the door-side of the cage was collapsed from the middle (where it meets with the other floor panel) in to the drawer below. It appeared that both drawers likely had been holding chickens prior to the collapse, based on the number of chickens affected. When the cage was removed from the trailer by the forklift, I could only observe two chickens that appeared to be dead. They were located on the bottom floor. The driver placed the cage on the track in the same condition as found on the trailer. I observed the cage as it approached the dumping apparatus. From where I was standing I could not see the affected drawers during dumping. When the cage was lowered back onto the track after dumping, it appeared to get "hung-up" on the dumping apparatus and did not move. Two employees came over to the dumper and tried to push it down the track and at first were unsuccessful. I could see there were still chickens in the bottom drawer affected by the collapsed floor. I walked over to the other side of the track to get a better view of the situation causing the hang-up of the cage. I could see several chicken still inside the bottom drawer/ behind the collapsed floor. I could also see the floor had slid forward through the second drawer door. The part of the floor sticking out the door got caught on one of the arms on the dumping apparatus that open the drawer doors. After approximately five to ten minutes the cage was freed. I observed approximately eight dead chickens removed from the affected drawer and approximately thirty live chickens. One of the live chickens had a broken wing where the humerus bone was protruding through the skin at the location of the elbow</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								joint. Almost immediately after my observations, I met with (b) (6) to share them with him and notify him of my intent to document an MOI. This MOI is associated with MOI #SFJ0511012806G for previously mentioned observations of loose and/or injured/dead chickens due to poor cage conditions. The establishment must employ humane methods of handling and slaughtering consistent with Good Commercial Practices in a way that minimizes injury to poultry. Poultry are to be handled in a manner that prevents needless injury and suffering. Employing humane methods of handling and slaughtering that are consistent with Good Commercial Practices increases the likelihood of producing unadulterated product.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P34668	Simply Essentials Poultry, LLC	SFJ241001 4523G	2018-01-23	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 1000 hours on 1/22/18, I was performing a Good Commercial Practices Task on the trailer that was parked inside the Live Receiving area. It was during the company break time and only one cage had been unloaded from the trailer. The cages are stacked two-high on the trailer, and therefore I cannot see inside every cage and every drawer of every cage. I first examined the cages from the driver's side of the trailer. The chickens on this side appeared to be of normal health. I continued my inspection to the passenger side of the trailer, starting from the back of the trailer. I first noted that the chickens on this side were wet and lethargic compared to the other side. As I continued to walk toward the front of the trailer I noticed all the chickens on this side of the trailer were wet and the DOAs per cage seemed to be increasing. I counted 141 dead chickens, which includes the DOAs that I observed in the cage that was unloaded from the trailer and waiting to be dumped. In this cage I also observed dry normal healthy appearing chickens on one side and wet, lethargic, and dead chickens on the other side just like the rest of the cages on the trailer. I summoned (b) (6) to show him my findings. He contacted (b) (6) by phone, who contacted the catch crew supervisor to investigate the findings. At approximately 0830 hours on 1/23/18, I met with (b) (6) to discuss their findings on the incident. He informed me that the trailer was already untarped at the holding shed before it was brought over to 1st Processing, and that the truck driver did not notify anyone of any abnormalities with the tarp or trailer at the time of parking and untarping the trailer. Through their investigations, they suspect that the tarp became unlatched somewhere toward the front of the trailer during transit, which caused the DOAs</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								and wet birds. A total of 166 DOAs were recorded from Trailer #36. The establishment must employ humane methods of handling and slaughtering consistent with Good Commercial Practices in a way that minimizes injury to poultry. Poultry are to be handled in a manner that prevents needless injury and suffering. Employing humane methods of handling and slaughtering that are consistent with Good Commercial Practices increases the likelihood of producing unadulterated product.
25	P34668	Simply Essentials Poultry, LLC	SFJ161402 0112G	2018-02-12	04C05	Poultry Good Commercial Practices	Finalized	There were a large number of DOAs on loads 1 and 2 for this lot. There were a total of 3,361 Dead on Arrival for the day, 2/9/18. The slaughter number was (b) (4). On 2/12/18 I spoke with (b) (6), and was told a cause and corrective action will be documented and provided to USDA.

District	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P419	Case Farms Processing, Inc.	VDB48090 20408G	2018-02-08	04C05	Poultry Good Commercial Practices	Finalized	<p>Establishment: 00419P Case Farms 121 Rand St. Morganton, NC 28655 At approximately 0612 hours on 2/8/2018, while observing maintenance working on line 2. I (b) (6) observed a cadaver with its head attached and no cut mark on the neck. It had obviously died by means other than slaughter. The cadaver was identified on line 1 rehang table in the evisceration department. (b) (6), was notified. Also notified was (b) (6)</p> <p>(b) (6) and Mr. Matthew Martin, plant manager. The carcass was condemned. PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices, and that they not die from causes other than slaughter. I recommended that management review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter. A copy of this federal register notice can be provided on request. A copy of this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P425	Northern Pride, Inc.	MYG25120 44920G	2018-04-20	04C05	Poultry Good Commercial Practices	Finalized	<p>Attendees: (b) (6) (b) (6) Plant Manager Warren Leighton, (b) (6) (b) (6) (b) (6) On Friday April 20, 2018 at approximately 0700 hours a cadaver was hung back by IPP. The cadaver was a large tom. I observed a superficial laceration through the skin, however the jugular vein on the left side was intact and a large blood clot was present on the right side of the neck, over the right jugular vein. At 0723 hours and 0725 hours respectively two additional cadavers were hung back by IPP. Between 0735 hours and 0745 hours 6 additional cadavers were identified on the line and hung back by IPP. I confirmed that these additional 8 birds were cadavers, and all had ineffective neck cuts. At approximately 0745 hours I discussed the above observations with plant management. Plant management discussed that the auto killer is only able to cut an estimated 98% of the birds, and due to varying bird sizes this number can fluctuate. Establishment management determined the auto killer would be adjusted immediately to deliver a deeper cut this morning. Concerns about bird head loss due to a deep neck cut was discussed, and establishment management agreed the head loss needs to be kept at a level where presentation on the line is acceptable. It was discussed that the employee performing the back-up cutting is responsible for identifying those birds of abnormal size and those birds receiving ineffective cuts. Plant management discussed the visibility concerns of the back-up cutter caused by blood splashing that is exacerbated by the birds beating their wings. It was noted the employee has a face shield, but no way to maintain its cleanliness. Plant</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								management will provide material for the back-up cutter to maintain cleanliness of the face shield (wipes or towels), and a curtain will be hung to minimize the blood splashing onto the employee at his work station. The back-up cutter employee's station will be moved down the line to improve visibility. I advised plant management that an MOI would be written and forwarded to the District Office for the (b) (6) and (b) (6) to review and they will contact us should additional follow-up be needed. Respectfully, (b) (6)
25	P425	Northern Pride, Inc.	MYG00150 42223G	2018-04-23	04C05	Poultry Good Commercial Practices	Finalized	Attendees: (b) (6) On Monday April 23, 2018 at approximately 1410 two cadavers were identified on the line and hung back by IPP. Both birds did not have any cuts on the neck. At approximately 1425 hours I discussed the above observations with plant management. Plant management acknowledged the back-up cutter had missed these two birds. (b) (6) stated that she would discuss this incident with the back-up cutter. She stated the back-up cutters would be rotated (b) (4) to assist with maintaining attention to the job. I advised plant management that an MOI would be written and forwarded to the District Office for the (b) (6) and (b) (6), to review and they will contact us should additional follow-up be needed. Respectfully, (b) (6)

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P425	Northern Pride, Inc.	MYG39160 43224G	2018-04-24	04C05	Poultry Good Commercial Practices	Finalized	<p>Attendees: (b) (6), (b) (6). On Tuesday April 24, 2018 at approximately 0950 hours two cadavers were identified on the line and hung back by IPP. Both birds had a cut on the distal neck. The cut was ineffective and lacerated only the skin. At approximately 1040 hours, while observing at the back-up cutting station, I observed 3 conscious birds in approximately 2 minutes. Observing the stunner operation I noted approximately 5 birds in several minutes that were not stunned. These birds were able to elevate their heads above the stunner. I discussed the above observations with (b) (6). (b) (6) stated that it is the back-up cutter's first day on the job, as the back-up cutter employees are rotating. We discussed the ineffective stuns, and (b) (6) contacted maintenance to adjust the stunner. (b) (6) stated she would talk to the back-up cutter and provide coaching. At approximately 1200 hours two additional cadavers were identified by IPP and were confirmed to have only a superficial cut on the distal neck. I observed the stunner, and found the equipment was appropriately adjusted and was effectively stunning the birds. These findings were discussed with (b) (6), who said she would provide additional training to the back-up cutter. I advised plant management that an MOI would be written and forwarded to the District Office for the (b) (6) and (b) (6), to review and they will contact us should additional follow-up be needed. Respectfully, (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P425	Northern Pride, Inc.	MYG21170 45825G	2018-04-25	04C05	Poultry Good Commercial Practices	Finalized	<p>Attendees: (b) (6)</p> <p>On Wednesday April 25, 2018 at approximately 1330 hours I identified four cadavers in the condemn barrel located in the picking room. None of the birds had a cut on the neck. Observing the back-up cutter for several minutes I observed two birds that were not stunned. I noted the bird sizes were highly variable in this lot. I notified (b) (6) of the finding of the cadavers in the condemn barrel. (b) (6) stated that she wants cadavers hung on the line so that they are identified by IPP at inspection and the issue can be addressed immediately by plant management. (b) (6) also stated she would be meeting with the back-up cutters today to discuss the cadaver issue. She is evaluating the lighting to see if a second light would help the back-up killers identify uncut birds. (b) (6) stated the back-up killers will be rotating at lunch to improve variability in the day and thus attention span during the back-up cutting shift. (b) (6) contacted maintenance to check the stunner and auto killer. I proceeded to the stunner and auto killer where I observed for approximately 5 minutes. I noted two smaller birds that were not stunned, and I noted 2 stunned birds which missed the auto killer because their necks were not long enough to be caught in the guide to the auto killer. (b) (6) and I observed for approximately 5 additional minutes, and noted approximately 5 more birds that either were not stunned or not killed by the auto killer. (b) (6) adjusted the stunner upwards approximately 3"-4" and the auto killer upwards approximately 2". This adjustment was successful in stunning and killing more of the smaller birds in the lot, but it was discussed that this adjustment would not kill</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>100% of the birds. While observing at the auto killer, I noted that the birds which are stunned drag their head on the decline on the way to the blood tunnel, which is covered in blood. This makes the stunned birds harder to identify, as the head and proximal necks are covered in blood. This was brought to (b) (6) attention, and we discussed that just observation of a blood covered head is not synonymous with being cut, or an effective cut. We discussed that the visible appearance of good blood flow from the neck is a better indication of an effective cut. We discussed that it is a hindrance that the back-up killer cannot see the auto killer to visibly see what birds the auto killer misses. I advised plant management that an MOI would be written and forwarded to the District Office for the (b) (6) (b) (6) and (b) (6) to review and they will contact us should additional follow-up be needed. Respectfully, (b) (6)</p>

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25	P425	Northern Pride, Inc.	MYG28130 41827G	2018-04-27	04C05	Poultry Good Commercial Practices	Finalized	<p>Attendees: (b) (6), (b) (6) On Friday April 27, 2018 at approximately 0945 hours one cadaver was identified by online IPP and hung back for disposition. The bird was a large tom and had a superficial cut on the distal neck. The cut was ineffective and lacerated only the skin. At approximately 1230 hours a second cadaver with the same presentation (superficial but ineffective cut) was hung back for disposition. At approximately 1245 hours I discussed the above observations with (b) (6) stated that she knows which back-up cutter is occasionally missing birds. At the time of the meeting (b) (6) had already addressed the issue with the employee. Their discussion included the importance of checking all larger and smaller birds in a lot to ensure they are cut. (b) (6) stated that maintenance will be installing a second light in this area at a different angle to improve the visibility. I advised plant management that an MOI would be written and forwarded to the District Office for the (b) (6) and (b) (6), to review and they will contact us should additional follow-up be needed. Respectfully, (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P425	Northern Pride, Inc.	MYG08060 52001G	2018-05-01	04C05	Poultry Good Commercial Practices	Finalized	<p>Attendees: (b) (6), (b) (6) On Monday April 30, 2018 at approximately 1420 hours I identified one cadaver in the condemn barrel located in the picking room. The bird did not have a cut on the neck. I notified (b) (6) of the finding of the cadaver in the condemn barrel. (b) (6) had previously stated that she wants cadavers hung on the line so that they are identified by IPP at inspection, and the issue can be addressed immediately by plant management. We discussed the installation of a second light at the back-up cutter station, which was the corrective action provided by establishment management on 4/27/18 in response to a cadaver identified on the line. I observed that a second light had been installed. (b) (6) stated the light was not installed at the correct location, and she requested that maintenance move the light closer to the back-up cutter station (currently it is located slightly to the south). (b) (6) stated she will be discussing the issue of missing birds with the back-up cutter. I advised plant management that an MOI would be written and forwarded to the District Office for the (b) (6) and (b) (6), to review and they will contact us should additional follow-up be needed. Respectfully, (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P425	Northern Pride, Inc.	MYG14120 53002G	2018-05-02	04C05	Poultry Good Commercial Practices	Finalized	<p>Attendees: (b) (6)</p> <p>(b) (6) On Wednesday May 2, 2018 at approximately 0605 hours one cadaver was hung back by online IPP. The bird had a superficial cut on the mid neck, consistent with an insufficient cut by the auto killer. At 0700 hours a second cadaver was hung back. This cadaver had both a cut on mid-neck area consistent with a superficial auto killer cut, and a cut on the ventral proximal neck consistent with a back-up killer cut. Both cuts were ineffective in sufficiently lacerating the vessels in the neck. At 1130 hours a third cadaver was hung back, which had the same presentation as the second cadaver (ineffective auto killer cut, and ineffective back-up killer cut). I notified (b) (6) of the findings. We discussed the lighting at the back-up killer station. A third spotlight had been added last night and positioned correctly, just to the south of the back-up killer station. The purpose of the light was to effectively illuminate the area and help to eliminate shadows. I observed at the back-up cutting station at approximately 0730 hours for approximately 4 minutes and observed the back-up cutter palpating the neck of each bird to assist with determining efficacy of the auto killer cut. (b) (6) and I discussed this observation. We also discussed that a superficial cut on the ventral aspect of the neck may fail to lacerate the vessels in the neck, which sit more laterally. (b) (6) stated she will be discussing the issue immediately with both back-up cutters with a translator in Spanish, and she will meet with them for a longer meeting after the shift is complete. I advised plant management that an MOI would be written and forwarded to the District Office for the (b) (6) and (b) (6), to review and they will</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P425	Northern Pride, Inc.	MYG14120 53002G	2018-05-02	04C05	Poultry Good Commercial Practices	Finalized	<p>Attendees: District Office, Plant Management, and the Back-up Cutter. The meeting was held on Wednesday, May 2, 2018 at approximately 0605 hours one cadaver was hung back by online IPP. The bird had a superficial cut on the mid neck, consistent with an insufficient cut by the auto killer. At 0700 hours a second cadaver was hung back. This cadaver had both a cut on mid-neck area consistent with a superficial auto killer cut, and a cut on the ventral proximal neck consistent with a back-up killer cut. Both cuts were ineffective in sufficiently lacerating the vessels in the neck. At 1130 hours a third cadaver was hung back, which had the same presentation as the second cadaver (ineffective auto killer cut, and ineffective back-up killer cut). I notified (b) (6) of the findings. We discussed the lighting at the back-up killer station. A third spotlight had been added last night and positioned correctly, just to the south of the back-up killer station. The purpose of the light was to effectively illuminate the area and help to eliminate shadows. I observed at the back-up cutting station at approximately 0730 hours for approximately 4 minutes and observed the back-up cutter palpating the neck of each bird to assist with determining efficacy of the auto killer cut. (b) (6) and I discussed this observation. We also discussed that a superficial cut on the ventral aspect of the neck may fail to lacerate the vessels in the neck, which sit more laterally (b) (6). (b) (6) stated she will be discussing the issue immediately with both back-up cutters with a translator in Spanish, and she will meet with them for a longer meeting after the shift is complete. I advised plant management that an MOI would be written and forwarded to the District Office for the (b) (6) and (b) (6), to review and they will contact us should additional follow-up be needed. Respectfully, (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P425	Northern Pride, Inc.	MYG34150 51507G	2018-05-07	04C05	Poultry Good Commercial Practices	Finalized	<p>Previous MOIs Documented for Cadavers: 4/20/18 MYG2512044920G MOI / Poultry Good Commercial Practices: Cadavers / MYG2512042220I 4/23/18 MYG0015042223G MOI / Poultry Good Commercial Practices- Cadavers / MYG5914044623I 4/24/18 MYG3916043224G MOI / Poultry Good Commercial Practices- Cadavers / MYG3916040624I 4/25/18 MYG2117045825G MOI / Poultry Good Commercial Practices / MYG2117043225I 4/27/18 MYG2813041827G MOI / Poultry Good Commercial Practices / MYG4309040927I 5/1/18 MYG0806052001G MOI / Poultry Good Commercial Practices- Cadaver / MYG5013043630I 5/2/18 MYG1412053002G MOI / Poultry Good Commercial Practices- Cadavers / MYG1312052102I Attendees: (b) (6) (6) On Monday May 7, 2018 two cadavers were identified at P425. At approximately 1105 hours a cadaver was hung back at inspection, which had an ineffective cut made by the auto-killer. At approximately 1340 hours a cadaver was hung back with no cuts on the neck. At approximately 1345 hours I discussed the above observations with (b) (6) . (b) (6) stated that she would address this incident with the back-up cutter, and discuss with the employee the importance of paying attention on the job when at this station. I advised plant management that an MOI would be written and forwarded to the District Office for the (b) (6) and (b) (6) to review and they will contact us should additional follow-up be needed. Respectfully, (b) (6)</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P425	Northern Pride, Inc.	MYG09110 54511G	2018-05-11	04C05	Poultry Good Commercial Practices	Finalized	<p>Previous MOIs Documented for Cadavers: 4/20/18 MYG2512044920G MOI / Poultry Good Commercial Practices: Cadavers / MYG2512042220I 4/23/18 MYG0015042223G MOI / Poultry Good Commercial Practices- Cadavers / MYG5914044623I 4/24/18 MYG3916043224G MOI / Poultry Good Commercial Practices- Cadavers / MYG3916040624I 4/25/18 MYG2117045825G MOI / Poultry Good Commercial Practices / MYG2117043225I 4/27/18 MYG2813041827G MOI / Poultry Good Commercial Practices / MYG4309040927I 5/1/18 MYG0806052001G MOI / Poultry Good Commercial Practices- Cadaver / MYG5013043630I 5/2/18 MYG1412053002G MOI / Poultry Good Commercial Practices- Cadavers / MYG1312052102I 5/7/18 MYG3415051507G MOI / Poultry Good Commercial Practices- Cadaver / MYG3207053207I Attendees: Plant Manager Warren Leighton, (b) (6)</p> <p>On Monday May 11, 2018 ten cadavers were identified at P425 between approximately 0620 hours and 0740 hours. All of the ten cadavers had an ineffective auto killer cut and an ineffective back-up killer cut. At approximately 0700 hours, after four cadavers had been identified, (b) (6) stated she had contacted maintenance to adjust the auto killer. I observed stunning, which was effective, and I observed for conscious birds on the line and found none. At approximately 0720 hours after two additional cadavers were identified, (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>(b) (6) stated she had contacted maintenance to adjust the auto killer a second time. At approximately 0725 hours I observed the auto killer was not making effective cuts on a majority of the birds. The back-up cutter was struggling to identify those birds needing a second cut. I observed (b) (6) and (b) (6) remove approximately six conscious birds from the line. 0740 hours, after nine cadavers total had been identified, (b) (6) stated the auto killer was not operating properly and was "down." The back-up cutters would be assuming the job as primary killers for the remainder of the day. At approximately 0820 hours, plant management met with IPP to discuss the auto killer function and the identified cadavers. (b) (6) stated that the auto killer was checked first thing this morning. About 30 minutes after the initial check a maintenance team member noted loose screws on one of the rollers that secure the bird's neck for the auto cutter. The loose screws hollowed out the roller drive shaft, causing a jumping motion. (b) (6) stated that maintenance had secured the roller so that it would not move. Maintenance later raised up the blade in the auto killer. (b) (6) explained that when the auto killer is not working properly, the back-up cutters have a very challenging job to determine which birds need a second cut. (b) (6) stated that the auto killer is monitored for 10 min at the start of the shift. Plant management discussed that checking the auto killer a second time 30 minutes into the shift, to ensure that the initial adjustments were effective, would be beneficial. Plant management discussed that in the future, if the auto killer is not functioning properly, it should be taken out of the production line immediately due to the critical nature of this piece of equipment. The back-up killers should resume their position as the primary killer.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>Maintenance will assess repairs and re-implement the auto killer once fixed after a plant break or lunch. The back-up killers need to communicate with (b) (6) if anything abnormal appears to be occurring with the stunner and auto killer, so that the issue can be addressed immediately. (b) (6) stated that parts have been ordered for the auto killer, and extra parts were also ordered to assist with rapid repairs in the future. I advised plant management that an MOI would be written and forwarded to the District Office for the (b) (6) and (b) (6) to review and they will contact us should additional follow-up be needed. Respectfully, (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	P44826	Case Farms Processing, Inc	JOD010201 0708G	2018-01-08	04C05	Poultry Good Commercial Practices	Finalized	<p>On 01/06/2018 at approximately 0545 hours, while conducting a routine walkthrough of the live-hang department (b) (6) did note the following deviation from accepted good commercial practices (GCP's): While inspecting birds in the DOA barrels, (b) (6) noted that the plant was not performing cervical dislocation of DOA birds as is their normal procedure. Upon checking the DOA barrels, (b) (6) noted motion from inside the barrel. On investigation, (b) (6) pulled one bird that was still shallowly breathing from underneath two to three DOA birds. Checking the rest of the DOA barrels in live hang, a total of 6 birds that were shallowly breathing and covered to various degrees by other DOA cadavers were retrieved from the DOA barrels. (b) (6) explained that live-hang had been short staffed, and with the cold weather bringing an increase in DOA's they had been unable to keep up with the practice of cervical dislocation. I notified (b) (6) and Assistant Plant Manager Jeff Ragan of this deviation from accepted GCP's and that I would be documenting a memorandum of interview (MOI) (b) (6) stated that they would be returning to the practice of cervical dislocation for DOA's. On discussion with Assistant Plant Manager Jeff Ragan, he stated that as a further preventative measure the plant was looking into additional methods besides the plastic paneling currently in use on the trucks to keep the cold air off the birds during transit and decrease the number of DOA's the plant receives during cold weather.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P45910	SANDERSON FARMS, INC	GRI130603 4323G	2018-03-23	04C05	Poultry Good Commercial Practices	Finalized	<p>This MOI is to document a meeting that was held at approximately 7:00AM in the USDA Office with (b) (6) and (b) (6).</p> <p>At approximately 6:55 AM, I had been monitoring the plant employees hanging live birds on the shackles when I notice that there were three birds lying on the floor at the end of the conveyer belt. Two birds were DOA and lying on top of one bird that was on its back and was seen struggling to breathe, and moving its legs. I immediately retrieved this bird and I observed it raise its head. After placing the bird on the floor it was able breathe, to remain in a sitting position and move its head and wings. Had this bird remained in the condition it was found in it would have been smothered to death and therefore died my means other than by slaughter. I tried to find a supervisor in the area but none was present until I was able to communicate my concerns to (b) (6) on the Evisceration Floor and I notified him that I would be issuing an MOI for failure to follow Good Commercial Practices.</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P45910	SANDERSON FARMS, INC	GRI311204 0517G	2018-04-17	04C05	Poultry Good Commercial Practices	Finalized	<p>MOI for establishment P-45910, Sanderson Farms, Inc., April 17, 2018 at 08:36 hours. In attendance: (b) (6) and (b) (6).</p> <p>At approximately 08:06 hours, while observing conditions in the live hang area, I saw a bird that was still breathing and moving its wings in the DOA (dead on arrival) cart. I notified personnel in the live hang area about the live bird. While the bird was removed from the cart and checked, the supervisor had (b) (6) summoned to the area. I notified (b) (6) that live birds should not be in the DOA cart as they could be smothered by other birds. Shortly after this, he came to my office and gave corrective actions to prevent a repeat incident of poultry mistreatment. He stated that a mechanical neck breaker would be reattached to the wall in the live hang area (the neck breaker had been removed from the wall and was not being used at that time.) Birds would then have their necks broken (cervical dislocation) and heads removed before being placed in the DOA cart. Until all personnel could be trained, the live receiving supervisors on 1st and 2nd shift would be the only ones ensuring that birds were dead before putting the birds in the DOA cart. I verified that the bird was deceased when it was returned to the DOA cart. Later, at approximately 12:25 hours, I discussed this incident with Dane Beall, Plant Manager. A copy of this MOI will be sent to Raleigh District Office.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P46897	IHSAN FARMS, IIC	SVH11060 25728G	2018-02-28	04C05	Poultry Good Commercial Practices	Finalized	At 1000, while performing a poultry good commercial practices check in the slaughter area, the following was observed: The male employee who was transferring birds from the live hang belt to the moving cone line picked up two birds by their necks (not their feet/legs) and placed them into the cones. Mr. Fernando Wong was immediately notified and I observed him speaking with the employee who was mishandling the birds. Similar mishandling (though picking up birds by their wings, not necks) has been documented previously in MOIs.
80	P46897	IHSAN FARMS, IIC	SVH37120 44605G	2018-04-05	04C05	Poultry Good Commercial Practices	Finalized	At 1001, while performing a poultry good commercial practices check in the kill room / dressing department, the following poultry welfare concern was observed: There were 3 live birds on the ground beneath the feet of the workers in this area. The workers were transferring birds from the live hang belt to the slaughter cone line or transferring birds from the slaughter cones to the production line leading to the scalding. One male worker was observed to pick up a bird from the ground by grabbing its tail. The worker did not pick up a single leg, only the tail of the bird. The bird was placed into a slaughter cone. Immediately, I contacted Mr. Fernando Wong (plant manager) and told him about my observation and that handling birds by their tails was a poultry welfare concern. (b) (6) was also present during this conversation. Mr. Wong immediately went to speak with the workers involved in handling the birds. This is not the first time that workers at this plant have been observed handling birds by means other than by their legs. In the past, they have been documented (in MOIs) to pick up birds by their wing(s) and necks. My concern is that this trend continues to be a problem.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
85	P476	Pilgrim's Pride	ODA39060 10922G	2018-01-22	04C05	Poultry Good Commercial Practices	Finalized	<p>To: Dan Shaw, Plant Manager From: (b) (6)</p> <p>Pilgrim's Pride Carrollton, GA P-476 Re: Good Commercial Practices Violation On 01/20/2018 at approximately 0530, I, (b) (6) (b) (6) while performing Poultry Good Commercial Practices (GCP) task observed the following: In the live hang area, birds were on the conveyor belt piled up close to the top of the rail and were so tightly compacted in the front (close to the fence) that there were several legs caught under the fence and moving. There was an employee pushing birds in several locations along the belt to try and spread the birds out. At approximately 0535 the hangers came in to start up and found several birds that were dead toward the front of the belt and removed. I observed and counted the birds. There were a dozen birds removed, 11 that were dead and one that was still breathing. I informed an employee of the issue and the live bird was placed on the line. The other birds were decapitated and placed in the DOA bin. The rest of the birds in the flock appeared in good condition. I informed (b) (6) (b) (6) and (b) (6) (b) (6) of the issue. I, (b) (6), met with (b) (6) and Plant Manager Dan Shaw to discuss the above event. (b) (6) said that he reviewed the plant footage and the person operating the cage dump tied the lever for the live hang belt to advance the birds continuously while he was dumping the cages. This person could be seen on the video running in to stop the belt when the birds advanced further than anticipated. This person then began to try and spread the birds out evenly across the table before they were hung at startup. I voiced with (b) (6) my concern that the birds were not spread out quickly or evenly enough to prevent some of the birds at the end of the belt from being smothered. Agency</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								regulations do require that live poultry be handled in a manner that is consistent with good commercial practices, and do not die from causes other than slaughter. This MOI has been forwarded to the District Office and the District Veterinary Specialist (DVMS) in case additional follow-up is recommended. Your response is requested. (b) (6)
85	P476	Pilgrim's Pride	ODA27190 21209G	2018-02-09	04C05	Poultry Good Commercial Practices	Finalized	On Thursday, February 8, 2017 at approximately 9:15 pm; while performing the Good Commercial Practice, I observed multiple birds exit the stunner on line 1 with large lacerations on the left side of the abdomen and flank. Not all birds were affected, the laceration appeared intermittently varying from thorax to abdomen and others from abdomen to thigh. I examined the birds entering the stunning tunnel and observed they were unaffected. I notified (b) (6). He stopped the hangers from hanging and called maintenance. Once all the birds cleared the stunning cabinet a wire grate was observed to be standing at a perpendicular angle to the floor of the stunner and in the path of the birds entering the stunner. This MOI will be forwarded to the DVMS (District Veterinary Medical Specialist) for further follow up as needed. I look forward to you response. (b) (6), second shift p 476

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
35	P481	Tyson Foods, Inc.	VHF15040 20313G	2018-02-13	04C05	Poultry Good Commercial Practices	Finalized	<p>On 2/13/18 at approximately 0356 hours the night shift (b) (6), observed the following good commercial practice failure. The cull basket affixed to the end of the livehang belt was piled up with numerous small birds. The chickens in the basket were primarily small and or sick birds that were piled two to three deep. The basket was filled with culled birds and the mesh at the bottom was not visible. One plant employee was stationed at the basket to cervically dislocate birds, but was unable to keep up with the workload. During observation multiple gasping birds were seen pressed to the bottom of the pile. I notified (b) (6) of the issue. (b) (6) immediately started culling the birds via the cervical dislocation and placing their carcasses in the condemn barrels located at the end of the line, as is normal for this establishment. I observed multiple dyspneic birds, but none that appeared to have died by suffocation. FSIS observation continued until all the birds were euthanized and placed in condemn barrels. I then left the live hang area and spoke with (b) (6), and (b) (6). I explained the condition I observed and the corrective actions taken by (b) (6). It was stressed to the livehang employees by plant management if they observe a large volume of birds in the cull basket they are to drop a shackle and assist with cervical dislocation until the process is back in control. It is not within the standards of good commercial practice to let birds asphyxiate, as was the potential outcome of this incident, and as such is concerning to the USDA.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P509	Koch Foods LLC	IPG062101 0318G	2018-01-18	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 2140, while performing my GCP task, I entered the live hang room. I found a pile of birds on the floor under the belt. This pile was very wide and it reached up to the belt. There was one associate trying to take care of the pile. There was one spot of the pile that moved. I shone my flashlight on it and the associate found a live bird under others and hung it on the line. There were several almost dead birds that he was euthanizing by disarticulating the head and neck. However, the pile was growing almost as quickly as he was removing carcasses from it. I went to the evis floor and had someone radio for the live hang supervisor to meet me in the live hang room. I returned to live hang and at that time the associate called for 2 more people to help him with the pile of birds on the floor. (b) (6) came in shortly after me and removed more associates from the line to help with the pile of birds. (b) (6) also came in. I informed (b) (6) and (b) (6) that a prudent establishment would know that their numbers of DOAs would be high with these freezing temperatures and would have more people available to sort through the birds coming off the end of the live hang belt. This would allow any live birds that made their way off the belt to be picked up before they were covered, and possibly smothered, by dead carcasses and any birds that needed euthanasia could be taken care of quickly and not covered with dead carcasses. The establishment failed to implement any interventions to prevent this situation and failed to implement any to quickly address the growing mound of carcasses allowing live birds and dying birds to be covered with dead carcasses. I informed (b) (6) that I would be writing a MOI.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P510	House Of Raeford Farms	RHB02080 43824G	2018-04-24	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 5:52am on 04/24/2018 while conducting a Good Commercial Practices Verification Task I observed a bird on the evisceration line with neck cuts that was breathing and headed toward the first scalding. I immediately stopped the line before the bird reached the scalding. (b) (6) removed the bird from the line. The bird was large, had visible cuts on its neck but was still breathing. I discussed the issue with (b) (6), and reminded him that good commercial practices require that birds must have stopped breathing before they enter the scalding, and that this bird would have entered the scalding still breathing if I had not observed it and stopped the line. The bird was decapitated with a knife. (b) (6) had maintenance working on the issue and it was mentioned that the stunner was thought to be involved. (b) (6) and I then both monitored the line. He indicated he was concerned about a bird farther up the line that had not yet reached the area where I was standing by the scalding. I stopped the line so he could remove the bird before it reached the scalding. It had neck cuts but it was breathing at the time. Cervical disarticulation was performed on the bird. A break was put in the line by the plant to allow maintenance to work on the issue (b) (6) reported they identified and resolved an issue with the neck cutter blade. I continued monitoring the birds on the line prior to the scalding and saw no further issues. I also discussed the issue later in the morning with (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
40	P51179	Sanderson Farms, Inc.	RQE46050 34608G	2018-03-08	04C05	Poultry Good Commercial Practices	Finalized	<p>On 03-07-18 at approximately 0836 hours while performing GCP in the live hang area I, (b) (6) observed multiple Dead On Arrival (DOA) birds on the floor at the end of the live hang belt located on the north side of the room. I observed a production employee placing a live bird into a red inedible barrel, upon further observation I found four DOA birds on top of one live bird in the same red barrel labeled "inedible". I notified (b) (6) (b) (6) and shown him the noncompliance. (b) (6) pulled both live birds from the red (DOA) barrel and placed them back on the production line. The piling of DOA birds on top of live birds is an unacceptable practice as it could lead to the smothering of the live birds. The establishment has failed to handle the birds properly and dispose of DOA's according to GCP regulations.</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P517	Mar-Jac Poultry-MS	QOO17000 12906G	2018-01-06	04C05	Poultry Good Commercial Practices	Finalized	<p>Mr. Jeff Monroe Plant Manager Mar-Jac Poultry, MS 1301 James Street Hattiesburg, MS 39401 Mr. Monroe, At approximately 2146 hours on January 3, 2018, the following less than Good Commercial Practices in Poultry (GCIPL) incident was observed at P517, Mar-Jac Poultry, MS, Hattiesburg, MS. One (1) live young chicken with uplifted head, rhythmic breathing, pupillary reflexes, and no cut to the neck from an approximate 500 bird random subgroup sample entered the scald tank on the north picking line which feeds evisceration line #1. A carcass with head attached consistent with a cadaver, exhibiting ventral pooling of blood to the neck and head and a reddish hue exited the 1st picker on the north picking line at approximately 2150 hours. The cadaver entered the evisceration department and was removed at approximately 2151 hours by a plant employee on the rehang table at the request of (b) (6). The associated paws were rejected. (b) (6) was notified at approximately 2155 hours and was given an opportunity to examine the cadaver. A second verification check of an approximate 500 birds random subgroup sample on the north picking line at approximately 2156 hours had no live bird(s) entering the scald tank. A Dead on Arrival (DOA) bird was observed entering the scald tank during the second verification. The DOA was removed at the rehang table and the paws were rejected. (b) (6) was notified. This incident was determined to be isolated event and not a loss of process control or a systemic event. Allowing bird(s) to enter the scald tank while still breathing is a less than GCIPL and causes needless suffering and death resulting in adulterated product. Poultry slaughter establishments must take every precaution to ensure poultry under their control</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>on the official premises are treated in a humane manner, subjected to minimal excitement, discomfort, and injury, or death by means other than slaughter. Mr. Jeff Monroe, Plant Manager and (b) (6) met in the USDA office at approximately 0600 hours on January 5, 2018 to discuss the less than GCPIP incident. No response to the less than GCPIP incident was given at this time. Mr. Monroe was advised a GCPIP Memorandum of Interview would be issued to management pending review by (b) (6) . As per Federal Notice Vol. 70, No. 187, Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry Prior to Slaughter", the Food Safety and Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by Good Commercial Practices (GCPs) as described in industry guidelines. Respectfully, (b) (6) Canton, MS 9024 1039 W. Fulton St. Canton, MS 39046 cc: Dr. Larry Davis, DM Dr. David Thompson, DDM Dr. Loraine Dozier, acting DDM (b) (6) (b) (6) (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P517	Mar-Jac Poultry-MS	QOO39060 14224G	2018-01-24	04C05	Poultry Good Commercial Practices	Finalized	<p>Mr. Jeff Monroe Plant Manager Mar-Jac Poultry, MS 1301 James Street Hattiesburg, MS 39401 Mr. Monroe, At approximately 2132 hours on January 22, 2018, the following less than Good Commercial Practices in Poultry (GCPIP) incident was observed at Mar-Jac Poultry, MS, Hattiesburg, MS. One (1) live young chicken with uplifted head, rhythmic breathing, pupillary reflexes, and no cut to the neck from an approximate 500 bird random subgroup sample entered the scald tank on the north picking line which feeds evisceration line #1. A carcass with head attached consistent with a cadaver exhibiting ventral pooling of blood to the neck and head and a reddish hue exited the 1st picker on the north picking line at approximately 2136 hours. The carcass, with feet attached, was removed from the evisceration line at approximately 2137 hours by (b) (6) [REDACTED] (b) (6) [REDACTED] was notified and given an opportunity to examine the cadaver. A second verification check of an approximate 500 bird random subgroup sample on the north picking line at approximately 2138 hours did not have any live bird(s) entering the scald tank. This incident was determined to be an isolated event and not a loss of process control or systemic event. Allowing bird(s) to enter the scald tank while still breathing is a less than GCPIP and causes needless suffering and death and resulting in adulterated product. Poultry slaughter establishments must take every precaution to ensure poultry under their control on the official premises are treated in a humane manner, subjected to minimal excitement, discomfort, and injury, or death by means other than slaughter. (b) (6) [REDACTED] and (b) (6) [REDACTED] met at approximately 0600 hours on January 24, 2018 to discuss the less than GCPIP. No response to the incident was given at</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>this time. (b) (6) was advised a GCPIP Memorandum of Interview would be issued to management pending review by (b) (6). As per Federal Notice Vol. 70, No. 187, Docket No. 04-037N dated September 28,2005, "Treatment of Live Poultry Prior to Slaughter", the Food Safety and Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by Good Commercial Practices (GCPs) as described in industry guidelines. Respectfully, (b) (6), Canton, MS 9024 1039 W. Fulton St. Canton, MS 39046 cc: Dr. Larry Davis, DM Dr. David Thompson, DDM Dr. Loraine Dozier, acting DDM (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P517	Mar-Jac Poultry-MS	QOO18130 21202G	2018-02-02	04C05	Poultry Good Commercial Practices	Finalized	<p>On February 2, 2018 @ approximately 1212 hours, I observed a less than good commercial practice while performing an Ante-mortem and Good Commercial Practices (GCP) check at Mar-Jac Poultry (P-517). While performing the GCP, I noticed two moribund birds, one of which was partially covered with other DOAs, within a large number of birds piled in a large plastic vat of DOAs on the back dock. After freeing the partially covered bird for further examination, I observe a wing tip of third bird move that was buried underneath several DOAs in this pile of DOAs. The two of birds appeared to be in distress, being unable to ambulate and sparse breathing. The third bird was observed with rhythmic chest movements and open, alert, blinking eyes and uplifted head. The (b) (6) was notified and the birds were humanely euthanized by rapid cervical disarticulation which is a practice consistent with Good Commercial Practices. Comingling live bird(s) with DOAs can lead to suffocation and death by means other than normal slaughter methods. (b) (6), and (b) (6), were informed of this unacceptable practice. In accordance with FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, live poultry must be handled in a manner that is consistent with good commercial practices. In order for this to occur, poultry must be treated in a manner that will minimize excitement, discomfort and accidental injury throughout processing. A copy of this Memorandum of Interview will be sent to the Jackson District Office for further review. Thanks for your attention to this matter. Respectfully, (b) (6)</p> <p>CC: (b) (6) (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P517	Mar-Jac Poultry-MS	QOO38150 23713G	2018-02-13	04C05	Poultry Good Commercial Practices	Open	<p>Good Commercial Practices MOI: On February 13, 2018 @ approximately 1040 hours, I observed a less than good commercial practice while performing an Ante-mortem and Good Commercial Practices (GCP) check at Mar-Jac Poultry (P-517). While performing the GCP, I noticed one moribund bird in a grey vat of denatured DOA carcasses. The vat was located on the side of the unloading dock next to the staged live haul trailers. The carcass' head was buried within the pile of DOAs, as its red stained body exhibited shallow breathing. (b) (6)</p> <p>(b) (6) was immediately notified of this finding. He freed the head of the bird, which revealed the bird exhibiting shallow open-mouthed breathing. He then removed the bird from the vat and humanely euthanized it by rapid cervical disarticulation. (b) (6)</p> <p>(b) (6) was also informed of this unacceptable finding. Comingling live birds with DOAs can lead to suffocation and death by means other than normal slaughter methods. In accordance with FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, live poultry must be handled in a manner that is consistent with good commercial practices. In order for this to occur, poultry must be treated in a manner that will minimize excitement, discomfort and accidental injury throughout processing. A copy of this Memorandum of Interview will be sent to the Jackson District Office for further review. Thanks for your attention to this matter. Respectfully,</p> <p>(b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P517	Mar-Jac Poultry-MS	QOO49120 21727G	2018-02-27	04C05	Poultry Good Commercial Practices	Finalized	<p>Good Commercial Practices MOI: On February 26, 2018 @ approximately 0556 hours, I observed a less than good commercial practice while performing an Ante-mortem and Good Commercial Practices (GCP) check at Mar-Jac Poultry (P-517). While performing the GCP, I noticed a live bird in the fecal material/chicken feather collection vat at the end of the DOA conveyor. Rain water had collected in this vat resulting in this bird setting in approximately 8 inches of water up to its head. (b) (6) and (b) (6), were informed of this unacceptable practice. (b) (6) removed the bird from the vat. In accordance with FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, live poultry must be handled in a manner that is consistent with good commercial practices. In order for this to occur, poultry must be treated in a manner that will minimize excitement, discomfort and accidental injury throughout processing. A copy of this Memorandum of Interview will be sent to the Jackson District Office for further review. Thanks for your attention to this matter. At approximately 1050 hours, a meeting was in the USDA office with (b) (6) and (b) (6). The incident was discussed regarding the treatment of a live bird in the debris vat and preventative measures for preventing future incidences. (b) (6), indicated that the conveyor opening will be modified to prevent live birds from entering the debris vat. Respectfully, (b) (6) I CC: (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P517	Mar-Jac Poultry-MS	QOO28050 23828G	2018-02-28	04C05	Poultry Good Commercial Practices	Finalized	<p>(b) (6) Mar-Jac Poultry, MS 1301 James Street Hattiesburg, MS 39401 (b) (6), At approximately 2205 hours on February 26, 2018, the following less than Good Commercial Practices in Poultry (GCPiP) incidences were observed at P517, Mar-Jac Poultry, MS, Hattiesburg, MS. One (1) live young chicken with uplifted head, rhythmic breathing, pupillary reflexes, and no cut to the neck from an approximate 500 bird random subgroup sample entered the scald tank on the north picking line which feeds evisceration line #1. A carcass with head attached consistent with a cadaver exhibiting ventral pooling of blood to the neck and head and a reddish hue exited the 1st picker on the north picking line at approximately 2209 hours. The carcass, with feet attached, was removed from the evisceration line at approximately 2210 by a plant employee. The plant employee rejected the paws at rehang. (b) (6)</p> <p>(b) (6) was notified at approximately 2212 hours and given an opportunity to examine the cadaver. A second verification check of an approximate 500 bird random subgroup sample on the north picking line at approximately 2215 hours had one live bird with uplifted head, pupillary reflexes, rhythmic breathing, and no cut to the neck enter the scald tank. At the exit of the first picker 3 cadavers exited the picker prior to bird entering the scald tank at approximately 2215 hours. This bird observed on the second verification exited at approximately 2219 hours. No cadavers observed at the exit of the first picker entered the evisceration department. (b) (6) and (b) (6) were notified and advised of the cadavers observed during the second verification on the north picking line. A third verification on the north picking line of an approximate 500 bird random</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>sample was performed at approximately 2228 hours, and no live bird(s) entered the scald tank during this observation. These incidences were determined to be an isolated events and not a loss of process control or systemic event. Allowing bird(s) to enter the scald tank while still breathing is a less than GCPIP and causes needless suffering and death and resulting in adulterated product. Poultry slaughter establishments must take every precaution to ensure poultry under their control on the official premises are treated in a humane manner, subjected to minimal excitement, discomfort, and injury, or death by means other than slaughter. (b) (6) and (b) (6) met in the Quality Assurance office at approximately 2220 hours. The second observation at the entrance of the scalding, the cadavers exiting the first picker, and no cadavers entering the evisceration department were discussed. All cadavers exiting the first picker were properly shackled. No response to the incident was given at this time. (b) (6) was advised a GCPIP Memorandum of Interview would be issued to management pending review by (b) (6). As per Federal Notice Vol. 70, No. 187, Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry Prior to Slaughter", the Food Safety and Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by Good Commercial Practices (GCPs) as described in industry guidelines. Respectfully, (b) (6), Canton, MS 9024 1039 W. Fulton St. Canton, MS 39046 cc: Dr. Larry Davis, DM Dr. David Thompson, DDM (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P517	Mar-Jac Poultry-MS	QOO22090 30805G	2018-03-05	04C05	Poultry Good Commercial Practices	Finalized	<p>Good Commercial Practices MOI: On March 5, 2018 at approximately 0755 hours, I observed a less than good commercial practice while performing an Ante-mortem and Good Commercial Practices (GCP) check at Mar-Jac Poultry (P-517). While performing the GCP, I noticed multiple birds had legs protruding through the sides of their cages, leaving them unable to ambulate. Just before 0600 hours, live haul trailer #377 was placed in an open area away from the holding shed. Once released from the hitch of the truck, trailer fell over on its side into a large puddle of mud. After the cages were removed from the trailer and placed upright onto the ground, several birds were left wedged in between dead birds due to their legs being stuck in the dried mud. (b) (6)</p> <p>was informed of this finding. Comingling live birds with DOAs can lead to suffocation and death by means other than normal slaughter methods. In accordance with FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, live poultry must be handled in a manner that is consistent with good commercial practices. In order for this to occur, poultry must be treated in a manner that will minimize excitement, discomfort and accidental injury throughout processing. A copy of this Memorandum of Interview will be sent to the Jackson District Office for further review. Thanks for your attention to this matter. Respectfully,</p> <p>(b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P517	Mar-Jac Poultry-MS	QOO53040 35306G	2018-03-06	04C05	Poultry Good Commercial Practices	Finalized	<p>(b) (6) Mar-Jac Poultry, MS 1301 James Street Hattiesburg, MS 39401 (b) (6), At approximately 2055 hours on March 4, 2018, the following less than Good Commercial Practices in Poultry (GCPIP) incident was observed at P517, Mar-Jac Poultry, MS, Hattiesburg, MS. One (1) live young chicken with uplifted head, rhythmic breathing, pupillary reflexes, and no cut to the neck from an approximate 500 bird random subgroup sample entered the scald tank on the north picking line which feeds evisceration line #1. A second verification of the north picking line from an approximate 500 bird random sample had 1 live bird enter the scald tank at approximately 2105 hours. The bird was observed with uplifted head, pupillary reflexes, rhythmic breathing, and no cut to the neck. A third verification of the north picking line at approximately 2110 hours from an approximate 500 bird random sample had no live bird(s) entering the scald tank. (b) (6) was notified of the less than GCPIP incidences at approximately 2115 hours. (b) (6) was notified shortly thereafter. These incidences were determined to be isolated events and not a loss of process control or systemic event. Allowing bird(s) to enter the scald tank while still breathing is a less than GCPIP and causes needless suffering and death and resulting in adulterated product. Poultry slaughter establishments must take every precaution to ensure poultry under their control on the official premises are treated in a humane manner, subjected to minimal excitement, discomfort, and injury, or death by means other than slaughter. (b) (6) and (b) (6) met in the USDA office at approximately 0505 hours on March 6, 2018. The less than GCPIP incidences were discussed. No response to</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>the incident was given at this time. (b) (6) was advised a GCIP Memorandum of Interview would be issued to management pending review by (b) (6). As per Federal Notice Vol. 70, No. 187, Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry Prior to Slaughter", the Food Safety and Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by Good Commercial Practices (GCPs) as described in industry guidelines. Respectfully, (b) (6) Canton, MS 9024 1039 W. Fulton St. Canton, MS 39046 cc: Dr. Larry Davis, DM Dr. David Thompson, DDM (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P517	Mar-Jac Poultry-MS	QOO02090 40505G	2018-04-05	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 0946 hours on March 30, 2018, while verifying Good Commercial Practices (GCP) at P517, Mar-Jac Poultry, MS, the following less than GCP was observed. (b) (6) and (b) (6) observed on the back dock in the live hang area one live bird with rhythmic breathing under a pile of Dead on Arrival (DOAs) located at the end of the conveyor for the South picking line. The bird was removed from the pile placed on the concrete floor of the live hang dock in preparation for decapitation before being placed in the DOA bin. (b) (6) observed this breathing bird and was informed of the pending GCP MOI. As per Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter," the Food Safety Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by Good Commercial (GCPs) as described by industry guidelines. Respectfully, (b) (6) CC: (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P517	Mar-Jac Poultry-MS	QOO01150 42618G	2018-04-18	04C05	Poultry Good Commercial Practices	Finalized	<p>(b) (6) Mar-Jac Poultry, MS 1301 James Street Hattiesburg, MS 39401 (b) (6) At approximately 0600 hours on April 18, 2018, the following less than Good Commercial Practices in Poultry (GCIPL) incidences were observed at P517, Mar-Jac Poultry, MS, Hattiesburg, MS. while performing ante mortem inspection and the PHIS Poultry Good Commercial Practices task. Trailer #395 and trailer #1161 has open compartments with live chickens sitting between the cages. A number of cages were observed with missing compartment doors or missing spring loaded hinges. Chickens were also observed in compartments with no doors. One live chicken was sitting on the ground between the 2 trailers. Three live chickens were observed loose under the cage dumper, and one live chicken was observed on the ground at live receiving with heavy equipment traffic in the area. At approximately 0627, one (1) live young chicken with uplifted head, rhythmic breathing, pupillary reflexes, and no cut to the neck from an approximate 500 bird random subgroup sample entered the scald tank on the north picking line which feeds evisceration line #1. A carcass with head attached consistent with a cadaver, exhibiting ventral pooling of blood to the neck and head and a reddish hue exited the 1st picker on the north picking line at approximately 0632 hours. The cadaver carcass entered the evisceration department at approximately 0633 hours. (b) (6) requested the hot rehang employee to remove the bird from the table at approximately 0634 hours. The associated paws were dumped by the rehang employee. (b) (6) and (b) (6) were notified at approximately 0636 hours and given an opportunity to examine the cadaver. A second</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>verification check of an approximate 500 bird random subgroup sample on the north picking at approximately 0638 had no live birds entering the scalders. These incidences were determined to be isolated events and not a loss of process control or a systemic event. Allowing bird(s) to enter the scald tank while still breathing is a less than GCPIP and causes needless suffering and death and resulting in adulterated product. Poultry slaughter establishments must take every precaution to ensure poultry under their control on the official premises are treated in a humane manner, subjected to minimal excitement, discomfort, and injury, or death by means other than slaughter. (b) (6) and (b) (b) (6) (b) (6) met at approximately 0700 hours and surveyed the live holding area and the live receiving area. The loose birds on the trailers, the loose birds on the premises, the missing cage doors on the transport cages, the general disrepair of the cages, and the live bird entering the scalders were discussed. No corrective action was given at this time. (b) (6) was advised a GCPIP Memorandum of Interview would be issued to management pending review by (b) (6) (b) (6). As per Federal Notice Vol. 70, No. 187, Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry Prior to Slaughter", the Food Safety and Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by Good Commercial Practices (GCPs) as described in industry guidelines. Respectfully, (b) (6) (b) (6) Canton, MS 9024 1039 W. Fulton St. Canton, MS 39046 cc: Dr. Larry Davis, DM Dr. David Thompson, DDM Dr. Gregory Brookhouser, DDM (b) (6) (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P519	Wayne Farms LLC	KMH02030 10708G	2018-01-08	04C05	Poultry Good Commercial Practices	Finalized	<p>(b) (6) Wayne Farms LLC (b) (6) 525 Wayne Drive Laurel, MS 39440 (b) (6), At approximately 0340 hours on January 6, 2018, the following less than Good Commercial Practices in Poultry (GCPIP) incident was observed at 00519-P, Wayne Farms LLC, Laurel, Ms. One cage in the repair set-off area by the fence adjacent to live unloading was found to contain six birds, four of which were expired; the remaining two were exhibiting signs of distress ie, labored breathing and an inability to remain upright. A discussion with (b) (6) who had been operating the forklift all night revealed he had not placed any cages in this area; this was evidenced by two cages setting at the corner of the hanging pen area with malfunctioning doors. This incident was determined to be an isolated event and not a loss of control or systemic event. Allowing birds to remain unprotected in frigid temperatures for extended period of time causes needless suffering and death. Poultry slaughter establishments should take every precaution to ensure poultry under their control on official premises are treated in a humane manner, subjected to minimal excitement, discomfort, injury, or death by means other than slaughter. (b) (6) and (b) (6) met in the USDA office at approximately 0430 hours on January 6, 2018 to discuss the less than GCPIP incident. (b) (6) did advise USDA that he would have the remaining birds euthanized by rapid cervical dearticulation. No response was given as to how or when the cage in this incident was placed in area. (b) (6) was notified that a GCPIP Memorandum of Interview would be issued to management pending review by (b) (6). As per Federal Notice Vol 70, No. 187, Docket No. 04-037N dated September 28,2005, "Treatment of Live Poultry Prior to Slaughter", the Food</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>Safety and Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by Good Commercial Practices(GCPs) as described in industry guidelines. Respectfully, (b) (6)</p> <p>00519-P, Wayne Farms, Laurel, Ms. 39440 cc; Dr. Larry Davis, DM Dr. David Thompson, DDM Dr. Loraine Dozier, acting DDM (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P519	Wayne Farms LLC	KMH15060 12419G	2018-01-19	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 1250 hours on January 18, 2018 while performing the Good Commercial Practices verification task, the following was observed at the entrance to the scald tank. The first young chicken was seen entering the scald tank with an uplifted head, pupillary reflexes, rhythmic breathing, controlled movements and a cut across the base of the beak (did not penetrate any vasculature). (b) (6) was present at the scald tank as well and the bird was pointed out to him. He attempted to stop the line to remove the bird but was unsuccessful. Additional birds that appeared in the exact same manner as the one described above were unable to be removed from the line and entered the scald tank live at 1253 and 1254. During this time period (b) (6) had called for maintenance to come work on the equipment. Between 1254-1259 an additional six birds that all appeared the same physically as those previously described were pointed out by USDA to Supervision and two establishment employees just prior to entering the scald tank live. The establishment employees manually decapitated these six birds prior to them entering the scald system. At 1300 an additional live bird with an uplifted head, that was looking around, blinking, had pupillary reflexes, controlled movements, rhythmic breathing and a superficial abrasion that just removed the top layer of skin over the center of the throat was just about to enter the scald vat live. USDA pointed this bird out to the establishment workers and they manually decapitated this bird as well. (b) (6) was informed that this would be documented as a GCP MOI. He was also informed that the establishment had already gotten one GCP NR earlier this week and FSIS takes live birds entering the scald system very seriously. This cannot continue to occur, please provide USDA with more</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>effective corrective actions to prevent live birds from entering the scald system in the future. Past similar NR KMH5112010417N / 1 dated January 16, 2018 in which previous preventative measures either were not implemented or were ineffective. Live bird(s) entering the scald system live is a less than Good Commercial Practices and results in adulterated product. The establishment is responsible for ensuring that birds under their control on the official premises are treated in a humane manner that will minimize excitement, discomfort, injury and/or death by means other than slaughter. As per Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter," the Food Safety Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by the Good Commercial Practices (GCPs) as described by industry guidelines. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the District Office. Respectfully submitted on January 18, 2018 (b) (6)</p> <p>DDM (b) (6) Cc: Dr. David Thompson, (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P519	Wayne Farms LLC	KMH26050 15720G	2018-01-20	04C05	Poultry Good Commercial Practices	Finalized	<p>(b) (6) Wayne Farms, MS, LLC 525 Wayne Drive Laurel, MS 39440 (b) (6), At approximately 0301 hours on January 18, 2018, the following less than Good Commercial Practices in Poultry (GCPIP) incident was observed at P519 Wayne Farms, MS, LLC, Laurel, MS. Five live birds were observed by (b) (6) sitting on a pile of birds at the end of the live hang conveyor belt in the live hang pen. A plant employee was requested to remove the live birds from the top of the pile. An additional 7 live birds were uncovered by the plant employee in the process along with 2 Dead on Arrival (DOA) s. The live birds were not able to be observed until the live birds on top of the pile were removed. The live birds were returned to production. (b) (6) was notified of the incident at approximately 0315 hours. This incident was determined to be an isolated event and not a loss of process control or systemic event. Allowing live bird(s) to become entrapped under other live birds and DOAs is a less than GCPIP and can cause needless suffering and death from suffocation resulting in adulterated product. Poultry slaughter establishments must take every precaution to ensure poultry under their control on the official premises are treated in a humane manner, subjected to minimal excitement, discomfort, and injury, or death by means other than slaughter. (b) (6) and (b) (6) met at approximately 0330 hours on January 18, 2018 to discuss the less than GCPIP. No response to the incident was given at this time, other than the employee responsible for removing the DOAs and live birds from the hanging pen floor would be disciplined. (b) (6) was advised a GCPIP Memorandum of Interview would be issued to management pending review by (b) (6). As per Federal</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								Notice Vol. 70, No. 187, Docket No. 04-037N dated September 28,2005, "Treatment of Live Poultry Prior to Slaughter", the Food Safety and Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by Good Commercial Practices (GCPs) as described in industry guidelines. Respectfully, (b) (6) Canton, MS 9024 1039 W. Fulton St. Canton, MS 39046 cc: Dr. Larry Davis, DM Dr. David Thompson, DDM Dr. Loraine Dozier, acting DDM (b) (6)

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P519	Wayne Farms LLC	KMH33220 15421G	2018-01-21	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 0735 hours on January 20, 2018 while performing the Good Commercial Practices verification task, the following was observed at the entrance to the scald tank. The first young chicken was seen entering the scald tank with an uplifted head, pupillary reflexes, rhythmic breathing, controlled movements and a cut towards the back of the head that did not penetrate any of the major vasculature effectively. This bird was hanging in the shackle by one leg. (b) (6) was in the area and immediately informed of my observations and that documentation would occur. Additional live birds entered the scald vat at 0736, 0737 and 0745. All appeared physically the same as the first bird described and were hanging in the shackle via one leg except the bird that entered the scald system at 0736. The only physical difference in this bird was that it was in the shackle hanging by two legs instead of one. Past similar NR KMH5112010417N / 1 dated January 16, 2018 in which previous preventative measures either were not implemented or were ineffective. Also, past similar GCP MOI KMH3816013518I dated January 18, 2018 for similar conditions in which live birds entered the scald vat. Live bird(s) entering the scald system live is a less than Good Commercial Practices and results in adulterated product. The establishment is responsible for ensuring that birds under their control on the official premises are treated in a humane manner that will minimize excitement, discomfort, injury and/or death by means other than slaughter. As per Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter," the Food Safety Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by the Good Commercial</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>Practices (GCPs) as described by industry guidelines. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the District Office. Respectfully submitted on January 20, 2018 (b) (6)</p> <p>Cc: Dr. David Thompson, DDM (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P522	Sanderson Farms, Inc. (Processing Div)	IKB281804 4926G	2018-04-26	04C05	Poultry Good Commercial Practices	Finalized	<p>April 26th, 2018 To: (b) (6)</p> <p>(b) (6) Sanderson Farms, P-522 Today, April 26th, 2018, the following was observed by me, (b) (6)</p> <p>(b) (6) at P-522, Sanderson Farms, in Collins, Mississippi: At approximately 1400 hours, I was informed by USDA IPP that one of the picking lines (the “outside” picking line) was not running due to a mechanical issue. At approximately 1450 hours I proceeded to the live hang area to conduct a Good Commercial Practices task. In the live hang area I observed that the picking line in question was not running and there were no birds hanging in the shackles on this line in the live hang area. I proceeded to the stunner entrance and observed five (5) live birds hanging in shackles at the entrance to the stunner. The stunner was full of birds and appeared to be turned “off” and drained. I could not tell if the birds in the stunner were alive or not. The five birds at the stunner entrance were alive, and were breathing rhythmically, moving their bodies and heads, and opening and closing their eyes. I informed (b) (6) of my findings. (b) (6) removed four of the live birds from the line at 1452 hours. I stated that there was still one live bird hanging in the shackles at the stunner entrance. (b) (6) said that the bird could not be removed from the shackles. I asked how long the line had been stopped. (b) (6) stated that the line had been down for approximately one hour. I located (b) (6), and informed him of my findings and stated that this incident would be documented in a Good Commercial Practices MOI. (b) (6) proceeded to the stunner entrance and we observed the remaining live bird together. (b) (6) said that the bird could not be removed from the shackles. Mr. Barry Sparks, Plant</p>

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								<p>Manager, also observed the bird at this time. At approximately 1503 hours the picking line began to run and 8 live birds immediately emerged from the scalding exit. Establishment employees removed the birds from the line and euthanized them. The picking line was run further, and approximately 10 dead birds emerged from the stunner, followed by two more live birds. Establishment employees removed the dead birds from the line and disposed of them, and then removed the live birds from the line and euthanized them. At 1505 all of the affected birds had been removed from the line and disposed of. On April 25th, 2017, a similar incident occurred in which birds were left suspended in shackles in or near the stunner during a prolonged line stoppage. This was documented in GCP MOI #IKB5818050025I. On July 25th, 2017, a similar incident occurred in which birds were left suspended in shackles in or near the stunner during a prolonged line stoppage. This was documented in GCP noncompliance record #IKB3219072625N/1. The treatment of live birds before slaughter is an important animal welfare concern. Live birds left suspended upside down in the shackles for a prolonged period of time in the event of a line stoppage may suffer and/or die. A prudent establishment would operate equipment that permits removal of live birds from the production line in the event of a line stoppage. Stunning is not a regulatory requirement in poultry but is commonly used in poultry slaughter to render the birds immobile and insensitive to pain. If the stunner is left "on" during a line stoppage, birds left in the stunner may die of means other than slaughter (eg. drowning or electrocution), although a properly functioning stunner quickly renders the birds unconscious. If the stunner is turned "off", drained, and the birds are allowed to recover consciousness, the</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>subsequent welfare of these birds should be given consideration. The aforementioned incident and concerns were discussed today at 1600 hours at the Weekly Meeting with Establishment. (b) (6)</p> <p>(b) (6), stated that the establishment follows its written protocol in the event of a line stoppage. I am familiar with the establishment's written animal welfare protocol for line stoppages and I am of the opinion that it fails to adequately address the welfare of birds left in or near the stunner, as evidenced today by the fact that numerous live birds were left hanging in shackles for over an hour and the presence of approximately 10 dead birds in the stunner. Establishment management is encouraged to review Federal Register Notice Docket No. 04-037N (dated September 28, 2005) for FSIS recommendations concerning treatment of live poultry before slaughter. The establishment is strongly encouraged to abide by Good Commercial Practices. Respectfully, (b) (6)</p> <p>CC: (b) (6)</p> <p>(b) (6) Dr. Gregory Brookhouser, Deputy District Manager</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P529	Pilgrim's Pride Corporation	ODE19000 20009G	2018-02-09	04C05	Poultry Good Commercial Practices	Finalized	<p>On February 4, 2018 at approximately 9:30 PM, while performing a Good Commercial Practices Verification Task, (b) (6) asked (b) (6) to report to the Live Hang Area. (b) (6) reported that the plant was experiencing a higher than normal amount of Dead on Arrival (DOAs) birds in the first load of the shift (Table 1. Inspection results for lot 36A, Poultry Cadaver Summary for District 25(not attached)). The floor by the dead bird augur from the Live Transfer System was strewn with approximately 50 dead chickens and more were being delivered to the augur every minute. Approximately 5 establishment employees were disposing of the dead carcasses. Gross examination of these birds revealed no remarkable pathology indicating a flock disease. The dead chickens I examined were cold to the touch and stiff. The breast temperature of four dead chickens was taken with a calibrated thermometer and ranged from 38 to 67 degrees F. The live birds I observed in the crates were slow moving and their heads were tucked back. Many appeared to be dead, as they were not moving or breathing. Post-mortem pathology observed in live slaughtered birds from this lot was unremarkable. Rates of Sep/Tox, Air Sacculitis, and Inflammatory Process etc., did not indicate any abnormal flock disease(s) (Table 1. Inspection results for lot 36A). The outside temperature was less than 0 degrees F (reported by www.weather.com) in Arcadia, WI and the plant reported that the birds had come from a grower close to (b) (4). (b) (4) is approximately (b) (4) miles from Arcadia, WI (reported by www.googlemaps.com). The mean temperature for the day in (b) (4) (reported by www.weather.com) was -6 degrees F with a maximum high of 2 degrees F. The maximum cold weather protective panels on livestock haulers were in place during transport</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>and holding of the birds. The plant ensured all dead birds were properly disposed of and the load was finished with no further incident. The plant subsequently reported that of the (b) (4) birds in lot 36A, 6,093 were DOA, a rate of (b) (4) (Table 1. Inspection results for lot 36A). This is above their normal rate of (b) (4) over the last year and the (b) (4) from the month of January, 2018 (Poultry Cadaver summary for District 25(not attached)).</p> <p>(b) (6) discussed this situation during the weekly meeting on February 6, 2018 with establishment management, Mr. Bruce Ford, Plant Manager at 10:00 am. The plant informed him they were investigating the incident to ascertain the cause and prevent it from happening again. (b) (6) informed Mr. Ford that this incident was concerning to him and he asked Mr. Ford what corrective actions and/or preventive measures the plant would be taking (or had taken) to ensure that this incident wouldn't happen in the future. Mr. Ford explained that the plant was investigating the incident further but provided that they had brought birds over from (b) (4) in the past when the temperature was around 0 degrees F with no notable incident. He said that they were planning on bringing over another lot next week from (b) (4) but they decided to cancel this lot until they could investigate this situation more thoroughly. Finally, Mr. Ford said that the establishment documented the animal welfare incident in their animal welfare plan. The establishment must employ humane methods of handling and slaughtering consistent with Good Commercial Practices in a way that minimizes injury to poultry. Poultry are to be handled in a manner that prevents needless injury and suffering. Employing humane methods of handling and slaughtering that are consistent with Good Commercial Practices increases the</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>likelihood of producing unadulterated product.</p> <p>Table 1. Inspection results for lot 36A. 1. DATE INSPECTED 02/04/2018 2. PLANT NO. P-529V-529 3. CLASS OF POULTRY Young Chicken 4. NO. HEAD IN LOT* 43015 5. LOT NO(S) (As stated by plant management) 36A ANTE-MORTEM INSPECTION CONDEMNED ON ANTE-MORTEM INSPECTION DEAD ON ARRIVAL 6. NO. HEAD * (b) (4) 7. WEIGHT * lbs. 8. NO. HEAD * (b) (4) 9. WEIGHT * (b) (4) lbs. POST-MORTEM INSPECTION CONDEMNED ON POST-MORTEM INSPECTION 10. CARCASSES (NYD) * (b) (4) 11. PARTS * (b) (4) 12. TOTAL NO. HEAD CONDEMNED/DISPOSED OF ** 1030 CONDEMNATION CAUSE NO. HEAD CONDEMNED CONDEMNATION CAUSE NO. HEAD CONDEMNED CONDEMNATION CAUSE NO. HEAD CONDEMNED Tuberculosis 0 Bruises 0 Inflammatory Process (IP) 0 Leukosis 0 Cadavers 28 No Viscera (NV) 0 Septicaemia and Toxemia 37 Contamination 0 Plant Rejects 963 Synovitis 0 Overscald 0 Miscellaneous 0 Tumors 1 Airsacculitis 1</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
60	P533	Hain Pure Protein Corporation - FreeBird East	AKB072002 3526G	2018-02-26	04C05	Poultry Good Commercial Practices	Finalized	<p>On February 19 at 0430 at P533 Hain Pure Protein Inc., the online inspector at inspection stand number 3 called me, (b) (6), to examine a suspected Cadaver that was removed from the evisceration line. When I arrived, the (b) (6), was present. Upon examination the carcass was diffusely hyperemic and congested, especially the head. In addition, the carcass was intact including the head and there was no evidence of a ventral cervical incision or exsanguination. The lack of exsanguination and condition of the carcass are evidence that the bird was not properly exsanguinated and entered the scalding alive. I condemned the carcass and proceeded to the kill area. I observed the back-up killer and noted that he was incising an increased number of birds. I examined the stunner and kill machine. Several birds exiting the stunner lacked an arched neck and tucked wings and gave the appearance of an ineffective stun. (b) (6) was present in the kill area and stated that he had checked the water level and salt concentration in the stunner. He also stated that he had verified the height of the blade in the kill machine. I asked him to check and verify the proper voltage supplying the stunner. As I was leaving the kill area a plant employee was removing a grey inedible barrel from the hot rehang area that contained additional cadavers. At the time of my inspection the kill machine and back up killer appeared to be resulting in birds exiting the blood tunnel that appeared to be appropriately exsanguinated and not breathing so regulatory control action was not taken. Birds dying by means other than slaughter is evidence of a process out of control and represents noncompliance with 9 CFR 381.65(b).</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
60	P533	Hain Pure Protein Corporation - FreeBird East	AKB502105 4301G	2018-05-01	04C05	Poultry Good Commercial Practices	Finalized	<p>On 5/1/18 at establishment P533 Hain Pure Protein at approximately 2015 hours, I, (b) (6) went to live receiving to investigate after one of the food inspectors found a DOA on the line. I noticed that the DOA table was full and there were approximately 10 DOAs that had fallen onto the floor. (b) (6) went out to the holding area to look at the trucks and informed me that the side panels were still in place, despite the warm temperature of approximately 75 degrees. The fans were also on in the holding area. I went out to inspect the trucks and (b) (6) and I saw that many of the birds were panting or lying on their backs, and we could see a larger than normal number that were dead. At 2030 hours we spoke with Tom Cazee, Assistant Plant Manager, about why the panels were still on the trucks, and we were told that the panels are not put on and taken off in response to fluctuations in temperature, but instead are put on in the fall and taken off in the spring. Tom said that because the weather forecast for this week shows the temperature increasing to mid-80s, they would begin the process of removing the side panels from the cages. (b) (6) requested that a plant employee add up the DOA numbers for lot #1, which totaled 317. At approximately 0330 hours, I went to live receiving to do a Good Commercial Practices check and found that a single live bird had been placed in the auger. I immediately notified (b) (6) and he removed the bird from the auger. I also notified Tom Cazee that I would be documenting this incident; he later stated that the employees working in the live hang area had been re-trained.</p>

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25	P544	Jennie-O Turkey Store Sales	KXJ220401 3904G	2018-01-04	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 4:00 AM on the night of January 3, 2018 I was observing the live hang operation, verifying Good Commercial Practices and observed a live hang employee toss a DOA carcass down the stairs toward the "USDA Condemned" barrel for condemnation. Upon closer observation of that carcass I saw that the skin had been peeled off the entire back of the bird. I showed (b) (6) and said that it looked like that bird had been abused. I then went upstairs and summoned (b) (6) who also wanted to see the carcass. He met me downstairs and I showed him the carcass. He took some photographs of it to send to the live hang foreman. He explained that he thought it looked like a loader issue. I asked if a loader machine can snag the skin of a bird, and he replied that it probably could. He told me that he would call the loading crew's management and discuss this finding with him to launch an investigation and develop a plan for preventive action. The investigation at the loading crew's level yielded the following. The loader head had jolted and gotten stuck in a cage on the truck. Maintenance personnel were called out to the farm to remove the loader head from the cage, and upon its removal there were two damaged turkey carcasses discovered and removed from the cage. It is believed that the one that arrived at the plant as a DOA was a third one that also was damaged in the incident, but was not discovered out at the farm. This incident appears to be the result of an isolated, mechanical malfunction.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P544	Jennie-O Turkey Store Sales	KXJ520301 5711G	2018-01-11	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 23:00 on the night of January 7, 2018 I was called to the inside inspection line, where (b) (6) had retained two birds for my examination. He had retained them in order to alert me that they both were seriously bruised. Each of them was bruised on one entire side of its body. Concerned about the possibility that the loading crew may have been abusing birds, I summoned (b) (6) to look at them as well. He did so and took some photographs. He also said that he would contact the loading crew's management to initiate an investigation. During follow up conversation with him, (b) (6) informed me that the loading crew management reported that their loader machine's head belt was not functioning properly for two nights. This problem did not get reported until the second night, and when it did get reported, the head belt was replaced. I asked how such a malfunction could create the evidence that we were seeing in the birds and was told that a malfunctioning head belt could create a pinch point that may have affected the two birds we saw. It was further reported to me that the loading crew's management briefed the loader operator regarding the procedure he is to follow. That is, when something is malfunctioning in any way it is to be written up for correction right away.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P544	Jennie-O Turkey Store Sales	KXJ580701 0317G	2018-01-17	04C05	Poultry Good Commercial Practices	Finalized	<p>P544-Jennie-O Turkey Store, Melrose, MN Good Commercial Practice (GCP) Poultry Mistreatment Memorandum of Interview (MOI): The following is a documentation of observations and discussions with 00544P/Jennie-O Turkey Store, Melrose, MN establishment personnel regarding the observation of a live bird run over by a trailer in the live haul area, and the carcass allowed into part of the processing flow: During GCP verification on the 17th of January around 07:00am, I observed in the live hang area the live haul lead checking under trailer 0706M and collecting a live bird picked up underneath. As the trailer left the bay, I observed a live bird on the trailer lift flopping around on the ground, unable to right itself, with blood stained feathers along its neck. The neck skin was ruptured and the skull abnormally shaped. I was unable to assess the bird, as (b) (6) retrieved the bird and handed it to a live hang employee, who hung it on the shackle line. The bird demonstrated an agonal flapping pattern when hung on the shackle line and the wings went flaccid. The bird did not move going around the shackle line turns or hold up its head, and appeared unresponsive going through the water stunner. The bird was observed flaccid going through the cut machine and was manually decapitated after the neck cut machine. (b) (6) informed me that he would remove the carcass from the shackles after going through the scalding and pickers and check the carcass for bruising. I advised that a bird being run over by a trailer was not part of the slaughter process; a carcass that didn't die by means of slaughter should not be knowingly allowed into the slaughter process. The identified carcass came through the pickers at 7:13am, was removed and condemned by (b) (6). Correlation with (b) (6) on the 18th of January included review of corporate</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>policy regarding humane handling and slaughter of injured birds. (b) (6) discussed the practice of hanging injured birds on the shackle line to be electrically stunned then slaughter cut to be humanely slaughtered. I asked if there was any policy regarding moribund and birds hung on the shackles that die before they can be electrically stunned and slaughter cut, as observed yesterday. I also asked about corporate policy definition for injured birds eligible for this style of slaughter or assessment for consciousness to identify injuries rendering birds who died by means other than slaughter. The corporate policy includes other approved methods for humane slaughter, and does not include definitions or parameters for injured birds entering the shackle process for humane slaughter. With respect, (b) (6)</p> <p>P544</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P548	JCG Foods of Alabama, LLC	WYI431702 4623G	2018-02-23	04C05	Poultry Good Commercial Practices	Finalized	<p>On the date of February 23, 2018 at approximately 1728 hours, I observed less than Good Commercial Practices while performing an Ante-Mortem Inspection and Good Commercial Practices verification task at P-548, a NPIS poultry establishment. I observed a live, uncut bird at approximately 1728 hours as it was approximately 8 inches from entering the scald vat on Line 2. The bird was holding its head up vertically against its body, exhibiting normal eye movements, and displaying an increased breathing pattern. After observing the bird I employed the available stop button after all other plant interventions had been surpassed, and it is reasonable to conclude that had I not intervened, the bird's entrance into the scald vat was imminent. (b) (6)</p> <p>(b) (6) walked over to address the issue, and then I restarted the line after corrective action had been taken and the bird was removed from the line. I examined the bird closely and a cut had not been made on the bird. I also notified Plant Manager, Amy Patterson and (b) (6), of the observed deficiency, and the establishment immediately initiated further corrective actions. It is pertinent to add, as of May, 2013, JCG Foods of Alabama provided the additional process forethought to provide a process for personnel to intervene and prevent birds entering the scald vat alive and dying by means other than slaughter. Line stoppage devices were installed on both lines to accommodate these circumstances. FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, states that under the Poultry Products Inspection Act (PPIA) and Agency regulations (9 CFR 381.65 (b)), live poultry must be handled in a manner that is consistent with good commercial practices. In order to ensure that poultry is</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								handled and slaughtered in a manner that is consistent with good commercial practices, poultry should be treated in such a manner as to minimize excitement, discomfort, and accidental injury throughout processing. Additionally, the Poultry and Poultry Product Inspection Act states within (21 USC 10 453 (g) (5)), "For purposes of this chapter... The term "adulterated" shall apply to any poultry under one or more of the following circumstances (5) if it is, in whole or in part, the product of any poultry which has died otherwise than by slaughter." A copy of this Memorandum of Interview will be forwarded to the appropriate personnel in the District Office. Respectfully submitted on February 23, 2018. (b) (6) [REDACTED]

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P579	Jennie-O Turkey Store Sales, Inc.	UIO072002 4206G	2018-02-06	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 1830 hours in the Evisceration Department I observed large gaps of empty shackles, and I discovered the cause to be a breakdown in the live-hang area. I observed two carcasses in the blood tunnel area with signs of ante mortem injury, including torn skin, hemorrhage and muscle mutilation. One turkey's skin was torn to reveal the entirety of both underlying breasts, both of which were superficially mutilated. Another turkey was missing a 4 x 6 inch patch of skin over its left breast with bright red blood staining the surrounding feathers. The underlying exposed muscle tissue in both turkeys was moist. After speaking with (b) (6), I learned that the injuries were caused by a faulty conveyor belt in the CO2 stunning system that caused a blockage and pile-up of birds within the tunnel. I spoke with (b) (6) who informed me that this was not the same belt that broke on 2/2/2018 as is documented in GCP MOI UIO3819022406G. He said that an establishment employee noticed the break and was able to shut the system off relatively quickly. The conveyor belts on the affected side of the system were left off for the remainder of the shift; after the shift was complete, (b) (6) had the maintenance crews examine every aspect of the rest of the system. I did not observe any additional injuries.</p>

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25	P579	Jennie-O Turkey Store Sales, Inc.	UIO381902 2406G	2018-02-06	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 1600 while performing a Good Commercial Practices Task in the live hang area, I observed a number of carcasses with signs of ante mortem injury. I observed the carcasses as they passed through the blood tunnel area. There were 12 carcasses over an approximately 15 minute observation window with varying degrees of injury, which included freshly torn skin, hemorrhage, and muscle mutilation. All 12 had freshly torn skin. The less-affected carcasses had patches of torn skin, primarily on the backside of the carcass, which covered an area approximately 4 x 4 inches. The underlying exposed tissue was moist with varying amounts of bright red blood staining the surrounding feathers. One carcass had an approximately 4 x 4 inch skin tear over its left breast. One carcass had torn skin from the entire dorsal surface of the tail and extending cranially up the lower back approximately 6-8 inches. Two carcasses had torn skin from the dorsal tail extending laterally to include the lateral surface of the proximal halves of both thighs, and extending cranially up the lower back; in addition to the torn skin on these two carcasses, the exposed underlying muscle tissue of the thighs and back was mutilated. After speaking with (b) (6) and (b) (6), I learned that the injuries were likely caused by a faulty conveyor belt in the CO2 stunning system which caused a blockage and pile-up of birds within the tunnel. This belt had been broken down for much of 1st shift and the beginning of second shift. (b) (6) said he would have maintenance adjust the belt as soon as possible. (b) (6) said he would ensure that all employees are reminded that if a blockage occurs, they are to shut the conveyors down immediately. I did not observe any further injuries outside of that approximately 15 minute window at 1600.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P579	Jennie-O Turkey Store Sales, Inc.	UIO511502 0921G	2018-02-21	04C05	Poultry Good Commercial Practices	Finalized	<p>On 2/19/2018 while performing a Good Commercial Practices task in the blood tunnel area, I observed 12 turkeys with torn-skin injuries between approximately 16:46 hours and 17:08 hours. These injuries ranged in size from approximately 1 x 2 inches up to approximately 8 x 6 inches, with most somewhere in between. For most of the injuries, the exposed tissues were moist, and the surrounding feathers were blood-stained. There was clotted blood present adhered to some of the injuries, and some of the exposed tissue in at least two injuries was beginning to dry. These injuries were all located on the turkeys' backsides and included the dorsal surface of the tail, over the hips and over the shoulders. One turkey had a large tear over its hips and a separate tear over its shoulders. I observed one additional turkey with a 1 x 2 inch skin tear over the dorsal surface of the tail at approximately 18:26 hours. (b) (6) and (b) (6) inspected conveyor belts of the CO2 stunning system and did not find any probable cause for the injuries. Most of these turkeys came from the same trailer, #5186, and (b) (6) and (b) (6) did not find any probable cause for the injuries there either. As part of his investigation, (b) (6) instructed the establishment employees who were unloading the turkeys from the trucks to set aside any turkeys with skin-tear injuries; none were found.</p>

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25	P579	Jennie-O Turkey Store Sales, Inc.	UIO192102 0926G	2018-02-26	04C05	Poultry Good Commercial Practices	Finalized	<p>On 02/21/2018, during the second shift at P579, I observed three issues relating to Poultry Good Commercial Practices. Four turkeys were observed in the blood tunnel with recent injuries, the packing densities in multiple coops of one trailer were such that turkeys were standing over top of each other, and there were many turkeys that were dead-on-arrival (DOA). All turkeys run on this shift were from the same grower and lot. At approximately 14:06, I observed three turkeys with torn-skin injuries on their backsides. Two of the injured turkeys had torn skin of approximately 4 x 4 inches on their mid-back over the cranial hip. The third turkey's torn skin extended from the dorsal aspect of the tail to the mid-back, with a total area of exposed underlying tissue approximately 6 x 8 inches. The exposed tissue on all three turkeys was moist, and the surrounding feathers were stained with blood. At 14:14, I observed one turkey with an approximately 6 inch long laceration of skin and underlying tissues running parallel and just lateral to the spine over the right hip. The wound was moist and the surrounding tissues were stained with blood. I documented similar injuries in GCP MOI UIO4114020519I from 02/19/2018. I observed trailer #5578 as it was parked in the staging shed outside. I observed three coops in the trailer that were so densely packed that the turkeys were essentially in two layers, standing over top of each other. The back half of this trailer was empty. (b) (6) said that with the cold weather and with many of the old breeder hens missing so many feathers, it is important to pack them into the coops so they are tight enough to keep each other warm. (b) (6) and (b) (6) will discuss packing densities with the crew responsible for loading the trailers. While observing in the live-hang area, I noticed that the</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>DOA bin was already full very early in the shift. Following up on this observation, I found a percent DOA for that lot was 2.76%. There was a lot run earlier on first shift from the same grower, and the percent DOA for this lot was 3.21%. Treating the two lots as one population, the percent DOA was 2.86%. To put this percentage in context, I analyzed PHIS slaughter data from the past year. From 02/01/2017 through 02/21/2018 there were 273 slaughter days. During this period, there were 14 days in which the percent DOA exceeded 1%. Of these 14 days, there were 9 days in which the percent DOA also exceeded 2%, and 3 days in which the percent DOA also exceeded 3%. As on 02/21/2018, "old breeder turkeys" represent thirteen of the fourteen >1% DOA days, eight of the nine >2% DOA days, and two of the three >3% DOA days. While the age of these turkeys may have contributed to the high DOA rate seen on 02/21/2018, of the 64 days in which old breeder turkeys were run between 02/01/2017 and 02/21/2018, there were 51 days in which the DOA rate was less than 1%. I am concerned that packing density also contributed to the high percent DOA and the observed injuries.</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P579	Jennie-O Turkey Store Sales, Inc.	UIO081902 5428G	2018-02-28	04C05	Poultry Good Commercial Practices	Finalized	<p>Between approximately 14:35 and 14:42, I observed 5 turkeys in the blood tunnel area with various injuries including torn skin and muscle mutilation. All injuries appeared to be relatively fresh. After 14:42 I did not observe any additional injuries. The first turkey had an approximately 2 x 6 inch patch of exposed muscle on the lateral aspect of the right drum, extending from the hock to the knee. There was blood around the margins of this injury and the exposed muscle tissue was moist. The second turkey had an approximately 6 x 6 inch patch of exposed muscle on the right thigh that was also moist and ringed by a small amount of blood. In addition, this second turkey was missing skin and muscle tissue from the entire medial aspect of the left drum; the bone of the drum was exposed on this medial surface for its entire length. The third turkey had an approximately 6 x 6 inch patch of exposed muscle tissue on the right thigh with additional muscle mutilation and associated hemorrhage. The fourth turkey had an approximately 4 x 6 inch patch of torn skin and exposed tissue extending from its mid-back to its shoulders; some of the underlying muscle near the shoulders was mutilated with associated hemorrhage. The fifth turkey had an approximately 4 x 5 inch patch of exposed muscle of its left thigh with muscle mutilation and associated hemorrhage. (b) (6)</p> <p>reported that a group of turkeys became plugged in the CO2 stunning conveyor system at approximately 14:25. It is possible that the injuries I observed resulted from this incident, as all the injuries appeared to have occurred relatively recently, and the torn skin and mutilated muscle tissue would be expected if turkeys were pinned down against a moving conveyor belt. (b) (6)</p> <p>will review surveillance footage from around this time.</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P579	Jennie-O Turkey Store Sales, Inc.	UIO072003 2216G	2018-03-16	04C05	Poultry Good Commercial Practices	Finalized	<p>Between approximately 16:05 and 16:40, I observed 11 turkeys in the blood tunnel area with torn skin in various locations. One turkey had three separate tears on its backside extending from the dorsal surface of its tail up to the base of the neck. The injury that included the tail extended cranially approximately 8 inches and was approximately 5 inches wide. There was another discrete, approximately 4 x 3 inch patch of torn skin just cranial to the previously mentioned injury, and a third approximately 1 x 2 inch patch of torn skin near the base of the neck on the dorsal midline. I observed three turkeys with skin torn from the dorsal surface of their tails, and four turkeys with torn skin from over their dorsal vertebrae and/or synsacrum on their dorsal midline. The sizes of these injuries ranged from approximately 3 x 3 inches to approximately 4 x 5 inches. There were three turkeys with skin torn from a breast. One of these injuries was approximately 3 x 3 inches, and the other two left nearly the entire underlying breast muscle exposed, and one of these was mutilated. The exposed tissues on all injuries described above were still moist, so the injuries were relatively fresh. (b) (6) and (b) (6) were notified, and they observed some of the injuries with me. I later spoke with (b) (6) about the CO2 stunning system because I wondered if it was playing a role in the observed injuries. There was a component of the delivery system that was not functioning properly, so to ensure that the turkeys came out of the system unconscious, the concentration of CO2 being pumped into the system was held at a higher level than normal. We observed turkeys through windows into the CO2 system: all were unconscious and still. The readout of CO2 levels over time showed that the concentration had not dipped below effective</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								stunning concentrations. Therefore, It is unlikely that the CO2 delivery system played a role in the observed injuries. I observed turkeys in the blood tunnel with (b) (6) and (b) (6) around 19:30 and did not observe any fresh injuries like those observed at 16:05.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P579	Jennie-O Turkey Store Sales, Inc.	UIO312104 5103G	2018-04-03	04C05	Poultry Good Commercial Practices	Finalized	<p>On 04/03/2018 beginning at approximately 2:00pm while performing a Poultry Good Commercial Practices Task in the blood tunnel area, I observed 4 turkeys with torn-skin injuries on their backsides. Two of these turkeys had small patches of torn skin, approximately 1 x 2 inches, on the dorsal aspects of their tails. The exposed tissue was moist, and the feathers bordering the torn skin were stained with blood. One turkey had an approximately 12 x 12 inch patch of torn skin over its mid-back; an approximately 2 x 2 inch patch of exposed muscle was mutilated; all exposed tissues were moist, and the surrounding feathers were stained with blood. The fourth turkey had 2 discrete torn-skin injuries: an approximately 2 x 3 inch patch over the right hip, and an approximately 6 x 4 inch patch over its mid-back to the left of midline; the exposed underlying tissue was moist and the surrounding feathers were blood-stained. The total observation time was approximately 20 minutes. I removed the turkey with the 12 x 12 inch injury from the line for the establishment to inspect. I spoke about this bird and observed for others with (b) (6) and (b) (6) explained that he thought the injuries were the result of old injuries or scabs that were made worse somewhere in the process. I examined the margins of the injury on the bird I pulled off the line, and I could not find any evidence of an old injury; the margins were fresh without scabs, and it did not appear that any part of the skin flap was missing or dried out. I have observed the kinds of old injuries described by (b) (6), and oftentimes a portion of the scab is freshly missing, and sometimes there is a tear in the skin extending from the scab. However, none of the injuries reported in this MOI or in previous GCP MOIs I have written would fit into that category.</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								My primary concern and focus is with fresh injuries. Plant Manager Jody Long reported that an investigative team would be observing the load-out operations at a barn tomorrow, and they will also observe unloading and hanging here at the establishment. The producer will be the same source of turkeys as today's birds.
15	P6164A	Foster Poultry Farms	OIJ152004 0923G	2018-04-23	04C05	Poultry Good Commercial Practices	Finalized	<p>This establishment utilizes both a "back-up cutter (live person)" and a "head-puller (machine) as back up methods to prevent live birds from entering the scalding. On 4/5/18 at approximately 1658 hours while performing the daily GCP task, I observed a live, conscious bird which had not been stunned or cut, approaching the head-puller, after being missed by the back-up cutter. I observed that the bird was very small, and was holding its head too high to be reached by the head puller apparatus. I motioned to the back-up cutter, and pointed to the live bird. He walked over and removed it just after it had passed over the head-puller without consequence. Without FSIS intervention, it is reasonable to conclude this bird would have entered the scalding alive. I immediately addressed the concern with (b) (6)</p> <p>This was topic discussed during the weekly meeting with establishment management which took place on 4/19/18.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P6616	Peco Foods of Mississippi	IRE041302 5020G	2018-02-20	04C05	Poultry Good Commercial Practices	Finalized	On February 20, 2018 at 1250 hours while verifying the Plant's Good Commercial Practices in Picking Room # 2 I, (b) (6) observed one of the five hundred birds enter the scalding while conscious. The Plant otherwise exercised good control over their slaughter process. I notified (b) (6) of the issue. FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, states that under the Poultry Products Inspection Act and Agency regulations, live poultry must be handled in a manner consistent with good commercial practices. In order to ensure that poultry is handled and slaughtered in a manner consistent with good commercial practices, poultry should be treated in a way as to minimize excitement, discomfort, and accidental injury throughout the process. A copy of this memorandum of interview will be forwarded to the appropriate personnel in the Jackson District Office.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P6638	Pilgrims Pride Corporation	UDG04210 13703G	2018-01-03	04C05	Poultry Good Commercial Practices	Finalized	<p>Establishment P6638, Pilgrim's Pride, January 2, 2018 at ~11:50am At approximately 11:50am, while observing conditions during Ante mortem inspection and Poultry Good Commercial practice task, my supervisor and I observed ~10 or more birds live and weakened lying under a pile of approximately 1 to 2 feet of debris and dead birds in the Live Hang area. Upon inspection of the birds, there was one plant person clearing out the pile of birds inside the holding bin, but it wasn't sufficient enough to keep up with the constant moving of birds on the conveyor belt pushing more loose birds into the holding bin/hopper. I took regulatory action by instructing all live hanging personnel to stop hanging immediately until the live birds were removed from the holding bin/hopper located at the end of the conveyor belt. I informed the (b) (6) and told him that the incident of finding live birds cluttered and suffering in discomfort with such conditions was not acceptable and the area should be monitored frequently to prevent birds from dying by any means other than slaughter; I informed him that this will be documented in a MOI. (b) (6) indicated to us that Pilgrim's Pride would be assigning additional personnel to the live hang area to address high numbers of DOAs whenever there is an expectancy of higher numbers of DOAs. (b) (6) also said that he thought the high number of DOAs was related to the extreme cold weather. Later in the day, plant management and I discussed protocols of animal welfare and procedures of what can or cannot be allowed when handling poultry animals from the time the birds arrive from live receiving on toward the live hang room.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P6638	Pilgrims Pride Corporation	UDG19180 15110G	2018-01-10	04C05	Poultry Good Commercial Practices	Finalized	<p>On January 10, 2018, at approximately 1642 hours I observed Less Than Good Commercial Practice at establishment P-6638 Pilgrim's in Enterprise, AL. While performing a Good Commercial Practice verification task, I observed two trailers loads of live birds open mouth breathing. The trailer numbers were 220893 and 294 located under the live holding shed. The birds had their necks stretched and were rapidly breathing with their mouths open which are symptoms consistent with heat stress. The trailers had sides present on the cages which had been installed due to cooler temperatures in December 2017. The sides on these cages restrict air flow during transport and holding. There was minimal wind movement and the fans installed in the holding shed were not turned on. The air temperature at the time of my observation was 68 degrees. The stocking density to the cages based on lot information provided by the establishment was ^{(b) (4)} birds per cage. I informed ^{(b) (6)} of my findings as he approached me in the outdoor holding shed while I was performing my verification task. At the time, I asked ^{(b) (6)} what actions would be taken for the birds in distress and he stated they would turn the fans on to increase air movement. I informed ^{(b) (6)} and ^{(b) (6)} of the documentation of this Memorandum of Information (MOI) due to my findings. I reminded both members of management that the PPIA and Agency guidelines require live poultry to be handled in a manner consistent with Good Commercial Practices (GCPs) by making every effort to treat poultry humanely. I strongly encourage the establishment to review Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter" for recommendations</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>concerning treatment of live poultry before slaughter. A copy of this MOI will be forwarded to the Jackson District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended.</p> <p>Respectfully submitted, (b) (6) cc. (b) (6); (b) (6)</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P6638	Pilgrims Pride Corporation	UDG54220 30002G	2018-03-02	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 2225 hour, I entered the picking room to monitor the head puller at line 2 as part of a random Good Commercial Practices check. After monitoring for approximately 1 minute, I saw a live bird bypass the head puller. The bird was hung by one leg, eyes were blinking, the chest area was moving up and down and blood was visible. When I stopped the line, I immediately notified (b) (6) who was around the corner from where I was standing. (b) (6) came immediately looked at the bird and left. (b) (6) did not remove the bird from the line so I did and when he returned I handed the live bird to him. The bird was cut across the dorsal surface of the neck, not the ventral surface. Had the bird been cut on the ventral surface, the carotid arteries and jugular veins would have been severed, leading to the bird bleeding out prior to entering the scalders. The line was stopped after the head puller but prior to the bird entering the scald tank that was filled with water. The first scald tank is no longer maintained at scalding temperatures but is filled with water which would have led to the bird dying by means other than slaughter causing the bird to be a cadaver. I informed (b) (6) and (b) (6) of the documentation of the Less than Good Commercial Practice Memorandum of Information (MOI). FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, states that under the Poultry Products Inspection Act (PPIA) and Agency regulations, live poultry must be handled in a manner that is consistent with good commercial practices. In order to ensure that poultry is handled and slaughtered in a manner that is consistent with good commercial practices, poultry should be treated in such a manner as to minimize excitement, discomfort, and accidental</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>injury throughout processing. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the Jackson District Office. Respectfully Submitted, (b) (6)</p> <p>CC: Jackson District Office, (b) (6)</p> <p>Local file</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P6666	Koch Foods of Gadsden, LLC	GQH18220 10208G	2018-01-08	04C05	Poultry Good Commercial Practices	Finalized	<p>On January 8, 2018 at approximately 2028 hours while performing the Good Commercial Practices and Ante Mortem task, the following was observed in live hang. At the end of the belt that feeds evisceration line three on the ground there was a pile of approximately 60 DOAs with feathers and filth. I used my flashlight to observe the pile closer due to movement seen within the pile. At least ten live birds were observed throughout the pile of DOAs. I asked an establishment employee if he could please get a supervisor for me. (b) (6) arrived to see the pile of birds and was notified that live birds were amongst the DOAs and that these findings would be documented in a GCP MOI. Some of the birds were placed back into production and the weaker ones were humanely euthanized. At approximately 2033 I arrived at the belt in live hang that feeds evisceration lines one and two. At the end of this belt there were approximately 40 DOAs with 4 live birds intermingled in the pile. The same establishment employee that was present and working with (b) (6) arrived to retrieve the live birds once they were notified and place them back into production. These birds were in imminent danger of becoming crushed/suffocating/death by means other than slaughter. The establishment is responsible for ensuring that birds under their control on the official premises are treated in a humane manner that will minimize excitement, discomfort, injury and/or death by means other than slaughter. As per Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter," the Food Safety Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by the Good Commercial Practices (GCPs) as described by</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								industry guidelines. My observations are consistent with less than Good Commercial Practices. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the District Office. Respectfully submitted on January 8, 2018 (b) (6)) Cc: (b) (6) Dr. David Thompson, DDM (b) (6)

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P6666	Koch Foods of Gadsden, LLC	GQH05040 12911G	2018-01-11	04C05	Poultry Good Commercial Practices	Finalized	<p>On January 10, 2018 shortly after production resumed following the official USDA dinner break at approximately 0240 seven cadavers were observed hanging off to the side of the rehang belt that feeds evisceration line (b) (4). Due to these observations I went to the entrance of the scald vat that feeds that evisceration line. At approximately 0249 the first live bird entered the scald vat. This bird was much smaller than the other birds in the lot (approximately ½ the size), it had no cut to the neck, was blinking, had an uplifted head, pupillary reflexes, rhythmic breathing and controlled movements. I asked an establishment employee in live hang if he could please get a supervisor for me as I could not locate one in the area. Once (b) (6) arrived he was informed of my observations and that documentation would occur. Verification of a 500 bird sample set was started immediately following notification and at approximately 0252 a second live bird entered the scald vat. This bird had a superficial abrasion to the side of the neck that did not penetrate any major vasculature; otherwise it appeared the same as the first bird described above. The third and fourth live birds entered the scald vat at approximately 0257 and 0259. These birds appeared physically just as the second live bird did. The fifth live bird entered the scald vat at approximately 0304. This bird was average size compared to the remainder of the birds in the lot, but had been hung by one leg in the shackle. The side of its neck had a superficial piece of skin missing, no vasculature was penetrated, it was blinking, breathing rhythmically and had controlled movements. After this bird entered the scald vat verification of 500 birds was completed with no additional birds entering alive. Live bird(s) entering the scald system live is a less than Good Commercial Practices and results in</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>adulterated product. The establishment is responsible for ensuring that birds under their control on the official premises are treated in a humane manner that will minimize excitement, discomfort, injury and/or death by means other than slaughter. As per Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter," the Food Safety Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by the Good Commercial Practices (GCPs) as described by industry guidelines. My observations are consistent with less than Good Commercial Practices. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the District Office. Respectfully submitted on January 10, 2018 (b) (6)</p> <p>(b) (6) Cc: Dr. David Thompson, DDM</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P6666	Koch Foods of Gadsden, LLC	GQH55080 14831G	2018-01-31	04C05	Poultry Good Commercial Practices	Finalized	<p>On January 31, 2018 at approximately 0656 hours while performing the Good Commercial Practices and Ante Mortem task, the following was observed in live hang. At the end of the belt that feeds evisceration line (b) (4) there was a pile of approximately 20 DOAs with feathers and filth. I used my flashlight to observe the pile closer due to movement seen within the pile. There were two live birds observed throughout the pile of DOAs. I remained in the area for several minutes with my light on the pile looking for an establishment employee to come to the area to separate the birds, there were also approximately 15 loose birds on the floor, up the stairs and three other live birds sitting on top of a pile of dead birds in another area of the belt. After approximately three minutes an employee came to the area and began separating the birds and returned the live birds to production. No Supervisor could be found anywhere in live hang. I went to an office where Supervisors are often at and found an establishment employee in there and asked him to please get the Live Receiving / Live Hang Supervisor for me. At approximately 0705 (b) (6) arrived and was notified of the issues observed in live hang and that a Good Commercial Practice MOI would be issued due to the live birds comingling with DOAs and those birds were in imminent danger of becoming crushed/suffocating/death by means other than slaughter. The establishment is responsible for ensuring that birds under their control on the official premises are treated in a humane manner that will minimize excitement, discomfort, injury and/or death by means other than slaughter. As per Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter," the Food Safety Inspection Service (FSIS) strongly encourages all</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by the Good Commercial Practices (GCPs) as described by industry guidelines. My observations are consistent with less than Good Commercial Practices. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the District Office. Respectfully submitted on January 31, 2018 (b) (6)</p> <p>(b) (6) Cc: (b) (6)</p> <p>Dr. David Thompson, DDM Dr. Lorraine Dozier, acting DDM (b) (6)</p> <p>(b) (6)</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P6666	Koch Foods of Gadsden, LLC	GQH55000 23706G	2018-02-06	04C05	Poultry Good Commercial Practices	Finalized	<p>On February 5, 2018 at approximately 2353 while performing the Good Commercial Practice Task the following was observed at the entrance to the scald vat that feeds evisceration line (b) (4). A live bird was seen entering the scald vat that was hung by one leg, had an abrasion only penetrating the skin to the right side of the neck. The bird was blinking, had an uplifted head, pupillary reflexes, rhythmic breathing and controlled movements. Verification of a 500 bird sample set was started immediately following this observation with no additional birds entering alive. (b) (6) and (b) (6) were notified of the above findings and that they would be documented in a GCP MOI. Live bird(s) entering the scald system live is a less than Good Commercial Practices and results in adulterated product. The establishment is responsible for ensuring that birds under their control on the official premises are treated in a humane manner that will minimize excitement, discomfort, injury and/or death by means other than slaughter. As per Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter," the Food Safety Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by the Good Commercial Practices (GCPs) as described by industry guidelines. My observations are consistent with less than Good Commercial Practices. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the District Office. Respectfully submitted on February 6, 2018 (b) (6)</p> <p>Cc: Dr. David Thompson, DDM Dr. Loraine Dozier, acting DDM (b) (6)</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
85	P687	House of Raeford	XRA511302 0328G	2018-02-28	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 12 PM on 2/20/18, I met with Plant Manager – Randy Crapps regarding recent, recurrent GCP concerns. I discussed the fact that kill cuts were being seen occasionally through the head rather than the neck and that some birds were entering Evisceration with heads completely attached. There were associated times when birds were seen that did not bleed out properly. Some of the birds had macerations of the heads to no kill cuts. Later, at approximately 15:15 hour, I observed a bird that had not been properly bled out on the Evisceration Line at the (b) (4) (evisceration) machine before the sorters. During further system check, I observed 10 birds that had not been properly bled out in the picking room after the pickers, head puller, and before entering Evisceration. There was an employee standing in the picking room at the entry into evisceration removing birds that had not been properly bled out and throwing them into the open drain underneath the head puller instead of placing them in condemn barrels to be counted per customary practice. I followed the line backwards towards live hang and kill area. It was in that area I notified (b) (6) and (b) (6). They immediately went to the backup cutting/blood tunnel area. I resumed my system check in the picking room, where I found six (6) more birds that had not bled out properly. My examination of the six birds revealed the cuts were variable in locations and depth: from no neck cut to poor or superficial neck cuts to macerations. I observed other birds that had not bled out properly with heads attached past the head puller. I observed one larger size than usual bird that was a very dark red to purple bird that had not bled out properly and it had superficial maceration to the (dorsum) back of attached head and did not have a neck cut. This one was shown</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								to (b) (6) In total, I observed 15 to 16 birds that had not bled out properly within 15 minutes time. Subsequently I conveyed to Plant Manager – Randy Crapps the findings would be documented and forwarded to the Atlanta District Office and the District Veterinary Specialist (DVMS) in case additional follow-up is recommended. Additionally, on 2/21/2018 at approximately 12:30, the plant was stopping and starting the picking line due to re-hanger issues. When production resumed as usual at approximately 13:00, I observed several birds that had not bled out properly in a condemn barrel. The birds had no neck cuts to poor or superficial neck cuts to macerations. I physically showed my findings to Plant Manager – Randy Crapps. The corrective actions and preventative measures of plant management are not preventing reoccurrence of the GCP findings.
35	P7101	Tyson Foods, Inc.	LUC532201 2631G	2018-01-31	04C05	Poultry Good Commercial Practices	Open	Birds are being slaughtered in accordance with good commercial practices. Although no birds were observed being harmed unintentionally or dying from means other than slaughter at this time, the current system setup would allow that to occur. Approximately 15-20 live birds were on the floor in the live hang area under the conveyer belt that moves the birds into the live hang area. These birds are left here during plant breaks as well and not gathered and hung until the end of the shift to kill out. Given the amount of birds on the floor, there is the possibility of stepping on the birds, injuring or killing them. Albeit small, there is also the possibility for the birds to wander back into the other area of the live hang and outside to where the conveyor belt enters the building. I discussed this with the (b) (6) and he stated that he would begin working on a solution. (b) (6)

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P7487	Koch Foods, LLC	SPG470704 3111G	2018-04-11	04C05	Poultry Good Commercial Practices	Open	<p>On Tuesday, April 10, 2018, (b) (6) Jackson District, and (b) (6) visited the P-7487 Koch Foods of Chattanooga facility. At approximately 11:55 A.M., I (b) (6) accompanied (b) (6) and (b) (6) as we performed the good commercial practices check and observed the following in the live hanging area: There were an estimated amount of more than one hundred birds piled up on the floor between 140 picking line carousel and wall. We observed three live birds in and around the pile up. For several minutes, we observed as the number of live and dead birds accumulating on the floor continued to increase, with no establishment personnel visibly observed addressing the deficiencies. When the live (b) (6) entered into live hanging area, he started picking the DOAs off the floor. We asked the (b) (6) (b) (6) to stop hanging the birds. They Quit hanging the birds at 12:02 P.M., to 12:10 P.M., and resume hanging the birds after the process got under control. We had an exit meeting with the plant manager Mr. Gary Tallent, (b) (6), and (b) (6), and explained to them about the finding. As per Federal Register Notice docket No 04-037N, dated September 28, 2005, "Treatment of live poultry before slaughter" the USDA food safety inspection service strongly encourages all establishments engaged in slaughter of poultry to make every effort to treat poultry humanely abide by good commercial practices. Sincerely, (b) (6) P7487 Koch Foods of Chattanooga cc: (b) (6), Jackson District (b) (6), Jackson District Dr. Thompson David, DDM, Jackson District</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P764	Perdue Foods, LLC	CUA08130 14706G	2018-01-06	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 1228 hours, while touring the receiving department and live hang area, I observed an enormous pile of chickens, both dead and alive, at the DOA sorting tank for kill line number two. The pile of carcasses was so high that the birds could no longer fall off of the end of the five-foot-high conveyor. The stack of birds numbered in the hundreds and estimated to be around five-hundred or so. There were live birds observed gasping for breath and attempting to free themselves from the pile of dead birds on top of them. The slaughter operations were halted until the live birds could be freed from pile the dead birds. I immediately informed and showed (b) (6) of these conditions. I reminded (b) (6) that the PPIA and Agency regulations do require that live poultry be handled in a manner that is consistent with Good Commercial Practices (GCPs), and that they not die from causes other than slaughter. I spoke to (b) (6) concerning this issue. He indicated that the conditions that existed were unacceptable and that the persons responsible would be counseled and disciplined, as per company policy. I printed a copy of the Federal Register entry on Treatment of Live Poultry Before Slaughter, published September 2005, and attached it to this MOI. I notified (b) (6) that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended.</p> <p>Respectfully,</p> <p>(b) (6) P-764, Salisbury, MD</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P764	Perdue Foods, LLC	CUA53120 13431G	2018-01-31	04C05	Poultry Good Commercial Practices	Finalized	<p>At 1329, while performing a poultry good commercial practices check in the receiving area, there was a flapping and kicking bird observed on top of the bird pile in the DOA dumpster bin. The bin was 90% full of birds (approximately 200 birds) and they were all denatured with blue dye, including the bird exhibiting signs of life. (b) (6)</p> <p>_____ was immediately notified (since she had been accompanying me during the check) and addressed the live bird immediately. (b) (6)</p> <p>_____ was also notified shortly thereafter.</p>
80	P764	Perdue Foods, LLC	CUA30060 20907G	2018-02-07	04C05	Poultry Good Commercial Practices	Finalized	<p>At 0643, while conducting a poultry good commercial practices check in the receiving area, the following observations were made: While inspecting the large metal dumpster of DOA birds, there were some birds which were denatured and others which had yet to be denatured (b) (6)</p> <p>_____, was in the process of transferring dead birds from the sorting bins to the dumpster and would denature upon finishing the transfer). Amidst the birds in the dumpster which were not denatured was a small bird that was observed to be moving on occasion. Its leg would move, observed multiple times within a minute or two. (b) (6), who was accompanying me during the inspection, removed the bird from the bin and we observed it separately on a flat surface. Slow breathing could be observed in the flank region, and its leg would move from time to time. This bird was obviously still alive. The bird was observed for several minutes, and I had to request it be euthanized. The bird's wings were flapping after the euthanasia (cervical dislocation method). (b) (6)</p> <p>_____ was also notified of this finding, about 10 minutes later when I found him on the production floor.</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P935	Allen Harim Foods, LLC.	YXA031203 0427G	2018-03-27	04C05	Poultry Good Commercial Practices	Open	<p>At approximately 0905 hours, one of the Food inspectors on Evisceration Line#1 identified a cadaver. She held that carcass for Veterinary disposition and immediately notified me. Upon arriving at her station I observed that head of the carcass was intact with no bleeding cut on neck. The facial area was swollen; skin around the neck area was purple in color while rest of the carcass was bright red in color. (b) (6)</p> <p>(b) (6) and (b) (6) were notified of USDA findings. I reminded (b) (6) that the PPIA and Agency regulations do require that live poultry be handled in a manner that is consistent with good commercial practices (GCPs), and that they not die from causes other than slaughter. I recommended that (b) (6) review the Federal Register on Treatment of Live Poultry before Slaughter, published September 2005 for FSIS recommendations concerning treatment of live poultry before slaughter, and provided her a copy of this document. I notified (b) (6) that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. Respectfully, (b) (6)</p> <p>(b) (6) P-935 Allen Harim Foods, LLC</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P935	Allen Harim Foods, LLC.	YXA361803 3930G	2018-03-30	04C05	Poultry Good Commercial Practices	Open	<p>At approximately 1723 hours while performing ante-mortem and Good Commercial Practice verification I observed a bird's neck caught between the side edge of the closed cage door and the cage frame. Upon further investigation, the bird's head was limp and hanging with saliva hanging from its mouth. (b) (6)</p> <p>(b) (6) was notified of the observation of a bird dying other by slaughter. (b) (6) and (b) (6) stated that a picture was taken and was forwarded to (b) (6) and that live haul would be notified of the observation. It is recommended that establishment management review the Federal Register on "Treatment of Live Poultry before Slaughter", published September 2005 for FSIS recommendations concerning treatment of live poultry prior to slaughter. (b) (6) and (b) (6) were notified that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended.</p> <p>Respectfully, (b) (6)</p> <p>Allen Harem Foods, LLC. P-935 Harbeson, DE. 19951</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P935	Allen Harim Foods, LLC.	YXA261804 1906G	2018-04-06	04C05	Poultry Good Commercial Practices	Open	<p>At approximately 1630 hours as I was traveling between Evisceration Lines 2 and (b) (6) and inspector called for me and had 2 carcasses hanging on the Veterinary disposition shackles behind line (b) (6), station 4. Both carcass bodies and necks were red in color, and the viscera were blood engorged. At approximately 1710 hours I was notified and observed a cadaver hung on the Veterinary disposition shackle behind line (b) (6) station 1. This carcass's head and neck were dark red to purple and had not received a cut to the neck. At approximately 1715 hours I observed line (b) (6) station 2 inspector hang a carcass on the Veterinary disposition shackle. This carcass body and neck were red in color and the viscera were blood engorged. At each occurrence (b) (6) (b) (6) was notified of the cadavers and he contacted the live hang supervisor of each observation of cadavers on line (b) (6) I then performed Good Commercial Practice verification by observing 200 carcasses enter the scalding, and 200 carcasses at the kill blade. There were no live birds observed entering the scalding and the back-up kill performed a cut to the neck of all birds not cut by the kill blade. (b) (6) (b) (6) was notified of the observation of bird dying other than by slaughter. It is recommended that establishment management review the Federal Register on "Treatment of Live Poultry before Slaughter", published September 2005 for FSIS recommendations concerning treatment of live poultry prior to slaughter. (b) (6) (b) (6) was notified that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended.</p> <p>Respectfully, (b) (6) Allen Harim Foods, LLC. P-935 Harbeson, DE. 19951</p>

Table: MOIs in Response to FOIA2018-328

District	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P935	Allen Harim Foods, LLC.	YXA141704 4926G	2018-04-26	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 1734 hours, while verifying Good Commercial Practice verification I observed both establishment back-up kill personnel on the same side of the medium bird line just past the kill blade. I then walked around to the area where a second back-up kill employee is usually stationed and observed 1 bird with its head up, looking around and breathing. I then traveled to the entrance end of the scalding and observe 1 live bird with its head up, looking around enter the scalding. This bird had a small nick to the left side of the neck. (b) (6)</p> <p>(b) (6) and Evisceration Supervisor were notified of the observation of a bird dying other than by slaughter. (b) (6) stated that the employee would receive disciplinary action. I then observed 200 carcasses enter the scalding, and 200 hundred carcasses at the kill blade. There were no live birds observed entering the scalding and the back-up kill performed a cut to the neck of all birds not cut by the kill blade. It is recommended that the establishment management review the Federal Register on "Treatment of Live Poultry before Slaughter", published September 2005 for FSIS recommendations concerning treatment of live poultry prior to slaughter. (b) (6) and (b) (6) were notified that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended.</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P935	Allen Harim Foods, LLC.	YXA221804 3727G	2018-04-27	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 1703 hours while traveling between Evisceration lines 2 and (b) (6) an inspector called for me and had 1 carcass hanging on the Veterinary disposition shackle behind line (b) (6) station 1. The carcass had the head intact which was red to purple in color and had not received a cut to the neck. (b) (6)</p> <p>(b) (6) was notified of the cadaver (b) (6) notified (b) (6)</p> <p>(b) (6) of the observation of a bird dying other than by slaughter. I then performed Good Commercial Practice verification by observing 200 carcasses enter the scalding, and 200 carcasses at the kill blade. There were no live birds observed entering the scalding and the back-up kill performed a cut to the neck of all birds not cut by the kill blade. (b) (6) was notified of the observation of a bird dying other than by slaughter. It is recommended that establishment management review the Federal Register on "Treatment of Live Poultry before Slaughter", published September 2005 for FSIS recommendations concerning treatment of live poultry prior to slaughter. (b) (6) was notified that this MOI will be forwarded to the District Office and The District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. Respectfully, (b) (6)</p> <p>(b) (6) Allen Harim Foods, LLC. P-935 Harbeson, DE. 19951</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P935	Allen Harim Foods, LLC.	YXA401804 3030G	2018-04-30	04C05	Poultry Good Commercial Practices	Open	<p>At approximately 1509 hours on April 27, 2018 while performing antemortem and GCP verification I observed 1 loose live bird on trailer #62 located in the cooling shed. At approximately 1521 hours I observed 1 loose live bird on trailer #6886 and 1 loose live bird on trailer #5780 (3 cage doors were open). These trailers were located just outside the dumping area in a high traffic area for trucks and forklifts. As I was waiting for the live hang supervisor I observed a forklift come around the 2 trailers at a very high speed. As he rounded the trailers a cage door flew open and 2 live birds were thrown to the concrete approximately 6 feet below. (b) (6)</p> <p>(b) (6) and (b) (6) were notified the observation in which poultry may have experienced excitement, discomfort or accidental injury while being handled in connection with slaughter. (b) (6)</p> <p>(b) (6) addressed driving speed with the fork lift drivers especially when making sharp turns. It is recommended that establishment management review the Federal Register on "Treatment of Live Poultry before Slaughter", published September 2005 for FSIS recommendations concerning treatment of live poultry prior to slaughter. (b) (6) was notified that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. Respectfully, (b) (6)</p> <p>(b) (6) Allen Harim Foods, LLC P-935 Harbeson, DE. 19951</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P935	Allen Harim Foods, LLC.	YXA352105 4601G	2018-05-01	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately 1600 hours while traveling between Evisceration lines 2 and (b) (6) I observed 1 carcass hanging on the Veterinary disposition shackle behind line (b) (6) station 3. The carcass had the head intact which was red to purple in color and had not received a cut to the neck. I also observed 3 carcasses hanging on the Veterinary disposition shackles behind line (b) (6) station 4. The necks of these carcasses were bright red, the viscera were blood engorged and was petichiation was observed on the breast meat. I was informed by the inspector that, at approximately 1507 hours, he had hung back a bird with the head intact, red to purple in color and had not received a cut to the neck. (b) (6)</p> <p>(b) (6) confirmed this observation and stated that he had taken the bird to the Live Hang Supervisor so that action could be taken. At approximately 1655 hours, I performed Good Commercial Practice verification by observing 200 carcasses enter the scalding, and 200 carcasses at the kill blade. There were no live birds observed entering the scalding and the back-up kill performed a cut to the neck of all birds not cut by the kill blade. (b) (6)</p> <p>(b) (6) was notified of the observation of birds dying other than by slaughter. (b) (6) stated that as a preventive he placed a second back-up killer on line (b) (6) for the rest of the week. It is recommended that establishment management review the Federal Register on "Treatment of Live Poultry before Slaughter", published September 2005 for FSIS recommendations concerning treatment of live poultry prior to slaughter. (b) (6) was notified that this MOI will be forwarded to the District Office and The District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. Respectfully, (b) (6)</p> <p>(b) (6) Allen Harim Foods, LLC. P-935 Harbeson, DE. 19951</p>

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	P935	Allen Harim Foods, LLC.	YXA122105 0514G	2018-05-14	04C05	Poultry Good Commercial Practices	Open	<p>At approximately 2136 hours while performing Good Commercial Practice verification I observed the back up killer for medium birds miss a cut to the neck of a bird that was not cut by the kill blade. The establishment employee then attempted to pull the stunned bird's head off which failed. He then removed the bird from the line and threw it into a condemn barrel used to put heads into. Upon further investigation, I observed two live birds in this condemn barrel that was approximately one quarter full of heads.</p> <p>(b) (6) and (b) (6) were notified of the observation in which poultry may have experienced excitement, discomfort or accidental injury while being handled in connection with slaughter. (b) (6) stated that the employee will be coached and the condemn barrel will be removed from the area. It is recommended that establishment management review the Federal Register on "Treatment of Live Poultry before Slaughter", published September 2005 for FSIS recommendations concerning treatment of live poultry prior to slaughter. (b) (6) was notified that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. Respectfully, (b) (6)</p> <p>Allen Harim Foods, LLC. P-935 Harbeson, DE. 19951</p>

Table: Noncompliance Reports in Response to FOIA2018-328

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M482	St. Croix Abattoir	NAA08 130435 26N-1	04/25/2018	04C02	Livestock Humane Handling	313.15(a)(1)	On April 25, 2018, at approximately 1:50pm, while performing a humane handling verification task (b) (6) observed the following noncompliance: The first stun with a hand held captive bolt (HHCB) was ineffective and did not render a steer unconscious. The steer remained standing. The plant employee immediately and effectively stunned the steer with a back-up HHCB rendering it unconscious. On post mortem examination 2 there were two separate knocking holes observed in the skull. (b) (6) and (b) (6) were informed of the noncompliance and that a NR would be issued.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M482	St. Croix Abattoir	NAA25 140531 01N-1	05/01/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	<p>At approximately 1:20 p.m. on May 1, 2018, the establishment brought in 2 market pigs for Slaughter. The firm was using the captive bolt to stun pigs, as the electrical stunner is down for repairs. The (b) (6), attempted to knock the pig, but it moved its head and the first shot entered the skull above its right eye. The pig was upright, moving around and squealing. When the knocking employee went for the backup captive bolt gun, he knocked it off the ledge and it fired. Therefore, the knocking employee had to reload the first captive bolt to administer the second shot. This took approximately 2 minutes. This second shot was effective and knocked the pig down. I stopped slaughter activities at approximately 1:25pm and contacted (b) (6) for guidance. The firm failed to meet 9 CFR 315.15 (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. The firm failed to meet 9 CFR 315.15 (b) (1) (iii): The stunning area shall be so designed and constructed as to limit the free movements of animals sufficiently to allow the operator to locate the stunning blow with a high degree of accuracy.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M482	St. Croix Abattoir	NAA25 140531 01N-2	05/01/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	<p>At approximately 1:20 p.m. on May 1, 2018, the establishment brought in 2 market pigs for Slaughter. The firm was using the captive bolt device to stun pigs, as the electrical stunner is down for repairs. The (b) (6) [REDACTED], attempted to knock the pig, but it moved its head and the first shot entered the skull above its right eye. The pig was upright, moving around and squealing. When the knocking employee went for the backup captive bolt gun, he knocked it off the ledge and it fired. Therefore, the knocking employee had to reload the first captive bolt to administer the second shot. This took approximately 2 minutes. This second shot was in the center of the skull and was effective in stunning the animal. (b) (6) [REDACTED] stopped slaughter activities at approximately 1:25pm and contacted (b) (6) [REDACTED]. USDA Retain Tag # B19323315 was applied to the knocking box. The firm failed to meet 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. The firm failed to meet 9 CFR 313.15 (b) (1) (iii): The stunning area shall be so designed and constructed as to limit the free movements of animals sufficiently to allow the operator to locate the stunning blow with a high degree of accuracy. After discussion with the Atlanta District Office, Director Rodney Parris and (b) (6) [REDACTED] were notified that a NR would be issued for this noncompliance.</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P1480	Tip Top Poultry, Inc.	JBA370 903342 2N-1	03/22/2018	04C05	Poultry Good Commercial Practices	381.65(b)	On 03/21/2018, at approximately 1922 hours, (b) (6) observed live birds entering the scalders. Based on these observations, (b) (6) determined that the establishment's slaughter process was out of control, and a regulatory control action was taken by stopping live birds from being hung on the Slaughter Line. (b) (6) was notified of this noncompliance with regulatory requirements.	OPEN
M6678+P6 678	Ganaderia Santiago Inc.	NBA490 601562 6N-1	01/26/2018	04C02	Livestock Humane Handling	313.2	HATS category III: Water/Feed Availability; 9 CFR 313.2 (e). On Friday January 26, 2018 at approximately 08:10 hours; while performing routine Humane Handling inspection and evaluating records at establishment #M6678, Ganaderia Santiago. The following non-compliance was identified by USDA inspection program personnel: There is no evidence that food was provided or available in a 2 day period for 12 cattle that arrived at Establishment on Wednesday January 24, 2018. (b) (6) and (b) (6)	CLOSED
M7883+P7 883	Sucesion Jorge Morales Cruz	NCB210 501572 5N-1	01/25/2018	04C02	Livestock Humane Handling	313.1, 313.2	During verification of pens and animals at 0700 hours on 01/25/2018 the following was observe Pens # 4n, 5n 6,7,8 and where the bob veals are, do not have access to water, water reservoirs were empty. Also pens (Zinc) ceiling missing on several of the pens. this don't comply with regs. 9 CFR 313.1 and 313.2.	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M11116	Osteen Meat Service Inc.	TOA241 204432 3N-1	04/23/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	HATS category VIII: Stunning Effectiveness 9 CFR 313.15(a)(1) and 313.15 (a)(3) At approximately 1244 hours while I, (b) (6), was performing a humane handling verification for HATS Category VIII at M11116 the following noncompliance was observed: An establishment employee was observed to deliver an ineffective captive bolt stun to a market hog. The stun was ineffective as it made contact with the animal but failed to render it unconscious. The hog remained standing and was vocalizing after the captive bolt was applied. The employee then immediately delivered a second captive bolt blow that effectively rendered the hog unconscious. The head of the animal was inspected after the animal was bled and hoisted. Two circular captive bolt holes were observed to be present. Mr. Steve Osteen (plant owner) was notified of the noncompliance. The above noncompliance fails to meet the regulatory requirements of 9 CFR 313.15(a)(1) and 313. 15(a)(3). This noncompliance was not considered egregious as the plant took immediate and effective corrective actions. This document serves as written notification that your failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M413	Smithfield Fresh Meats Corp.	NCA171 304493 0N-1	04/30/2018	04C02	Livestock Humane Handling	313.1, 313.2	Livestock Area: After completion of export verification check at the casing facility, at approximately 1105 hours as walked around the south side of the barn I observed that 2 hogs had fallen from the top section of the live haul carrier. I inquired asking (b) (6), (b) (6) what cause the animal to fall. It was stated that when the unload plant associate raised the gate to place the ramp flap inside the trailer 2 hogs fell out onto the concrete and frame of chute. The metal flap on the end of the ramp is utilized to close the gap between the back of carrier trailer and ramp. One animal sustained injury/non-ambulatory was euthanized immediately. The ambulatory animal was guided to the holding pen. I informed (b) (6) of a noncompliance due to the establishment failure to meet HATS Category II - Truck Unloading regulatory requirement 9CFR 313.1 and 313.2.	CLOSED
P622	Tyson Foods	NLB341 903352 3N-1	03/22/2018	04C05	Poultry Good Commercial Practices	381.65(b)	On March 22, 2018 at about 1753, I (b) (6) while performing a Good Commercial Practice Task, I observed the following noncompliance. After an employee dumped a cage of birds onto the belt, one bird was left on the cage when the cage was pulled back. The employee removed the bird from the cage and he threw it onto the belt but he missed and hit the bird's head on the steel bar before the belt. The bird died from the injury it sustained. In accordance to CFR 381.65(b) poultry must be slaughtered with Good Commercial Practices in a manner that will result in thorough bleeding... but this bird died from the cause of the injury other than slaughter. (b) (6) and (b) (6) were notified of the noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10757	Select Meats, Inc.	IMB441 101031 2N-1	01/08/2018	04C02	Livestock Humane Handling	313.1, 313.2	While performing slaughter inspection duties at Select Meats(TA10757) at approximately 8:30am the following non-compliances were observed. While on the kill floor observing stunning activities one pig escaped onto the slaughter floor. In an attempt to remove the pig, plant employee grabbed the pig by its ears and attempted to transport the pig back into the holding pen. Upon observation inspection personnel intervened and plant employee suddenly stopped. The pig did not vocalize and seem to be unharmed. Upon observation of the holding facility the sliding door, between kill floor and holding pen, has metal protruding from the side as well as metal rolled up at the bottom, creating potential for injury to livestock. No regulatory control action was taken due to immediate response from establishment personnel to prevent harm to livestock. Plant owner Gerald Wood was notified of the non-compliances and the plants failure to comply with regulatory requirements of 313.1 & 313.2.	CLOSED
M10757	Select Meats, Inc.	IMB142 203102 8N-1	03/28/2018	04C02	Livestock Humane Handling	313.2	On 03/28/18 at approximately 0740 while performing antemortem inspection in the holding pens with an Establishment employee, it was noticed that the plant's automatic water nipples for the swine were not delivering water. The employee stated that another plant employee had hung his personal equipment on a water valve on the kill floor and had accidentally turned off the water to the system. The swine did not show any signs of dehydration or stress. At 0825, I went back out to the holding pens and found that the watering system was still not working. (b) (6) was notified, and he located the proper valve to restore water to the system. Later in the kill floor shift (b) (6) secured the water valve handle with a zip-tie as a preventative measure (b) (6) was notified of noncompliance with 9 CFR Part 313.2(e).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M18079+P 27232	Smithfield Fresh Meats Corp.	VFB482 302320 1N-1	02/01/2018	04C02	Livestock Humane Handling	313.1	<p>On 02/01/2018 at approximately 17:05 I was notified by (b) (6) that while verifying Category IV "Handling During Ante-mortem Inspection" she observed concerns regarding the facilities in the livestock holding area. (b) (6) stated that she was inspecting hogs in motion from pen A-12 and she noticed a potential safety hazard for the hogs. She then instructed establishment employees to relocate the hogs in pen A-12 to another pen, and she then notified USDA Supervision of her concerns. Upon arriving to pen A-12, I observed that the bolt on the right side of a drain shield was missing, causing the shield to fall to the ground at an approximately 45 degree angle. As a result of this positioning, the metal edges of the drain shield were oriented in a way that could potentially cut a moving hog. Additionally, an approximately 4 inch diameter drain hole was exposed on the pen floor which posed, in my opinion, a real risk for entrapment and injury of a limb. I took regulatory control of pen A-12 by applying USDA Retained tag NO. B42 301452 at approximately 17:15. I notified both (b) (6), and (b) (6), of the regulatory control action and the noncompliance with regulation 313.1(a) which states: 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. Maintenance repaired the drain shield by securely fastening it into proper position. (b) (6) stated that retraining will occur on the following: Pens should be checked for exposed drains prior to penning animals. Do not place animals in a pen with a missing or loose drain cover. Regulatory control of pen A-12 was</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							relinquished after the necessary corrective actions and preventive measures were confirmed at 19:06. No animals were directly observed to be injured from this facilities deficiency.	
M19697+P 19697+V19 697	Chaudhry Meat Company, Inc.	ZCA081 402450 8N-1	02/08/2018	04C02	Livestock Humane Handling	313.15(a)(2), 313.15(b)(1) (iii)	At 1302 hours the FI summoned me to the slaughter floor. At that time he (FI) told me a bovine had been brought to the knock box, head restrained, and eventually knocked. He said once the door from holding was opened the animal immediately tried to leap through the head restraint opening. Left front foot became lodged between cross support and concrete wall of the head restraint. The animal began struggling to get free and vocalizing. Struggling resulted in animal losing footing and rear portion of the bovine ended up on the floor, similar to a sitting position with foot still wedged in knocking box. Head was not positioned in head restraint. Employee utilized a metal pipe (approximately 4 feet long) to pry the foot up out of its wedged position. The animal began a higher pitched vocalization during this process. The animal became extremely agitated, rose to its feet, plant applied nose restraint, and successfully knocked the animal. These activities/ design of knockbox resulted in undue stress, excitement and apparent pain to the animal. This is noncompliance with 9 CFR 313.15(a)(2) and 313.15(b)(1)(iii). Meeting was held with (b) (6) concerning this noncompliance and he promised immediate corrective actions. (b) (6) was notified of forthcoming noncompliance report.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19825+P 19825	Halal International Processing	JDA001 301000 2N-1	01/02/2018	04C02	Livestock Humane Handling	313.2	HATS activity II Water and Feed availability HATS activity III Antemortem handling On Jan 2, 2018, I arrived at the facility at about 8:30 a.m. Animals were still in the back of the plant. (b) (6) and I walked into the pen and field area to perform an antemortem check of the goats and lambs. The water trough in the small pen was frozen solid, I observed one lamb licking the top surface of the ice. The other water supply trough in the back was empty of water. There were at least 60 animals in the back area without water overnight (b) (6) instructed the employees to fill a container with water and carry it out to the animals. Another water container was placed in the indoor holding pen when some animals were herded into there. Plant personnel were reminded that animals must have water available, even during this week's cold spell.	CLOSED
M20478+P 20478	Snow Creek Meat Processing, Inc.	VAB451 302052 8N-1	02/28/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(2), 313.15(a)(3)	On February 28, 2018 at Snow Creek Meat Processing, Est.20478 at 8:15 a.m. the following observation was made. The establishment was using a captive bolt. The stun was not effective rendering the animal immediately unconscious. The stunner took immediate corrective action using a .22 caliber rifle. The stun was effective rendering the animal unconscious. This constitutes a regulatory noncompliance with USDA Regulation 313.16a1-3.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4265+P4 265+V4265	Locust Grove Farm	XBA460 703141 3N-1	03/13/2018	04C02	Livestock Humane Handling	313.2	HATS CATEGORY III At approximately 0830 hours on March 13, 2018 while performing a routine humane handling task, the following noncompliance was observed. I, (b) (6) , observed two out of three pens of swine in which water was not accessible. In one pen there was a tub but no water was present in the tub ,the other pen there was no tub or any source of water. Establishment Kill floor employees were immediately notified verbally and in writing of this noncompliance. Plant employees immediately performed corrective actions by providing accessible water. This is noncompliant with 9 CFR 313.2(e).	CLOSED
M4265+P4 265+V4265	Locust Grove Farm	XBA310 903342 7N-1	03/27/2018	04C02	Livestock Humane Handling	313.2	HATS Category III While performing an Odd Hour Humane Handling Inspection on Tuesday, 3/27/2018, at approximately 0730 hours at Locust Grove Smoke House (Est. M4265) the following noncompliance was observed: Upon entering the establishment holding pens there were five market swine present. In pen one there was one market swine. Two water troughs were present in pen one; both water troughs in pen one were empty and dry. Pen two there was one market swine with no water trough present. Pen three there was one market swine with no water trough present. Pen four there were two market swine present. There was a water trough present in pen four. The water trough in pen four was empty and dry. The establishment manager was immediately notified verbally and in writing of the noncompliance. The establishment manager took immediate corrective action by providing the swine with water. This is noncompliant with 9 CFR 313.2(e).	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4486+P4 486	N S Brandon Packing Inc.	ZWE03 090134 03N-1	01/03/2018	04C02	Livestock Humane Handling	313.2	HATS category III Water and Feed Availability 9CFR 313.2 1/3/ 2018 I performed ante-mortem inspection on 6 Beef Cattle in pen 7. I observed pen 7 to not have water accessible as required for the livestock present. I notified (b) (6) that the water bucket was empty he provided water immediately. Notified (b) (6) of the non compliance. This is non compliant with 9CFR 313.2(e).	CLOSED
M17776	Trenton Halal Packing Company	BBE410 903532 1N-1	03/21/2018	04C02	Livestock Humane Handling	313.2	On 3/21/18 at 0710 while performing the Livestock Humane Handling task at Trenton Halal to verify the conditions of the pen. The IIC observed that the ante-mortem pen was completely filled with goats. In addition, the pen that is used if there is a suspect animal was also completely filled with goats. The animals did not have room to sit down or turn around. On the ante-mortem card it was listed that 120 goats were inside the pens. In different areas you could see that there were spaces where water buckets were located. These animals were unloaded after hours with no FSIS personnel present. IPP were not able to verify the humane handling of the goats during truck unloading on 3/20/18. IIP personnel watched the plant employees handle the goats after the plant started working. This does not meet regulation 313.2(a). Both Mr. Malik, owner of Trenton Halal, and (b) (6) at Trenton Halal, were informed of this noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17776	Trenton Halal Packing Company	BBE4010040919N-1	04/19/2018	04C02	Livestock Humane Handling	313.2	<p>At 0910 on 4/19/18 at Trenton Halal the IIC observed from the kill floor that the animals in the holding pen did not have access to water. These animals were of another species, and the establishment still was not finishing the first species, beef. The animals would have been kept without access to water until they finish with the beef and did a mid-operational clean up. (b) (6)</p> <p>(b) (6) at Trenton Halal, was notified of these animals not having access to water. (b) (6)</p> <p>(b) (6) had an employee meeting on the kill floor to inform his employees to make sure that the animals have access to water, and that the only time that the animals did not need to have access to water was when they are going to be hanged for slaughter.</p>	CLOSED
M17776	Trenton Halal Packing Company	BBE0207053002N-1	05/02/2018	04C02	Livestock Humane Handling	313.2	<p>On 5/2/18 at 0710 while performing the Livestock Humane Handling task at Trenton Halal to verify the conditions of the pen the IIC and (b) (6)</p> <p>(b) (6) observed that the ante-mortem pen was completely filled with goats. In addition, the pen that is used if there is a suspect animal was also completely filled with goats. The goats were off loaded on 5/1/18 around 2000 with no FSIS personnel present. The animals did not have room to sit down or turn around. (b) (6)</p> <p>(b) (6) at Trenton Halal, informed the IIC and (b) (6) that approximately 120 goats were inside the pens. In different areas you could see that there were spaces where water buckets were located. IPP were not able to verify the humane handling of the goats during truck unloading on 5/2/18. This does not meet regulation 313.2(a). (b) (6) was informed of this noncompliance. The same situation regarding overcrowding the pens took place on 3/21/18, and a noncompliance was given. On 3/21/18 the pens were filled after hours with no FSIS personnel present.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17965	Gold Medal Packing Inc.	JRF031 401260 5N-1	01/05/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>313.1: Livestock pens, driveways and ramps</p> <p>313.2: Handling of livestock On January 5, 2018 at about 0530am while performing ant mortem task, (b) (6) observed that the veal bobs in pen 12 A/B were crowded into the pens such that the bobs had no room to freely move. The bobs were walking on top of each and most of them had no space to lie down or walk to the end of the pen where the water barrel was located. The pens contained a total of 167 bobs according to the plants chart for pen stocking, there should only be 50 bobs in 12A and max of 55bobs in pen 12B. I then inspected the other pens and observed the same instances. There were 83 bobs in Pen 5 which the max capacity is 46 bobs, there were 60 bobs in pen 6 which the max capacity is 46. There were 52 bobs in pen 3A the max capacity is 42. All the pens were over crowded causing discomfort to the animals. I informed the (b) (6) in the pens that the pens were overcrowded. This is a violation of 9CFR 313.2(a). Upon inspecting the veal bobs located in the alleyway, I observed the gate to the side of the ramp was open, and there were bobs in that area. That area of the ramp is not utilized because there is a trench like gap between the side of the ramp and the gate. I observed the legs of three veal bobs fall into the open space between the ramp and the gate and watched them struggle to get free of it. The ramp area is not maintained in good repair which is a violation of 9CFR.313.1(a). I also Informed (b) (6) of this noncompliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17965	Gold Medal Packing Inc.	JRF371 001101 ON-1	01/10/2018	04C02	Livestock Humane Handling	313.2	<p>Category III-Water and Feed Available On January 9, 2018 at about 1440 while checking water and feed for the held over bob veals. I (b) (6), observed that there was only water available for the bob veals. I made (b) (6) aware that the pen employees were gone but the bobs had no feed. (b) (6) advised me that there is a night worker that will be able to feed the animals. On January 10, 2018 at about 0500 while doing my ante mortem task, I observed that the bobs leftover from the previous day in pens 1A and 2AB still did not have feed. I spoke to (b) (6) and he informed me that the bob veils arrived either 10pm on the 8th or 1 Am on the 9th, .upon checking the plants receiving sheet I observed that the veal bobs in 1Ab arrived at 11:30 pm on January 8th and the veal bobs in 2AB arrived at 2am on January 9th. (b) (6) was made aware that not having feed available is a noncompliance, Not having feed available for arriving animals within a 24 hour period after they enter the premises is a violation of 9CFR 313.2(e)</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17965	Gold Medal Packing Inc.	JRF361 001532 3N-1	01/23/2018	04C02	Livestock Humane Handling	313.2	<p>313.2(a) handling of livestock On January 23, 2018 at about 0730am while performing ante mortem task, I (b) (6) observed that the veal bobs in pen 12 A/B were crowded pens such that the bobs had no room to freely move. The bobs were walking on top of each other and most of them had no space to lie down or walk to the end of the pen where the water barrel was located. Pen 12A contained a total of 110 bobs veal, according to the plants chart for pen stocking, there should only be 50 bobs, 12B contained 95 bob veal and max for that pen are 55 bobs. I inspected the other pens and observed the same instances. There were a total of 189 bob veal in Pens 5,6,7 and according to the plants chart for pen stocking, Pen 5 max is 46 bob veal, pen 6 max is 46 bob veal and pen 7 max is 46 bob veal which would total 138. I informed (b) (6) in the pens that the pens were overcrowded. I also informed (b) (6) the .This is a violation of 9CFR 313.2(a). Overcrowding of the pens causes discomfort to the animals and creates a situation in which they are unable to access water or feed.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17965	Gold Medal Packing Inc.	JRF501 102350 6N-1	02/06/2018	04C02	Livestock Humane Handling	313.2	<p>313.2(a) handling of livestock 313.2(e) Category III-Water and Feed Available On February 6, 2018 at about 8:00am while performing ante mortem task, I (b) (6) observed that the veal bobs in pen 1A were overcrowded. The count in the Pen was 52 and according to the plant chart for pen stocking, there should only be 45 veal bobs. Pen 12A was also crowded such that the bobs had no room to freely move. The bobs were walking on top of each other and most of them had no space to lie down or walk to the end of the pen where the water barrel was located. Pen 12A contained a total of 114 bobs veal, according to the plants chart for pen stocking, there should only be 50 bobs. I also noticed that there were numerous hoses for the water barrel strewn about on the floor around the pen areas. Upon further inspection I observed that there were several water barrel that did not have hoses attached to the nipples or only one or two hoses attached. In the alleyway the FF Veals had a water barrel with nipples available but the water level was too low for them to access it from the top of the barrel. This creates a situation where water or feed is not available for the animals. I informed (b) (6) in the pens that the pens were overcrowded and water and feed was not available or accessible to most of the animals. I also informed (b) (6). These are violations of 9CFR 313.2(a) and 9CFR313.2(e) Overcrowding of the pens causes discomfort to the animals and creates a situation in which they are unable to access water or feed.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17965	Gold Medal Packing Inc.	JRF261 002022 8N-1	02/28/2018	04C02	Livestock Humane Handling	313.16(a)(1)	HATS CATEGORY VIII Stunning Effectiveness At approximately 0950 on February 28, 2018, while verifying the stunning procedures in the pen area, I (b) (6), observed the following; a plant employee attempted to stun the thirteenth large market swine by gunshot (using a .22 magnum) on the conveyor. A bullet penetrated the head but did not render the animal unconscious on the first attempt. The swine remained upright, on all 4 and alert, but with no vocalization. The employee immediately stunned the swine with the electric stunner; this stun was effective in rendering the swine unconscious and insensible to pain. It was then insensible to pain before being shackled and bled. I notified the employee of the noncompliance with 9 CFR 313.16(a)(1).	CLOSED
M20403	American Halal Meat Inc.	PID311 103270 7N-1	03/07/2018	04C02	Livestock Humane Handling	313.2	While performing HATS Category III (Water and Feed Availability) during the Livestock Humane Handling task on March 7, 2018 at 10:45am, I observed 5 heifers lined up in the chute waiting to be slaughtered, without access to water, no room to lay down, and no room to turn around. The establishment was currently slaughtering sheep, and had approximately 20 sheep remaining, with the intent of returning to slaughter the cattle after the 12 pm lunch break. I spoke with (b) (6), and he confirmed that the heifers had been there for about 30 minutes. I notified him that this is in violation of 9 CFR 313.2(e). (b) (6) instructed the employees to return the cattle to the holding pens, which was done immediately.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M20403	American Halal Meat Inc.	PID2011055401N-1	05/01/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>Today May 1st, 2018 at about 7:30 AM I, (b) (6) followed the (b) (6) to observe the unloading of animals in Establishment # 20403-M. I observed the plant Manager Mr. Cahit Commit was trying to separate about 5-6 sheep and 4 heavy calves from pen # 5 to pen # 10 and 4. Two of the heavy calves slipped and fell down but stood unhurt due to slippery, not well maintained for sound footing, and not properly covered by sand or wood chips floor of pen # 5. Immediate corrective action was taken and pen # 5 was rejected by applying USDA reject tag #B35688029. Both plant manager Mr. Cahit and plant (b) (6) were notified of intending Humane Handling non-compliance. Plant has failed to follow regulations 9CFR 313.1(b), 9CFR312 (a), and their own written procedures for Humane Handling.</p>	CLOSED
M5300	Rhode Island Beef & Veal Inc.	VEL0114010831N-1	01/31/2018	04C02	Livestock Humane Handling	313.2	<p>HATS category III: Feed and Water Availability</p> <p>While performing a humane handling task in the holding pens at approximately 2:30pm on 1/31/18, the following noncompliance was observed: Seven goats and three sheep were housed in the alleyway adjacent to the pens. None of the animals in the alleyway had access to water. A slaughter floor employee was notified and the animals were immediately provided water. This is in noncompliance with 9CFR313.2(e). (b) (6) was notified of the noncompliance verbally and also informed that a noncompliance record would be generated to reflect this finding.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5497+V5 497	Adams Farm Slaughterhouse LLC	FWJ161 403232 8N-1	03/28/2018	04C02	Livestock Humane Handling	313.2	Category III: Water and Feed Availability At approximately 1430 hours (b) (6) went out to the holding area to perform antemortem inspection and to check the availability of water in the pens. He observed no water available in pens #3 and #6, which held cattle and lamb and goats. The barn manager was notified and immediately put water in the pens. (b) (6) informed kill floor manager of the findings verbally. (b) (6) was notified verbally and with this notice. No recent similar NR's have been issued.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45790	3282 Beaver Meadow Road LLC	BJL191 405511 4N-1	05/14/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	<p>HATS Category VIII: Stunning Effectiveness At 8:18AM Monday 5-14-18 while conducting Humane Handling Verification at plant 45790 Royalton Meats the following Non-Compliance was noted during the start of ovine slaughter. The second ovine into the day was loaded in to the stun box and was ready to be stunned. The plant had an ineffective stun on the first attempt with an immediate follow up effective stun on the second attempt. IIC noted the missed stun as the animal fell as if it was stunned properly but then rose to its feet prior to the sticking. The plant employee took an immediate follow up stun and rendered the animal completely unconscious and then the sticking and shackling began. This is a Non-Compliance with 9CFR 313.15 IIC then took action and tagged the box (US Rejected Tag NO.B42089130) to consult with the PHV as to the next steps because the plant was still in the process of responding to an NOIE issued on 05-03-2018. After speaking with the PHV, the tag was removed @ 8:45am and the plant was verbally informed that they could resume slaughter and that they would be receiving an MOI and a Non-Compliance record for the incident that transpired. The plant is using for sheep/Goat and Pig slaughter a cash special hand held penetrating captive bolt gun. They use the prescribed rod and load for the size and type of species as the stunner and boxed shot loads state to, as to get proper penetration. It is unknown if it was mechanical or personnel related at this time. IIC has watched 14 consecutive stuns since the ineffective stun this am and has found the plant to be as of now (11:20am) compliant.</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8868	PT Farm LLC	RDB530 601090 9N-1	01/08/2018	04C02	Livestock Humane Handling	313.2	On 1/8/18 at approximately 0700 hrs. , while preforming Ante Mortem I (b) (6) observed the following . The water was frozen in each pen. I notified plant manager Peter Beaupre . He instructed an employee to bring buckets of water to the animals until he could get it fixed. This is a violation of CFR 313.2(e) ,that states animals shall have access to water in all holding pens	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9428+P9 428	East Conway Beef & Pork Processing	XML43 110153 25N-1	01/25/2018	04C02	Livestock Humane Handling	313.15 (b)(1)(i), 313.15(a)(1), 313.15(a)(3)	<p>HATS Category VIII – Stunning Effectiveness</p> <p>Thursday, January 25, 2018: Shortly after antemortem inspection had been completed at 8:47AM, Plant management at EST. 9428 elected to stun a market swine using a captive bolt gun rather than performing their usual electrical stunning procedures for swine slaughter. While the swine was secured within the kill box, I observed Mr. Darrell Robinson, plant owner stand on the side of the kill box and reach down over the side with the stunning device in hand. Mr. Darrell Robinson positioned the captive bolt gun onto the head of the animal. A shot was fired and the animal simultaneously let out a loud, drawn out vocalization. The animal remained standing upright and took a few steps forwards and then back. I observed fresh blood trickling from the captive bolt entrance wound. The swine continued to vocalize and rapidly shake its head from side to side. (b) (6) then handed the back up rifle to his father so he could administer another shot. Mr. Darrell Robinson immediately administered a second stun once the animal presented a clear shot. That shot was effective as the animal immediately dropped and no longer exhibited signs of consciousness such as the tracking of eyes or vocalization. The animal did not regain consciousness at any point after the .22 magnum shot was fired. I then applied U.S. Rejected tag no. B30849482 to the kill box and informed plant management the further stunning of animals may not continue at this time. I proceeded to contact my supervisor to report my observations and receive further instructions.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9428+P9 428	East Conway Beef & Pork Processing	XML56 090111 30N-1	01/30/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category II - Truck Unloading (9CFR 313.1 and 313.2): Tuesday, January 30, 2018: At approximately 9:45AM while performing antemortem inspection, prior to the start of slaughter operations, I observed a damaged section of a holding pen wall. A section of metal with sharp edges, approximately 1 ½ feet in length, was bent outwards and protruding into the pen. I informed (b) (6) of the requirements for 9 CFR 313.1(a) and voiced my concern regarding the potential for injury of livestock within the holding pen. 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. I verbally issued a noncompliance to (b) (6) pending my written report.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9558	Vermont Livestock Slaughter & Processing Co. LLC	FDN400 602020 9N-1	02/09/2018	04C02	Livestock Humane Handling	313.2	<p>Water and Feed Availability HATS Category III On 02/09/2018 at approximately 0720 while performing the review and observation component of the PHIS task Humane Handling I observed the following non-compliance. I was informed by (b) (6) that the establishment was ready for ante-mortem inspection. (b) (6) and I proceeded to the holding pens one with seven beef and another with a single beef. We began by comparing affidavits with the corresponding animal tags then (b) (6) moved the animals to complete the inspection. At this time I observed a water container in both pens in the proper upright position. Both containers appeared to be frozen solid. I asked (b) (6) if he could verify there was water available in the containers. (b) (6) grabbed a nearby push broom and repeatedly struck the surface of the container with the solid side of the broom. These actions confirmed that the containers were frozen and the animals had no access to water. This is a failure of 9CFR 313.2(e). (b) (6) was notified of the non-compliance. This document serves as written notification that your failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action. As always you have the right to appeal.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M20321+V 20321	Luce's Maine Grown Meats	NKI571 203571 9N-1	03/19/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII – Stunning Effectiveness 9 CFR 313.15 (a)(1) Monday, March 19, 2018: At approximately 10:30AM I observed the following noncompliance while on the slaughter floor: I watched as a large bull, over 30 months of age, was secured in the knock box. (b) (6), the designated stunner applied a shot to the bull's head using a captive bolt gun. The first stun attempt was ineffective as the bull did not drop and remained fully conscious. (b) (6) immediately and effectively applied a second shot with a .410 firearm. I verbally notified (b) (6) and Mr. Arnold Luce, plant owner of the noncompliance pending my written report.	CLOSED
M20321+V 20321	Luce's Maine Grown Meats	NKI541 104171 6N-1	04/16/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII-Stunning Effectiveness 9 CFR 313/15(a)(1) At 9:40 am while observing the stunning of a Beef Cow I saw that the shot from a captive bolt gun was ineffective in rendering the animal unconscious. An immediate second shot was applied to the animal which rendered the animal unconscious (b) (6) and Plant Manager Arnold Luce were informed that a record of non-compliance would be issued. A review in PHIS indicates a similar non-compliance NKI5712035719 was issued on March 19 2018.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M818+V81 8	J. H. Routh Packing Co.	FYC450 402502 ON-1	02/19/2018	04C02	Livestock Humane Handling	313.2	<p>On Monday night 02-19-18 at 10:39 pm (b) (4) arrived at Routh Packing Co. to unload 190 hogs. There was a bill of lading on the counter top ,also K.E.E. Trucking Co. which had the date of the 19th. I asked the (b) (6) what time he was here earlier today to drop off the split load of 123 hogs and 67 hogs. (b) (6) stated that he had delivered the split load on the 18th about 8 or 9 pm,which were placed in pens 8-9. I went to pens 8-9-and 10 to observe how much feed was left, only to not find any feed at all. It appeared as if there had not been any feed in quite a while from the dust in the bottoms of the feeders in these pens. At 11:30pm (b) (6) arrived at the Establishment and fed pens 8 and 9. Then filed out the paperwork which stated that the hogs were in fact delivered to the Establishment on the 18th. This is a noncompliance of 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.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M818+V81 8	J. H. Routh Packing Co.	FYC151 304562 6N-1	04/26/2018	04C02	Livestock Humane Handling	313.2	<p>At approximately 0637 hours on Thursday April 26, 2018 while performing the ante-mortem task in the barn at Pen L, (b) (6) had observed that the waterer was not fully functional and inadequate. Additionally, the pen was overstocked and would not allow for access to any animal in that pen even if it was fully functional. The pen was tagged with a US Rejected tag No.B41225213. The fact that water was inaccessible to pigs represents a noncompliance according to 9CFR 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. All animals that are on the premises of the establishment, on vehicles that are on the premises, or animals being handled in connection with slaughter are to be handled humanely. Establishment employees are to handle these animals in accordance with the requirements for the humane handling of livestock (9 CFR 313.2).</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4593	Greenbrier Meat Company, Inc.	XQC4707015304N-1	01/03/2018	04C02	Livestock Humane Handling	313.2	<p>Category III – Water and Feed Availability --9CFR 313.2 While a Humane Handling task was being performed, the following non-compliances were noticed. One pen had one hog in it, with one water container that was tipped over and no other available water. A second pen contained 5 cattle. In the pen with the cattle, there was one water bucket that was overturned and one container of water that was frozen solid, with no other water available. (b) (6) stated he was on his way to replace fresh water in the buckets as we approached him to discuss the deficiency. (b) (6) asked if all of these animals had been brought in the night before, and (b) (6) replied that they had. The plant was not in compliance with 9 CFR 313.2(e), animals shall have access to water in all holding pens. This same issue was also documented in Nr. XQC2008125821N written during the Humane Handling review with (b) (6) and (b) (6) on 12/19/17. Corrective actions were either not effective, or not implemented. This NR will be linked to NR XQC2008125821N from 12/19/2017, and the linkage will be discussed in the next HACCP meeting.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4593	Greenbrier Meat Company, Inc.	XQC411 104100 3N-1	04/03/2018	04C02	Livestock Humane Handling	313.16(a)(1)	On /3/2018 at approximately 0825 while observing slaughter and verifying HATS category VIII-stunning effectiveness, the following noncompliance was observed. (b) (6) fired the first stunning shot to a market hog. The hog made a quick squeal and remained standing. Both (b) (6) and I noted that when the bullet fired it sounded much quieter than normal. (b) (6) immediately reloaded the gun and fired a second shot which was successful in rendering the hog unconscious. I then examined the head and there was a powder burn area on the skin of the forehead approximately one inch in diameter, along with the entrance wound from the bullet of the second shot. Since the animal was not rendered unconscious with the first shot, this is not in compliance with 9 CFR 313.16(a). (b) (6) was notified of the noncompliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6785	Bob Evans Farms Inc.	NRL141 601481 1N-1	01/11/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>Humane Handling Activity Tracking System (HATS) Noncompliance, Category VIII: Stunning Effectiveness At approximately 2:30pm on Thursday, January 11, 2018, Bob Evans Farms personnel notified (b) (6) of a gilt that was unwilling to rise. The gilt in question was bright, alert, and responsive, but was not able to rise in the hindlimbs, possibly due to a joint injury. Because the gilt could not walk to the electrical stunner to be slaughtered, Bob Evans Farms personnel elected to use the handheld captive bolt stunner to render the gilt insensible. Bob Evans Farms personnel gathered around the gilt at the back of Pen 7. The gilt was restrained with the fence of Pen 7 to her left, one employee holding a sort board at her rear, and a second employee holding a sort board at her right side. After marking the gilt's forehead for proper captive bolt placement, a third employee placed the handheld captive bolt stunner on the gilt's forehead and fired. The shot was unsuccessful in rendering the gilt insensible. (b) (6) determined that the shot was unsuccessful in rendering the gilt insensible because the gilt vocalized several times, fell to the ground but attempted to rise in the forelimbs, and had a strong voluntary blink reflex. Bob Evans Farms personnel assessed the gilt and recognized that the gilt remained conscious. Bob Evans Farms personnel quickly restrained the gilt again. A pre-loaded backup captive bolt stunner was presented to the employee to stun the gilt a second time. Within a matter of approximately 15 seconds the second captive bolt stunner was applied to the gilt's forehead and discharged. After the shot was fired the gilt collapsed and was determined to be successfully rendered insensible. Bob Evans Farms personnel stuck the gilt to bleed. After the gilt was insensible, (b) (6) notified (b) (6), that an NR would be issued. Failure to</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							successfully render an animal insensible with the first application of a captive bolt stunner is noncompliant with 9 CFR 313.15(a)(1). This NR is not linked.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6785	Bob Evans Farms Inc.	NRL161 602271 4N-1	02/14/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>Humane Handling Activity Tracking System (HATS) Noncompliance, Category VIII: Stunning Effectiveness At approximately 4:10pm on Wednesday, February 14, 2018, Bob Evans Farms personnel notified (b) (6) of a sow that was unwilling to rise in the shower room. The sow in question was alert and responsive, but was not able to rise in the hindlimbs. Because the sow could not walk to the electrical stunner to be slaughtered, Bob Evans Farms personnel elected to use the handheld captive bolt stunner to render the sow insensible. Bob Evans Farms personnel gathered around the sow in the shower room. The sow was restrained by a concrete wall on her left, an employee holding a sort board at her rear, and a second employee holding a sort board at her right side. After marking the sow's forehead for correct captive bolt placement, a third employee placed the handheld captive bolt stunner on the sow's forehead and fired. The shot was unsuccessful in rendering the sow insensible. (b) (6) determined that the shot was unsuccessful in rendering the sow insensible because the sow vocalized twice, remained standing, and took a few steps with her forelimbs. Bob Evans Farms personnel quickly assessed the sow and recognized that she remained conscious. Bob Evans Farms personnel restrained the sow again and a pre-loaded backup captive bolt stunner was presented to the employee to stun the sow a second time. The second captive bolt stunner was applied to the sow's forehead and discharged. After the shot was fired the sow collapsed to the ground and was determined to be successfully rendered insensible. Bob Evans Farms personnel stuck the sow to bleed. After the sow was insensible, (b) (6) notified (b) (6), that an NR would be issued. Failure to successfully render an animal insensible with the first application of a captive bolt stunner is noncompliant with 9 CFR</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							313.15(a)(1). This NR is linked to noncompliance record NRL1416014811N/1 dated January 11, 2018. The further planned actions of "The operators involved were all experienced at captive bolt and are aware of the procedures for an effective stun. Plant feels that this was an isolated incident but will remain attentive to differing circumstances and animal behaviors associated with the use of captive bolt" were either not implemented or were ineffective in preventing continued noncompliance. Continued failure to meet regulatory requirements may result in further regulatory or administrative actions as described in 9 CFR 500.	
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK4210 015904 N-1	01/04/2018	04C02	Livestock Humane Handling	313.2	January 4, 2018 While performing the Livestock Humane Handling task at approximately 1030, non-compliance was observed at Harmon Bros. Meats, Warsaw, KY. Specifically, Humane Handling Activities Tracking System (HATS) category III, water and feed availability was found to be in violation. Two holding pens full of sheep were observed to have frozen solid water troughs. One pen had a dead baby lamb lying on top of the frozen water and a section of garden hose extending into the ice. This observation was brought to the attention of plant management and advised of this forthcoming non-compliance record.	OPEN
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK1006 015105 N-1	01/05/2018	04C02	Livestock Humane Handling	313.2	On January 5, 2018, at approximately 7:00 am, I (b) (6) went to the pen area to do the verification on the animals and to view that the animals had the proper bedding and water for the weather that this area is having. I observed that the cattle that was in the cattle pen had no water it was frozen completely, one of the sheep pens had some water. With the cattle pens water frozen I am writing the non-compliance for 313.2(e), which states that all animals must have access to water at all times.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK4512 025222 N-1	02/22/2018	04C02	Livestock Humane Handling	313.15(a)(1)	February 22, 2018 HATS CATEGORY VIII (8)-STUNNING EFFECTIVENESS- At approximately 1000 EST a crossbred steer was placed in the knock box at Harmon Bros. Meats, Warsaw, KY. While performing the HATS task I observed plant personnel administer a shot with the captive bolt device. The steer was observed to be standing and moving in the knock box (conscious righting reflex, conscious eye tracking). The captive bolt device was reloaded and a second shot fired which did render the animal insensible. IPP placed U.S. Rejected tag #B42200582 on the knock box at approximately 1015 EST and informed plant personnel the Jackson District Office would be contacted as to how to proceed with the day's operation in light of the recent verification plan for an egregious humane handling incident.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK0512 043612 N-1	04/12/2018	04C02	Livestock Humane Handling	313.2	April 12, 2018 HATS Category III-Water and Feed Availability. While performing the Livestock Humane Handling task at Harmon Bros. Meats, Warsaw, KY, non-compliance was observed in the holding pens. At approximately 1030 a holding pen containing roughly 14 cattle of various sizes was found to have a low profile 25 gallon water trough with approximately two inches of chocolate brown water (fecal contamination). The condition of the water is such that the cattle are unlikely to consume, and thus making water availability non-existent. HATS Category V-Suspect and Disabled. Again, while performing The Task, a large holding pen with TNTC (too numerous to count) swine of various sizes was observed to have at least three animals showing respiratory symptoms. The pigs specifically exhibited labored open mouth breathing. In an adjacent holding pen another showed similar symptoms. The establishment does not have a designated "U.S. Suspect" pen and has no available pens for segregating these animals from the normal population. Some of these pigs have been in the holding pens for at least two weeks. As of today, 12 pigs have died in the holding pens this week. Plant manager Roy Palmer was notified of these observations and the impending non-compliance record.	OPEN
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK1013 045418 N-1	04/18/2018	04C02	Livestock Humane Handling	313.2	At 11:06 this morning the arrival of animals, caused the establishment not to have a "Suspect" pen area to hold the animals that might be sick or for other reasons. This was brought up and talked about in and NR last week. This is important to have a place to put sick animals and ones that have a disability. The pens are full, there isn't even a USDA suspect pen to do the ante mortem at the beginning of the next work day. There has to be one pen made available for these animals.	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK2907 044520 N-1	04/20/2018	04C02	Livestock Humane Handling	313.1	On observation at 7:00am this morning; April 20, 2018; of pen # 2 the watering trough had fecal floating on the top of the water. On observation the watering trough was dirty and the water was not considered drinkable water. The water was contaminated with fecal and was contaminated water. On observation to the pen # 6, at 7:00am on April 20, 2018, I observed that the pen was overcrowded with animals. Yesterday April 19, 2018 the establishment had a shipment of animals to be unloaded into pen 6, at the end of the shift, the animals needed to be separated to make more room for them. This morning the animals had not been separated and the pen was overcrowded with animals and the animals could not lie down. The animals are to be able to room to lie down in the pen area. Also the overcrowding of animals makes the animals not accessible to water; all animals are to be accessible to water at any time.	OPEN
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK3006 043224 N-1	04/24/2018	04C02	Livestock Humane Handling	313.1	At approximately 7:01am this morning while doing the ante mortem check to start the day at Harmon Brothers, I observed that the animals that were in pen 6 had still not been separated for the overcrowding of these animals. The animals are overcrowded and need to be separated so that they can lie down and rest if need be. Also this morning there is a dead sheep that was found yesterday afternoon at the feeding time or this morning from this same pen. There isn't any pens open to be able to move or separate these animals, because all the pens are full of animals.	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK5706 040224 N-1	04/24/2018	04C02	Livestock Humane Handling	313.2	At approximately 7:10 am this morning, while doing the ante mortem inspection, I found a hog down and sick in the pens, the animal had separated itself from all the other animals that were in that pen. It was breathing hard non responsive. I retrieved a suspect tag from the office and had it placed in it ear. At this time there wasn't a pen to place this animal in, (all the pen are full of animals), so the establishment employee was able to move this animal to the hallway, away from all the other animals that were in the pen with this one.	OPEN
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK4312 040325 N-1	04/25/2018	04C02	Livestock Humane Handling	313.1, 313.2	At approximately 1:05pm today, I observed two hogs in pen 4, that was lying in the same place as they were in the morning, when the animals were approached they didn't get up and move. I had suspect tags placed in their ears at this time. Some of the hogs from this pen were presented today for ante mortem and moved from this pen. At this time there wasn't an ante mortem pen to place these animals in, to us as a "Suspect" pen. There were two more hogs from pen 5 that were placed in the hallway at the same time due to the none movement and animals weren't up eating, just laying breathing hard and seem to be sick. They to were placed in the hallway since there wasn't a "Suspect" pen available. Due to the regulations there is to be a "Suspect" pen available to place animals in if the tag is used. Pen 2, has several calves in it and the animals water is dirty and contaminated with fecal again, the pen hasn't been cleaned in days, the animals are lying in their own fecal, the fecal matter is about 1" deep and the animals are lying down and it is contaminating the animals coats. The condition of this pen needs to be address, it is unsanitary for the animals to be lying in that environment.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK2009 052901 N-1	05/01/2018	04C02	Livestock Humane Handling	313.2	At approximately 10:10am this morning, when I went to the pen area, there were 5 hogs in pen 1, they have been here for in the pen for 24 hours; without water and they were held overnight without food also. Any animal that is held overnight is to have access to water and food. The water that is in the pen is not accessible to these hog, they were placed in the cow pen; the watering trough that is in this pen is a 50 gallon watering trough and isn't accessible for these hog.	OPEN
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK2110 052207 N-1	05/07/2018	04C02	Livestock Humane Handling	313.15(a)(1)	May 7, 2018 HATS category VIII-Stunning Effectiveness: At approximately 1000 EDT while performing the Livestock Humane Handling task at Harmon Bros. Meats (M7356) Warsaw, KY I observed non-compliance. A beef animal was placed in the knock box and the captive bolt device applied to the forehead; the animal was observed to have a conscious righting reflex (sitting upright) after the firing of the device. Immediate corrective action was taken with the second firing of the captive bolt device which did render the animal insensible. Plant Manager Roy Palmer and owner Dave Harmon were notified of the non-compliance.	OPEN
M7429+P7 429	Hampton Meat Processing Co., Inc.	IPE5707 040705 N-1	04/05/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	HATS Category VIII- Stunning Effectiveness: At approximately 0710 hours on April 5, 2018 while performing the Humane Handling task on the slaughter floor, I observed an incident which a single shot of a steer with a captive bolt did not produce immediate unconsciousness. The steer remained standing with tracking eye movement and a small amount of blood on his forehead. A second shot was administered with an effective stun rendering the animal unconscious. The stunning area was immediately Rejected using U.S. Retain Tag #B19322020 and (b) (6) and co-owner Justin Hampton were notified.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7464+P7 464	F.B. Purnell Sausage Co., Inc.	CMN59 120414 19N-1	04/19/2018	04C02	Livestock Humane Handling	313.1	<p>April 19, 2018 HATS (Humane Handling Animal Tracking System) Category IV: Ante-mortem Inspection. At approximately 0615 EDT while performing the Livestock Humane Handling task at Purnell Sausage Company, Simpsonville, KY, non-compliance was observed. The establishment has the practice of washing the sows with a pressurized water hose prior to entering the chute system leading to the restrainer on the kill floor; this process occurs in pen #10. While observing this process and the ensuing commotion created amongst the sows (excitement and vocalization), I noted that the back gate to the pen was being held closed by a chain draped across the top of the gate and the post; the latch on the gate was not closed. This arrangement created a gap of approximately 10- 12 inches between the gate and the post. In the excitement created with the washing process, I observed a sow attempting to exit the pen through the gap created; this resulted in the sow trapping her head in the gap, unable to remove her head. I brought this observation to the attention of (b) (6), who promptly entered the pen, and after some effort, was able to free the sow's head. He latched the gate and once again secured the chain. As (b) (6) left the area, he observed on the adjacent pen, pen #11, the device used to secure the latch was missing from the post; this gate was apparently being secured by plant personnel with the chain alone. He immediately had maintenance repair the broken latch. I informed (b) (6) of this non-compliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8078+P8 078+V8078	Boone's Abattoir, Inc.	APM05 120229 12N-1	02/12/2018	04C02	Livestock Humane Handling	313.2	At approximately 7:55 AM on Monday, February 12, 2018, I observed the following non-compliance while conducting HATS Category 3 (Water and Feed Availability) verification: there were three (3) beef being held in the barn and there was no available drinking water in the holding pens. The plant utilizes a hose-fed, angle iron trough that runs along the back of the beef pens to provide drinking water. However, the water supply was turned off and the trough was dry. I notified a plant employee of the non-compliance and the water supply was immediately turned on filling the trough in a manner of seconds. I did not initiate a regulatory control action as the non-compliance was immediately corrected in my presence following notification. This represents non-compliance with 9 CFR 313.2(e) which states in part that "animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed." (b) (6)	CLOSED
M8082	Kirby & Poe Slaughterhouse	EXA261 203211 4N-1	03/14/2018	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII - Stunning Effectiveness On March 14, 2018, at approximately 7:05 am, while performing the Humane Handling Task, I observed an incident in which a single shot with a .357/.38 rifle using .38 caliber shells delivered to a large market swine did not produce immediate unconsciousness as required by 9 CFR 313.16(a)(1). The animal vocalized and remained in an alternating standing and semi-standing position, alert and eyes blinking with blood exiting both nostrils. A second gunshot was delivered as soon as possible from the same rifle and effectively rendered the animal unconscious. The stunning area was immediately rejected with US Reject Tag B40 173856 and Owner/Operator Kelly Poe was notified of the humane handling noncompliance and corrective action(s) were implemented.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P15724	Case Farms of Ohio, Inc	EVC271 205340 1N-1	05/01/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>At approximately 1135 hours while performing the review and observation component of the routine daily Poultry Good Commercial Practices task, (b) (6) made the observations described below. The hourly establishment employee operating the (b) (4) was observed to have completed the dumping of a cage of live birds. Upon completion of the dumping process the coop was backed off the dumping mechanism and two birds were observed to be resting on the open door of one of the compartments of the dumped cage. The employee operating the dump system was then observed to pick the birds up by the wings and throw them forcefully onto the transfer belt. The birds were thrown a distance of approximately 5-7 feet prior to them landing on the transfer belt. A third bird was observed to be sitting on the lip where the dump system connects to the transfer belt. The employee operating the dump system was observed to lift his right boot in the vicinity of the bird and upon noticing (b) (6); he immediately placed his foot back on the floor. The actions described above are non compliant with 9CFR381.65 (b) which requires all poultry to be handled in accordance with good commercial practices. (b) (6) and (b) (6) and were summonsed with to the area and the event was discussed with them and the both were informed of the pending non compliance record.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF080 905520 3N-1	05/03/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>HATS Category III: Water/Feed Availability; 9CFR313.2(e), On May 3, 2018 at approx. 0900 hours, while performing antemortem inspection at Establishment #04271, Greise Brothers Packing, I, (b) (6), observed the following non-compliance. The 4 water barrels in the outside pen were all empty and there was no other supply of water available. The outside pen was holding 4 beef. I immediately notified the manager of the pens (b) (6). He moved all the beef from the outside pen into pen #7. HATS Category IV: Handling During Antemortem Inspection; 9CFR313.1(a), On May 3, 2018 at approx. 0910 hours, I inspected the outside pen and observed wire bent inward and metal sheeting, both with sharp edges, against the fence that may injure livestock if livestock were inside the pen. I notified the pen manager and the kill floor manager of my findings. I took regulatory control action by placing U.S. Retained/Rejected tag No. B37604609 on the entrance to the outside pen. This pen is rejected from use until all regulatory requirements are met.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF301 205510 9N-1	05/09/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV: Antemortem Inspection On May 9, 2018, at approximately 1030 hours, while I (b) (6) was performing routine inspection in the barn area, the following noncompliance was noted: While waiting to observe cattle being moved toward the knock box, I observed a goat with it's head stuck through the fence. As I approached the goat, it began to struggle, and I realized that it could not get it's head back through the fencing. As no one else was in the area, I assisted the goat in getting free. The goat was not injured from being stuck or while getting it free from the fence. I then examined the fencing and saw that some of the horizontal wires were broken away from the vertical wires, creating sharp points, and one horizontal piece was completely missing which created a hole large enough for the goat to stick it's head through the hole but not pull it's head back out due to it's horns. A kill floor manager was not available today, so I initially notified a (b) (6), and informed him that the fence needed to be repaired immediately or the animals moved to another pen. Shortly after this, Frank Greise, plant owner/manager arrived in the area to assist in moving two beef from the holding pen into the alleyway to the knock box. I also informed him of the problem, and he instructed (b) (6) to repair the fence immediately. I verified that the repair had been completed. This NR is linked to the above-mentioned NR which was written on a different pen in the barn. The establishment's corrective actions of repairing the fence in that pen were effective for that particular pen, but the establishment did not address other pens in the barn due to this noncompliance being written.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5931	G.G. RUPPERSBERG ER & SONS INC	WHD17 060144 25N-1	01/25/2018	04C02	Livestock Humane Handling	313.2	HATS Category III: Water/Feed Availability; 9 CFR 312.2(e), On January 25, 2018 at approximately 0630 hours, while performing antemortem inspection at Establishment #5931M, G. G. Ruppertsberger & Sons, I observed the following noncompliance. The water buckets for pens 3 and 6 were both overturned and were empty. There was no other water available in the pens. The plant manager was notified and immediately sent an employee to fill all water containers to restore water. Mr. Eb Nuttle, Plant Manager, was notified of the plant's failure to meet the regulatory requirements of 9 CFR 312.2(e). The establishment is being notified through this noncompliance record as written notification that further failure to meet the regulatory requirements could result in additional regulatory or administrative actions.	CLOSED
M5931	G.G. RUPPERSBERG ER & SONS INC	WHD25 070343 27N-1	03/27/2018	04C02	Livestock Humane Handling	313.2	HATS Category III: Water & Feed Availability and HATS Category IV Handling of Livestock During Ante Mortem Inspection: 9 CFR 313.2. On March, 27/19, at approximately 0740 while performing the humane handling task at Establishment 5931M, GG Ruppertsberger Inc. & Sons, I observed the following non-compliances in the outside animal holding pens: 1. Water was not accessible to all livestock in pens I notified (b) (6) immediately. I took regulatory control action and applied Retain/Reject Tag Number B37529212 outside holding pen. (b) (6) was immediately notified of the failure to meet the regulatory requirements of 9 CFR Regulations 313.2. I reinspected the pens and verified that the water was made available to the livestock and I removed the tag. The establishment is being notified through this non-compliance record as written notification that further failure to meet the regulatory requirement could result in additional regulatory or administrative actions.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5931	G.G. RUPPERSBERG ER & SONS INC	WHD53 070445 26N-1	04/26/2018	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. April, 26, 18 at approximately 0720 hours, 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 pens 1. 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. (b) (6) 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
M7415+P7 415+V7415	HOFFMAN'S QUALITY MEATS	YUN570 603370 6N-1	03/06/2018	04C02	Livestock Humane Handling	313.2	Category III - Water and Feed Availability At approximately 0500 hours while performing livestock ante-mortem inspection, prior to the beginning of the day's slaughter operation, I observed two swine in livestock pen number five with no access to water. The animals were asleep and showed no signs of stress. The affected animals were immediately supplied with water by an employee in the barn area and no regulatory control action was taken. I informed Mr. Gene Rhodes, plant manager, of the establishment's failure to meet 9CFR regulations.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P7927	AMICK FARMS, LLC	YGC331 805281 5N-1	05/15/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On 5/15/18, while performing a Good Commercial Practice Verification Task, I observed an establishment employee in the live hang area pick up a live bird and throw it approximately three feet down the length of the belt to another employee, who then hung the bird on the kill line. I immediately told the employee to stop and asked for a supervisor. While waiting for the supervisor, I observed a second employee pick up a live bird from a cart and throw the bird from the cart approximately 2-3 feet onto the live hang belt. (b) (6)</p> <p>(b) (6), was notified of the observed poultry mistreatment. (b) (6) addressed the issue with the employees and the remaining birds were appropriately placed onto the belt in a humane manner. I then proceeded to the receiving area and, at approximately 1428 hours, I observed what appeared to be a pile of live birds on the belt leading away from the dumper. I notified Chris Southern, Plant Manager, of the observation and that there were no establishment employees addressing the piled birds. I proceeded to the other side of the dumper in order to better visualize the situation. At that angle I was able to see a pile of poultry carcasses, up to approximately 6-8 birds high in areas, that contained a combination of live birds and birds that appeared to be dead. At that time there were two establishment employees on the belt moving birds from the pile, down the belt, and into live hang. The two employees that were transferring the birds were observed picking both live and apparently dead birds up by the wings and then tossing them in the air a few feet further down the length of the belt. Plant Manager Chris Southern was notified of the poultry mistreatment and the establishment employees immediately began appropriately handling the birds in a manner that would not cause unnecessary harm. I then went to live hang again to observe the birds that were</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>being brought into the establishment and observed that approximately 6 birds on the belt were dead. The birds were still warm to the touch and multiple birds' heads appeared swollen and dark red to purple in color. While standing there, the live hang belt began moving and the remainder of the piled birds entered the live hang area. Over 50% of the birds that entered live hang were observed to be dead. I immediately notified Plant Manager, Chris Southern, as well as (b) (6) of the establishment's lack of process control resulting in poultry carcasses that had died by a means other than slaughter and failure to comply with the regulatory requirements of 9 CFR 381.65(b). Regulatory control was taken and U.S. Rejected Tag #B38471417 was applied to the dumper by (b) (6) at approximately 1436 hours and was relinquished at approximately 1439 hours following removal of all dead birds from the live hang area. A total head count of 318 dead birds was reported by (b) (6). At approximately 1631 hours, the QA manager called to confirm that video surveillance supported the aforementioned observations and that corrective actions were being documented.</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P39	Pine Manor Inc.	ULL531 201192 2N-1	01/22/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On Monday, January 22, 2018, at approximately 1315 hours, I, (b) (6), observed the following noncompliance of regulation 381.65(b). While performing a Good Commercial Practices verification, eight (8) cadaver birds were observed at the leukosis inspection area on evisceration line #2 prior to the sorter, between 1315 and 1317 hours. The cadaver birds were removed from the evisceration line, and none of the birds had a bleeding cut on the neck. The birds were immediately presented to (b) (6) and (b) (6) notified maintenance and the 1st shift Live Hang Supervisor to assess the situation. The 1st shift Live Hang Supervisor, maintenance and I proceeded up the kill line, and found that some stunned birds were passing through the automatic knife on line #2 without the neck being cut. The issues were found to be from line# 2 and therefore the plant stopped the kill on Line #2 for the rest of the day around 1330 hours. In addition, on the evening of January 22, 2018, the maintenance supervisor replaced the bearings for the lower roller and the rotation of the blade, and upper and lower roller were checked for proper rotation. On the morning of Tuesday, January 23, 2018, I inspected the auto-knife on Line # 2 and all the birds were precisely passing through the auto-knives with all the necks being cut at the time of my observation. Furthermore, the back-up cutters after the automatic knives were retrained and closely monitored for the rest of the day. The PPIA (21 U.S.C. 453(g)(5)), and 9 CFR 381.90, provide that poultry carcasses showing evidence of having died from causes other than slaughter are considered adulterated and must be condemned.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH102 101531 6N-1	01/16/2018	04C02	Livestock Humane Handling	313.15 (b)(1)(i), 313.15(a)(1)	<p>At 1757 hours, on January 16th, 2018, the following noncompliance was observed by (b) (6) was observing the stunning of hogs that were in pen 3; a segregation pen for slow hogs adjacent to the drive alley. The first and second shooter had a sort board each and loaded captive bolt stunners. The two shooters used sort boards to restrain a market hog against a gate. The first shooter placed his loaded captive bolt stunner at the hogs head in an appropriate position. He then discharged the captive bolt. The hog remained standing and fought the restraint, which indicated that unconsciousness was not achieved. While the hog was still restrained, the second shooter took his captive bolt stunner off of safety and stunned the hog effectively. Further examination of captive bolt stunner #2 showed that the penetrating rod was not able to be extended or withdrawn into the body of the stunner. It was stuck at the depth of approximately 2.5cm. It is assumed that the penetrating rod had not fully extended to reach the brain stem. The captive bolt stunner was taken out of service and evaluated by maintenance personnel. (b) (6) was informed verbally of the noncompliance. Plant manager Don Brophy was then called to the barn and informed verbally of the noncompliance. This is written notification of regulatory noncompliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH171 602000 2N-1	02/02/2018	04C02	Livestock Humane Handling	313.1	<p>On February 2, 2018 at approximately 1400 hours (b) (6) observed the following noncompliance while observing the conditions of the pens 18 and 19 in the barns. Upon walking through the pens to verify corrective actions were effective to correct the sharp edges of the water brackets and shielding over the nipple water drinkers that were already identified (b) (6) observed that some of the water brackets and shields still had sharp points that posed a risk of cutting the snouts of pigs as they attempt to manipulate the nipple drinkers for water. At this time the pens had been loaded with hogs awaiting ante mortem for slaughter. (b) (6) and (b) (6) accompanied (b) (6) on the walk through the pens. (b) (6) immediately instructed his employees to begin hand filing the most critical sharp points/corners while the hogs were still in the pens. It was determined that the finishing touches would be completed over the weekend utilizing the electric grinder. (b) (6) stated that he would place QA hold tags on the pens after the hogs went to slaughter and that the pens would not be released until reinspected on Monday. (b) (6) had been asked by (b) (6) earlier in the week to look at the new pens prior to use to verify that all welds and sharp points/corners had been corrected. On Wednesday morning (January 31, 2018) at approximately 0900 hours (b) (6) and (b) (6) walked the pens and observed the welds and sharp points/corners. It was observed that approximately 95% of the water brackets and 10% of the shielding still had sharp corners that posed a risk to cutting the snouts of the pigs. (b) (6) at that time called (b) (6) and (b) (6) to address the areas of concern. (b) (6) was informed by (b) (6) that she wanted to be notified when</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>the work was completed in order to verify. Friday, February 2, 2018 at approximately 0830 (b) (6) notified (b) (6) that it was going to be approximately two more hours until the pens would be finished and ready to verify and that he would notify her when completed. (b) (6) received no notification of the completion of the work, but rather at approximately noon received notification that hogs were penned in both Pen 18 and 19. (b) (6) immediately contacted (b) (6) (6) and inquired about Pens 18 and 19 being loaded with hogs after the pens being refused Wednesday for sharp points/corners on the water brackets and the shielding over the nipple water drinkers. (b) (6) stated that he was told to fill the pens with hogs and asked why there was an issue if the hogs do not get cut. (b) (6) explained that the regulations do not require that an animal be injured but rather there be a potential for a sharp object to injure them to be noncompliant. (b) (6) then spoke to (b) (6) and informed him that hogs had been placed in Pens 18 and 19 prior to her being notified to verify the sharp points had been corrected (b) (6) at that time was notified of the potential noncompliance if after observing the pens there were still sharp points found. (b) (6) and (b) (6) were notified both verbally and now in writing of this NR for the establishment's failure to comply with the regulatory requirements of 9 CFR 313.1(a).</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH2713021407N-1	02/07/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII-Stunning Effectiveness</p> <p>On February 7, 2018 at approximately 1020 hours while observing stunning effectiveness in the suspect pen (b) (6) observed the following noncompliance. After completing ante mortem inspection (b) (6) started to captive bolt stun the hogs in the suspect pen with a management support team member as the back up shooter. A hog was restrained properly and upon firing of the captive gun the gun had an odd sound and the bolt penetrated the skull of the hog but the hog remained standing fully conscious. While still being restrained the hog lunged forward toward the corner necessitating the restraint be corrected, which was done immediately. The management support team member immediately using the pre-loaded back up captive bolt gun effectively stunned the hog on the second attempt. At that time captive bolt gun #2 was immediately taken out of service to be evaluated by maintenance. (b) (6) observed the team members present assess the hog for an effective stun and then immediately stop the stunning process as per the establishment's systematic approach and notify (b) (6) of the incident. The CARE monitor also notified (b) (6) and in turn (b) (6). The incident was immediately discussed and all three members of management then observed the captive bolt stunning of the remaining hogs in the suspect pens as well as pen 3. The establishment also went into category intensified of their CARE monitoring program as part of their systematic approach. (b) (6) and (b) (6) were notified both verbally and now in writing with this NR of the establishment's failure to comply with the regulatory requirements of 9 CFR 313.15(a)(1). A similar NR GEH1021015316N/1 was documented</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							on January 17, 2018 for the same regulatory noncompliance.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH101 402471 6N-1	02/16/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII-Stunning Effectiveness On February 16, 2018 at approximately 1010 hours while observing stunning effectiveness in the suspect pen (b) (6) observed the following noncompliance. After completing ante mortem inspection (b) (6) started to captive bolt stun the hogs in the suspect pen with a management support team member as the back up shooter. A hog was restrained properly in a recumbent position. Upon firing of the captive gun the gun had an odd "popping" sound and the bolt partially penetrated the skull of the hog but the hog remained fully conscious in a recumbent position. While the hog was still restrained properly the management support team member immediately used the pre-loaded back up captive bolt gun and effectively stunned the hog on the second attempt. At that time captive bolt gun #3 was immediately taken out of service to be evaluated by maintenance. (b) (6) observed the team members present assess the hog for an effective stun and then immediately stop the stunning process as per the establishment's systematic approach and notify (b) (6) of the incident. The CARE monitor and (b) (6) were present at the suspect pen at the time of the incident. (b) (6) and subsequently (b) (6) came to the pen to monitor the stunning of the remaining hogs. The establishment also went into an intensified monitoring of captive bolt stunning as part of their systematic approach. (b) (6) was notified both verbally and now in writing with this NR of the establishment's failure to comply with the regulatory requirements of 9 CFR 313.15(a)(1). A similar NR GEH2713021407N/1 was documented on February 7, 2018 for the same regulatory noncompliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH330 903521 0N-1	03/09/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category II-Truck Unloading On March 9, 2018 at approximately 1630 hours (b) (6) while preparing to perform ante mortem inspection observed the following noncompliance. After gathering the ante mortem cards (b) (6) observed through the scale office window a large draft of hog on the scale that were beginning to pile on each other. A team member opened the front gate causing the hogs to move away toward the back of the scale. The team member then walked away from the scale to pen 2 and as the hogs were vocalizing loudly and piling 2-3 hogs high all in the back half of the scale. He did not attempt to alleviate the piling and move the hogs off of the scale. (b) (6) walked out of the office to the scale and found there to be no other team members present to move the hogs and relieve the piling. As the loud vocalization continued a Tyson Yards Management member came walking toward the back of the scale from unloading alley 7. When the team member who had opened the front gate was asked by (b) (6) about the situation he remained at pen 2 making no attempt to assist with the situation on the scale. The management member was able to move the hogs off of the scale leaving 2 hogs that were down on the scale. One of the hogs was in the center of the scale along the east wall unable to rise with its hind legs extended behind it. Attempts were made by the hog to move away from the management member, but it was unsuccessful in getting its hind legs under it causing it to crawl on its front legs a few feet while vocalizing. The other hog was "dog-sitting" at the rear gate of the scale clearly exhibiting signs of distress. It was open-mouth breathing and its skin was blotchy purple. (b) (6) immediately asked that the hogs be left laying where they were and summoned (b) (6) (b) (6) and (b) (6) to the barn as (b) (6) (b) (6)</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>(b) (6) was not present yet. (b) (6) arrived in the barn shortly after (b) (6) arrived. (b) (6) discussed the incident with them initially as (b) (6) had not yet arrived. Both (b) (6) and (b) (6) asked if there was a person at the back gate of the scale when the team member opened the front gate to which (b) (6) explained that there was not. (b) (6) explained the seriousness of the incident and the two down hogs, which increased both the excitement of the group of hogs along with the discomfort the down hogs experienced while at the bottom/back of the pile of hogs on the scale. (b) (6) arrived shortly after this and upon his arrival (b) (6) explained the incident again. Immediate corrective actions were to attempt to get the two hogs to rise since approximately 25 minutes had elapsed. The hog in the center of the scale was calm, bright, and alert and was able to get its hind feet under it and did stand. This hog was ambulatory but at a clearly obvious weakened state (weak in rear) so the hog was placed in the suspect pen. (b) (6) then tried to get the hog at the back of the scale up, which was still showing signs of distress. The hog vocalized when prompted to rise and would not rise. (b) (6) explained to (b) (6) that the hog was showing signs of injury and/or distress from the incident even after 25 minutes. (b) (6) elected to euthanize the hog in question. (b) (6), and (b) (6) were all notified verbally and now in writing with this NR of the establishment's failure to comply with the regulatory requirements of 9 CFR 313.2(a).</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH520 903360 9N-1	03/09/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	<p>HATS Category: VIII Stunning Effectiveness On March 9, 2018 at approximately 0915 hours while observing captive stunning of hogs in the suspect pen, (b) (6) observed the following noncompliance. Two employees properly restrained a hog with 2 sort boards. The primary shooter placed the captive bolt gun to the skull of the hog. The hog abruptly threw its head back which caused the gun to fire the bolt through the snout. The hog immediately began to vocalize and began fighting to be restrained; however the team members never lost restraint. Both shooters immediately noticed that the hog was not effectively stunned. Once appropriate placement was able to be maintained the secondary shooter using the preloaded backup gun he was holding delivered an effective second stun, which rendered the hog unconscious. A shift (b) (6) was notified verbally and now in writing with this NR of the establishment's failure to comply with the regulatory requirements of 9 CFR 313.15(a)1 and 9 CFR 313.15(b)(1)(iii). At that time the barn was placed into an intensified monitoring status, which requires 100% monitoring of the captive bolt stunning process. A similar noncompliance GEH1014024716N/1 that was documented on 02/16/2018 has been associated with this noncompliance record.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH100 105170 9N-1	05/08/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On May 8th, 2018, at approximately 1912hrs, (b) (6), while observing the stunning of suspect hogs, observed the following noncompliance. The 9th hog of the pen of 16, tattoo# 0104, was restrained by the two shooters using sort boards against the northwest corner of the subpen. Both shooters had loaded captive bolt stunners. The hog raised its head up to look over the sort board. Shooter #1 placed the captive bolt stunner at the hog's forehead and discharged it. The hog dropped and lay in lateral recumbency. It then began to squeal and rolled toward the corner. It appeared to be trying to right itself. The second shooter immediately placed his stunner and discharged it. The hog was unconscious at that time. The captive bolt wounds were evaluated. There was one hole appropriate for unconsciousness and a second hole higher on the head, which may have communicated with the frontal sinus and not the brain. (b) (6) called for (b) (6) and informed him of what occurred. He was verbally informed of the noncompliance. (b) (6) called Plant Manager Don Brophy, and (b) (6) to the barn, and they were also informed verbally of the noncompliance. Shooter one's captive bolt, #3, was taken out of service to be evaluated. The shooters were instructed to use the U board and sort boards, instead of just the sort boards. The barn went into intensified monitoring status. Any further corrective actions will be noted in the response to this NR. This is written notice of the noncompliance.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH581 905151 ON-1	05/10/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On May 10th, 2018, at approximately 1913hrs, (b) (6), observed the following noncompliance. (b) (6) was watching the stunning of slow hogs in pen# 3. The two shooters had loaded captive bolt stunners, a U board and one sort board used to restrain and stun the hogs. The two shooters moved the U board across the ground to restrain a female market hog, approximately 275#, against the wall of the pen. The first shooter placed the captive bolt against the hogs forehead and discharge it. The hog squealed and did not go down. While the hog was still in the U board, the second shooter immediately placed his captive bolt stunner over the circular impression and rendered the hog unconscious. Prior to the second shot, the hog raised its head over the U board enough to see the impression of a circle on the forehead without any blood coming from it. The first shooter's captive bolt, #3, was stuck with the bolt protruding from the muzzle approximately 0.5 cm. It is assumed that the first shot did not penetrate the skin fully. Captive bolt #3 was taken out of service to be evaluated by maintenance personnel. (b) (6) spoke to (b) (6). It was noted that the same captive bolt stunner was involved in a noncompliance record two days prior. (b) (6) arrived at pen # 3 and was informed of the noncompliance along with (b) (6). (b) (6) as called to the barn. (b) (6) informed him of the noncompliance, as well. (b) (6) arrived at the barn and was given captive bolt#3. He stated that it would be tested and taken apart. The plant is continuing with intensive monitoring. Any further corrective actions will be noted in the response to this noncompliance record. This is written notice of noncompliance.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M788	Aurora Packing Company, Inc.	GLK310 801431 7N-1	01/17/2018	04C02	Livestock Humane Handling	313.1	I was performing ante-mortem inspection at about 8:35AM in the livestock yards, when I observed one head of cattle slipped and fell on the floor. The location of this incident was in the alley in front of the pen # 6. Ice was built up in this area of about 7x5 feet. I didn't see any salt in this area. Outside temperature was below freezing on this day. I saw four more head of cattle slipped in this area and two of them fell on the ground. The company put salt in this area before using the alley again. The three head of cattle which fell on the floor, got up without any assistance and walked away in the pen # 6. This incident was a violation to the 9CFR 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. Slip resistant or waffled floor surfaces, cleated ramps and the use of sand, as appropriate, during winter months are examples of acceptable construction or maintenance".	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P1241	Tyson Foods, Inc.	MGI07 230402 25N-1	04/25/2018	04C05	Poultry Good Commercial Practices	381.65(b)	At approximately 1452 hours on Wednesday, April 25, while verifying compliance with Poultry Good Commercial Practices in the New York Room, (b) (6) observed, within a 5 minute period, 3 chickens enter the scald tank while still breathing and with no visible cut on the neck. Due to the fact that multiple chickens were entering the scalding tank while still breathing and that these same chickens showed no visible cut on the neck, this demonstrates that the process was out of control and was in noncompliance with 9CFR 381.65(b). This finding also resulted in the adulteration of product because the chickens died by means other than slaughter. (b) (6) immediately notified Anthony Carter, Plant Manager, and (b) (6), of his finding and of the impending noncompliance report. (b) (6) removed the back up killer and replaced him with a more experienced employee. It was determined by members of the maintenance crew that the kill machine was not functioning properly, which resulted in several chickens not getting properly cut and bled out prior to entering the scald tank. The maintenance crew made the necessary adjustments to the kill machine and the process was brought back under control. (NR# 96)	CLOSED
M5659+P5 659+V5659	Schubert's Smokehouse Packing Co., Inc.	IBD351 401551 ON-1	01/10/2018	04C02	Livestock Humane Handling	313.2	HATS III Water and Feed Availability On 1/10/18 at approximately 0915, while performing verification for water availability (HATS III, it was observed that water was not available to the cattle in the holding pens in an accessible manner. The cattle are not able to use the nipple waterers (b) (6) (b) (6) was immediately notified of the non-compliance with 9CFR 313.2(e) which states that animals shall have access to water in holding pens at all times (b) (6) immediately went to provide water in buckets to the cattle.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17564	Indiana Packers Corporation	MLO08 110213 09N-1	02/08/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV Handling During Ante Mortem Inspection On 02/08/2018 at approximately 0910 (b) (6) observed the following non compliance while performing ante mortem inspection. While observing the hogs in pen I (b) (6) observed that the hog panel lining the entrance gate had a section of approximately 3" by 15" partially broken loose from the rest of the panel. This section was pulled down from the main piece of panel and was protruding into the pen approximately 12" and had multiple wire points sticking out of it. (b) (6) was shown the non compliance and the entrance gate was rejected with tag B22935285. The hogs were examined and passed ante mortem inspection and were then moved out of the pen and to the stunner. At approximately 1150 (b) (6) reinspected the gate following repair to the panel. The gate was still found to be defective due to a heavy duty fence staple. The staple was anchored into the wooden gate on one end and the other end of the staple was sticking straight out approximately 1 1/2 to 2". (b) (6) was again shown the non compliance. At approximately 1210 the gate was again reinspected and the reject tag was removed. (b) (6) was notified verbally and now in writing with this NR of the failure to comply with regulatory requirement 9CFR 313.1. Immediate corrective actions were to remove the hogs from the pen and to have the panel replaced. Upon the second rejection, the fence staple was removed. Preventative measures will be outlined in the establishments written response to this NR. This document serves as written notification that your failure to comply with regulatory requirements could result in additional regulatory or administrative action.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19185	Spectrum Preferred Meats, Inc	ASE110 703022 3N-1	03/20/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII-Stunning Effectiveness At approximately 0823, on 03/20/2018 at establishment M19185 while passing through the barn, a moribund gilt was observed in the suspect pen area. A nearby establishment employee was immediately alerted that this animal is ante-mortem condemned. An establishment employee retrieved the captive bolt gun and delivered one shot to the head of the gilt. The animal was then observed to lift its head off the ground and look around, it was still breathing and conscious. The establishment employee immediately loaded another shell and attempted a second shot. The gun did not go off. He reset and tried again. He changed shells, and shot the animal, this time rendering the gilt unconscious. Closer examination of the gilt's head after the successful blow found 2 separate holes in the forehead. This is noncompliant with 9 CFR 313.15(a)(1) in that the establishment failed to apply the captive bolt to the gilt so as to produce immediate unconsciousness. (b) (6)</p> <p>(b) (6) and (b) (6) were notified of the noncompliance and that a noncompliance record would be issued.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19185	Spectrum Preferred Meats, Inc	ASE321 204220 2N-1	04/02/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII-Stunning Effectiveness At approximately 0711, on 04/02/2018 at establishment M19185 while conducting ante-mortem inspection in the barn, a hog was observed in the kill pen that rose to its feet with difficulty, immediately falling over onto its side, it had moderate diffuse dermal erythema, and ears that were dark red to purple in color. This hog was immediately USDA ante-mortem condemned. An establishment employee retrieved the captive bolt gun and delivered one shot to the head of this hog. The animal was then observed to lift its head and sit up into a dog sitting position. The establishment employee immediately reloaded. As the employee moved the captive bolt gun toward the hog's head for a second shot, the hog was observed to consciously move its head away. A second shot was delivered, rendering the hog unconscious. Closer examination of this hog's head after the successful blow found 2 separate holes in the forehead. This is noncompliant with 9 CFR 313.15(a)(1) in that the establishment failed to apply the captive bolt to the hog so as to produce immediate unconsciousness. (b) (6)</p> <p>██████████ was notified of the noncompliance and that a noncompliance record would be issued. A similar noncompliance was documented in Noncompliance Record #ASE1107030223N dated 03/20/2018.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19185	Spectrum Preferred Meats, Inc	ASE121 204402 ON-1	04/19/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category IV-Ante-mortem Inspection At approximately 1049 on 04/19/2018 at establishment M19185 while conducting ante-mortem inspection in the barn, a hog was observed to be down and moribund. This hog had already been identified by the establishment to be condemned. The hog was conscious in right lateral recumbency. The Barn Manager grabbed the right ear of the hog and was observed to lift the animal's head a few inches off the ground, using the ear as a handle. Pulling on the ear in this manner to lift the hog's head, puts unnecessary and excessive force on the ear of this animal. USDA immediately got the attention of the barn manager, instructing him to stop immediately. Another establishment employee was instructed by USDA to euthanize the hog. This is noncompliant with 9 CFR 313.2 in that the establishment failed to handle this hog with minimum discomfort to the animal. (b) (6) [REDACTED] and Plant Manager Jeremy Castle were notified of the noncompliance and that a noncompliance record would be issued.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M20263	Halal Farms U.S.A. Inc.	MWN5 210011 003N-1	01/03/2018	04C02	Livestock Humane Handling	313.2	<p>HATS CATAGORY III Water and Feed Availability</p> <p>At approximately 1040 hrs. at your establishment 20263 in Shannon IL I observed the following noncompliance while doing ante mortem on livestock in the barns. Pen zero that is behind pen one contained 10 goats. I entered the pen to check for water availability. There was a 5 gallon bucket frozen solid. The goats did not have water available. I informed (b) (6) of my observation. He checked the bucket and moved the livestock to pen one which was empty and had water available. I informed Talib that an NR would be forthcoming. Your establishment has failed to comply with Regulation 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.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ221 701290 5N-1	01/04/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII – Stunning Effectiveness On 01/05/2018 at 0026 hours (late in the shift starting on 01/04/2018) while performing the humane handling verification task in the barns, I observed a humane handling noncompliance due to an ineffective stun with a captive bolt gun. I was observing (b) (6) and a barn employee perform captive bolt stunning on a hog in the south “cripple” pen. The hog was in lateral recumbency and was unwilling to change positions after the employees carefully attempted to reposition the hog. The establishment employees chose to shoot the hog with it lying on its side. After the first captive bolt shot, the hog remained laterally recumbent. I observed a spontaneous blink with the eye fully closing and re-opening. I also observed the hog take a breath with chest movement and steam coming from the mouth on exhalation. (b) (6) instantly noticed that the hog was still conscious and instructed the captive bolt gun operator to re-stun the hog. A loaded captive bolt gun was ready and within reach and was used instantly to re-stun the hog. The second attempt rendered the hog insensible immediately. On the second attempt, the hog began kicking reflexively which often happens after an effective captive bolt stun. Its eyes were wide open with a blank stare and its tongue loosely hanging out of its mouth, both signs of insensibility. I would estimate the time between the first and second stun to be 5-7 seconds. In this time, while the employees were preparing for the second shot, I observed the hog have 3 spontaneous blinks and take 2 breaths. I informed (b) (6) that I would be issuing a noncompliance report for the ineffective stun. I examined the dead hog and confirmed 2 separate captive bolt holes approximately 1 inch apart on the hog’s forehead, both on the midline. Prior to performing additional stunning of cripples, the</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							establishment provided verbal preventive measures. 9CFR 313.15(a)(1) requires that an animal be rendered immediately unconscious through the application of a captive bolt device with a minimum of excitement and discomfort.	
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ170 101301 1N-1	01/11/2018	04C02	Livestock Humane Handling	313.1	HATS Category IV – Handling during ante-mortem inspection On 01/10/2018 at 1550 while performing the humane handling verification task in the barns, I observed a humane handling noncompliance due to a hog getting its mouth caught on a hook on a chain on the gate for the pen. I observed a hog standing on 4 legs by the gate for pen 307 vocalizing. A barn employee was standing beside the hog keeping other hogs away. He was calling for another barn employee to assist him to unhook the chain from the pig's mouth. They freed the hog, which stopped the vocalizing instantly. The employees kept the hog in the alleyway, not allowing it to enter the pen with the other hogs. I observed blood dripping from the right side of the hog's mouth. Barn personnel immediately brought two stun guns and a metal cage to restrain the hog. Then the hog was rendered insensible with one shot. This is noncompliant with 9 CFR 313.1(a) which states livestock pens and driveways shall be free of protruding objects which may cause injury or pain to the animals. (b) (6) was informed that a noncompliance report would be issued.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ320 301541 4N-1	01/13/2018	04C02	Livestock Humane Handling		<p>HATS Category VIII Stunning Effectiveness On 01/14/2018 at 0255 hours (late in the shift starting on 01/13/2018) while performing the humane handling verification task in the barns, I observed a humane handling noncompliance due to an ineffective stun with a captive bolt gun. I was walking past the cripple pens. (b) (6) and a barn employee were performing captive bolt stunning on a hog in the north cripple pen. From where I was standing, I could not see the hog. I heard a captive bolt shot followed by a quick vocalization from the hog. I peered over the wall and observed the hog "dog sitting" (sitting on its hind quarters and standing on its forequarters) and breathing with chest movement. The employees instantly noticed the hog was still sensible. An additional, loaded captive bolt gun was within reach and was used to take a second shot which rendered the hog insensible immediately. I followed the unconscious hog all the way through the process until the stick pen, and it remained unconscious. I informed (b) (6) that I would be issuing a noncompliance report for the ineffective stun. Prior to performing additional stunning of cripples, the establishment provided verbal preventive measures. This is being associated with noncompliance WLJ2217012905N/1 from 01/05/2018 when an ineffective stun with a captive bolt gun was also observed. The previous corrective action of retraining was ineffective in preventing this noncompliance from occurring. 9CFR 313.15(a)(1) requires that an animal be rendered immediately unconscious through the application of a captive bolt device with a minimum of excitement and discomfort.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ320 301541 4N-2	01/13/2018	04C02	Livestock Humane Handling	313.2	HATS Category V - Handling of Suspect and Disabled On 01/14/2018 at 0300 hours (late in the shift starting on 01/13/2018) while performing the humane handling verification task in the barns, I observed a humane handling noncompliance due to a barn employee inappropriately moving a non-ambulatory hog. I was observing barn employees handle hogs in the sorting pen just prior to the push gate alleyways. I observed a fatigued hog stop walking and drop to the ground. It ended up in sternal recumbency with its legs underneath it. I observed an employee try to get the hog up by patting the hog on its back with his hands. The hog did not get up. I then observed the employee push the hog with his hands, dragging its butt along the ground. The hog did not vocalize during this process. They got it close to the wall and placed a semi-circular metal protector around it to protect it from the next group of hogs that was entering the pen. I informed Manager Troy Knutson I would be issuing a noncompliance report for inappropriately moving a fatigued hog. 9CFR 313.5 requires that conscious disabled animals be moved on equipment suitable for such purposes.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ310 102132 1N-1	02/20/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>HATS Category IV – Handling during ante-mortem inspection On 2/20/2018 at 1823 hours while performing ante-mortem inspection of market hogs for slaughter, I observed the following humane handling non-compliance for a hog having the hook end of a chain caught in its mouth. While inspecting hogs in pen 621, I observed a center pen dividing gate moving freely amongst the hogs with a hog vocalizing as it walked with the moving free end of the gate. As a barn employee attempted to move hogs away from the gate as to properly secure it to the perimeter wall, a hog was observed to be caught by the hook on the end of the chain at the right oral commissure. This chain and hook apparatus is located at the free end of the gate and is used to secure the gate to the perimeter wall and secure the gate into position to divide the pen. The employee prevented the gate from moving and restrained the hog to remove the hook from its mouth. Once the hook was removed from the hog's mouth, the hog immediately stopped vocalizing and walked calmly with the other hogs. Upon exam, no blood was seen dripping from the mouth. The hog, along with the remainder of the hogs in the pen, was ante-mortem inspection passed. The hook was temporarily removed from the end of the chain until a permanent repair was performed. This is non-compliant with 9 CFR 313.1(a) which states, in part, livestock pens and driveways "shall be free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals" and 9 CFR 313.2(a) which states, in part, handling of livestock shall be done with "a minimum of excitement and discomfort to the animals." I informed (b) (6) of the forthcoming non-compliance record. This non-compliance record is being associated with NR WLJ1701013011N/1 from 1/10/2018 for a similar incident. The company failed to address</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							this issue in which a hog became caught on a gate's hook and chain.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ272 204172 0N-1	04/20/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category III – Water and Feed Availability</p> <p>On 4/20/2018 at approximately 2130 hours while performing humane handling verification activities in the butina room fatigue pen, the following non-compliance was observed. Upon entering the butina room fatigue pen to perform ante-mortem inspection on fatigue/non-ambulatory hogs, two hogs were present within the pen. With non-physical encouragement, both hogs comfortably rose to a sitting/standing position from a sternal position. Hogs are placed in this pen when they become fatigued or non-ambulatory upon entering the alley/chute system leading up to the butina/CO2 stunners and are reserved for further PHV ante-mortem disposition prior to slaughter. It was then noticed that the metal C-gate used for restraining single hogs or protecting non-ambulatory hogs from others being driven around them was placed around the nipple waterer system of the fatigue pen and up flush against the North wall of the pen as so that there was no access to the watering system. There was no secondary watering system present in the pen, i.e. the plastic self-waterer utilized in the winter months. (b) (6) was notified of the non-compliance. Immediate corrective actions were to remove the C-gate from the pen and to show all barn employees responsible for this area why the gate cannot be placed in such a manner. Both hogs were ante-mortem inspected and passed for slaughter. This is non-compliant with 9 CFR 313.2(e), which states animals shall have access to water in all holding pens. This concern was previously discussed on 4/19/2018 for the monthly evaluation of a robust systematic approach to humane handling as documented in Establishment Awareness Meeting MOI WLJ5503041920E.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ180 404472 2N-1	04/21/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VII – Stunning Effectiveness At approximately 0141 hours (end of 2nd shift starting on 4/21/2018) while performing Humane Handling Verification Activities – HATS Category VII Stunning Effectiveness in the butina room fatigue hog pen, the following non-compliance was observed. A fatigued hog was restrained with the metal C-gate against the closed gate at the South entrance to the pen. Establishment employees placed the hog into a sitting position. Two establishment employees were present to captive bolt stun the hog. Each employee had a loaded captive bolt gun. The captive bolt gun was placed perpendicular to the plane of the forehead along direct midline approximately five inches rostral from the poll. At the same time as the employee dispatched the gun, the hog moved its head left lateral and ventral. This caused the captive bolt to enter at the cranial aspect of the right ear base leaving the hog fully conscious. The hog remained sitting, shook its head, and vocalized. The hog blinked several times, visually tracked the movement of the establishment employees around it, and attempted to rise on four limbs and back up to avoid the second captive bolt gun. After the establishment employees successfully restrained the hog, an effective captive bolt stun was administered rendering the hog immediately unconscious. The hog dropped to the ground in a lateral recumbent position and began reflexively kicking (b) (6) [REDACTED] was informed of the forthcoming non-compliance. The hog was retained on the kill floor with USDA Retain tag B37081084. Upon examination of the head, the first captive bolt stun entered at the cranial aspect of the base of the right ear. The tract of stun traveled lateral, rostral, and ventral extending through only the soft tissue of the temporal mandibular joint. This stun did not penetrate the calvarium of the skull. The retain tag was removed</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>and the carcass was released into production. The head and viscera were sent to inedible rendering. As the incident occurred at the same time as the last hogs for the days production were entering the butina system, no regulatory control action to suspend slaughter operations was taken. After discussions of the incident with night shift (b) (6) verbal corrective actions were received. This is non-compliant with 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" and as "animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort."</p>	
M1620	Quality Pork Processors	QMO20 230141 19N-1	01/19/2018	04C02	Livestock Humane Handling	313.2, 313.5	<p>HATS Category VIII: Stunning Effectiveness At approximately 9:07 pm, as I was walking through the bleeding and sticking area, I observed a hog lying on the floor at the end of the west shackle conveyor. The shackle conveyor is approximately two feet above the floor. The hog was laterally recumbent and had no visible signs of injury. The hog was conscious as noted by: its eyes were tracking and blinking, it was lifting its nose and head, and was rhythmically breathing. I notified an employee and the employee immediately captive bolt stunned the hog, rendering it unconscious. I stopped the CO2 stunning operation with U.S. Reject Tags B38175114 and B38175115. I notified (b) (6) and (b) (6) After the establishment proffered verbal corrective actions, I removed my US Reject Tags and slaughter operations resumed.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2439+P2 439+V2439	Ranchland Packing Co.	WHN11 090119 03N-1	01/03/2018	04C02	Livestock Humane Handling		<p>Category III Water and Feed Availability On January 3, 2018 at 0610 hours, (b) (6) observed the water tanks that serve pen #2 frozen over with ice. Water was not available to 3 cattle in pen #2. The ice was approximately ¾ of an inch in thickness. This is in violation of 9 CFR 313.2(e) which states, "Animals shall have access to water in all holding pens. " A regulatory control action was taken by FSIS IPP with the placing of U.S. Rejected tag number B10717847 to pen #2. The designated (b) (6) was verbally notified of the noncompliance at the time of the observation. The immediate corrective action was to move all livestock to different pens that had available water, replace the water tank heater and break the ice exposing the water beneath. Plant Manager, Justin Fisher, was notified in writing with the issuance of this noncompliance record. Please note that is noncompliance record is associated with noncompliance number WHN4109122806 dated December 06, 2017 for a similar instance.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2460+P2 460	Cimpl's, Inc.	PMB30 110332 24N-1	03/24/2018	04C02	Livestock Humane Handling	313.2	<p>At approximately 6:15 a.m., while performing HATS Category IV Ante-Mortem Inspection and verifying HATS Category III Water Availability, I (b) (6) observed that animals in Pen 15 appeared to be overcrowded. Upon further observation, I noted that Pen 15 contained 32 mature Holstein cows that had been held overnight. The cows were packed tightly together while standing. No open space was observed in the pen nor did I observe any cows lying down from my vantage point at the front of the pen. Based on the stocking density of the pen and the apparent overcrowding, the animals were not freely able to move around the pen to gain access to water. Upon noting my concern to (b) (6), the cows were removed from Pen 15 and placed in Pen 17 which allowed the cows to move freely and have access to water. In addition, within approximately 5 minutes of the animals being placed in Pen 17, I observed 9 of the cows laying down. At approximately 6:30 a.m., (b) (6) and I observed that animals in Pen 3 appeared to be overcrowded. Upon further observation, we noted that Pen 3 contained 25 cows (a mix of mature beef cows and mature Holstein cows) that had been held overnight. There were 4 cows observed laying down in the pen. The cows in the remainder of the pen were packed tightly together while standing. No open space was observed in the pen. Again, based on the stocking density of the pen and the apparent overcrowding, the animals were not freely able to move around the pen to gain access to water. I notified (b) (6). Upon moving the cows to a larger pen (Pen 16) with readily available access to water, it was observed that one of the cows that was laying down in Pen 3 would not rise. This animal was identified as non-ambulatory disabled and was condemned on ante-mortem inspection.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2460+P2 460	Cimpl's, Inc.	PMB20 160430 13N-1	04/13/2018	04C02	Livestock Humane Handling	313.15(a)(2), 313.15(b)(1) (iii), 313.2	<p>HATS Category VII, HATS Category VIII At approximately 3:25 p.m., while performing veterinary dispositions on the harvest floor, I (b) (6)) heard a cow vocalizing in the stunning area. After approximately 1 minute of hearing almost continuous vocalizing, I proceeded to stunning area and arrived approximately 1 minute later. Upon further observation and verification of HATS Category VII, I noted that the right rear leg of a conscious adult beef cow was entrapped in the head catch component of the restrainer (no stunning attempts had been made). At that time, (b) (6) also arrived to the stunning area and noted that he was performing ante-mortem inspection in the barn but that he heard a cow vocalizing for an extended period of time in the stunning area so came to observe the situation. The right rear leg of the cow was twisted and caught in the chin restraint which is approximately 3 feet off the floor. The remainder of the cow was on the floor caught in between a metal bar and a concrete wall. The cow was struggling to get it's front feet underneath it but was unsuccessful. The cow continued vocalizing and struggling to move until it was euthanized approximately 3 minutes later. Following verification of HATS Category VIII, (b) (6) and I observed that that hair had been completely rubbed off the hide on the leg where it was caught in the restraint. I notified (b) (6) of the non-compliance and applied U.S. Reject Tag B38173215 to the restraining device. (b) (6) noted that he arrived shortly before I did but that he was told that the cow had jumped through the head restraint. After verbal preventative measures were provided, I removed the U.S. reject tag from the restraining device and production resumed.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7138+P7 138	Valley Meat Supply	LOD411 402101 3N-1	02/13/2018	04C02	Livestock Humane Handling	313.1, 313.2	On February 13, 2018 at approximately 0820 hours, while performing HATS Category IV – Handling during Ante-mortem Inspection and observing HATS Category II – Truck Unloading, I observed one of the three cattle that were being unloaded slip its right hind leg through a gap, slightly wider than the leg, between the trailer and the unloading ramp. The animal obtained a 2 inch cut to the front of the leg between the hock and the pastern that bled readily even as the heifer was fully ambulatory. The animal pulled free quickly. Neither of the other two animals was affected. Since the other animals were unharmed during unloading and no other animals were present, no regulatory control was taken. Plant Owner, Mr. Rod Haugtvedt, observed the incident and I informed him of the forthcoming noncompliance with 9 CFR 313.1(b) and 313.2(a).	CLOSED
M7785+V7 785	Huettl's Locker & Dressing Plant	FPI5613 015515 N-1	01/12/2018	04C02	Livestock Humane Handling	313.1	At approximately 0715 hours, an equipment failure occurred outside of the building in the livestock loading area. A trailer being unloaded with 3 beef was unable to open the sliding door to the trailer. The recent cold and snow had frozen the door shut. The driver decided to open the main door to unload the beef. The establishment's area makes this difficult to achieve. The door was attached by chain to the angled chute, but not tight enough. A beef escaped and ran down the road. The animal was not harmed during the unloading. A chase ensued and the animal was "knocked" off property, rendering the animal not eligible for USDA inspected slaughter. The driver returned with the remaining 2 beef and was able to open the sliding door with a screwdriver. No other issues occurred with the remaining animals. (b) (6) was informed a NR would be documented.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8916+P8 916	St. Joseph Meat Market	LZC281 404192 3N-1	04/23/2018	04C02	Livestock Humane Handling	313.1	<p>At approximately 0715 hours while performing a humane handling verification task, HATS VIII Stunming Effectiveness, I witnessed the following non-compliance: In the paneled chute adjacent to the knock box, a Holstein steer kicked his right rear limb out unprovoked through two horizontal metal bars. Consequently, the steer's right rear foot became trapped in between the bars of the panel. There is also a latching mechanism located at this particular point. Working to minimize stress to the animal, an establishment employee opened the gate between the chute and the knock box. The establishment employee then helped free the steer's foot and the steer walked into the knock box. While in the knock box the steer shifted his weight back and forth to avoid putting pressure on the right rear limb. I examined the latching mechanism on the chute panel; on the inside of the mechanism I noted hair and blood on a sharp edge of the metal latch. The sharp metal edge is not usually exposed to livestock that stand in the chute, but when the steer kicked out the metal edge was exposed. On post mortem examination I appreciated an approximately 4 inch long, partial thickness laceration on the medial (inside) portion of the right rear limb consistent with where the limb was trapped. I discussed my findings with (b) (6) notified him of the forthcoming non-compliance record. (b) (6) stated that the establishment will use a grinder and remove the metal edge before the next slaughter day.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8961+P8 961	New Munich Meats Inc	VQB581 003502 6N-1	03/26/2018	04C02	Livestock Humane Handling	313.1	While performing a Humane Slaughter, HATS Category II Truck Unloading, task at approximately 0845, the following non-compliance was observed: the steel door leading into the ante-mortem pen had two screws and a piece of protruding metal hanging loose (area of approximately 2 ft. X 4 ft.) that could injure an animal's foot or body as it passed by the door entering into the ante-mortem pens. Garry Kuhlmann, Plant Owner, was immediately informed. A US Reject tag #B34332320 was placed on the door until the door is fixed. The requirements of 9CFR 313.1 (a) has not been adequately maintained.	CLOSED
M8961+P8 961	New Munich Meats Inc	VQB341 104023 0N-1	04/30/2018	04C02	Livestock Humane Handling	313.16(a)(1)	At approximately 0855 hours while I was observing the HATS category VIII – stunning effectiveness task, by plant management performing this using a 22 caliber rifle, on the third black Angus Beef for the day. I observed after the initial shot to stun it, that it was still standing, conscious, aware of its surroundings, but not vocalizing or thrashing about. Plant management's immediate corrective action was to immediately shoot the animal a second time, which was effective to render it unconscious and insensible. Plant management (Garry Kuhlmann – Plant Owner) was verbally informed of the non-compliance with regulation 313.16(a) (1), to which they had not rendered unconsciousness and insensibility immediately with their first shot. Plant Management gave a verbal further planned action and stunning was allowed to resume.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8979+P8 979	New Geneva Meats & Processing Inc.	BAM38 130126 09N-1	01/09/2018	04C02	Livestock Humane Handling	313.2	HATS Category III: Water and Feed Availability (9 CFR 313.2). At approximately 1255 hours, I was walking across the street to perform a Fully-Cooked, Not Shelf Stable, verification task at Dean's Smoke Shack when I observed an animal trailer parked next to the old car wash (an edifice owned by Geneva Meats to store equipment). With the knowledge that the kill-floor was expecting 20-30 more animals to slaughter, I took a look inside the trailer. I observed approximately 25 goats at rest and noted that there was no water available. I notified the kill-floor attendants of my observations to which a plant team member left to take immediate corrective action. I then notified (b) (6) that I will be documenting my observations in a non-compliance report.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8979+P8 979	New Geneva Meats & Processing Inc.	BAM14 140347 13N-1	03/13/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 03/13/18 at approximately 1050 hours while performing Humane Handling Verification Tasks to verify HATS Category VIII (Stunning Effectiveness) and IX (Consciousness on the Rail); I observed the following noncompliance during the stunning of a goat. In the knocking pen, a plant employee restrained a goat with his left forearm underneath its head and attempted to stun the animal with a hand-held captive bolt device on the goat's forehead. The first stun was ineffective as the goat did not drop to the floor, the goat vocalized and jumped vertically approximately two times. The (b) (6), utilized the back-up hand-held captive bolt device immediately and effectively rendered the goat unconscious with a stun to the poll area. Upon examination of the skinned head there were two distinct wounds. Slaughter operations were verbally discontinued. I discussed the stunning incident with (b) (6) and he called Plant Manager Mr. Paul Smith by phone to notify him of the incident and my intent to issue this noncompliance report. Slaughter operations were allowed to continue after corrective actions and preventative measures were discussed and implemented. The establishment is noncompliant with the regulatory requirements set out in 9 CFR 313.15(a)(1).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M85O+P17 775+V85O	Swift Pork Company	HEM21 150558 02N-1	05/01/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(2)	<p>On 5/1/18 around 1020 hours I was observing company employees, (b) (6) and (b) (6) stun the 5 slow hogs that were in pen 43. (HATS category VIII – stunning effectiveness and category V – Handling of suspect and disabled). On the fourth hog stunned, I saw (b) (6) get the hog isolated and calmed down, he then lined up his shot, engaged the hand-held captive bolt device and I heard the gun go off; I then saw that the bolt from the gun was out about 2 inches. The hog was still conscious, vocalized and was able to move away from (b) (6) about six feet before the employees got the hog calmed down. (b) (6) handed (b) (6) another loaded hand-held captive bolt device and then (b) (6) stunned the hog effectively rendering it unconscious. A security knock was administered to the unconscious hog. I examined the hog and observed one wound, approximately 1.3cm in diameter in the center of the forehead and the security knock behind the ear. Both of the employees mentioned that there was a small wound from the first shot and that the second stun attempt was almost perfectly lined up with the wound from the first stun attempt. I then had (b) (6) call for (b) (6) to come to the pen and when he arrived I explained what I saw and that it was a noncompliant with 9 CFR 313.15a1 and 9 CFR 313.15a2 for the ineffective stun and for producing excessive excitement in the hog. (b) (6) and I also discussed some potential issues that might have caused this incident.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244P+V2 44P	Tyson Fresh Meats, Inc	FJJ4715 045319 N-1	04/17/2018	04C02	Livestock Humane Handling	313.2	At approximately 2:45Pm, Monday, April 16, 2018, while performing Ante-Mortem duties in the barn (HATS Category IV - Handling During Ante-mortem Inspection), I witnessed a distressed hog with its head wedged between a gate and a wall. This is a violation of 9 CFR 313.1(a). The gate and the wall created a V-formation in which the hog had entered the V at its wide end, wedging its body in the V. The hog had entered up to its neck but could not move further forward and was unable to back itself out. The hog had collapsed onto its hocks on its front end, and upright on the back end, was panting, and its face was reddened and injected. I immediately pointed the situation out to the establishment employee. The gate could not be pulled wider as the hog had gone down which extended the space to the full extent of the chain which held it. Also, for this reason, the chain was unable to be pulled off the gate to release it, due to the pressure placed on the chain from the wedged hog, making it impossible to move the chain up the post to release it. The employee then reached in between the gate and began tapping the hog on the forehead. After several attempts, the hog leaned itself backward, away from the tapping hand, enough to relieve pressure on the gate and the gate was released by sliding the chain. The hog then stood up, walked away, and did not appear to have any injuries from being trapped by the gate. Upon my return to the office, I informed (b) (6) of the incident and of the pending NR.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M3S+V3S	Swift Pork Company	PUN41 060341 27N-1	03/26/2018	04C02	Livestock Humane Handling	313.2	<p>Today 3/26/18 at approximately 1046 hours I, (b) (6) was performing a directed humane handling task, truck unloading HATS category II. I positioned myself at the end of the north most unloading pen where I had a clear, straight on view inside the trailer and the unloading ramp. While performing my review and observation I observed a non-ambulatory hog, in a dog sitting position, at the top of the trailer on the ramp with his back left leg splayed out. The trucker was in the truck at the top of the ramp and the hog was facing down the ramp (towards unloading). The trucker stepped in front of the hog and used his sort board to turn the hog around so that the hog was now facing into the trailer. After he turned the hog to face into the trailer, the trucker then stepped around and got in front of the hog again (the trucker was now in the truck facing down the ramp and the hog was still dog sitting facing into the trailer near the top). The trucker then angled the sort board and placed the base of the board underneath the hog's chest area and neck. The trucker then pushed the board in an upwards motion causing the non-ambulatory hog to flip end over end approximately 2 ½ times backwards down the ramp and land at the base of the ramp stretched out on his belly. I took an immediate regulatory control by halting any further unloading from the trailer and informed (b) (6) of my observations. The (b) (4) truck unloading humane handling monitor was eventually able to coax the hog to rise and to walk from the base of the ramp. The hog showed neurological symptoms, was very weak, and had little control of his hind end. I did not observe any additional injuries to the hog. (b) (6) elected to euthanize the hog which was performed under my direct observation and rendered unconscious. The remaining hogs on the truck were unloaded by trained (b) (4)</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							employees without incident. I informed (b) (6) that an NR would be issued. This represents non-compliance with 9 CFR 313.2(a) and 9 CFR 313.2 (b) for failure to minimize excitement and discomfort while driving an animal from the unloading ramp to the holding pen.	
M244W	Tyson Fresh Meats, Inc.	BTD450 901391 7N-1	01/16/2018	04C02	Livestock Humane Handling	313.1	At approximately 1010 hours on Tuesday 01/16/18, I (b) (6) was verifying HATS category III, Water Availability in Pen 14, found all four waterers failed to produce water to Pens 13 & 14. I determined this by pressing on multiple nipples on each side of all waterer units that supply water to both pens. This fails to meet the requirements of 9CFR 313.2(e), stating animals shall have access to water in holding pens. No other pens were affected. At this time, Pen 13 was being driven to kill and Pen 14 had just been emptied. I immediately notified (b) (6) of the issue and he immediately checked the water line supply to these pens and found it had been shut off. He then turned the valve to turn on the water supply to the pens and verified that each waterer was effectively supplying water by testing multiple nipples of each waterer unit. Records indicate the first tattooed hogs were filled into Pen 14 at 04:7 hours and Pen 13 was filled immediately afterward. When I began ante-mortem inspection at 0608 hours, both pens were full and Pen 12 was being filled. (b) (6) was notified that a NR would be issued.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244W	Tyson Fresh Meats, Inc.	BTD341 402201 6N-1	02/16/2018	04C02	Livestock Humane Handling	313.2	<p>At approximately 1025 hours on 2-16-18, I, (b) (6) observed a noncompliance while performing HATS task category II, truck unloading. In local chute 1, the truck driver was unloading the top level of the trailer with a rattle paddle. Outside, a neighboring truck driver would switch back and forth from sticking the handle of his rattle paddle into the truck which was unloading, or banging his rattle on the outside of the trailer, creating excessive noise. A group of approximately 12 pigs were squeezing together as they attempted to go down the ramp. One hog was pressed against the right wall at the top of the ramp and the force of the other hogs squeezing through the group to get down the ramp, spun her around. As the group thinned out, the hog on the right fell down and one of the last hogs of that group ran over the down hog. The down hog stood up immediately, appearing uninjured, turned around and walked down the ramp by herself. I notified the dock monitor next to me of the situation immediately after it occurred. The dock monitor walked up to the trailer and made multiple attempts to talk to the truck driver. The truck driver continued to unload hogs, driving another large group of hogs toward the ramp. At this time, I notified (b) (6) of the observed noncompliance with 9CFR 313.2(a). (b) (6), was notified that the establishment's failure to protect a down hog from being run over would be documented on a noncompliance record.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244W	Tyson Fresh Meats, Inc.	BTD520 904371 6N-1	04/16/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>On April 14, 2018 at 12:17 in the barn at Est 244W I, (b) (6), observed the following noncompliance: As I was in the barn finishing ante mortem inspection (HATS Category IV) and monitoring for slips and falls (HATS Category VII), I came upon (b) (6) and two team members searching the trench drain at the west end of pens 21/22 for a resale hog. As a group of hogs was being driven to the trailer this hog had fallen into the drain through an area that is typically covered by an approximately 12 X 18in rectangle of plastic decking; the drain depth at this location is approximately 2 ½ feet. The hog was quickly located in the drain approximately half way up Pen 22. A team member pulled off the metal grate that overlies this section of drain and stood in the drain to block the pig from going any farther. Team members were prepared to humanely euthanize the hog, but after the grate was removed, it scrambled out of the drain with minimal assistance; it appeared excited but not injured. The rest of the resale hogs had already been moved to another gated alleyway or loaded onto a trailer. The piece of decking was picked up out of the drain and set back in place. It snugly covered the opening, but underneath one corner the drain margin was uneven, allowing the cover to pop out of place when force was applied to the unsupported corner. Originally this section of drain was covered with two pieces of decking, the small loose one and a larger piece that was secured down. The immediate corrective action was to replace the two pieces with one piece, which would be secured down. Initially the newly cut piece did not sit flush with the ground and there was a divot in the cement along one side that needed to be filled, so I rejected the affected half of Pen 21 with tags NO.B41933419 and NO.B41932070. The pen was released at approximately 6:10 on April 16, after the repair</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							was finished. This fails to meet the requirements of 313.1 (a) and 313.2 (a). Livestock pens and driveways are to be maintained in good repair, and driving of the animals shall be done with a minimum of excitement and discomfort. I informed (b) (6) and (b) (6) that this event would be documented on an NR.	
M244W	Tyson Fresh Meats, Inc.	BTD271 905280 4N-1	05/04/2018	04C02	Livestock Humane Handling	313.2	III Water and Feed Availability, IV Handling During Ante-mortem Inspection On May 3, 2018 at 1836 hours, I, (b) (6), observed the following noncompliance with HATS Category III Water Availability. As I was finishing the first half of ante-mortem inspection (HATS Category IV) and leaving the south end of the west drive alley, I noticed three hogs resting outside of pens 21 and 22 without access to water. The three hogs appeared to be meant for resale and were located in a square pen made by the gates of pens 21 and 22, a roll-up garage door to the unloading docks, and the west wall of the barn. This fails to meet the requirements of 9 CFR 313.2(e) - water is to be accessible to livestock at all times. I informed (b) (6) and (b) (6) that this event would be documented on a noncompliance. The three hogs were euthanized immediately afterwards.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M245L+P2 45L	Tyson Fresh Meats, Inc	LEI0216 022716 N-1	02/16/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV- Handling During Ante Mortem Inspection Today at approximately 1200 hours when performing ante-mortem inspection (HATS category IV) on pens 13/14 (double pen) the following was noted. This pen had recently had a new style water tank installed. Around all tanks at this establishment, the company uses a piece of metal approximately 4 inches wide by 1 inch thick wrapped around the entire tank in an effort to protect the pipes which supply them and to keep the tank from being moved by the cattle. This rectangular piece of metal is welded to the fence at each end of the tank. Typically this metal "skirting" is either tight against the tank or may have a ½ inch or so gap. When this new tank was installed the contractor left a gap between this metal and the tank of approximately 4 inches on one end. A steer had put a front foot through the gap and was trapped, unable to get his leg back out. The steer had fallen on his side with his leg now bent above and to the side. The steer was bellowing loudly. I had one of the employees helping with ante-mortem run to the office and get someone to tranquilize and stun the animal. The steer was subsequently injected with xylazine intramuscularly and humanely stunned after the xylazine took effect. (b) (6) showed up approximately ten minutes after the animal was initially discovered and I informed him I would be issuing a humane handling noncompliance for the event. Pens 13 and 14 were tagged with U.S. Rejected Tag #B40093610 until such time the gap can be corrected. This is a failure to comply with 9 CFR 313.1(a).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M245L+P2 45L	Tyson Fresh Meats, Inc	LEI3915 023026 N-1	02/26/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness At 1218 hours today I was performing HATS Category VIII- stunning effectiveness from the overhead. The fourth heifer I observed was stunned ineffectively on the first stun. The heifer raised her head and was aware of her surroundings after the initial stun and was effectively stunned approximately 1.5 seconds later. The heifer did not bellow or exhibit any other sign other than raising its head after the initial mis-stun. The stunner did not stop stunning as per the establishments written CARE program, which is the establishments robust humane handling program. (b) (6) and Slaughter Superintendent were advised of the noncompliance. (b) (6) had the head skinned out and it was noted that the first stunning attempt hit the heifer above the right eye at an angle towards the ear, missing the brain entirely.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M889A+V8 89	J.F. O'Neill Packing Co. Inc.	DSC281 204120 6N-1	04/06/2018	04C02	Livestock Humane Handling	313.2	<p>HAT Category III - Water and Feed Availability On April 6, 2018 at approximately 06:25, I (b) (6) observed cattle penned in pens 5 and 6 while performing antemortem inspection. Approximately 22 horned animals weighing approximately 1400-1800 pounds were penned in pen 6, which is approximately 15'x24' (360 square feet). The animals were not able to move throughout the pen,. Thus, animals in the back of the pen did not have access to the water trough located at the front of the pen. Immediate corrective actions included having yard personnel release the bovines in pen 6 into the combined pen space of pens 5 and 6. Yard personnel had a difficult time unlatching the gate due to the pressure placed on it from the crowded animals. When the animals were released, they did not immediately seek out the water trough. The ambient temperature was approximately 30 degrees F. I informed (b) (6) (b) (6) and (b) (6) of the noncompliance and the issuance of this noncompliance report. (b) (6) gave the preventative measure of counseling the cattle receiver.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M969G	Swift Beef Company	NDH00 150248 16N-1	02/16/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category III - Water and Feed Availability; Category IV - Ante-mortem Inspection At approximately 0530 on February 16th, 2018, while performing ante mortem inspection, I observed the following non-compliance: I could not visualize any water in the water tank that is shared between pen 23 and 24. At this time, there were 40 head of cattle in pen 24 and 76 head in pen 23. I asked the pens employees to move these cattle to different pens with access to water. Upon examining the water tank, there was ¼ to ½ inch of ice in the bottom of the tank. There was a small stream of water flowing into the tank from a water pipe, but the water flowing into the tank immediately flowed out through a 2 inch crack in the bottom of the tank. I placed retain tags B38595305 and B38595306 on pens 23 and 24. A shift (b) (6) and (b) (6) were shown the empty water tank, notified that a non-compliance report would be issued, and informed regulatory control of the pens will not be released until corrective and preventative measures are in place.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M969G	Swift Beef Company	NDH21 230537 01N-1	05/01/2018	04C02	Livestock Humane Handling	313.1	<p>While doing humane handling and ante-mortem task for PHIS I noticed the following non-compliance: Cattle were being placed into pen 45. As the cattle started to fill the pen, I noticed on the south side of the pen that the fence was moving and not secured. After further observation, the fence between pens #45 and SF 3 was broken and the use of corral panels were installed to correct the problem. The corral panels were attached by the use of rope being wrapped around them at several locations and then tied off. Because of this the fence moved 2 feet in either direction and was of unsound construction.</p> <p>(b) (6) [REDACTED] were notified that I had tagged pen #45 with U.S. Rejected tag #B37077611 and SF-3 pen was U.S. Rejected tag #B37077612. Pens supervisor also tagged up and locked out the same pens. Regulatory control action along with plant control action were taken at approximately 2300 hours to prevent a possible humane handling issue.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5511	Gibbon Packing, LLC	JYA311 503441 9N-1	03/17/2018	04C02	Livestock Humane Handling	313.15(b)(1)(iii)	<p>Today, 03/17/2018 at approximately 1215 (b) (6) notified me that she was seeing small lacerations on the heel bulb of cattle while observing knocking at the restrainer but could not tell if they were antemortem or postmortem findings. At approximately 1250 hours I went to watch knocking and to observe to see if I could identify the lacerations that (b) (6) was talking about. Within about 10 minutes I noted 3 head that had very fresh 1 to 2 inch long lacerations on their heel bulbs. During my observations I did not witness any animal vocalizing or showing signs of pain or distress. I subsequently began looking for sharp objects in the restrainer. I located a potential area at the back of the restrainer where the cattle enter. I notified the (b) (6) of my findings and I recommended that he should stop knocking to investigate the situation. Upon inspecting the area in question, establishment personnel confirmed that there was a sharp piece of metal present and had located a piece of hide approximately half dollar in size. The establishment requested to grind the sharp edges down and stated that they would replace the sheet metal over the weekend. I agreed to this proposal provided that the lacerations did not continue and stated that I would have to document the incident on a noncompliance record. The metal was ground down so it was no longer sharp and a piece of angle iron was inserted underneath it to further prevent cattle from coming in contact with the edge of the metal. At approximately 1330 hours the establishment resumed operations and I monitored the cattle for approximately 10 minutes and found no additional lacerations. This noncompliance is in direct violation of regulations 9 CFR 313.15(b)(1)(iii).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19336	Nebraska Beef Ltd.	RVF071 005081 6N-1	05/16/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>Humane Handling HATS Category VIII Stunning Effectiveness</p> <p>On May 16, 2018, at approximately 0722, while observing handling during ante mortem inspection, (b) (6) and I (b) (6) observed the following noncompliance. The yards personnel were moving cattle for viewing from pen 9 to pen 28. When pen 9 was emptied of cattle for slaughter a new born calf was left in the pen. The yards personnel brought a hand held captive bolt device out to render the calf unconscious. The yards personnel administered the first knock at approximately 0725. The first knock was ineffective and the calf remained conscious, still standing, vocalized once, and took two-three steps then laid down. A noticeable penetrating hole approximately three to four inches below the crown was observed on the head. Blood was observed coming from both nostrils after the first stun. The yards personnel that delivered the first knock promptly went and retrieved another cartridge for the hand held captive bolt from the yards office. The second knock was administered which rendered the calf unconscious. It took approximately 30 seconds from the first stun to the second stun. I visually showed (b) (6) the noncompliance and verbally informed him of the issuance of this noncompliance report. (b) (6) verbally proffered preventative measures.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M278+V278	Tyson Fresh Meats, Inc.	JKJ1223 015319 N-1	01/19/2018	04C02	Livestock Humane Handling	313.2	<p>On January 19, 2018, at approximately 6:20pm I, (b) (6), observed a team member at Tyson Fresh Meats, Inc. Establishment M278, Holcomb, KS point and spray a fire hose and adjustable nozzle into a group of cattle while cleaning the alley that was holding the said cattle. The establishment was unsuccessful in meeting the requirements of 9 CFR 313.2(a), 313.2(b), and 313.2(c) of the Meat and Poultry Inspection Regulations and of HATS Category VI: Electric Prod/Alternative Object Use. I received a call from the yards that there were cattle needing ante-mortem inspection and proceeded outside. While I was walking along the outside of the drover alley, I noticed two team members were cleaning with hoses. One was cleaning in an empty pen around pen 21 and the other was cleaning the kill alley on the adjacent catwalk side of the kill alley in the vicinity of pen 23 or 24. There were cattle positioned in the kill alley while the offending team member was cleaning it. The cattle were split into two groups with approximately half located to the north of the team member near the entrance to the snake alley and the remainder to the south of the team member. As the team member was spraying the kill alley surface with a firehose and nozzle set to a concentrated stream, one and then another animal from the southern group of cattle moved past him single-file along the opposite fence line from where he was standing and towards the cattle standing to the north of the team member. It was at this point that I observed him redirect the nozzle and stream, from a downward trajectory, up and into the nearest group of three to four cattle directly to his left and south of him that were trying to follow the cattle that had just passed. I saw the stream of water from the hose hit the animal closest to the catwalk side of the alley and the strength of the stream was such that I could see the splatter of water appearing above</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							the shoulder line of the cattle. The group of three to four cattle closest to the team member made startled movements backwards when the team member redirected the stream of water towards them. When I observed the noncompliance, I took immediate action and called in the team member's direction to get his attention and told him to quit spraying the hose into the cattle. The noncompliance did not fit the definition of egregiousness. I informed (b) (6) and (b) (6) of the noncompliance and that I would execute an NR of the incident.	
M2316+P2 316+V2316	Whisnant Meat Packing LLC	FSF411 203120 7N-1	03/05/2018	04C02	Livestock Humane Handling	313.2	On 3-5-18 at 0730 hours, while performing a humane handling task, no feed was present in the open plastic feeding tubs, or on the ground, of the pen containing 41 market hogs (on the premises since 2-24-18). At 1250 hours the Daily Swine Feeding Log was checked. The last recorded feeding time was on 3-4-18 at 10:30 (no AM or PM was marked but the previous three days of feeding had been in the AM). When notified, plant manager Brett Powell immediately called for an employee to feed the hogs. At 1330 hours, the feed status of the hogs was checked again and there was still no feed present. Mr. Powell was asked why the hogs had not been fed and he replied that there was no feed available on the premises and the employee went to get some. On 3-6-18 the Daily Swine Feeding Log had 1:58 pm (1358) recorded as the time of feeding the 41 hogs on 3-5-18. Plant manager Brett Powell was notified of the noncompliance with the regulatory requirements of 9 CFR 313.2 (e).	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2936+P2 936+V2936	Winter Meat, Incorporated	XOB321 404501 2N-1	04/11/2018	04C02	Livestock Humane Handling	313.2	HATS Category III Water and Feed Availability At approximately 0705, while performing the humane handling task, I, (b) (6) found that there was no water available to the animals in holding pen #3. I informed (b) (6) of this issue and he immediately moved to the animals to pen #2 where the water troughs were filled with water. This establishment has a robust systematic humane handling program, and has a good history of having water available in the holding pens. A review of the previous 90 days records showed no documentation of a like noncompliance. Plant management was notified, both verbally and in writing, of the establishments failure to meet the requirements of the Meat and Poultry Regulations in 9 CFR 313.2.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5766+P5 766+V5766	Alewel's Country Meats	NTG251 002161 4N-1	02/14/2018	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3)	<p>At approximately 0830 hours while performing a Livestock Humane Handling verification task and accompanied by (b) (6), I observed the following noncompliance. On the third hog slaughtered while performing Humane Handling audit, the appointed establishment plant employee failed to stun a hog on the first attempt while using a (b) (4) electrical hog stunner. After the plant employee applied the stunner to the head of the animal, the animal jumped and vocalized and the establishment employee jumped back and the animal was not rendered unconscious. The plant employee did apply an immediate and effective stun on the second attempt. Because this was considered a non-egregious incident with immediate and effective corrective action, there was no regulatory control action taken. I immediately notified (b) (6) who was on the kill floor of this stun failure and then went to the office and notified Plant owner, Randy Alewel of what had been observed. Mr. Alewel proceeded to the kill floor and instructed and observed the immediate retraining of the plant employee. The next animal that was stunned by (b) (6) resulted in immediate unconsciousness with the first stun. The next animal stunned by the appointed plant employee was also successful and resulted in immediate unconsciousness with the first stun. I notified Mr. Alewel that a NR would be written to document the failure to meet the regulatory requirements of 9 CFR 313.30(a)(1) and 9 CFR 313.30(a)(3). A review of recent NR's did not reveal any similar cause NR's that will be linked to this NR.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8703	Warner Locker Inc.	NEG380 903172 6N-1	03/26/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>On 03/26/2018 at 0730 hrs at est. M8703, I (b) (6) with the company of (b) (6) and (b) (6) conducted an Annual Humane Handling Assessment. The plant had two beef for inspection. At 0730 hrs I watched as Plant Manager Tim Whisler attempted to shoot a heifer. The first shot was ineffective in delivering immediate unconsciousness to the animal. A second shot was successful in rendering the animal with immediate unconsciousness. A security shot immediately followed the second shot, however the animal was successfully rendered unconsciousness after the second shot. I discussed with Plant Manager Tim Whisler that an NR would be written due to noncompliance with 9 CFR 313.16(a)(1): 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 before it is shackled, hoisted, thrown, cast, or cut. The animal shall be shot in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13575+P 13575+V13 575	Ridgeway Freezer Inc	DPF511 401450 4N-1	01/04/2018	04C02	Livestock Humane Handling	313.1	<p>On January 4, 2018 I was going out to the pens to preform ante mortem on the last 2 beef animals. As I walked out the door I noticed one of the cattle with its head between the bars of the pen and it had fallen down. I checked to see if the animal was breathing but it was dead in the pen. I then informed the owner, Dave Polley that they had a dead beef out in pen 3. I then put U.S. Retained Tag #B39956602 on the knock box until the plant corrected the issue so the situation did not happen again with the remaining animal or in the future. I then put Red Ear Tag #Z-1058497 in the beef's ear until the carcass was removed, slashed, and properly denatured. The establishment was noncompliant with 9 CFR 313.1(a) which states, "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."</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P550	Simmons Prepared Foods, Inc.	XWN58 120218 07N-1	02/07/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>Wednesday, February 7, 2018 at approximately 1225 hours while performing a Good Commercial Practices Check in the kill area, I observed the back up killer on kill line 2 miss a bird that had not had its neck cut by the kill machine. I continued to observe the back up killer and approximately 30 to 45 seconds later observed him miss a second bird that had not had its neck cut by the kill machine. I then stopped the kill line. (b) (6) and (b) (6) came to the area and I informed them of the noncompliance. The second bird that had been missed was located and killed. A second back up killer was added to the line. The line was restarted after the corrective actions were taken. I then went to the evisceration area to ascertain if there had been more birds missed by the back up killer. I checked the condemn sheets and red shackles of the food inspectors on evisceration lines 9 and 9, which are the evisceration lines fed by that kill line. I did not see any cadavers marked on the condemn sheets or hung for veterinary disposition on the red shackles. I then went to the rehang table. I observed three carcasses which had been placed in the corner of the rehang table which appeared to be cadavers. Before I could reach the rehang table, (b) (6) picked up the three carcasses from the corner of the rehang table. I caught up with (b) (6) (b) (6) and requested to examine the carcasses. I determined that all three of them were cadavers (birds which entered the scalders alive, resulting in bright red skin and failure to bleed out). The above described events reflect a lack of process control in the killing area. The establishment failed to meet the requirements of 9 CFR 381.65(b) which requires poultry to be slaughtered with good commercial practices that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P5787	Pilgrim's Pride Corporation	DEB121 401261 2N-1	01/12/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>#08 On January 12, 2018 shortly after the beginning of dayshift at 0600, a large increase in the number of Dead on Arrival (DOA) birds was noted. Massive amounts of DOAs continued throughout the day until the end of the shift. The day was cold and there was a brisk wind. At 0615 the temperature was 31 degrees F with a NW 18 MPH wind and a wind chill factor of 19 degrees F. It was also noted that some of the birds and the bottoms of the coups were wet. There was a reported total of 34,050 DOAs out of the (b) (4) birds brought into the plant; this represents a (b) (4) incidence of DOAs. These birds died by means other than slaughter before entering the live hang area. This is a noncompliance of 9 CFR 381.65(b). USDA expects birds to be properly protected from the elements such as severe cold and windy conditions so that they do not die in route to the establishment and/or while sitting on the parked trucks at the establishment. The occurrence of large numbers of DOAs is a noncompliance issue regarding good commercial practices. USDA did note that at the beginning of the shift the establishment showed due diligence in sorting through and separating the live birds from the DOAs once they had entered the live hang area. However, during a check at approximately 4:10 PM, I observed the plant emptying a coup of birds directly into an offal truck. I asked what they were doing and they assured me that the birds had been sorted through for any live birds and only DOA birds would be placed directly into the offal truck. There was a coup loaded up on a forklift that was next to be emptied into the offal truck. I stopped this coup and pointed out two live birds that were still inside the "sorted" coup. If these birds had been dumped into the offal truck they would have smothered thereby dying by means other than slaughter. The establishment resumed properly sorting through the remaining coups and ceased dumping them</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							directly into the offal truck. (b) (6)	
P325	Tyson Foods, Inc.	YDM06 150402 10N-1	04/09/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On April 09, 2018 at approximately 1500 hours (b) (6) observed the following loss of process control in the live hang area while conducting a GCP task. Upon entrance to the hanging pen there were at least ten live birds running around on the floor with one caught underneath a footstool that a plant employee was standing on to hang birds. The live hang table was completely packed with birds extending at least two layers deep. The DOA bin was three quarters of the way full, and several live birds could be seen breathing underneath the pile of DOAs, feathers and dirt. The area was determined to be out of process control and regulatory control action was taken in accordance with 9CFR 381.65(a). (b) (6) was on the line hanging birds and was immediately notified to stop the hanging of live birds. While showing (b) (6) the birds in the DOA bin, a plant employee picked up a live bird and threw it onto the belt. (b) (6) and (b) (6) immediately instructed the employee to stop what he was doing. Plant manager Mr. Boyd was called to the area and notified of the situation. The establishment was notified that the USDA expects the establishment to employ handling methods consistent with Good Commercial Practices and that throwing birds is not acceptable. Plant Management is asked to consider these USDA concerns and prevent future occurrences. Copies of this noncompliance will be distributed to the establishment, inspection file and District Veterinary Medical Specialist per FSIS Directive 6100.3. The establishment is also reminded that NRs and MOIs documented for GCP issues can be FOIA requested and made available for viewing by FSIS. Documented by (b) (6)</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M3D	Swift Beef Company	MXE50 060433 09N-1	04/07/2018	04C02	Livestock Humane Handling	313.2	HATS category III: Water/Feed availability; 9 CFR 313.2 (e). On 04/07/2018 at approximately 8:20 am while performing ante mortem inspection at establishment M3D, JBS Swift & Co, Cactus TX I, (b) (6) observed the following noncompliance. I observed that the water tank shared by pen # 3 and pen # 4 is completely frozen. I observed heifers coming to the front of water tank for water licking side of pen and going back. I showed my finding to (b) (6) and (b) (6) who confirmed by finding. I directed the pen (b) (6) to move the cows to a different pen with water access and rejected the pens with tags B39364155 and B39364154 and informed both the company employees that a non compliance would be issued for this deficiency.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P206+V206	Pilgrim's Pride Corporation	KCC551 901560 8N-1	01/08/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>At approximately 1600 hours, while walking through the establishment with (b) (6), I observed a cadaver on the east picking line. The carcasses' s head was attached and the cut from the kill machine was high and located on the right side of the neck. I requested for the foreman to call for the evisceration supervisor or the back dock supervisor. The cadaver was removed from the line by the pinner/sorter and placed in a bin. While the foreman was looking for either of the supervisors I observed 2 more cadavers on the east picking line. Regulatory control action taken and the east picking line was stopped. I informed (b) (6), about the cadavers. He went to the back to assess the kill machine. (b) (6), reported that the kill machine had been moved to the side, maintenance was going to move it back at break, and in the meantime, a second backup killer had been placed on this line. (b) (6) stated that he had placed a skip on the line at the time the 2nd backup killer was put in place. Regulatory control action was relinquished and the picking line was started back up. A total of 8 more cadavers were observed until the skip. The picking line was observed for 5 more minutes after the skip, ensuring that a 2nd backup killer was an appropriate remedy to the problem until the kill machine could be adjusted. No more cadavers were observed. All of the cadavers were bright red carcasses. Several still had their heads attached and all were cut on high on the right side of their neck, not killing them properly and not allowing them to be bled out completely. The establishment has failed to comply with 9 CFR 381.65(b) as poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses. The number of cadavers observed indicates a loss of process for handling birds and</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>therefore the establishment is not operating in accordance with Good Commercial Practices, allowing poultry to enter the scald tanks alive. Poultry that are not slaughtered in accordance with GCPs are considered adulterated and must be condemned according to the Poultry Products Inspection Act (PPIA). (b) (6) was notified of the noncompliance. This noncompliance will be forwarded to the Front Line Supervisor, District Office, and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. This document serves as written notice that continued failure to meet regulatory requirements can lead to enforcement actions described in 9 CFR 500.4. (b) (6) P206</p>	
P218	Pilgrim's Pride Corporation	WOD33 210112 09N-1	01/09/2018	04C05	Poultry Good Commercial Practices			OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P218	Pilgrim's Pride Corporation	WOD3100045012N-1	04/11/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On April 11, 2018 (b) (6) observed the following GCP noncompliance. At 2140 both evisceration lines were stopped due to a maintenance issue. (b) (6) immediately went to the live hang room to verify live birds were being handled appropriately. The employees in the live hang room had stopped hanging birds and (b) (6) instructed the lead personnel to remove all the remaining birds that were hung prior to the stunner. At approximately 2250 (b) (6) reentered the live hang area to verify the birds were properly removed and observed approximately 10 dead birds in each of the stunners. (b) (6) was called to the area and shown the noncompliance. The dead birds appeared to have drowned in the stunner and were pulled off the line to be properly disposed of. Failure to implement procedures for preventing accidental injury and/or death inconsistent with 9CFR 381.65(b) in regards to birds presented for slaughter, resulted in a lack of response to a known GCP failure, and birds were allowed to die by a means other than slaughter. The establishment was notified that the USDA expects the establishment to employ handling methods consistent with Good Commercial Practices. Plant Management is asked to consider these USDA concerns and prevent future occurrences. Copies of this noncompliance will be distributed to the establishment, inspection file and District Veterinary Medical Specialist per FSIS Directive 6100.3. The establishment is also reminded that NRs and MOIs documented for GCP issues can be FOIA requested and made available for viewing by FSIS. Documented by (b) (6)</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M337+V33 7	Sam Kane Beef Processors, LLC.	UNG58 110150 09N-1	01/09/2018	04C02	Livestock Humane Handling	313.2	On Tuesday January 9 , 2018 at approximately 07:45 hours , (b) (6) was performing ante-mortem inspection in the cattle pens. (b) (6) observed the cattle in pens 7 & 8 there was no water in the Troughs (b) (6) had the cattle Immediately removed from the pens to other pens with water available. Maintenance was Immediately call to repair a broken float valve on the water trough. Maintenance was repairing the broken water valve at approximately 12:00 hours . This is in violation of the above regulation.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M337+V33 7	Sam Kane Beef Processors, LLC.	UNG59 070157 11N-1	01/10/2018	04C02	Livestock Humane Handling	313.2	<p>Egregious Humane Handling Act - On 10 January 2018, (b) (6) reported to the undersigned, (b) (6), that he witnessed what he believed to be an "Egregious Act" toward livestock while conducting ante-mortem/ stunning/ consciousness inspection at Sam Kane Beef Processors, Corpus Christi, TX, 78409. USDA Reject tag # B40-628 045, was used to identify this issue. At approximately 0750hours on 10 January 2018, (b) (6) was conducting ante-mortem inspection of cattle prior to the beginning of stunning. On his way back to the USDA Office, (b) (6) witnessed on of the serpentine chute plant employees using a battery operated hotshot to an animals face. (b) (6) immediately stopped the egregious act and informed the handler to "Not to use it on the face". (b) (6) informed (b) (6), and (b) (6), and Mr. Junior Urias, VP of Slaughter Operations, of the incident. Afterward (b) (6) came into the USDA office and informed (b) (6) of the incident and what he did to control the incident. (b) (6) then headed out to the chute area where he was met by Mr. Junior Urias and (b) (6) who were walking to the rail trolley shop with a hotshot. Mr. Urias informed (b) (6) that he was taking care of an incident reported to him by (b) (6). (b) (6) confirmed the action and came back to the USDA office to attempt to contact (b) (6) Dallas District Office, and (b) (6) Corpus Christi Circuit. After no response from either party, (b) (6) headed out to the chutes and met with Mr. Urias. Mr. Urias informed (b) (6) he was working with Human Resources to conduct a counseling session in their office of the employee and ensure disciplinary actions would occur. During the conversation, (b) (6) arrived and Mr. Urias</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>explained the issue to him and what the plan was to deal with it. (b) (6) exited the impromptu meeting and walked to the knocking chute where we watched the movement of cattle and stunning. While leaving the chute area, (b) (6) received a return call from (b) (6). Upon the discussion, (b) (6) recommended that since the facility has a "Robust Humane Handling program", a good track record of performance, plant management was proactive in dealing with the report and this egregious act was with herding livestock and not with the knocking process, that only a NR should be issued and the stunning operation did not necessarily need to be stopped and agreed with the actions conducted by (b) (6) up to this point. At approximately 0900hrs, 10 Jan 2018, Mr. Junior Urias came to the USDA office and informed (b) (6) that the employee who conducted the egregious act had been terminated. Additionally, Mr. Urias informed the undersigned that "All employees who deal with livestock will undergo a refresher handling class tomorrow morning at 0600hrs".</p>	

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P584	Pilgrim's Pride Corporation	QLM22 140131 23N-1	01/12/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On Friday January 12, 2018 establishment 00584P documented 9,879 Dead on Arrival chickens. On a typical day the number of DOA birds at this plant averages around 100. FSIS inspection personnel observed establishment personnel properly managing the incoming DOA's. (b) (6) and (b) (6) were both observed at the live hang and cage dumper area overseeing the condemnation of D.O.A.'s. At that time (b) (6) stated that the trucks with the high number of D.O.A.'s had been from a grower in Arkansas and had come in the previous night. It was determined later that the grower was (b) (4) in Arkansas. The local temperature at P584 Thursday night was below freezing and the high on Friday was in the mid 30's. During ante-mortem inspection of one truck load, very little movement was observed in the chickens and many of the visibly living appeared to be alive but unresponsive. The cages had half of their exposed outward facing ends covered with wooden panels and the other half of the outward facing end of each cage was open, aside from the wire cage itself. The D.O.A.'s were observed being culled and placed in 1500 lb. cardboard combos with charcoal denaturant applied. The carcasses showed no signs of dehydration or malnutrition or disease and appeared to be of the average size for young chickens. No D.O.A.'s were observed in evisceration this day by FSIS employees. Poultry that die by means other than slaughter are not being handled in a manner consistent with good commercial practices and fail to comply with 9 CFR 381.65(b). A similar instance that included almost 900 Dead on Arrival birds in cold weather occurred at this establishment on 01/03/2018 and was documented on 01/04/2018 with MOI number QLM4412010804g. Documented by (b) (6)</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7041B+P 7041+V704 1B	Beltex Corporation	UWH59 150116 31N-1	01/31/2018	04C02	Livestock Humane Handling	313.2	<p>CATEGORY III WATER AND FEED AVAILABILITY 9 CFR 313.2 313.2 Livestock pens, driveways and ramps. On January 30, 2018, at approximately 0600 hours, I, (b) (6), was performing ante mortem on cattle for Est. 7041B. While reviewing cattle for ante mortem inspection, I observed sixty - eight head of cattle penned in corrals numbered 11, 13, 14 and 16. These cattle had arrived on site sometime before 0600 hours and were penned with water. I did not perform ante mortem on these animals, and the plant elected to hold the cattle until the next day for slaughter. I reviewed the corrals late in the day and no animals had any hay or feed provided at that time. On January 31, 2018, at approximately 0600 hours, I performed ante mortem on the sixty-eight head of cattle held in the same four corrals numbered 11, 13, 14 and 16. The cattle had access to water in all corrals. None of the cattle held for over 24 hours had any feed provided in the pens. I noted the number of hay bales stored for cattle feed was the same number of bales on the premise on January 30, 2018. I reviewed all the pens and did not observe any hay remnants in any of the pens. Plant management failed to provide access to feed to animals held longer than 24 hours and this is noncompliant with 9 CFR 313.2. I informed (b) (6) of the noncompliance.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7041B+P 7041+V704 1B	Beltex Corporation	UWH32 160553 11N-1	05/11/2018	04C02	Livestock Humane Handling	313.2	<p>Category IV Handling during ante mortem 9 CFR 313.2 At approximately 0600 hours, I, (b) (6), observed cattle during ante mortem inspection. In Pen 11, I observed 2 recumbent steers with 20 head of standing cattle. The plant employee entered the pen and tapped one downed steer with the rattle paddle. I observed this steer slip twice while planting the hind feet to stand. The steer made several attempts to put weight on the right foreleg before standing. I noted the steer did not continue to use the right foreleg after standing. I noted the pen floor was clean and adequate to prevent slips and falls for routine use. The 20 head of standing cattle were crowded in the pen around the second recumbent steer. This steer was laying with its head on the pen floor. When the plant employee moved the cattle for ante mortem inspection, a steer stepped on the abdomen and neck of the recumbent steer, and stood over the downed animal's head. The plant employee moved the cattle away from the downed steer. The downed steer stood and walked with difficulty and appeared lame. I asked the employee move cattle from Pen 11 to avoid further injury, stress and excitement to the disabled steers. The employee moved 16 head of cattle to another pen. I observed that 6 head of cattle remained in pen 11. When the disabled animals were segregated from the other cattle, I rejected Pen 11 with US Reject tag B37350959 and informed Plant Manager Lou Cruz of the noncompliance to move animals calmly and minimum of excitement and prevent injury during handling practices .</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P7044	Tyson Foods, Inc.	GJJ520 805520 9N-1	05/09/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>This morning (5/9/18) there was a delay in startup of evisceration due to preoperational sanitation. Entering the picking room to perform ante-mortem inspection at about 0530 the birds on picking line 2 were just exiting the post scald dip tank. Over 95% of the birds were bright red cadavers that drowned in the scald tank and about 10% still had the heads attached (there are multiple head pullers along the process). Two employees began removing the birds from the picking line and discarding them in the drain. Quickly several additional employees and (b) (6) also began removing the birds such that all cadavers were being removed. A count was not performed, but based on piles of birds on the floor there were appeared to be in excess of 200 cadavers. (b) (6) indicated there had been an issue with the stunner at startup, but it had been resolved. I proceeded to the backup kill position. The backup kill employee was in place and the birds on line 2 were observed for 1 minute. All birds had the proper post stun appearance and no birds passed by the backup kill employee that required and additional cut. Since the immediate cause had been addressed (b) (6) and (b) (6) were notified of the Good Commercial practice noncompliance. The requirements of 381.65(b) were not met due to an initial loss of process control that resulted in the birds entering the scald tank still breathing. After an initial investigation (b) (6) explained that the supervisor did not follow standard procedures and walk the line to ensure all equipment was operating and all employees were in place. The stunner apparently had tripped out. From the initial investigation it was unclear whether the back up kill employee had been in place and failed to stop the line, or whether the line started without a back up in place.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							Subsequently (b) (6) and (b) (6) stated that the supervisor had been suspended, and the complex and area animal welfare managers had been contacted. The animal welfare managers will perform an investigation and complete a record/form, which will be provided to USDA.	
M7050+P7050	Dalhart Processing	SVK5113025513N-1	02/13/2018	04C02	Livestock Humane Handling	313.2	HATS Category 3 : Water/Feed Availability: 9CFR 313.2(e) On 02/13/2018 at about 8:15 am, While Performing Anti-Mortem Inspection at Est, 7050 Dalhart Processing I observed the following non-compliance, 1 animal in pen (Steer), no water was available for this animal. I notified (b) (6) about non-compliance This is a violation of Directive 313.2(e)	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13054+P 13054	H & B Packing Co. Inc.	YUF470 904341 2N-1	04/12/2018	04C02	Livestock Humane Handling	313.15(a)(2)	<p>On 04/12/2018 at approximately 0840 hours while observing the driving of the animals to the knock box, I observed the following noncompliance. A smaller steer that had reached the area of the incline to the knock box had turned around in the chute and fallen down. The employee handling the cattle tried to drive the 4 animals that were lined up behind this steer backwards to prevent them from walking on the fallen steer. His attempts were unsuccessful and two of these animals pushed forward and passed over the fallen steer. The other 2 animals were successfully driven back beyond the area of the previous gate and closed off from access to this area. The gate between the chute and the outside area was opened to allow the fallen steer to have room to get up. However, this steer was not able to right itself and was condemned as non ambulatory. The employee who knocks the animals then used a hand held captive bolt gun to stun this steer, bled him out and he was removed from the area while I watched to insure no return to consciousness. This is a violation of 313.15(a)(2). Animals in the runway to the knock box should be handled to prevent them from injuring one another (b) (6) assembled (b) (6) (b) (6) and all the employees that handle the live cattle and discussed the issue. Management decided to replace the employee that handles the cattle in the runway. They also said they would limit the number of animals in each section of the runway and try to separate the smaller, weaker animals from the larger ones. (b) (6) said he would get a gate installed at the area just before the incline to the knock box and adjacent to the gate to the outside.</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19478	ABF Packing, Inc.	AMH26 170246 17N-1	02/17/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV-Handling during Ante-Mortem Inspection On February 17, 2018, due to concerns with repair and maintenance of the establishment's cattle handling system and alley by (b) (6), a directed Humane Handling Task was performed on the entire handling system. The entire system was reviewed by (b) (6) and (b) (6). After the review at approximately 10:30 hours, US Reject Tag B39872467 was placed on the tub crowding gate to stop operations until the following concerns and noncompliances could be addressed. First, the tub crowding gate was in very poor condition and could easily cause harm to the hide of an animal as evidenced by the many long sharp edges on the exposed side of the gate. The thin flat metal on the gate was rusted through just above where it was welded to the pipe support structure. The rusted sections were sharp and protruding. There was in excess of six places that were approximately six inches or greater in length. Continuing through the pens, the sides of the tub had similar issues and where the flat metal would come together, in several spots the flat metal was sharp and protruding. These areas were anywhere from six inches to excess of one foot in length. In the alley, leading to the knocking chute similar issues were identified that caused great concern. Specifically, the alley is a pipe structure and flat metal on the sides. Similar to above, the flat metal was sharp, protruding and could easily damage the hide of the animals when simply walk through the alley. This was evident by the sharpness of the metal and the metal that did protrude out from the rusted out areas. Additionally, in the initial ante mortem and holding pen areas, there were two pipes that were extremely rusted and were sharp at two locations. One damaged pipe was in each of the pens. Furthermore, an inspection of the US Suspect pen was also conducted. First, there was</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>a cattle panel welded to the pipe structure, but three or four of the welds have come loose and the wire was protruding out. This was about 24 inches off the concrete. Additionally, the flat metal on the gate was rusted, protruding slightly and sharp. There is a gate providing access to a compressor or pump. The pump has exposed wires and could result in issues if an animal was allowed around it. We tried to close the gate, but the gate was stuck and couldn't be closed. These observances could result in injury or harm to the animals if not immediately remedied. Therefore, the area was rejected and these findings are in noncompliance with 9 CFR 313.1(a). (b) (6) and (b) (6) were notified and shown the issues. They immediately began working on the issues. The reject tag was moved to reject only the alley and suspect pen at 13:00 hours. The remaining areas were released. Production resumed through a modified working pen and alley.</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P517	Mar-Jac Poultry-MS	QOO57 160231 06N-1	02/06/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>At approximately 1020 hours on 02/06/18, while performing a routine Good Commercial Practices audit at the live hang area of (b) (6) and (b) (6), observed the following. Five live birds entered the south scalding tanks; one live bird entered the north scalding tank. The birds had not been cut and exhibited voluntary head and conscious eye movement, attempted righting reflexes. One bird was observed to have open mouth breathing. Having surpassed all points of intervention post shackling and no observable backup killers, the process had questionable control. In addition, four live birds were also observed out of their cages at the live haul shed. Production was stopped and tagged at live hang until process control could be restored. The establishment has the responsibility to ensure poultry is slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding. This regulatory noncompliance resulted in the establishment's failure to meet the regulatory requirements of 9 CFR 381.65(b). Regulatory control action was taken as described in 9 CFR 500.2 when production was stopped and U. S. Rejected tag # B34609887 applied to live hang area. (b) (6) and (b) (6) were notified of these findings. After verifying that the establishment implemented the appropriate corrective actions the regulatory control action was removed at approximately 1225. Mar-Jac Poultry is hereby advised of their right to appeal this decision. Continued failure to meet these regulatory requirements could result in additional regulatory or administrative action as described in 9 CFR 500.4.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P519	Wayne Farms LLC	KMH51 120104 17N-1	01/16/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On January 16, 2018 at approximately 1425 while performing the Good Commercial Practice and Ante-Mortem task the following was observed at the entrance of the scald vat. Numerous (approximately 80%) of the young chickens had only superficial abrasions to their necks that did not penetrate any major vasculature needed to cause proper death by slaughter and exsanguination. (b) (6) was spraying down the picking room floor in the area and I immediately waved her to come over and showed her the chicken's necks as they were entering the scald vat and informed her that they will very likely end up with a large amount of live birds entering the scald vat unless the issue is remedied immediately. She said she understood, acknowledged the superficial cuts to the necks/risk of live birds and walked away to correct the issue. I continued my verification check at the entrance to the scald vat and the following noncompliance was observed beginning at 1430 when the first live bird entered the scald system. This bird had a superficial abrasion to the neck; no major vasculature was penetrated, rhythmic breathing, blinking, pupillary reflexes and controlled movements were all present. Additional live birds entered the scald vat that appeared physically the same as the one described above at 1431, 1431:34seconds, 1431:55seconds. At approximately 1432 an additional live bird entered the scald vat. This bird physically was much smaller than the previous birds that entered live. This chicken had a very small (difficult to even visualize) 2-3 millimeter superficial abrasion over the center of the throat, which did not penetrate any vasculature. The bird was alert, rhythmically breathing, had controlled movements, blinking and pupillary reflexes present. At approximately 1433 (b) (6) was asked to please stop hanging that multiple live birds had gone into the scald vat in a</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>short amount of time and their process appeared to be out of control at this time. She agreed, and I informed her that a GCP noncompliance would be issued, and once I was able to verify that production had ceased I requested a meeting in the USDA PHV office prior to resuming operations. I stopped in live hang and informed the Supervisor present and (b) (6) that the area has been verbally rejected by USDA and to not start hanging until it is released directly from USDA. Meeting attendees consisted of (b) (6) (b) (6) (b) (6) briefly (b) (6) and representing the USDA were (b) (6) and (b) (6). During the meeting held in the USDA office the establishment decided that they were not going to run any longer on first shift for the day and just end the day. I informed them that it's completely their decision, but USDA still needs to be given corrective actions prior to them resuming production on any shift. (b) (6) stated that he would have maintenance raise the blade.</p> <p>This is a violation of 9 CFR 381.65(b) which states in part, "Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding." Live bird(s) entering the scald system live is a less than Good Commercial Practices and results in adulterated product. The establishment is responsible for ensuring that birds under their control on the official premises are treated in a humane manner that will minimize excitement, discomfort, injury and/or death by means other than slaughter.</p>	

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6555+P3 4794	Fayette Packing Company, Inc.	WSO50 080116 31N-1	01/31/2018	04C02	Livestock Humane Handling	313.2	At approximately 07:35 hours, while performing Humane Handling verification activities, I observed that there were three goats in pen three without access to water. This is in noncompliance with 9 CFR 313.2(e). I notified (b) (6) of this noncompliance.	OPEN
M7455+P7 455+V7455	Williams Sausage Co Inc	UQD40 110442 24N-1	04/23/2018	04C02	Livestock Humane Handling	313.2	HAT Category III (Water and Feed Availability) On 02/23/2018 at approximately 1415 hours while performing a HAT verification task (Category III: Water and Feed Availability), I (b) (6) observed the following noncompliance. Specifically, I observed that the 106 sows in livestock holding pen 2 did not have access to water. Upon further inspection, I noted that the main water supply to the pen's water trough, as well as an alternative water supply to the trough, which had been jury-rigged by running a piece of plastic conduit from the adjacent waste water building into the ceiling of livestock holding pen 2 to supply water to the underlying trough, were non-functional. I immediately notified maintenance personnel regarding the issue and they, along with the establishment's Assistant Plant Manager, Mr. Brian Jones, immediately corrected the aforementioned deficiency (1432 hours) under my direct supervision by turning on the alternative water source in the waste water building and adjusting the flow in such a manner so as to fill the underlying water trough (water was left on continuously to overflow the trough since it was not equipped with a float operated ball valve to control water level in the trough). (b) (6) was also notified (verbally at 1438 hours) of the aforementioned noncompliance and the establishment's failure to comply with the regulatory requirements prescribed in 9 CFR 313.2(e).	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8314+V8 314	Swaggerty Sausage Company, Inc.	SHO051 403341 2N-1	03/12/2018	04C02	Livestock Humane Handling	313.30(a)(4)	HAT Category IX-Conscious Animals on the Rail. At approximately 1420 hours while monitoring that animal identification was being collected I observed a noncompliance. I observed a conscious hog on the line. As I cannot assert whether the hog was effectively stunned or not, and being that the establishment took an immediate and effective corrective action, a decision to issue a non-compliance record, in lieu of an enforcement action was elected. The hog was performing a righting reflex and paddling it's front feet. I pointed at the animal for (b) (6) (b) (6)). He recognized the animal also and was trying to get the attention of the employee collecting animal ID. I walked toward the animal and saw that it was tracking with it's eyes and looking around. The animal was stunned with a captive bolt. I took a regulatory control action and had the line inspector stop the line. I notified Wayne Romines, Assistant Plant Manager, of the occurrence and I placed reject tag #B43268870 on the knock box at approximately 1430 hours. I spoke with (b) (6) (b) (6) and the Jackson District Office. After discussing the immediate corrective action with (b) (6) (b) (6), I removed my reject tag at approximately 1503 hours.	CLOSED
M8327+V8 327	Southeastern Provision LLC	UOF050 702130 5N-1	02/04/2018	04C02	Livestock Humane Handling	313.2	HAT Category III-Water and Feed Availability. At approximately 4:30 PM while performing an odd-hour ante-mortem inspection, (b) (6) (b) (6) observed two cows which were not in the pens, but in the chute leading to the knock box. (b) (6) saw no signs that these two animals had been fed and their location in the knock box chute prevented them from having access to water. This is a noncompliance according to 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. Mr. Carl Kinser(Plant Manager) was notified of the noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8327+V8 327	Southeastern Provision LLC	UOF520 605270 4N-1	05/04/2018	04C02	Livestock Humane Handling	313.2	HAT Category III-Water and Feed Availability. At approximately 7:30 AM while performing ante-mortem inspection, at Southeastern Provision in Bean Station, TN, (b) (6) observed that the cows in the front pen did not have access to water. There was a water trough in the pen, but the trough was dry. This is a noncompliance according to 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 (b) (6) was notified of the noncompliance and corrective action was immediately taken by the plant to provide access to water.	CLOSED
M8330+P8 330+V8330	C&F Meats	GBH460 701332 4N-1	01/24/2018	04C02	Livestock Humane Handling	313.2	Humane Handling Activities Tracking System (HATS) Category IV Water and Feed Availability At approximately 0700 hours on January 23, 2018, while performing Livestock Humane Handling task the following noncompliance was observed. Five large beef were crowded into the USDA suspect pen with no room to move around or lay down. The pen is approximately 5ft x15 ft. This is a violation of 9CFR 313.2(e) which states "There shall be sufficient room in the holding pen for animals held over night to lay down". (b) (6) was notified verbally and establishment administrator was notified in writing with this noncompliance report.	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8330+P8 330+V8330	C&F Meats	GBH101 301553 ON-1	01/30/2018	04C02	Livestock Humane Handling	313.1	Humane Handling Activities Tracking System (HATS) Category VII: Observation for Slips and Falls At approximately 1030 hours while performing a livestock Humane Handling task, the following noncompliance was observed. One beef located in pen # 3 was observed slipping and falling multiple times as the animal was being moved to the stun box. Upon further investigation it was discovered that the pen was saturated with urine and feces A regulatory control action was implemented and the pen was tagged with U.S. Rejected tag #B35898844. (b) (6) was notified in writing with this noncompliance record.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9085+V9 085	Snapps Ferry Packing Company	QSF291 601510 3N-1	01/02/2018	04C02	Livestock Humane Handling	313.2	HAT Category III-Water and Feed Availability. At approximately 8:20 AM on 1/2/2018 while performing ante-mortem inspection at Snapps Ferry Packing Co. in Afton, TN, (b) (6) observed that the water bowl in pen #1 was completely frozen resulting in no water available to the hogs in the pen. The temperature at the time of this observation was 8 degrees F. This is a noncompliance according to 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. Jason Southerland (Plant Owner) was notified of the noncompliance and corrective action was immediately taken by the plant to provide fresh water. (b) (6) stressed to Mr. Southerland the importance of staying vigilant on the status of the water bowls in the pens during below freezing conditions.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9085+V9 085	Snapps Ferry Packing Company	QSF230 901051 ON-1	01/10/2018	04C02	Livestock Humane Handling	313.1	<p>HAT Category IV - Ante-Mortem Inspection. At approximately 8:51 AM on 1/10/2018 while performing ante-mortem inspection at Snapps Ferry Packing Co. in Afton, TN, (b) (6) and (b) (6) observed that a sheet of metal in the knock box had come loose and was presenting a sharp edge in the direction of the knock box entrance. There was also a tuft of black hair caught on the edge of the metal sheet confirming that an animal had run into it. The loose metal sheet presented a high likelihood of animal injury and is a noncompliance according to 9 CFR 313.1(a) which says "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." Jason Southerland (Plant Owner) was notified of the noncompliance and the knock box was tagged with USDA Reject Tag No: B36193109. Corrective action was taken by the plant to repair the knock box. At 10:05 AM the knock box was found to be back in compliance and was released by (b) (6).</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9085+V9085	Snapps Ferry Packing Company	QSF4909012011N-1	01/11/2018	04C02	Livestock Humane Handling	313.1	<p>HAT Category IV - Ante-Mortem Inspection. At approximately 9:10 AM on 1/11/2018 while performing ante-mortem inspection at Snapps Ferry Packing Co. in Afton, TN, (b) (6) observed that the same sheet of metal in the knock box that was documented in NR#: QSF2309010510N/1 yesterday, had again detached. The metal sheet was again presenting a sharp edge toward the entrance to the knock box and posing a high likelihood of animal injury and is a noncompliance according to 9 CFR 313.1(a) which states "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." Jeremy Southerland (Plant Owner) was notified of the noncompliance and the knock box was tagged with USDA Reject Tag No: B36193110. Corrective action was taken by the plant to repair the knock box. At 10:20 AM the knock box was found to be back in compliance and was released by (b) (6). This NR is linked to NR#: QSF2309010510N/1.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9085+V9 085	Snapps Ferry Packing Company	QSF411 301382 9N-1	01/29/2018	04C02	Livestock Humane Handling	313.16(a)(1)	At approximately 1055, I observed plant management personnel Jason Southerland attempt to stun a long horn, bovine animal in the slaughter floor area. As I observed, the animal's head was in a lowered position; Mr. Southerland shot the animal in a downward motion. The animal immediately jumped back, then thrashed. The animal's legs did not go limp, but remained standing. The animal was moving its head in a manner to move away from the shooter. Mr. Southerland immediately shot the animal in the head for the second time. The second shot was effective in stunning the animal. The animal's legs went limp, and the animal fell to the floor of the knock box. The animal did not regain consciousness. I applied USDA Rejected Tag# B41496893 to the knock box. Upon further observation of the bovine head, the entry hole of the bullet is higher than the appropriate 'X' pattern. The entry hole was located at the base of the horns, with a trajectory in a downward pattern. The instrument used to stun bovine animals at this establishment is a Smith & Wesson 40VE. The ammunition used is 165 Grain. At approximately 1119, after plant management personnel provided SPHV personnel with corrective actions, the knock box was released to plant management personnel.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9085+V9 085	Snapps Ferry Packing Company	QSF091 302532 6N-1	02/26/2018	04C02	Livestock Humane Handling	313.16(a)(3)	<p>HATS Category VIII Stunning Effectiveness - At approximately 0930, while performing HATS verification activities in the slaughter processing area, I observed plant management personnel Jason Southerland attempt to stun a sheep. Mr. Southerland physically restrained the animal with one hand, and his body, then shot the animal with a .22 caliber pistol revolver with the other hand. The animal's legs dropped from beneath the animal, and the animal fell to the floor. The stunning of the animal appeared to be effective. Mr. Southerland then exited the slaughter processing area to an adjacent room. A slaughter processing floor employee grabbed the animal by the ear, then drug the animal approximately 4 feet to the blood pit- to attempt to stick and bleed the animal. Upon arriving at the blood pit, the employee released his grip, and the animal dropped to the floor. The animal immediately jumped up, and walked in a calm manner, at a normal pace across the slaughter processing room, then lowered its head; remaining calm. The animal appeared to be coherent. Mr. Southerland immediately walked over to the animal, and effectively stunned the animal. I applied USDA Rejected tag # B43268869 to the knock box. Upon further inspection of the shot holes in the animal's head, it appears the first shot was too low, and at a probable wrong angle. At approximately 0955, after corrective actions had been provided to USDA management, I released the knock box to plant management personnel. Plant management (Jason Southerland and Jeremy Southerland) stated that that Jason Southerland would be retrained and that the animals would be bled in a more immediate fashion to limit the time between stun and bleeding. The pistol used was a (b) (4) .22 magnum. The ammunition used is: Maxi- Mag 22 WMR Total Metal Jacket 40 grain, Target-Plinking.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19716+V 19716	Hampton Meat Processing	CIO430 705230 3N-1	05/03/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	At approximately 0735 ET on May 3, 2018, the establishment (b) (6) attempted to stun a lamb with a pistol using a "cci stinger" bullet. The shot was fired and I entered the kill floor to see the lamb still standing and not appearing in distress. (b) (6) had entered the kill floor from outside after the shot was fired. As I entered, I heard (b) (6) tell the employee to stun it again immediately. The employee got a rifle and effectively stunned the lamb. I took a RCA and notified the owner, Connie O'Daniel, and the District Office.	OPEN
M4975+P4 975	Dale T. Smith and Sons Meat Packing Company Inc	IYC0117 024514 N-1	02/14/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Category VIII – Stunning Effectiveness On 2/14/18, at approximately 1423 hours, I observed the following noncompliance at the knocking box on the Kill Floor. An establishment employee made an attempt to stun a dairy cow with a hand-held captive bolt stunner. The first stunning attempt struck the cow's head, but did not produce immediate unconsciousness. The cow remained standing, but did not vocalize or appear to be in a heightened state of discomfort. An immediate corrective action was implemented and a second stunning attempt was made behind the poll to the back of the head, within approximately 25 seconds, using a backup stun gun. The second stunning attempt was successful at producing immediate unconsciousness. Upon closer inspection of the cow's head, #175, I observed a hole in the forehead and an additional hole behind the poll. I verbally notified (b) (6) of this noncompliance. A review of the last 90 days of noncompliances revealed none issued for the same cause.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4975+P4 975	Dale T. Smith and Sons Meat Packing Company Inc	IYC2315 022921 N-1	02/21/2018	04C02	Livestock Humane Handling	313.2	<p>Category I – Inclement Weather & Category III – Water and Feed Availability On 2/21/18, at approximately 0530 hours, I observed the following noncompliance while verifying water availability in Pen #1 in the outside yard area. The water trough in this pen had a solid layer of ice on top of it. I pointed this out to (b) (6) and told him this trough was not providing cattle with access to water due to the thickness of the ice on it. As an immediate corrective action, (b) (6) broke ice out to allow cattle access to water. Later, I measured the thickness of ice to be ½ inch. (b) (6) and I both went around verifying the rest of the troughs were also providing cattle with access to water. Some of the troughs had a solid layer of ice, although thinner than the trough from Pen #1. Ice was broken and removed from all troughs to provide cattle unimpeded access to water. A review of the last 90 days of noncompliances revealed none issued for the same cause.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4975+P4 975	Dale T. Smith and Sons Meat Packing Company Inc	IYC0817 032914 N-1	03/14/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Category VIII – Stunning Effectiveness On 3/14/18, at approximately 1045 hours, I observed the following noncompliance at the knocking box on the Kill Floor. An establishment employee made an attempt to stun an angus heifer with a hand-held captive bolt stunner. I heard the stunner fire on the first attempt and then observed that the animal remained standing. The employee told me he didn't even hit the animal. There was a backup stun gun available, although the employee elected to reload the stunner he attempted the first shot with. The animal was moving its head up, down and around and it was unclear to me if the first attempt had contacted the animal or not. The animal was not vocalizing and simply seemed a bit confused. After approximately two minutes had passed until the opportunity presented itself, the employee was able to accurately deliver a second stunning attempt which produced immediate unconsciousness. After the head was removed from this particular animal, #107, I observed a knock hole near the top center of the poll and one behind the poll on the back of the head, confirming that both stunning attempts contacted the animal. I notified Plant Manager Matthew Smith of this noncompliance. This NR is linked to NR IYC0117024514N / 1, dated 2/14/18.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4975+P4 975	Dale T. Smith and Sons Meat Packing Company Inc	IYC5714 042024 N-1	04/24/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>Category VIII – Stunning Effectiveness On 4/24/18 at approximately 0551 hours, I, (b) (6), observed the following noncompliance at the knocking box on the Kill Floor. Because of safety concerns and in order to stay out of the animal's line of sight, when observing in this area I step back against the wall when the employee is attempting to stun an animal. After moving a dairy cow into the knocking box, the first stunning attempt by the establishment employee (aka knocker) using a hand-held captive-bolt (HHCB) stun gun was ineffective. I heard the HHCB stun gun fire but did not hear the animal drop to the floor of the box; I confirmed this by stepping forward and observing that the cow was still standing although she was not vocalizing nor did she seem to be overly excited (note: her head was moving around but no jumping or other signs of excitement were seen). At this point I stepped back since the knocker had already picked up the back-up HHCB stun gun in order to perform a second knock which he applied approximately 10 – 15 seconds after the first attempt; the second knock was effective – the cow dropped to the floor and no signs of returning consciousness were observed through the roll-out, shackling/hoisting and stick/bleed-out processes. At approximately 0558 hours I notified (b) (6) on the Kill Floor, that what I had observed was a noncompliance under the humane handling regulations. Since Est. 4975 has a Robust Humane Handling Plan in place which the involved employee implemented correctly for the situation and since there were no observable signs of animal pain or distress, no FSIS tag was placed. There have been two similar Noncompliance Records issued for ineffective first stuns in the past 90 days; both have been linked to today's Noncompliance Record.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6454+P4 896+V6454	Elizabeth Locker Plant, Inc.	OAF321 502390 2N-1	02/02/2018	04C02	Livestock Humane Handling	313.2	HATS CATEGORY III - Water and Feed Availability 9 CFR 313.2 (e) On 2/2/18 at approximately 8:00 am while conducting ante-mortem inspection I observed 3 beef animals held in pens 5 and suspect pen that had no access to water. Both small white tubs that are used to hold water in those pens were empty. (b) (6) and Justin Hundley were notified of the non compliance . As I was getting ready to affix US retained tag #B 23947638 to the pens (b) (6) was in the process of supplying the animals with water. NR# OAF4115110914N issued on 11/14/17 will be linked to this NR for same root cause .	CLOSED
M6454+P4 896+V6454	Elizabeth Locker Plant, Inc.	OAF061 604392 7N-1	04/27/2018	04C02	Livestock Humane Handling	313.1, 313.2	Hats Category III - Water and Feed Availability Hats Category VII - Slips and Falls At approximately 8:00am while conducting ante mortem inspection I observed 9 beef animals in holding pen #4 that had no access to water as the plastic white water tub in that pen was empty. Justin Hundley was notified of the noncompliance and made water accessible to the animals. I also observed 3 beef animals in holding pen #2. One animal was down and not able to stand. Every time the animal would try to get up it would fall back down because it's feet would slip and slide out from under it. Plant owner Justin Hundley was notified. Wood shavings were added to the pen floor and the animal eventually got to it's feet. The flooring in the holding pen areas is not sufficient to insure adequate footing for animals held in the holding pens . The holding pen flooring has had numerous MOI documented discussion's on the issue. The following are the most recent OAF2215042917G, OAF4312045905G, OAF5009034207G, OAF5510125606G. An NR review for the past 90 days showed one similar NR issued for same root cause and is linked to this non compliance report.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7748+P7 748+V7748	Colorado Homestead Ranches, Inc.	WOI25 140502 08N-1	05/08/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	<p>At approximately 1050 hours on 5/8/2018, (b) (6) was performing a HATS Category VIII Stunning Effectiveness Humane Handling observation from across the room. A heifer beef was in the knocking box being in preparation for being knocked with the captive bolt knocking device. (b) (6) noticed that the heifer was jumping around inside the knocking box. (b) (6) was trying to get the animal to hold still as best as possible. (b) (6) lined up for a knock, and just as (b) (6) pulled the trigger on the captive bolt knocking device the animal threw her head causing a misplaced knock. The heifer remained standing but did not vocalize. (b) (6) then immediately, in less than 5 seconds, picked up the readied .357 caliber pistol and gave (b) (6) a warning of fire-in-the hole. (b) (6) immediately stepped through the adjacent doorway off of the kill floor, and (b) (6) fired the pistol effectively completing the knocking process. The heifer was placed on the rail and bled out. When the head was skinned out, the stunning device wound was noted to be left of the midline and approximately 2 inches below the optimal knocking zone. The .357 wound was perfectly centered over the brain on the midline. A US Rejected tag was not placed on the knocking box because this heifer was the final beef before lunch break and also the final beef on today's slaughter agenda.</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7749+V7 749	Royal Gorge Packing	IBK001 203360 1N-1	03/01/2018	04C02	Livestock Humane Handling	313.2	<p>While conducting ante-mortem livestock inspection at Royal Gorge Packing (est. M7749) on Thursday March 1, 2018 @ 0700 hours (b) (6) observed an alleyway that contained 6 market hogs presented for USDA inspected slaughter. There was one tub in the pen (presumably to be used for water) but this tub was completely dry and had dirt caked on the inside walls. In an adjacent alleyway was a narrow trough that contained water which was frozen but the gates to this alleyway were closed and so the swine could not gain access to this water trough at all. Failure to provide access to potable water 24 hours per day is a violation of 9CFR313.2 (e). A review of non-compliances showed no similar occurrences previously. (b) (6) verbally informed (b) (6) and (b) (6) of the non-compliance and that a written non-compliance record would be issued. Verbally (b) (6) informed me that he would provide the hogs water. The owner/manager of the facility was on vacation and would be informed of the incident upon his return. (b) (6) verified that immediate corrective action was taken as water was provided to the swine.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M301+V30 1	Yosemite Valley Beef Packing Co., Inc.	TOH591 101141 6N-1	01/16/2018	04C02	Livestock Humane Handling	313.2	<p>On 1/16/2018, at approximately 6:45 hours, (b) (6) observed noncompliance while performing a scheduled PHIS Livestock Humane Handling procedure HATS: Category III-Water and Feed Availability. The water tanks for holding pens number 5, 6, 7 and 8 where around 40 cattle were present did not have water available. The two water tanks that make the water available for the above pens had just few inches of water because their drain plugs were unplugged. (b) (6) took immediate regulatory control action (RCA) as per 9CFR 500.2(a) (4) and tagged the area by using U.S. Rejected tag # B41950165. (b) (6) that was present in the area was notified about the RCA. Immediate corrective action was taken by fixing the water tanks and making water available to all the above holding pens. The animals did not start to drink water as soon as it was made available (water tanks full with water). RCA was lifted around 6:55 hours. This is noncompliance with 9 CFR 313.2(e) and (b) (6) was verbally informed that a noncompliance report will be documented for failure to meet the above regulatory requirement.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M325	Clausen Meat Company Inc.	FBJ120 602042 1N-1	02/20/2018	04C02	Livestock Humane Handling	313.1	<p>On February 20, 2018, while performing antemortem and inspection of the swine pens at 0451 hours, I observed the following noncompliance. I observed multiple broken and protruding wires from a fence barrier separating 2 swine pens. In pen #11, a thick wire protruded upwardly approximately 12 inches out of the ground. There were no animals present in the pen at the time. In adjacent pen #12, the wire fencing was damaged and curled inwardly at the base containing several sharp edges and exposed wire ends. In addition, there was a loose wire also protruding from the ground to a height of approximately 8 inches. In this pen (#12), there was 1 live roaster pig as well as 2 Dead-In-Pens (DIPs). The location of the protruding wires could cause injury to the contained animals. I informed Plant Manager Jeff Morgado of the noncompliance at approximately 0505 hours and he had the pen emptied of the live roaster pig. A regulatory control action was taken and U.S. Reject tags were applied to each pen gate (B40615637 and B40615638) to prevent their use as an animal holding pen until corrective measures were taken to render the pens safe to use. As of the issuance of this noncompliance record, corrective actions had not yet been taken and thus the pens remain under Regulatory Control action. The Establishment's written Humane Handling program, last updated 2/9/15, states that 'Holding Pens' will be maintained 'free from protruding objects', 'free from sharp metal of any kind' and will be maintained in 'good repair'.</p> <p>I informed (b) (6) of the forthcoming issuance of a noncompliance record for not maintaining pens in good repair and that this is a noncompliance of the regulatory requirements of 9CFR 313.1(a).</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M325	Clausen Meat Company Inc.	FBJ491 202152 3N-1	02/23/2018	04C02	Livestock Humane Handling	313.1	<p>On February 23, 2018, while performing antemortem and inspection of the swine pens at 0645 hours, (b) (6) and I, (b) (6), observed the following noncompliance. We observed one broken wire from a fence barrier protruding into the alleyway. A thick wire protruded upwardly approximately 6 inches out of the fence. There were multiple animals present in the alleyway at the time. The wire fencing was damaged and curled, and contained some sharp edges and exposed wire ends. In addition, there was a loose metal sheet from the holding pen's door. In this holding pen there were multiple live market hogs as well. The location of the protruding wires could cause injury to the contained animals. A regulatory control action was taken and U.S. Reject tag #B38098567 was applied to the alleyway gate. I informed (b) (6) of the noncompliance and he had the pen emptied of the live market hogs. (b) (6) had a plant employee trim the wire and tighten the metal sheet from the pen door. The alleyway and gate were released at 0718 hours. This is a noncompliance of the regulatory requirements of 9CFR 313.1(a). This non-compliance is linked to a similar non-compliance (Humane Handling) which was observed and documented on 2/20/18. NR #FBJ1206070421N.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M325	Clausen Meat Company Inc.	FBJ100 905090 8N-1	05/08/2018	04C02	Livestock Humane Handling	313.2	<p>On 5/8/18 at approximately 0345 hours, while performing ante mortem inspection I found the following non-compliance. HAT Category III I observed that in pen #11 which had 138 roster hogs the water trough was completely dry, I asked the plant employee to check the other pens and he noticed that the main valve was shut off and no water was available for any animal that were in the pens. (b) (6) was in the pens at that moment and I notified him of my findings. Pen 2-5 had approximately 500 market hogs and pen 8 and 9 had approximately 150 markets hogs, none of those animals had water available over night. At 0350 hours plant employee turned the water back on. (b) (6) told regarding our observation to plant manager Jeff Morgado ,and informed him that a non-compliance will be issued. FSIS Directive 6900.2</p> <p>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 FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4928+P4 928	Islamic Meat & Poultry Co.	DTD010 901382 2N-1	01/18/2018	04C02	Livestock Humane Handling	313.1	<p>On 1/18/2018, at approximately 1100 hours, while performing a livestock humane handling verification task (HAT Category IV, Antemortem Inspection), I, (b) (6), inspected the animal holding pens. The gate of pen 11 has a metal wire mesh fence panel welded to the gate's metal framework, and a piece of wire appeared to have been broken from a weld that previously was an attachment point to the gate. That wire was protruding outward into the alleyway space approximately 4 inches, creating a protruding object hazard that had significant potential to harm animals. The end of the protruding wire was also sharp enough to be a sharp object hazard for animals. The presence of the protruding sharp object hazard was a noncompliance with title 9 CFR 313.1(a). I applied U.S. Reject tag BB42126637 to the gate of pen 11. There were no animals in pen 11, no animals in the alleyway, no animals could gain access to the hazardous area, and no animals appeared to have been harmed by the protruding sharp wire. I also observed three protruding nail heads in a piece of 2-foot by 8-foot piece of plywood, attached to the north fence of the small ruminant pen located just north of the beef ramp. The nail heads were protruding out of the plywood approximately one-half to three-quarters of an inch, and created protruding object hazards for animals, if animals were placed in the pen. The protruding nail heads were a noncompliance with title 9 CFR 313.1(a). No animals were in the pen or in the vicinity of the nail heads during my observation. I applied U.S. Reject tag B42126758 to a closed gate to prevent any animals from entering the pen. I did not observe any animals that appeared to have been harmed by a protruding object.</p> <p>(b) (6), was notified of my findings. After notifying (b) (6) the protruding object hazards were removed a short time later. I verified</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							the removal of the protruding/sharp object hazards, an then removed the U.S. Reject tags.	
M4928+P4 928	Islamic Meat & Poultry Co.	DTD571 502281 3N-1	02/12/2018	04C02	Livestock Humane Handling	313.1	<p>On 02/12/2018 at approximately 1215 hours while performing a livestock humane handling verification task (HATS Category IV, Ante-Mortem Inspection), (b) (6), and I, (b) (6), inspected the establishment pens and alleyways. We observed a loose and protruding wire panel attached to the east fence of pen 11. The top south corner part of the wire fence panel was loose and protruded into the pen space approximately 4 to 6 inches, creating a loose and protruding object hazard for animals. This was a noncompliance with Title 9 CFR 313.1(a). There were two heavy calves in the pen; the animals did not appear to be injured by the protruding wire panel. Plant management was quickly notified and the animals were promptly removed from the pen. I placed U.S. Reject tag B42126621 to the gate of pen 11 and closed the gate so that no other animals could enter the pen. Also, we observed a loose and protruding wire fence panel in pen 5 on the north fence near the right side of the gate opening. The wire fence panel was separated from the underlying fence structure and protruded approximately 4 inches into the pen space. This created a loose and protruding object hazard if animals were in the pen and was a noncompliance with Title 9 CFR 313.1(a). No animals were observed in the pen during this inspection. I applied U.S. reject tag B42126622 to the gate of pen 5 and closed the gate. No other animals in all the pens appeared to have been injured by any protruding objects.</p> <p>(b) (6) was notified of the noncompliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4928+P4 928	Islamic Meat & Poultry Co.	DTD202 002442 3N-1	02/23/2018	04C02	Livestock Humane Handling	313.1	On 02/23/2018 at approximately 1720 hours, I performed an odd hour inspection of the establishment's animals and holding pens (HATS category IV, Ante-mortem Inspection), on a day when the establishment was not operating. I observed two nails protruding out of a sheet of plywood attached to the south fence of the small ruminant pen that is north of the beef lead-up chute. The sharp ends of the nails, located near the small ruminant water container within the pen, were protruding approximately 1.5 inches out from the plywood and in the direction of the pen space, which created a sharp and protruding object hazard for any animals that would be placed in the pen. This was a noncompliance with Title 9 CFR 313.1(a). I applied U.S. Reject tag B42126616 to the gate of the holding pen, and ensured the gate was closed to prevent any animals from being led into the pen. No animals were in the pen during my finding, and no animals had access to the pen where the protruding nails were found. I also observed two small wire fence panels, constructed of wire bars in a 4-inch by 4-inch pattern, that were lying nearly flat on the ground in the northeast corner of the pen. The fence panels were approximately 1.5 feet by 1.5 feet in size, and one end was approximately 3 inches off the ground, resting against the pen fence structure. These fence panels lying on the floor of the pen had significant potential to cause small ruminant feet or leg entrapment if the animal stepped through the space between the thin bars in the panel. This was a significant hazard of entrapment especially if two feet of a goat or lamb stepped into the same 4-inch space between fence panels bars at the same time. The fence panel material lying on the pen floor also presented a trip hazard for any animals if placed in the pen, and demonstrated that the pen was not maintained in good repair. This was a noncompliance with Title 9 CFR 313.1(a). I placed	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							U.S. Reject tag B42126617 to the gate of pen 4, and ensured that the gate to pen 4 was closed so that no animals could be led into the pen. Pen 4 is frequently used for holding small ruminants; however, during this inspection no animals were in the pen. (b) (6) was notified of the noncompliance.	

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4928+P4 928	Islamic Meat & Poultry Co.	DTD311 805301 6N-1	05/15/2018	04C02	Livestock Humane Handling	313.1	<p>On 05/15/2018 at approximately 0400 hours while performing an odd hours inspection (HATS category IV, Ante-mortem Inspection), I inspected the establishment's live animals and holding pens. I observed two nails protruding out of plywood attached to the north fence of the small ruminant pen that is adjacent to the beef lead up chute; this is the pen used for staging animals prior to moving them into the facility. The head ends of the nails were protruding approximately 1 inch out from the plywood surface and in the direction of the pen space; both nails were approximately 12 inches above the pen floor. The protruding nails created a protruding object hazard for any animals that would be placed in the pen. This was a noncompliance with Title 9 CFR 313.1(a). I applied U.S. Reject tag B42126577 to the entrance of the holding pen. No animals were in the pen during my finding, no animals appeared to have been previously injured by the nails, and no animals had access to the area where the protruding nails were found. I also observed a 2-foot by 8-foot fence panel, constructed of crisscrossing metal bars, that was attached to the bottom portion of the gate of pen 10. The west end of this wire fence panel was completely loose, and was bending at that end, causing it to protrude approximately 6 to 8 inches into the pen space. There were no animals in Pen 10. This loose fence panel had significant potential to cause small ruminant head entrapment if any animals were held in the pen. This demonstrated that the pen was not maintained in good repair. This was a noncompliance with Title 9 CFR 313.1(a). I placed U.S. Reject tag B42126578 to the gate of pen 10, and ensured that the gate to pen 10 was closed so that no animals could be led into the pen. There was no evidence that an animal had previously been trapped or injured by the loose fence panel.</p> <p>(b) (6) [REDACTED], was notified of the noncompliance.</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4969+P4 969	J J Meat Co.	JCO241 203020 1N-1	02/28/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.16 (b)(1)(ii)	<p>At approximately 1230 hours while performing HAT activities outside near the knocking area, the following noncompliance was observed. At the time of my observation, there were two bob veal calves that appeared non ambulatory therefore the (b) (6) took action by attempting to promptly knock the two calves. The employee grabbed the portable captive bolt stunner gun and attempted to stun the first calf. The captive bolt gun misfired causing a failed attempt. He attempted two more times and was again unsuccessful. After three misfires, the captive bolt stunner properly fired and the calf was successfully euthanized. The calves were not injured during these failed attempts. Please note that these were not forms of egregious acts. The establishment employee continued to the second calf and attempted to stun it with the same portable captive bolt gun. The first attempt was unsuccessful. He properly stunned the calf on the second attempt. I immediately informed Mr. Javier Juarez Jr. (Plant Manager) of the forthcoming noncompliance record being documented for this deviation. The establishment failed to comply with 9CFR 313.15(b)(ii). Stunning instruments must be maintained in good repair.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6137+P6 137	Foster Farms	BXL051 403362 ON-1	03/19/2018	04C05	Poultry Good Commercial Practices		<p>On March 19, 2018 at approximately 1505 hours, (b) (6) informed me that she observed numerous cadavers without a neck cut at the pre-sorter station of Line 107 in Plant 2. After (b) (6) informed me of the cadavers, she immediately called live hang in plant 2 and informed (b) (6) about the numerous cadavers she observed. According to (b) (6) responded that he would take a look at the problem. Upon (b) (6) return to the pre-sorter station, (b) (6) arrived at the pre-sorter station and looked at the carcasses in the condemned barrel, removed one of the cadavers from the barrel with an uncut neck, and took it with him as he left the pre-sorter area. Upon my arrival at the pre-sorter area, I, (b) (6), looked at the barrel and saw numerous birds with a characteristic appearance of a cadaver, and confirmed that the birds were cadavers as evidenced by the uncut neck area. I immediately went to the kill room where the auto killer was and saw (b) (6) checking the situation and giving instructions to two employees in the kill room. There were two back-up neck cutters in the kill room but one of them appeared inexperienced, as evidenced by the way he handles the knife and the way he makes the cut. (b) (6) confirmed my suspicion. I also observed that there were a significant amount of birds that were being missed by the automatic kill machine. Additionally, numerous birds that were missed by the kill machine were conscious as they approach the area of the back-up neck cutter as evidenced by the birds lifting and positioning their heads behind their body. Due to the establishment's failure to take corrective actions and address the situation as evidenced by the auto kill machine missing a significant amount of birds and the</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>appearance of consciousness on numerous missed birds, at approximately 1517 hours, I took a regulatory control action and instructed the live hang (b) (6) to stop hanging birds in line 4. I asked (b) (6) to call the (b) (6) or Plant 2 (b) (6). When (b) (6) arrived in the slaughter floor I informed him that I stopped live hang because of IPP's observation of numerous cadavers at the pre-sorter station and my observations in the kill room. After confirming that hanging had stopped and birds have passed by the kill room, I immediately went back to the pre-sorter area and (b) (6) informed me that since I left the pre-sorter person pulled out additional 10 to 15 birds more with the characteristic appearance of a cadaver without evidence of neck cuts. Plant 2 (b) (6) and I (b) (6) went to the pre-sorter area to look at the counters to determine the number of cadavers recorded by the pre-sorter person assigned which showed 28 recorded cadavers. I informed (b) (6) (b) (6) that I will not allow them to start the line until the establishment provided acceptable corrective actions. He then informed me that they will shift and continue the slaughter of the remaining birds to line number (b) (6) which during that time had ceased operation at lunch time, and which was not having any issues. This incidence is a Non Compliance of 9CFR 381.65 which states that " Poultry must be slaughtered in accordance with good commercial practices in a manner that will result to thorough bleeding of the carcass and ensure that breathing has stopped prior to scalding" PPIA and Agency Regulations do require that live poultry be handles in a manner that is consistent with good commercial practices, and that they not die from other causes other than slaughter. Please review Federal Register Notice Vol. 70, No 187, published September</p>	

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							2005 (Docket No. 04-037N) for FSIS recommendations concerning treatment of live poultry before slaughter.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6137+P6 137	Foster Farms	BXL051 403362 ON-2	03/19/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On March 19, 2018 at approximately 1505 hours, (b) (6) informed me that she observed numerous cadavers without a neck cut at the pre-sorter station of Line ^(b) in Plant 2. After (b) (6) informed me of the cadavers, she immediately called live hang in plant 2 and informed (b) (6) about the numerous cadavers she observed. According to (b) (6) responded that he would take a look at the problem. Upon (b) (6) return to the pre-sorter station, (b) (6) arrived at the pre-sorter station and looked at the carcasses in the condemned barrel, removed one of the cadavers from the barrel with an uncut neck, and took it with him as he left the pre-sorter area. Upon my arrival at the pre-sorter area, I, (b) (6), looked at the barrel and saw numerous birds with a characteristic appearance of a cadaver, and confirmed that the birds were cadavers as evidenced by the uncut neck area. I immediately went to the kill room where the auto killer was and saw (b) (6) checking the situation and giving instructions to two employees in the kill room. There were two back-up neck cutters in the kill room but one of them appeared inexperienced, as evidenced by the way he handles the knife and the way he makes the cut. (b) (6) confirmed my suspicion. I also observed that there were a significant amount of birds that were being missed by the automatic kill machine. Additionally, numerous birds that were missed by the kill machine were conscious as they approach the area of the back-up neck cutter as evidenced by the birds lifting and positioning their heads behind their body. Due to the establishment's failure to take corrective actions and address the situation as evidenced by the auto kill machine missing a significant amount of birds and the</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>appearance of consciousness on numerous missed birds, at approximately 1517 hours, I took a regulatory control action and instructed the live hang (b) (6) to stop hanging birds in line 4. I asked (b) (6) to call the (b) (6) or Plant 2 (b) (6). When (b) (6) arrived in the slaughter floor I informed him that I stopped live hang because of IPP's observation of numerous cadavers at the pre-sorter station and my observations in the kill room. After confirming that hanging had stopped and birds have passed by the kill room, I immediately went back to the pre-sorter area and (b) (6) informed me that since I left the pre-sorter person pulled out additional 10 to 15 birds more with the characteristic appearance of a cadaver without evidence of neck cuts. Plant 2 (b) (6) and I, (b) (6) went to the pre-sorter area to look at the counters to determine the number of cadavers recorded by the pre-sorter person assigned which showed 28 recorded cadavers. I informed (b) (6) that I will not allow them to start the line until the establishment provided acceptable corrective actions. He then informed me that they will shift and continue the slaughter of the remaining birds to line number (b) (6) which during that time had ceased operation at lunch time, and which was not having any issues. This incidence is a Non Compliance of 9CFR 381.65 which states that "Poultry must be slaughtered in accordance with good commercial practices in a manner that will result to thorough bleeding of the carcass and ensure that breathing has stopped prior to scalding" PPIA and Agency Regulations do require that live poultry be handles in a manner that is consistent with good commercial practices, and that they not die from other causes other than slaughter. Please review Federal Register Notice Vol. 70, No 187, published September</p>	

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							2005 (Docket No. 04-037N) for FSIS recommendations concerning treatment of live poultry before slaughter.	
M9008+P9008	Johansen's Quality Meats	FBE4615053715N-1	05/15/2018	04C02	Livestock Humane Handling	313.1	On 05-15-2018 at approximately 1250 hours, a non-compliance was observed with the traction planks, which are affixed to the ramp, in which livestock travel, leading to the slaughter floor. The planks in question had several wood screws protruding the surface, some broken and missing and it was deemed potentially harmful to livestock which may trip and fall, due to the protruding screws, when being moved up to the slaughter floor. U.S. Rejected tag# B43368913 was placed on the pen door leading to the ramp. Mr. Darren Rosen(Plant Manager) was notified of the non-compliance at approximately 1300 hours.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M454+P49 88+V454	Owyhee Meat Company	HKD031 202382 1N-1	02/20/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3), 313.2, 313.2(f)	<p>On 21 February 2018, I (b) (6) was on the kill floor at Est. M454 at approximately 0948 hours by the head was station observing the knocking box while performing a . An angus steer was stunned, went down, the knocker had a second captive bolt in his hand but did not use it. (appears was not sure animal was unconscious), The Knocker put the 2nd bolt in the holder and began to be busy with chains not watching the steer 's head which was still actively moving. The steer bellowed and when hit with water blinked his eye twice. The knocker did not respond until (b) (6) had to yell at knocker to knock him again. Seconds passed by before that could be accomplished. This scenario was witnessed by (b) (6) also on the kill floor from a different angle. A second knock was performed successfully and the animal was rendered fully unconscious. The HH prerequisite program of this plant requires employees to observe for eye movement and unconsciousness and not hoisted until unconscious. Directive 6900.2 also under Mechanical; Captive Bolt 2) p.30 states: "Captive blot stunners shall be applied to livestock so as to produce immediate unconsciousness in the animals BEFORE they are shackled, hoisted, thrown, cast or cut. Their program does provide for a security knock. The employees involved have been reportedly trained on humane handling confirmed by (b) (6) in the weekly meeting last week. Implementation of the program is a recurring issue. (b) (6) was notified that this is an implementation and perhaps a training issue. There is concern that this establishment does not consistently and effectively implement their animal handling program over time.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M454+P49 88+V454	Owyhee Meat Company	HKD031 202382 1N-2	02/20/2018	04C02	Livestock Humane Handling	313.2	<p>On February 21, 2018, I, (b) (6) was on the kill floor at approximately 0900 hours washing my hands on the sink behind the head wash station, when I observed that plant employee was having trouble bringing the animal into the knock box. I opened the door leading to the outside of the knock box to see what the holdup was. I observed an employee poking the animal on the side with the inactivated hot shot several times to try to get it to move; another employee was using the paddle on the rump then started hitting the animal on the head repeatedly with the side the paddle with excessive force. I informed (b) (6) that this was not an acceptable practice. (b) (6) verbally stated to me that this employee would not be placed in this position anymore. 9CFR 313.2 (b) states in part that Electric pods, canvas slappers or other implements employed to drive animals shall be used as little as possible in order to minimize excitement and injury as well as stated in FSIS Directive 6900.2 Revision 2.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M454+P49 88+V454	Owyhee Meat Company	HKD121 702012 3N-1	02/21/2018	04C02	Livestock Humane Handling	313.2	<p>Hats Task Category VI Electric Prodding/Alternative Object Use On February 21, 2018, I, (b) (6) was on the kill floor at approximately 0900 hours washing my hands on the sink behind the head wash station, when I observed that plant employee was having trouble bringing the animal into the knock box. I opened the door leading to the outside of the knock box to see what the holdup was. I observed an employee poking the animal on the side with the inactivated hot shot several times to try to get it to move; another employee was using the paddle on the rump then started hitting the animal on the head repeatedly with the side the paddle with excessive force. I informed (b) (6), (b) (6) that this was not an acceptable practice. (b) (6) verbally stated to me that this employee would not be placed in this position anymore. This is noncompliance with 9CFR 313.2 (b) Handling of livestock which states in part that Electric pods, canvas slappers or other implements employed to drive animals shall be used as little as possible in order to minimize excitement and injury as well as stated in FSIS Directive 6900.2 Revision 2.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7722+P7 722+V7722	Jones Meat & Food Services, Inc.	SAN331 201300 9N-1	01/09/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>At approximately 9:50 am while performing HATS VIII task I, (b) (6), approved the use of the chute for knocking a large Holstein with limited mobility that would have been unduly difficult to coerce into the knocking box. The size of the chute was the approximate space of the knocking box. The first attempt to stun the animal with the .22 mag was ineffective. The cow staggered momentarily, knuckling on its front feet. The cow did not vocalize but was still visually conscious based on the eye movement and response to the environment. The cow then stood fully upright, looked side to side and tried to back out of the chute. The (b) (6) retrieved a second round for the .22 mag from approximately 5 ft away, reloaded the rifle and applied a second shot. The second shot was a poll knock which was effective at rendering the animal unconscious. The time between the first and second knock was approximately 1 min. I tagged the chute with U.S. Rejected NO.B41003550. Brent Jones was informed that no more cows would enter the chute for slaughter until the tag was pulled. Examination of the skull showed 2 bullet holes. The first, ineffective, hole was placed high and to the left. The second was an effective poll knock. This is a non-compliance with 313.6 (a)(1) which requires the animal to be rendered unconscious on the first attempt. This non-compliance is linked with the previous non-compliance SAN4909125321N.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7722+P7 722+V7722	Jones Meat & Food Services, Inc.	SAN221 301161 7N-1	01/16/2018	04C02	Livestock Humane Handling	313.1	At approximately 8:30 am while performing HATS II task, I (b) (6), observed the unloading of 15 Jersey Dairy Cows. 1 out of the 15 cows was facing the front of the trailer and fell off the back of the trailer when the other cows pushed forward. The fall was approximately 1 foot. The cow struck its left hip/ lumbar region on the ground. The cow was able to raise unharmed and walk normally to the pen after the fall. Then at approximately 12:40 pm while observing unloading of 10 Jersey Dairy Cows 1 cow jumped off the trailer, about 1 foot from trailer to ground, on landing it fell to its right hip. The cow was again able to rise unharmed and proceed to the chute. This meets the FSIS definition of a fall: When an animal loses an upright position suddenly, in which a part of the body other than the limbs touches the ground or floor. Brent Jones, establishment owner, was notified that this is a non-compliance with 9 CFR 313.1(b); which required pens, driveways and ramps to be maintained so as to provide good footing for livestock.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7722+P7 722+V7722	Jones Meat & Food Services, Inc.	SAN341 401061 7N-1	01/17/2018	04C02	Livestock Humane Handling	313.1, 313.2	At approximately 12:40pm while performing HATS VII task, I (b) (6), observed the establishment owner, Brent Jones, and (b) (6), moving cows. This was a group of dairy cows. While trying to separate a Holstein from the group Jersey Cow next to it was startled and lost its footing. The floor of the coral was slick and manure covered at the time. The Jersey cow fell to its right side. The Jersey was allowed to rest for a few minutes then an attempt was made to get the cow to rise using the hot shot. The Jersey was able to move onto its left side but was unable to rise. After a second attempt to get the cow to rise failed the cow was condemned on ante-mortem re-inspection and shot in the pen. Establishment owner, Brent Jones was informed that this is a non-compliance with 313.1(b); which requires pens, driveways and ramps to be maintained so as to provide good footing for livestock, and 313.2(a); which requires driving of livestock to be done with a minimum of excitement and discomfort.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7722+P7 722+V7722	Jones Meat & Food Services, Inc.	SAN101 501022 5N-1	01/25/2018	04C02	Livestock Humane Handling	313.1	<p>At 1:30 pm while performing HATS II task I, (b) (6) observed the unloading of 2 Holstein Dairy Cows. The first cow was non-weight bearing on it's right front foot. When it stepped the approximately 1 to 2 ft off the back of the trailer it slipped on the left front but did not fall. It then ambulated approximately 10 ft to the start of the chute to the knocking box. The second cow unloaded right behind it. As plant employee, (b) (6) attempted to move the first cow forward the second cow turned and headed back onto the trailer. In the act of jumping back onto the trailer the second cow's rear legs were unable to get good traction in the trailer and it fell to its left hip and laid down in the trailer. The first cow then started to advance in the chute. It was unable to find good footing for its left front foot and the cow fell onto it's sternum. (b) (6) attempted to get the cow to rise with electric prod. On the first attempt the cow vocalized and was unable to rise. I condemned the first cow as non-ambulatory, Z8353306. The first cow was shot in the chute and disposed of. The second cow on the trailer was allowed to rest for approximately 10 min, then was able to rise on its own and walk into the knock box. (b) (6) and plant owner, Brent Jones, were informed that this is a non-compliance with 9 CFR 313.1 (b); which required pens, driveways and ramps to be maintained so as to provide good footing for livestock.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8120+P8 120+V8120	Wood's Meat Processing, Inc.	ETI5216 051709 N-1	05/09/2018	04C02	Livestock Humane Handling	313.2	On May 9, 2018 at approximately 08:00 hours, (b) (6) observed the following non-compliance while performing the PHIS Livestock Humane Handling task. Pens four and five each had two beef in them and the automatic waterer between the pens was empty. Pen one had four hogs and they had no water. I asked Mr. Angus Travers, plant manager, to accompany me to the pens and showed him there was no water in pens one, four, and five. Mr. Travers immediately provided water to the livestock therefore no USDA Retained tag was put in place. The establishment has failed to meet the regulatory requirements of 9 CFR 313.2(e) which states in part "animals shall have water in all holding pens". Mr. Travers was notified verbally and Mrs. Louise Wood, owner, in writing with this non-compliance report. No similar NRs have been written in the preceding 90 days.	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9228+P9 228+V9228	Carlton Packing Company	YQB331 702162 1N-1	02/21/2018	04C02	Livestock Humane Handling	313.30 (a)(2)	<p>At 1354 hrs on 2/21/2018 I (b) (6)) observed the establishment fail to minimize the excitement and discomfort of two market hogs in the knockbox while verifying HATS Category VIII. I observed the establishment employee effectively stun a market hog and during the process of hanging and sticking the stunned animal, I heard loud squealing coming from the approximately 6 market hogs remaining in the knockbox. One hog was squealing loudly while the other animals were moving around the knockbox in an excited manner and I observed that it was unable to stand on its rear limbs while trying to move with the rest of the excited hogs in knockbox. The plant employee completed sticking the hanging carcass and then came back to the knocking area at which time I instructed him to turn off the electrical stunner. At this time I observed one hog on the ground flailing its limbs and the plant employee delivered an immediate effective stun with a hand held captive bolt gun. The plant employee then retrieved a second hand held captive bolt gun from outside the knockbox and delivered an effective stun to the market hog that was unable to stand on its rear limbs. (b) (6) was observing this incident from inside the slaughter floor and I informed him at 1400 hrs that I was taking a Regulatory Control Action by rejecting the knockbox with U.S. Tag B42124931. (b) (6) volunteered to review the video monitoring of the knockbox with me in his office at 1420 hrs. Based on the video footage, the two affected market hogs came into contact with the hanging electric wand and reacted excitedly. The first hog backed into the wand at 1354:00 and immediately went into lateral recumbancy displaying signs of tonic-clonic seizure. This animal was effectively stunned by hand held captive bolt at 1354:30. The second hog made contact with the wand at 1354:05 and immediately displayed hind limb paresis as it</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							excitedly moved away from the stunning wand. The second hog was effectively stunned by hand held captive bolt at 1354:50.	
M9230+P9 230	Dayton Natural Meats, LLC	KDD271 802040 6N-1	02/06/2018	04C02	Livestock Humane Handling	313.2	While performing Humane Handling Activities Tracking System (HATS) Category II Trailer Unloading on 2/06/2018 at approximately 1400 hrs I (b) (6) observed two goats escape from the facility during unloading from the side door of a gooseneck livestock trailer. The two goats escaped through a gap between the trailer and unloading dock and ran into the wooded area North of the establishment's antemortem pens. In conversation, (b) (6) informed me that a goat had escaped during unloading after official inspection hours on 01/30/2018. The establishment has failed to drive goats from the unloading ramps to the holding pens with a minimum of excitement to the animals.	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9246+P9 246+V9246	Crystal Creek Meats	IIA0617 010025 N-1	01/25/2018	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 1245 while performing the livestock humane handling task HATS category VIII, (b) (6) observed the stunning of a market hog by plant manager Kyle Barklow with a handheld captive bolt stunner. Mr. Barklow administered one blow to the hog. The animal failed to be rendered unconscious and began squealing loudly. Within 5-10 seconds, Mr. Barklow had administered a second stun with a captive bolt stunner and the animal was fully unconscious. (b) (6) verified that the animal was unconscious prior to it being removed from the stunning area and being hung and bled. (b) (6), was walking towards the stunning area at this time and heard the pig begin squealing. She confirmed that the second stun was administered immediately upon the pig beginning to squeal, but was unable to see the first stun. The slaughter line was immediately halted. The head of the pig was skinned and two holes were present. One hole was on midline caudodorsal to the eyes and one hole was approximately 1 cm left of midline. Brain material was oozing out of both holes. Mr. Jacob Shepherd, plant owner, was then informed that failing to render an animal unconscious on the first stunning attempt is a non-compliance with 9 CFR 313.15(a)1.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9252+P9 252+V9252	Bright Oak Meats, Inc.	GHD39 100355 09N-1	03/09/2018	04C02	Livestock Humane Handling	313.2	<p>After performing livestock humane handling task, category III water and feed availability at 0740, (b) (6) informed me (b) (6) that the 10 cattle in the pen #2 have no access to water. The water container was completely empty. I immediately informed (b) (6) of the failure to meet CFR regulation 313.2(e) Handling of livestock. Water was provided for the animals at about 0750. The requirements of 9 CFR 313.2 (e) read: Animals shall have access to water in all holding pens at all times and if held longer than 24 hours access to feed. There shall be sufficient room in the holding pens for animals held overnight to lie down. This documentation serve as written notice of noncompliance that plant failed to meet Animal Humane Handling regulations 313.2(e) on this day. No similar noncompliance in the last 90 days. You are hereby advised of your right to appeal this decision as delineated by 306.5 and/or 381.35 of 9 CFR.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9264+P9 264+V9264	Malco's Buxton Meat Co	QSH011 604351 2N-1	04/12/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	<p>HATS Category VIII Stunning effectiveness. At 0810 while observing (b) (6), knock the only beef animal to be slaughtered today I, (b) (6), witness the knock to be ineffective as the animal moved just as (b) (6) pulled the trigger. During the knocking, the animal was skittish inside the knock box, I observed (b) (6) taking his time prior to knocking it. It dropped, then immediately rose to a standing position, rhythmic breathing was observed. (b) (6) immediately reloaded the hand-held captive bolt knocking gun without any problems and stunned the animal a second time successfully. This is in violation of 9 CFR 313.15 (a) which states: "(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." The lag time between the two stuns was approximately 30 seconds. The animal was not in a head restraint, though a head restraint is connected to the knock box. The animal was rolled onto the slaughter floor, the eye was checked for reflex then determined to be stunned insensible. The animal was then shackled, hoisted and bled out without any signs of consciousness. After the successful stun, I inspected the head restraint which appears designed for small animals and animals without horns. I had a conversation with (b) (6) regarding the head restraint; he explained that the restraint mechanism does not work properly and is too small for most of the animals that are slaughter here. Per instructions the slaughter was halted. U.S. Reject tag #B30 449484 was placed on the knock box at approximately 0845 hours. After consultation with SPHV the tag was removed</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							allowing slaughter to resume at 1100 hours. (b) (6) and Plant Manager, Eddie Malkovsky were verbally informed of the noncompliance and that a NR would be issued. This establishment is under a Verification Plan triggered from a Suspension of Slaughter that is Held in Abeyance dated 04/05/18. This NR is written notice that continued failure to meet regulatory requirements could lead to additional regulatory action.	
M9265+P9 265	Marks Meat, Inc.	CFJ590 901123 1N-1	01/31/2018	04C02	Livestock Humane Handling	313.2	On Tuesday, January 30, 2018, at approximately 1400 hours, (b) (6) observed 5 hogs in pen 11 that did not have access to water. A plant employee was notified and asked to correct the deficiency. Shortly after this notification inspection personnel verified that a bucket of water was made available to the hogs. Plant management was also notified by (b) (6). This incident is in non compliance with 9 CFR 313.2(e). There have not been any similar non compliance reports written in the last 90 days.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9265+P9 265	Marks Meat, Inc.	CFJ221 102352 6N-1	02/26/2018	04C02	Livestock Humane Handling	313.2	<p>On February 26, 2018 at approximately 8:45am while observing truck unloading at Est 9265. (b) (6) and (b) (6) observed the following non-compliance. A customer arrived to drop off sheep. The sheep were in the bed of a pickup inside of a crate. The customer lowered the tailgate of the truck and pulled the animals off the back of the pickup over a drop of approximately 3 feet. Using a halter on the first animal the customer pulled the animal into the holding pens. The second animal did not have a halter and the customer pulled the animal into the holding area using a front limb. The animals remained on their feet during the entire process; conscious animals were not being drug they were being pulled rather than driven into the holding pens. The animals didn't appear to be in any pain or discomfort; rather, the animals appeared confused and disoriented. This is non-compliant with 9 cfr 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. Establishment owner James Serlin was immediately notified of the issue and he spoke to the customer to address the issues. When unloading animals at the establishment clients of the establishment are considered to be operating on behalf of the establishment, therefore, any issues that arise regarding humane treatment of animals are the responsibility of the establishment. Ensuring anyone dropping off animals at the establishment is properly trained and understands the regulations regarding humane handling of livestock is necessary to ensure that animals are treated humanely and injury to the animals is prevented.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9265+P9 265	Marks Meat, Inc.	CFJ151 003320 6N-1	03/06/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category II and VI At approximately 1415 hours on Monday, March 05, 2018, I, (b) (6) observe the unloading of sheep from a 24 foot animal hauler arriving at Marks Meats in Canby, Oregon. As the driver attempts to open the rear doors to the trailer I observe the driver swinging a plastic paddle over the heads of the sheep and making contact. As the sheep react and move away from the immediate area 2 to 4 sheep are observed laying on their sides beneath the 3 or 4 which departed that zone. A scan of the entirety of the trailer shows that it is packed with sheep and no open space is available. I ask the individual unloading the trailer to stop hitting the animals over the head and allow the sheep which are lying down to get up. He states that is what he is trying to accomplish. I then ask if, in his opinion, the trailer is large enough to handle this many sheep. He states he does not know, he is just a driver. He states that the rancher or his staff loads the trailer and he just unloads it. I ask him how many sheep are in the trailer and he states 57. I immediately go to the establishment front office to notify plant owner James Serlin of the issue and ask him to come out and discuss this matter with the driver. I explain my concerns of overcrowding in the trailer and the actions of the driver hitting the animals over the head with the plastic wand. Mr. Serlin has a short talk with the driver and then states to me that he explained the establishment's animal handling protocols and the ones specific to USDA's humane handling regulations. Mr. Serlin states that he and the driver will convey to the animal owner the issues of overcrowding in the trailer and that the establishment will not accept animals in this condition the next time a trailer arrives in such condition. Subsequent inspection of unloaded animals in pens shows that all are walking or upright. Mr. Serlin confirms the sheep count at 57. (b) (6) notifies agency supervision at</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							approximately 1440 hours. This non-compliance report is being linked to NR#2211023526 and is indicative of a trend of non-compliance at this establishment. Previous corrective actions were either not effectively implemented, or not effective at preventing further non-compliance on behalf of the establishment. Please provide further corrective actions that will be taken in order to prevent these occurrences and ensure that animals are treated humanely and according to federal regulations. Continued non-compliance will result in further regulatory control action begin taken on behalf of the agency in accordance with 9 CFR part 500.	

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9265+P9 265	Marks Meat, Inc.	CFJ121 504522 7N-1	04/27/2018	04C02	Livestock Humane Handling	313.1	<p>On Friday, April 27, 2018, I, (b) (6) had just finished a Livestock Ante Mortem inspection of three beef housed in three separate pens of the establishments barn. While walking back to the inspection office I heard a thump in the barn and turned to notice one of the beef in pen #23 on all fours with its chin on the ground. The animal righted itself and was able to maintain its balance and weight. Inspection of the pen floor showed accumulation of various species/forms of feces, dirt, mud and water. After confirming with an (b) (6) that the animal did slip and go down I asked if there were plans to clean the pens soon. He stated he would ask management. After confirmation that the animal was mobile and free of severe pain (no vocalization or limping) I notified James Serlin and (b) (6) of the occurrence. James stated that the pens have not been cleaned recently due to the septic tank being full and any runoff would increase water load and cause problems. He also stated that those pens have not been washed down in years and are only scrapped, shoveled and swept. (b) (6) asked if it was not acceptable for animals to slip and fall down when on plant premises. I responded that FSIS expects pens, driveways and loading ramps to be constructed in a manner that helps reduce slips and falls. Although slips and falls do happen occasionally, it is the establishments responsibility to take actions that will prevent and eliminate such occurrences. Sand and straw have been utilized in the past to help prevent these occurrences but as of late no such actions have taken place despite verbal notifications by IPP that the pens were becoming slippery. This issuance of this report is notification of non-compliance with 9 CFR 313.1(b). Review of records show no similar cause NR's in the last 90 days.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9270+P9 270+V9270	Mt. Angel Meat Co.	QYB480 904091 8N-1	04/17/2018	04C02	Livestock Humane Handling	313.16(a)(1)	HATS category VIII stunning effectiveness On 04/17/2018 at establishment #M9270 at approximately 1326 (b) (6) heard a gunshot that was for stunning a large sow. Immediately afterwards (b) (6) heard the sow vocalize loudly. When (b) (6) arrived at the location he noticed that the sow was lying on its side and had stopped vocalizing, but was showing signs of rhythmic breathing. The establishment employee who conducts the stunning asked (b) (6) if he should administer another stun attempt. (b) (6) answered in the affirmative. Another stun attempt was administered, successfully rendering the sow insensible. The estimated time between stunning attempts was approximately 1 minute. (b) (6) applied U.S. Reject Tag #B37852075 to the Stunning Area after conferring with (b) (6) via phone. A review of the establishment's compliance history failed to reveal an associated noncompliance documented within the last 90 days.	CLOSED
M12426+V 12426	Andrade Slaughterhouse	ECK380 305180 7N-1	05/02/2018	04C02	Livestock Humane Handling	313.2	Andrade Slaughterhouse: At approximately 0258 hours, while I was performing PHIS task, Humane Handling-Good Commercial Practice, Livestock Humane Handling, I observed two of the holding pens did not have water access for the animals. This issue had been discussed with Kevin Blackstad, General Manager, during Establishment Awareness Meeting, on 4/11/2018 and 4/18/2018. In accordance with 9 Code of Federal Regulations, Part 313.2(e), Revised as of January 1, 2018, states: (e) Animals shall have access to water in all the holding pens and, if held longer than 24 hours, access to feed. Further planned corrective action is addressed in response to this NR by the establishment.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P533	Hain Pure Protein Corporation - FreeBird East	AKB280 901392 4N-1	01/24/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>At P533 Hain Pure Protein on 1/24/2018 at approximately 0600 hours (b) (6) informed me, (b) (6), that he noted empty shackles while on the evisceration floor; we went immediately to live receiving where we found that a total of 83 birds had died on the transfer belt from the unloading area to the shackling area. By the time we arrived to live receiving most of the dead birds had been removed from the transfer belt and condemned. (b) (6) informed (b) (6), and Tom Cazee, Assistant Plant Manager, of our observations; a mechanical failure was cited as the cause of the issue. Tom Cazee showed me a video illustrating how the chain that runs the belt was getting stuck, with the result that birds were being packed together on the belt and suffocating. After gathering information about the incident and viewing the camera footage from earlier that morning, Tom Cazee and (b) (6) were notified of my intention to write a noncompliance report. Previous preventive measures for this issue included verbal warnings to employees, re-training of employees, repairs to the transfer belts and brake system, and the installation of a camera system. These have failed in preventing the occurrence of similar circumstances as documented in a previous noncompliance report on 12/15/2017 (NR #AKB4810120815N). This is the fifth instance where the establishment lost control of its process resulting in the deaths of a large number of birds by means other than slaughter; this indicates that the establishment is unable to prevent these problems from occurring which represents noncompliance with 381.65(b). At approximately 0630 hours (b) (6) and I returned to live receiving and found (b) (6), removing birds whose necks were not cut from the line between</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>the neck cutter and the scalding. I noted that there was a greater than normal number of birds flapping their wings and that some had not had their necks cut at all. At this point (b) (6) requested that the plant stop hanging live birds until the issue was resolved. I was informed by (b) (6) and (b) (6) that a newly trained employee had been acting as a back-up neck cutter and that they had replaced him with a more experienced employee. Once I verified this, live hanging was allowed to continue. A total of 15 cadavers were taken off the line after the scalding by plant employees, indicating that live birds were entering the scalding and dying by means other than slaughter. I notified (b) (6) and Tom Cazee of my intention to write a noncompliance report. In both cases, the large number of birds that died by means other than slaughter is evidence of a process out of control and represents noncompliance with 9 CFR 381.65(b). The PPIA (21 U.S.C. 453(g)(5)), and 9 CFR 381.90, provide that poultry carcasses showing evidence of having died from causes other than slaughter are considered adulterated and must be condemned.</p>	

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P533	Hain Pure Protein Corporation - FreeBird East	AKB0912014526N-1	01/26/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>At P533 Hain Pure Protein on 1/26/2018 at approximately 0845 hours, (b) (6) noted empty shackles while on the evisceration floor giving breaks to the food inspectors. After finishing breaks at 0920 (b) (6) was informed by Tom Cazee, Assistant Plant Manager, that a total of 20 birds had died on the transfer belt from the unloading area to the shackling area. After going to the live receiving area, (b) (6) spoke to (b) (6), and (b) (6), who were unaware of the cause of the problem at that time. (b) (6) informed Tom Cazee that he was going to contact the SPHV. I traveled from another establishment (P1304 Farmer's Pride) and by the time I arrived to live receiving at P533 all dead birds had been removed and condemned and operations were proceeding normally. After gathering information about the incident and viewing the camera footage from earlier that morning, Tom Cazee was notified of my intention to write a noncompliance report. Plant management cited a mechanical issue with the bearings, which were replaced. Maintenance management also stated that they would increase the speed of the transfer belt. The large number of birds that died by means other than slaughter is evidence of a process out of control and represents noncompliance with 9 CFR 381.65(b). Previous preventive measures included verbal warnings to employees, re-training of employees, installation of a camera system, and repairs to the transfer belts, brake system, and chain that runs the belt. These have failed in preventing the occurrence of similar circumstances as documented in a previous noncompliance report on 1/24/2018 (NR AKB2809013924N). The PPIA (21 U.S.C. 453(g)(5)), and 9 CFR 381.90, provide that poultry carcasses showing evidence of having died from causes other than slaughter are considered adulterated and must be condemned.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M791+P791+V791	Clemens Food Group, LLC	MXL1314015904N-1	01/04/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII - Stunning Effectiveness On January 4, 2018, at approximately 0530 hours, while performing humane handling verification activities in the suspect pen at Est. 791 I (b) (6) observed the following Noncompliance. The establishment employee applied a captive bolt stunning device to the head of a market hog. As the stunner made the first stunning attempt with the captive bolt, the hog moved its head up. The stunning attempt hit the head as evidenced by the hog's sudden movement away from the stunner and a penetrating hole on the top of the head where the captive bolt hit, however the hog remained in sternal recumbency and vocalized. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which made the hog insensible. (b) (6) was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton Inc.	KID441 001400 4N-1	01/02/2018	04C02	Livestock Humane Handling	313.2	<p>HATS CATEGORIES FOR VERIFICATION Category I-Inclement Weather Category III- Water and Feed Availability On Tuesday, 01/02/18, at approximately 0800 hours, IPP informed me of the following noncompliance. Specifically, IPP observed that the large water troughs in pens (42, 43, 44), (60, 61, 62) and (63, 64, 65) were empty, due to the severe cold and that the water pipes running to these troughs were frozen and clogged. Each of the aforementioned respected pens contained cattle that were unable to drink water due to this condition. Immediate regulatory control was taken and the aforementioned pens were rejected, utilizing U.S. Rejected/Retained tags B38147520, B38147426, and B38147676. The cattle were then removed from these pens, under my direct supervision and placed in pens with functioning water troughs. Repairs were made to the water troughs and the regulatory control action was relinquished when appropriate conditions were restored. (b) (6) was informed of the noncompliance and the establishment's failure to follow the regulatory requirements prescribed in 9CFR 313.2(e).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton Inc.	KID561 501440 4N-1	01/04/2018	04C02	Livestock Humane Handling	313.2	<p>HATS CATEGORIES FOR VERIFICATION Category III-Water and Feed Availability On Thursday, 01/04/18, at approximately 0840 hours I (b) (6) observed the following noncompliance: the smaller water trough utilized by pens 21 and 22 was devoid of water and had a thin layer of moist debris. The larger water trough running the back length of the pens was also devoid of water. Pen 21 had 28 steer and pen 22 had 33 cows that were unable to drink water. After I informed first (b) (6), and then (b) (6), of the lack of water the establishment took immediate corrective actions and refilled the smaller water trough therefore no US Reject/Retain tag was needed. (b) (6), is informed in writing of the aforementioned noncompliance and of the establishment's failure to follow the regulatory requirements prescribed in 9CFR 313.2(e). This noncompliance is linked to a previous noncompliance record KID4410014004N with the same root cause.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton Inc.	KID380 401171 1N-1	01/06/2018	04C02	Livestock Humane Handling	313.2	<p>HATS CATEGORIES FOR VERIFICATION CATEGORY III-WATER & FEED AVAILABILITY The following noncompliance was noted at 0750 hrs by (b) (6) on Saturday 06 January 2018 and I received notification of the noncompliance as the acting SPHV at Est 1311 on this date: Frozen watering troughs in Pens #41 and #44 which contained cows within at the time of noncompliance and no alternative unfrozen water source available within these pens. (b) (6) took immediate regulatory control action by affixing US Rejected/US Retained tags B38147776 (Pen 44) and B38147780 (Pen 41). (b) (6) was notified of the noncompliance. The establishment immediately rectified the situation by removing the cows from these pens. The pen remained under control by FSIS until tags were removed by (b) (6) on Monday. This is linked to noncompliance number KID5615014404N with the same root cause. The establishment is not in compliance with the following regulation: 9 CFR 313.2(e).</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton Inc.	KID460 501351 1N-1	01/10/2018	04C02	Livestock Humane Handling	313.2	<p>Category III- Water and Feed Availability On Wednesday morning, January 10, 2018 I, (b) (6) was performing a walk-through inspection of the barn pens when I observed that the blue plastic water trough jointly serving pens 35 and 38 had no water in it. Both pens were being used to hold small groups of cattle at the time, and no other water was available to these animals. I immediately alerted (b) (6) and observed as he promptly moved the affected cattle to pens that had working water troughs. No Reject tags were issued since barn personnel immediately took control of the situation and removed animals to appropriate holding pens. I informed (b) (6) and (b) (6), that an NR would be issued for holding animals without providing access to water. Failing to provide access to water for animals in lairage is a non-compliance to 9 CFR § 313.2(e) Animals shall have access to water in all holding pens.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton Inc.	KID541 501271 6N-1	01/16/2018	04C02	Livestock Humane Handling	313.2	<p>HAT Category II: Truck Unloading On Tuesday December 16th at approximately 9:30 am while performing the humane handling verification of truck unloading I, relief SPHV, observed the following noncompliance: A truck driver was unloading the first group of dairy cattle from a truck when the last cow in the group went down in the alley inside the Establishment between the unloading dock and the scale and did not rise. The dairy cow's body was positioned diagonally on the floor of the alley blocking the alley except for approximately one foot on one end of the cow so it would not be possible for other animals to be unloaded at the same time without stepping on, over, or around the down animal. The truck driver attempted to make the dairy cow rise using a paddle but the cow did not rise. The driver then walked to the scale to secure the cows from the first group and then walked back to the non-ambulatory cow and tried again to get the cow to rise using a paddle but the cow did not rise. Then he walked around the cow to the truck and released and began driving the remaining cows from the truck into the alley where the dairy cow was lying. I observed several cattle step over and around the non-ambulatory cow at which point I went to the nearby unloading office to inform the barn supervisor of the situation. In the meantime, multiple cattle were moved off the truck and up the alley from the truck, around or over the aforementioned down animal, which was blocking the alley. The barn supervisor immediately stopped truck unloading and herded the ambulatory cattle away from the non-ambulatory dairy cow. A final attempt was made by the barn supervisor and a barn employee to get the non-ambulatory cow to rise using their hands and paddles but was unsuccessful. The non-ambulatory cow was then euthanized humanely and removed from the alley before the remaining cattle were unloaded and driven to the</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							scale. This is a noncompliance with federal regulation 313.2(d)1 which states that disabled animals and other animals unable to move shall be separated from normal ambulatory animals.	
M1311	JBS Souderton Inc.	KID570 702101 3N-1	02/13/2018	04C02	Livestock Humane Handling	313.2	HATS Category I - Water and Feed Availability On Tuesday, February 13, 2018 at 6:06am I (b) (6) was performing antemortem when I noted that pen 17C's plastic blue water trough was empty. The pen at the time was holding four dairy cows. I pointed this out to the barn employee assisting me, who immediately turned the water line on, filling the trough which then began to overflow. The employee then turned the water off, leaving the pen with a temporary water supply. I informed the employee in charge of the pens at that time that an NR for water availability would be issued and placed a retain tag on the pen to prevent its further use. Failure to provide access to water for animals in lairage is a non-compliance of 9 CFR § 313.2(e).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton Inc.	KID171 502341 4N-1	02/14/2018	04C02	Livestock Humane Handling	313.2	While walking through center alley of the empty barn at the end of kill on Wednesday, February 14, 2018, I (b) (6) felt my boot snag while walking past Pen 21. I discovered that a flat metal support between the bottom rail of the gate and next rail up had been bent outwards and torn, leaving a sharp edge protruding about a quarter of an inch outwards into the center alley. I alerted (b) (6), to the situation and he immediately had QA tags affixed to pen 21 as well as to Pen 22, where another metal support had been cut and pushed slightly into the pen. As this was taking place, an employee from maintenance came out to assess the damaged areas, and began preparations to immediately repair the two areas where sharp metal was present. I informed (b) (6) and (b) (6) who also was present at the scene that an NR would be issued due the presence of sharp edges in the pens and alleyways, per 9 CFR § 313.1(a) Livestock pens, driveways and ramps.	CLOSED
M1311	JBS Souderton Inc.	KID111 402542 7N-1	02/27/2018	04C02	Livestock Humane Handling	313.1	Today at approximately 12 noon I (b) (6) was told by the barn IPP that a pen gate had fallen and pinned a cow to the ground. I immediately went down to the barn and found a black dairy cow standing in Pen 17D with the gate leaning against one side of the pen. I entered the pen to ascertain the status of the animal, which was not in distress, had no obvious injuries and was ambulatory. The Establishment's immediate response was to free the cow and then after I had examined it move it to an adjoining pen. Establishment QA had placed their own orange tags to both entrances to the pen to prevent further use. I placed reject/retain tags on both entrances as well. The Barn Supervisor was informed that the Establishment would receive an NR for CFR Title 9 § 313.1 (a) failure to keep livestock pens in good repair.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton Inc.	KID251 303072 2N-1	03/16/2018	04C02	Livestock Humane Handling	313.1	<p>On March 16, 2018, at approximately 1600 hours, I (b) (6) observed the following noncompliance in the barn area. Specifically, while crossing the catwalk on my way to conduct ante mortem inspection, I observed a Holstein Steer, in pen 23, with its head stuck in the crossbars of the water trough. The animal attempted to free itself from the bars, but was incapable of doing so and establishment personnel were required to euthanize the animal, utilizing a handheld captive bolt. After the animal was euthanized, establishment personnel safely transferred the remaining animals that were still in pen 23, to another pen. Regulatory control was then taken and pen 23 and the water trough were rejected, utilizing US Rejected/Retained tags #B38147056 and B38147060. Upon further inspection of the crossbars at the water trough, it was observed that the gap between the middle and bottom crossbar (where the animal's head was stuck) was significantly wider than the gap between the top and middle crossbar. Regulatory control of pen 23 was relinquished the following day, after repairs were made to the water trough. (b) (6), was notified of the noncompliance and the establishment's failure to comply with the regulatory requirements of 9CFR 313.1 (a).</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton Inc.	KID551 403041 9N-1	03/19/2018	04C02	Livestock Humane Handling	313.1	On April 19, 2018 at approximately 07:11 hours I (b) (6) observed the following non compliance in the barn. I observed the metal divider on pen # 16, broken exposing sharp metal edges at the bottom. I immediately took regulatory action and I placed USA Retained/Rejected tag # B38144581 and B38144577 to the pen gates. A similar non compliance(KID2513030722) was issue to the establishment on 3/16/2018 (b) (6) was informed of the establishment failure to comply with the regulatory requirement of 9 CFR 313.1(a).	CLOSED
M4465	Nicholas Meat LLC	KYM50 150232 26N-1	02/26/2018	04C02	Livestock Humane Handling	313.1	HATS Category VII Observation for Slips & Falls On Monday, February 26, 2018 at approximately 1348 hours I was conducting monitoring for Human Handling on the catwalk in the barn and observed the following non-compliance. While watching a truck of dairy cattle be unloaded into Pen 5, I observed multiple cattle (at least 3) have small slips (the meta carpus, the area below the knee, touched the ground) while first entering the pen. These cattle did not fall all the way to ground and their chest did not make contact with the floor. In addition, there was one dairy cattle that was pacing around the pen that had multiple small slips. Afterwards, the group of cattle was moved to pen 2 and at this point I observed one cow have a major slip and fall which resulted in its abdomen/brisket contacting the floor of the barn in the alleyway. All four feet were seen splayed out after the fall. The cow got up shortly afterwards. This is a violation of 9 CFR 313.1 (b). (b) (6), and (b) (6) were alerted to the situation and non-compliance. No RCA was taken because plant employees responded by placing barn-dry/wood shavings on the floor in order to improve traction.	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4999+P4 999	Pudliner Packing	CGN28 110207 21N-1	02/21/2018	04C02	Livestock Humane Handling	313.1	Category II Truck Unloading On 2/21/18 at 1135 hours while performing the review and observation component of the Humane Handling slaughter task the following noncompliance was observed. A hole was observed on the top platform of the unloading ramp in an area approximately 20 inches by 12 inches. Mr. Andrew Pudliner Sr. and Mr. George Blasko were immediately notified verbally. This ramp was rejected using US reject tag no. A4070580. No animals appeared hurt or injured due to this noncompliance. This is noncompliance with 9 CFR 313.1(a). A search of PHIS did not show any recent similar noncompliance.	CLOSED
M4999+P4 999	Pudliner Packing	CGN45 100302 22N-1	03/22/2018	04C02	Livestock Humane Handling	313.2	Category III - Water and Feed Availability On 3/22/18 at approximately 0958 hours while performing the Water and Feed availability component of the Humane Handling task the following noncompliance was observed. Cattle in the largest pen outside did not have access to water. Mr. George Blasko and Mr. Andrew Pudliner Sr. were notified and the animals were immediately given water. No regulatory control action was taken at this time. A search of PHIS did not show any recent similar noncompliances. This is noncompliance with 9 CFR 313.2 (e) states "Animals shall have access to water in all holding pens and, if longer than 24 hours, access to feed. There shall be sufficient room in the holding pen for animals held overnight to lie down."	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4999+P4 999	Pudliner Packing	CGN20 090318 28N-1	03/28/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>HATS Category VIII Stunning Effectiveness On 3/28/18 at approximately 0900 hours while performing the humane handling verification activities at Est. 4999, (b) (6) observed the following noncompliance and reported it to (b) (6). The Establishment moved a boar into the stunning area directly outside of the slaughter floor for stunning with a shotgun. (b) (6) stayed inside the slaughter floor record keeping area to listen from an adjacent room. He heard the first shot but instead of hearing the animal fall to the ground, as is customary after shooting, he instead heard sounds of vocalization (squealing) and not the rhythmic movement of reflexes that are typically heard after a successful stun. He then heard a second gunshot and the "All Clear" from the Stunner, signaling that stunning was complete. He then confirmed that the animal was insensible. I (b) (6) completed the examination of the skull. This examination revealed two full-thickness holes in the forehead of the animal. This observation, combined with what (b) (6) heard after the first shot, confirmed that the first stunning attempt did not immediately or effectively render the animal unconscious. Mr. Andrew Pudliner Sr., 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)."</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4999+P4 999	Pudliner Packing	CGN59 090511 01N-1	05/01/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII - Stunning Effectiveness</p> <p>On May 1, 2018, at approximately 0830 hours while performing humane handling verification activities at Establishment 4999M, (b) (6) observed the following Noncompliance and alerted the (b) (6). The Establishment moved a market swine into the stunning area for stunning with a hand held captive bolt. As the Stunner made the first stunning attempt with the captive bolt, the market swine moved its head. The stunning attempt hit the head as evidenced by a spot on the head where the captive bolt hit, but the market swine vocalized and remained standing as observed by (b) (6). The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which made the market swine insensible. (b) (6) observed two holes from the captive bolt in the swine's forehead region. Mr. Andrew Pudliner Sr., 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). A search of PHIS did not show any recent similar noncompliances involving the captive bolt.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7857	Marcho Farms Inc.	OLG491 203500 6N-1	03/06/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On March 6, 2018, at approximately 1015 hours, while performing humane handling verification activities in the barn at Est. 7857 I (b) (6) observed a plant employee attempted to stun the formula fed calf with a pneumatic non penetrating stunning device in the stunning box. The stunning attempt hit the head as evidenced by the calf sudden movement away from the stunner and a spot on the head where the stunning device connected with the head, however calf remained in upright position and alert, its eyes were open and following the movement. The stunner took immediate corrective action by using the hand held captive bolt and delivering a second stun, which made the calf insensible. (b) (6) was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1).	CLOSED
M7857	Marcho Farms Inc.	OLG471 303150 8N-1	03/08/2018	04C02	Livestock Humane Handling	313.30(b)(3)	HATS Category VIII - Stunning Effectiveness On 3/8/18 around 0225 hours, while I was performing Humane Handling tasks in the barn, I observed the following noncompliance. While I was walking up the left side on the runway towards the stunning area, I noticed a lamb being stunned with an electrical stunning device and placed on the conveyor table to be prepared for the bleeding process. While the table was in motion, the lamb began to struggle and started to rise to an upright position. The plant employee responsible for stunning, noticed this right away and took immediate corrective action by stunning the lamb with a hand held captive bolt. After observing a few more lambs being stunned, I did not notice any further issues. (b) (6) and (b) (6) were informed that this was a noncompliance of 9 CFR 313.30(b)(3)	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9369+P9 369	Alex Froehlich Packing Company	SOJ091 104242 4N-1	04/24/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On April 24, 2018, at approximately 1145 hours while performing humane handling verification activities at Establishment 9369M, Inspection Program Personnel (b) (6) and (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. The first stunning attempt was ineffective in rendering the animal unconscious. The stunning attempt hit the head as evidenced by the sow's vocalization and a hole on the head where the captive bolt hit. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which made the sow insensible. Mr. David Froehlich II, 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)." A search of PHIS did not show any recent similar noncompliances.	CLOSED
M9400+P9 400	Cargill Meat Solutions	WIL241 302120 8N-1	02/08/2018	04C02	Livestock Humane Handling	313.2	On 2/8/2018, at approximately 1310 hours, while performing ante-mortem inspection in the Pens Area. I observed that the water trough between pens 9 and 10 was completely empty and the animals in these pens were not able to access water. This is a non-compliance of 313.2(e) (b) (6), observed this non-compliance. Both (b) (6) and (b) (6), were both notified of this non-compliance. Immediate corrective action was taken. The water trough was filled and the animals were then able to access water.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9442+P9 442	Groff Meats Inc.	UTC450 903320 5N-1	03/05/2018	04C02	Livestock Humane Handling	313.2	<p>At approximately 1000 hours while observing the livestock pens I observed the following noncompliance: There were two pigs in the walkway along the truck unloading area. There was a board across the pen, confining the pigs to the short left side near the brown door.</p> <p>Discussion with (b) (6) confirmed no water is available in that pen. In addition, the far pen, approximately 3 ft. wide by 15 ft. long had approximately 13-14 pigs in it. There was a long water trough with minimal water and a shorter trough approximate 2 ft. long that was empty. The pigs in the pen near the empty water trough were piled 3-4 pigs deep. The pigs did not appear cold as the pigs in the next pen, 7-8 pigs, were not huddled or piled. The piled pigs would squeal and fight when one tried to get out of the pile. The piled pigs did not have accessibility to the water. I notified (b) (6) and Plant Owner Mr. Frank Groff of the noncompliance. No reject tag was applied to the pens as (b) (6) took immediate corrective action and moved the two pigs to an area with water. Mr. Groff addressed the area of the other pigs. You are noncompliant with 9 CFR 313.2 for water availability.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9442+P9 442	Groff Meats Inc.	UTC211 404590 6N-1	04/06/2018	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3)	HATS Category VIII - Stunning Effectiveness On April 6, 2018, at approximately 0913 hours while performing humane handling verification activities at Establishment 9442, I, (b) (6) observed the following Noncompliance. A market 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 in a rapid movement, the stun device landed folding the right ear back and pinning the ear between the head and the device. The hog immediately dropped to its left side and began squealing loudly. 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
M9442+P9 442	Groff Meats Inc.	UTC551 205581 6N-1	05/16/2018	04C02	Livestock Humane Handling	313.2	HAT Category V: Handling of Livestock At approximately 1202 hours while observing animal handling, I observed an employee trying to drive a roaster pig to the stun box. The pig was approximately 15-20 pounds and as soon as the employee got it to drive forward a little it turned around and went back the other way. The employee then picked the pig up by the hind left leg and while its front feet were still on the ground he proceeded to drag the pig to the stun box. The pig squealed when picked up and on the way to the stun box; it stopped squealing when it was released. No regulatory control action was taken as I immediately notified Mr. Frank Groff and corrective actions were taken. You are in noncompliance with 9 CFR 313.2(d)(2).	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9443+P9 443+V9443	LaRue Meat Processing	GGE551 101280 2N-1	01/02/2018	04C02	Livestock Humane Handling	313.2	HATS Category I Adequate Measures for Inclement Weather HATS Category III Water and Feed Availability At 0725 hours while performing the Humane Handling Verification task the following noncompliance was observed. Two cattle and one swine was observed in the pens to the left of the entrance to the barn if entering from the slaughter floor area. The water troughs in these pens were frozen. There was no access to water for these animals at the time of this observation. (b) (6) was notified verbally. (b) (6) then placed containers of water into the pens for these animals. No regulatory control action was taken at this time. A search of PHIS did not show any recent similar noncompliances. 9 CFR 313.2 (e) 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."	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9520+P9 520	Leidys, Inc.	UGA35 070114 05N-1	01/05/2018	04C02	Livestock Humane Handling	313.5	<p>On 1/5/18 around 0815 hours, while I was going downstairs to the barn to perform Humane Handling tasks, I observed the following noncompliance. I entered the barn area and as I walked down the steps, I noticed a hog standing up on the floor near the Stainless steel table, where the hogs are released after coming from the Carbon Dioxide chamber. I also noticed 2 plant employees standing near the hog so I walked over toward them to inquire about the hog. When I got closer, I noticed the hog was breathing very heavy. Then, I turned to my left near the stainless steel table and noticed another load of hogs coming up from the Carbon Dioxide chamber on the elevator to be released onto the stainless steel table. After the hogs were released from the elevator, I observed two hogs vocalizing while struggling to stand in an upright position. I immediately took regulatory control action by stopping the slaughter line, due to conscious hogs exiting the carbon dioxide chamber. The establishment took immediate corrective action by stunning the two hogs with a hand held captive bolt. At this time, I went to inform acting (b) (6) about the situation. After consulting with (b) (6) about the situation, we relinquished regulatory control of the slaughter line due to the immediate corrective actions implemented. The hog that I noticed earlier was sent down with the next load of hogs on the elevator to the gas chamber for stunning. I observed the next load of hogs exited the carbon dioxide chamber and did not notice any further issues. Both (b) (6) and (b) (6) were informed that this was a noncompliance of 9 CFR.313.5</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9520+P9520	Leidys, Inc.	UGA1805031328N-1	03/27/2018	04C02	Livestock Humane Handling	313.2	Category IV Pens to stunning area During the morning humane handling checks the following was observed: on two occasions when the hogs were being pushed into the CO2 elevator the hogs had their heads up on the backs of the hogs against the pusher and when they came to the opening to the elevator their head was caught between the top of the opening and the hogs back and they vocalized. On a third occasion one hog was up with its front legs on the hog against the pusher it became trapped in the shoulder area against the top of the opening and the hog against the pusher for about 2 seconds, the pusher was reversed and the animal wiggled itself down to a standing position. I examined the third animal after CO stunning no injury was observed. The hogs getting caught caused excitement, failure to move animals with a minimum of excitement and discomfort is a non compliance with 9 CFR 313.2 (a). (b) (6) was informed of this non compliance.	CLOSED
M9704+V9704	Springfield Meat Company	QGE3606014811N-1	01/11/2018	04C02	Livestock Humane Handling	313.1	HATS Category VII – Slips and Falls On January 10, 2018 at approximately 1052 hours, I (b) (6) was performing humane handling verification when I observed the following noncompliance: A black and white beef heifer was being unloaded from the trailer onto the ground in the antemortem bay (with a gap of approximately one foot between the trailer and the ground). As she stepped down, all four legs slid out sideways so that the animal fell and landed directly on her abdomen. Another animal was still in the trailer but I directed establishment personnel to cease unloading until the heifer recovered. Within a minute, the heifer regained her footing and continued walking with no apparent injury. I immediately informed (b) (6), of the aforementioned noncompliance and the establishment's failure to adhere to the regulatory requirements of 9 CFR 313.1(b).	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9704+V9 704	Springfield Meat Company	QGE071 101062 3N-1	01/23/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category VII Slips and Falls On January 23, 2018 at approximately 1200 hours, I (b) (6) was performing humane handling verification, accompanied by Richard Baringer(Owner) when I observed the following noncompliance: A brown and white heifer was being unloaded from the trailer onto the ground in the antemortem bay (with a gap of approximately one foot between the trailer and the ground). As she stepped down, her front two legs slid out sideways so that the animal fell and landed directly on her abdomen. Another animal was still in the trailer but she regained her footing immediately and continued walking with no apparent injury. The second cow walked off immediately after the first one regained her footing. The establishment immediately applied grit prior to any more unloading of livestock, therefor no regulatory control action was needed.</p> <p>I immediately informed (b) (6), of the aforementioned noncompliance and the establishment's failure to adhere to the regulatory requirements of 9 CFR 313.1(b). A similar noncompliance was observed 1/10/18.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9706	Baringer Brothers	CTF030 902470 6N-1	02/06/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>HATS Category VIII - Stunning Effectiveness On February 6th, 2018 at approximately 0820 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 steer was in the knock box, (b) (6) and I heard the first shot. Then we heard a second shot. We looked around the wall as we thought stunning had finished. The steer was still standing and backing away from the establishment employee with the rifle. We then went back behind the wall as it was clear stunning was not finished and a third and final shot was heard at which point (b) (6) and I confirmed the animal was rendered unconscious. Examination of the skull revealed two full thickness defects in the skull of the animal one of which was on midline and the other off to the left of midline on the animal's forehead. This observation, combined with what we saw after the second shot confirmed that immediate unconsciousness was not effected with one shot. 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).</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9784+P9 784+V9784	Leona Meat Plant Inc	OMK19 080111 10N-1	01/10/2018	04C02	Livestock Humane Handling	313.2	<p>On January 10, 2018 at approximately 0745 hours I observed the following noncompliance: At 0645 hours, (b) (6) performed a Pre Operational inspection on the pens area of Leona Meat Plant, est. M9784. At this time (b) (6) observed 2 pens, which were holding animals, had no water available. Also the beef holding pen has 2 parts, the front and the back. Each area has one location where the cattle can consume water. The back part of pen #1's watering location was frozen. At 0745 hours (b) (6) arrived at establishment M9784 and immediately followed (b) (6) to the pen area. At this time, an hour after the original Pre Operational inspection by (b) (6) I observed the same 2 holding pens without water and the back beef pen with frozen water. At this time I informed owner Charles Debach of this noncompliance and this violation of 9CFR 313.2(e). Mr. Debach took immediate corrective action. After Mr. Debach was through, the pens were re-inspected and released.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9814+P9 814	Twin Pine Farms Inc.	ALA391 104501 1N-1	04/11/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII - Stunning Effectiveness On April 11, 2018, at approximately 0705 hours while performing humane handling verification task at Est. M9814, (b) (6) and I (b) (6) observed the following noncompliance. Establishment moved a beef heifer into the stun box. The heifer was standing freely in the stun box. The stunner made the first stunning attempt on the heifer with a hand held captive bolt. The stunning attempt made contact with the heifer as evidenced by it dropping to the ground. The heifer was not rendered completely insensible as evidenced by being in a sternal position, having her head and neck up, appearing to be looking around, and starting to scramble as in trying to stand or escape. The stunner immediately took corrective action by reloading the captive bolt and delivering a second stun, which made the heifer insensible. Mr. Denny Ilyes, the Plant Owner, was notified of the noncompliance and the establishment's failure to comply with the regulatory requirements of 9 CFR 313.15(a)(1).</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M20760	USA Pork Packers Inc	YKM49 130107 08N-1	01/08/2018	04C02	Livestock Humane Handling	313.30(a)(3), 313.30(b)(3)	Electrical; stunning or slaughtering with electric current. 9 CFR 313.30 (a)(3), 9 CFR 313.30 (b)(3) On Monday January 8, 2018 approximately at 0845 hours after I finished ante-mortem inspection and when I was waiting at the barn area to watch the stunning of one suspect non ambulatory disabled market hog I saw the following non- compliance: The plant separated one suspect non ambulatory disabled market hog(approximately 240 Lb.) at the barn front area (unloading area) next to the scale and while I was watching the electric stunning procedure of that hog I saw the plant employee applying the first stun on the back of the head which did not render the hog unconscious where I saw the hog vocalizing loudly after the application of the first stun, the plant employee failed to render the animal unconscious. The plant employee took an immediate corrective action after one second by applying a second stun which was successful where I saw the hog was unconscious after the second application of the electric stun. I informed (b) (6) and (b) (6) with the non -compliance. The plant was not compliant with 9 CFR 313.30 (a)(3) and 9 CFR 313.30 (b)(3).	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562	JBS Green Bay, Inc.	QSM10 060129 03N-1	01/02/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On January 2, 2018, at approximately 4:00 pm while performing HATS category VIII stunning effectiveness, (b) (6) observed the secondary knocker take the hand held captive bolt device and attempt to stun a steer. The steer was conscious as the steer's head did not drop and was blinking and looking around. The stunner immediately took a secondary hand held captive bolt device and effectively stunned the steer. (b) (6) took regulatory control and tagged the knocking restrainer with U.S. Rejected tag #B38149130 and notified (b) (6) of the noncompliance. The head was skinned and showed an angled hole 3" directly dorsal of the medial commissure of the left eye with penetration through the skull. The second knock hole was in the center of the head; central frontal bone. After the establishment gave verbal corrective actions to (b) (6) released the knocking restrainer. This noncompliance is associated with NR QSM 4711120204 dated 12/01/17 as the preventative measures proffered by the establishment in response to the previous NR were either not implemented or were not effective.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562M	JBS Plainwell, Inc.	CFO561 201251 9N-1	01/19/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 1:45 PM, (b) (6) was observing stunning procedures (HATS Category VIII) at JBS Plainwell (M562). (b) (6) observed the stunner attempt to stun a Holstein steer with the pneumatic captive bolt. The animal was moving its head at the time the stunner discharged the device; resulting in the steer being struck in the right temple and not rendered unconscious with the initial stunning attempt. (b) (6) observed that the animal then moved its head around in a very controlled manner and was blinking naturally. The stunner grabbed the pre-loaded handheld captive bolt device and successfully rendered the steer unconscious with the second attempt. (b) (6) was notified of the stunning non-compliance. 9 CFR 313.15(a)(1) states 'The captive bolt stunners shall be applied to livestock in accordance with this section so as to produce immediate unconsciousness in the animals' 9 CFR 313.15(b)(1) states 'The stunning are shall be designed and constructed as to limit the free movements of the animals sufficiently to all the operator to locate the stunning blow with a high degree of accuracy.'</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562M	JBS Plainwell, Inc.	CFO200 801212 3N-1	01/23/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category IV Handling during AM On January 22 2018 at approximately 9:30 am (b) (6) was called to the knocking area by (b) (6). A steer had fallen in the lead up to the knocking box just after the brisket rail begins but before the decline to the knock box. In the process of falling the steer had gotten its head stuck between the brisket rail and the side wall in such a way that there was no possible access to stun the animal. The plant asked (b) (6) to approve using a chain on the front leg to move the steer just enough to be able to stun the animal. (b) (6) gave permission to pull the animal forward. The steer was pulled about 1 foot forward but the head started to tuck under the body instead of come out so (b) (6) had the plant stop pulling. The plant was then going to try to pull the steer backwards to gain access, so the remaining steers in the lead up chute that had been separated by a portable black mat hung between them and the down steer were being pushed back out in the serpentine area. The front most steer in line pushed past the hanging black rubber and knocked it into the chute at that point. Then three steers in a row crawled over the down steer to enter the knock box. Four or five plant employees were trying to prevent the steers from moving forward with rattle paddles but were not successful. During this the down steer had back up enough to allow for access to the head. (b) (6) told the plant to stun the three steers that had entered the knocking box to allow for safe access to the down steer. The down steer was then knocked once to render it unconscious followed by two security knocks. The down steer was then dragged out of the chute to be disposed of at the end of the day as a non-ambulatory animal not for processing. These events concluded at approximately 9:50 am on January 22. The plant followed their robust humane handling program during this incident. (b) (6)</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							(b) (6) was informed that an NR would be issued for this incident. 9 CFR 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.	

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562M	JBS Plainwell, Inc.	CFO021 103023 ON-1	03/30/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 8:30 AM, (b) (6) was observing stunning procedures (HATS Category VIII) at JBS Plainwell (M562). (b) (6) observed the stunner attempt to stun a Holstein cow with the pneumatic captive bolt. The animal was at the end of the restrainer and was moving its head at the time the stunner discharged the device; resulting in the cow not being rendered unconscious with the initial stunning attempt. There was no blood visible after the initial stunning attempt. (b) (6) observed that the animal then moved its head around in a very controlled manner and was blinking naturally. The stunner grabbed the pre-loaded handheld captive bolt device and successfully rendered the cow unconscious with the second attempt. (b) (6) then followed the animal around to the bleed pit and got the house tag number 8381. (b) (6) tagged the cow on the head line and he and (b) (6) confirmed that there were two separate knocking attempts on the head. One hole was off midline towards the right eye and the other hole was in the correct location. At 9:05 AM Mr. (b) (6) and (b) (6), were notified of the stunning non-compliance. 9 CFR 313.15(a)(1) states 'The captive bolt stunners shall be applied to livestock in accordance with this section so as to produce immediate unconsciousness in the animals' 9 CFR 313.15(b)(1) states 'The stunning are shall be designed and constructed as to limit the free movements of the animals sufficiently to all the operator to locate the stunning blow with a high degree of accuracy.'</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562M	JBS Plainwell, Inc.	CFO031 405521 ON-1	05/10/2018	04C02	Livestock Humane Handling	313.15(a)(1)	At 2:46 PM, (b) (6) was observing stunning procedures (HATS Category VIII) at JBS Plainwell (M562) at the knocking box. (b) (6) observed the stunner attempt to stun a beef cow with the pneumatic captive bolt. The animal was moving its head when the stunner was trying to place the captive bolt so the stunner used the restrainer to back the cow into the chute to reduce movement. The animal became much more still but still jerked its head when the captive bolt was discharged causing the cow to not be rendered unconscious with the initial stunning attempt. A wound was present from the stunning attempt. (b) (6) observed that the animal then moved its head around in a very controlled manner and vocalized. The stunner grabbed the pre-loaded handheld captive bolt device and successfully rendered the cow unconscious with the second attempt. At 2:48 PM (b) (6) was notified of the stunning non-compliance. CFR 313.15(a)(1)	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M952	BEF Foods, Inc.	YUC211 402540 8N-1	02/08/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category V: Handling of Suspect and Disabled At approximately 0805hr I observed the following noncompliance. While performing antemortem inspection on a pen of 90 sows I witnessed a sow laying on the ground in lateral recumbency with several sows crowding the immediate area, one sow standing on top of and another standing across the downed sow, and another sow stepping on the downed sow as it was moved near to the downed sow. A barn employee was notified and between that time and when he came back to move the downed sow out of the pen several other animals walked over or on the downed sow. When the employee attempted to get the sow to rise by striking it on the side several times with an open hand the sow flailed and tried to throw herself into sternal recumbency repeatedly without success, settling back into lateral recumbency when not provoked. When the sow was propped into sternal recumbency she was able to rise and walk with difficulty out of the pen to an isolated aisle. I observed immediate corrective action so no tag was used. (b) (6) was notified that an NR would be issued. The establishment is in violation of 313.2(d)(1)- Disabled animlas and other animals unable to move shall be separated from normal ambulatory animals... No similar NRs have been issued in the last 90 days.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1816+V1 816	West Michigan Beef Co. LLC	TMB10 060222 09N-1	02/09/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV: At approximately 6:30 am on 9 February 2018, while performing ante-mortem inspection on the first lot of cattle, the CSI observed a steer with backtag 32SH 1798 with its head stuck in the guardrail of the alley between the barn and the kill floor. The steer was unable to back its head out from between the guardrails, so it slid its head horizontally along the fence to free itself. Upon examination of the steer, a deep laceration several inches long was found on its neck on its right side. Upon examining the guardrail, two sharp points were found. The sharp point on the upper guard rail had hair surrounding it, and the sharp point on the lower guard rail had blood on it. The kill floor supervisor was informed of the steer's injury and the upcoming noncompliance record. The kill floor supervisor had maintenance personnel repair the guardrail before any more cattle were brought through the alley. At approximately 8:00 am, the PHV was called over to the knocking area by the online CSI to observe an entrapped animal. The PHV observed a young heifer with its head and left front leg entrapped between the bottom two guard rails of the chute immediately before the knock box. While the animal was attempting to free itself, the PHV observed a laceration on the distal hind right leg just above the hoof that was actively bleeding and appeared to be from contact with a diagonal piece of guard rail on the chute's gate where it opens into the shower pen. After several minutes of attempting to unsuccessfully free the animal, the establishment elected to euthanize the animal while it was standing. The establishment successfully stunned the animal with a single shot rendering it unconscious. The establishment was then able to remove it from being entrapped. The PHV discussed with the kill floor supervisor that this incident would also be added to this noncompliance record. The requirements of 9 CFR 313.1 were not met.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1816+V1 816	West Michigan Beef Co. LLC	TMB23 140345 15N-1	03/15/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS VIII At approximately 13:45 while conducting HATS verification at the knock box. I noticed a plant employee attempting to stun a Charolais cow with her head in the restrainer. The captive bolt gun discharged and the cow remained standing conscious with blood coming from the nose. The plant employee then discharged a second shot from the captive bolt gun and rendered the cow unconscious. (b) (6) was present and informed. At the head inspection area I observed two holes in the same head consistent with two captive bolt shots. The requirements of 9CFR 313.15 (a)(1) were not met.	CLOSED
M1816+V1 816	West Michigan Beef Co. LLC	TMB16 090346 29N-1	03/29/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS VIII On Thursday, March 29, 2018 at approximately 0943 hours, during operations in the Slaughter Production area, while conducting the Humane handling verification task the following non-compliance was observed. The plant employee attempted to stun the cow with the captive bolt device in the knock box; however, it was unclear if the stun was ineffective due to the inability to confirm the shot contacted the animal. The second time the employee did stun the animal; however, the animal remained standing fully conscious and there was blood dripping from the animal's forehead. The plant employee immediately stun the animal and the third stun was effective. I immediately alerted the quality assurance personnel (b) (6) and allowed them to view my finding. (b) (6) was immediately notified. (b) (6) informed plant personnel that a non-compliance will be documented. A similar incident occurred on March 15, 2018 and the incident was documented on NR # TMB2314034515N.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1816+V1 816	West Michigan Beef Co. LLC	TMB23 120413 30N-1	04/30/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS VIII On Monday, April 30, 2018 at approximately 1035 hours, the following noncompliance was observed while providing a relief break for the CSI at the post-mortem inspection area. Vocalization was heard while the establishment employee was handling a bull in the knock box. A shot from the captive bolt gun was heard and the animal was still standing in the knock box. (b) (6) stopped performing post-mortem inspection duties and went to further investigate at the knock box. The initial observation at the knock box was a fully conscious standing bull in the head restraint with a hole that appeared a little high up on the head. The establishment employee was already in the process of applying a second corrective action shot which immediately rendered the bull unconscious as it collapsed to the floor. Two holes were verified in the head prior to releasing the animal from the head restraint; the first hole appeared to be high and to the left of midline on the forehead with placement of the shot likely the reason for being ineffective. At this time (b) (6) notified (b) (6) of the ineffective stun with observations of two distinct holes, and informed him of the forthcoming NR. Shortly after, Don Vander Boon (Owner) was on the slaughter floor and (b) (6) showed him the respective head (House Tag 59) at the head inspection rail which clearly showed the initial shot's hole was high and to the left on the forehead. The requirements of 9CFR 313.15(a)(1) were not met. These requirements were previously not met following an ineffective stun that occurred on March 29, 2018 and the incident was documented on NR TMB1609034629N/1.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10038+P 10038+V10 038	Scotts Hook & Cleaver Inc.	RSH100 701041 8N-1	01/18/2018	04C02	Livestock Humane Handling	313.2	<p>HATS CATEGORY III—WATER AND FEED AVAILABILITY At approximately 0705 hour on 1/18/2018 while verifying availability of drinking water to livestock on the premises, I found Humane Slaughter of Livestock Handling noncompliance. Pens 9 and 10, in the livestock holding area, share a covered, communicating automated hog watering trough. There is a separate lid in each pen which the hogs can lift in order to drink water from the trough. Since there were 6 hogs held overnight in pens 9 and 8 hogs held overnight in pen 10, I lifted the lid on the hog watering trough in each pen to verify these hogs had access to water. When I lifted the lid in pen 9, I found a very small amount (approximately 1 cup) of water in the bottom of the pen 9 side of the water trough. When I lifted the lid in pen 10, I found the pen 10 side of the water trough damp with no visible drinking water. The small amount of water on the pen 9 side of the trough was not accessible to the hogs in pen 10. This finding illustrates noncompliance with 9 CFR 313.2 (e), because the livestock in holding pen 10 did not have access to water. I notified (b) (6) that the above finding would be documented on a noncompliance record, as soon as I discovered it. In response, (b) (6) immediately dumped two five gallon pails of water in the water trough between pens 9 and 10. Upon receiving access to water, three hogs in pen 10 immediately began to drink.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10114+P 10114+V10 114	C. Roy, Inc.	FEI2707 010712 N-1	01/11/2018	04C02	Livestock Humane Handling	313.2	HATS Category III - Water and Feed Availability At approximately 0715 hours, on January 11, 2018, the following noncompliances were observed by (b) (6) while walking in the barn performing Ante-Mortem inspection. I noticed that no water was provided to pen number three, four, five, and six. There were 2 hogs in pen number three with no water available, pen number four there were 2 lambs with no water available, pen number five 10 hogs were observed with no water available and without sufficient room for the animals to lie down, and pen number six 2 hogs were observed with no water available or container. All of the above mentioned pens contained containers with no water available except the animals in pen number six were observed without a container and no water available. Pen number one and two were observed with water availability. There were 7 beef in pen one and 4 beef in pen two. While I was in the barn a plant employee immediately provided water to all of the above mentioned pens therefore no US rejected tag was used. This noncompliance is in violation of 9 CFR 313.2(e). Jen Lossing (Plant Manager) was notified that a noncompliance report will be issued. There have been no similar NRs issued in the past 90 days.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10147+P 10147+V10 147	Countryside Quality Meats, L.L.C.	PVG490 703482 8N-1	03/27/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(1) (iii)	<p>CATEGORY VIII—STUNNING EFFECTIVENESS At approximately 1445 hour on 3/27/2018, while performing a routine livestock humane handling verification task, I observed Humane Slaughter, Mechanical; Gunshot stunning noncompliance. I observed establishment personnel bring a large sow into the cattle restraint box for stunning. Because the sow would not move into the restraint box walking forward, establishment personnel backed the sow into the restraint box. An employee then proceeded with attempting to stun the sow using a 0.22 caliber magnum rifle containing a 1875 feet /second hollow point bullet. However, the position of the sow in the restraint box, did not allow the firearm operator a shot angle perpendicular to the plane of the skull forehead and also parallel with the axis of the spine. While I waited in a safe place for the sow to be stunned, I heard a shot from the firearm. Immediately afterword, the sow vocalized with a prolonged squeal that sounded like the sow was in pain. In addition, I heard some rustling noises that sounded like the sow was moving around in the restraint box. Without delay, and before I has an opportunity to visualize what had happened, as second shot was fired from the firearm. I then observed the sow lying on the slaughter room floor, unconscious. Next, establishment personnel bled out the sow without the sow returning to consciousness. After establishment personnel were done dressing the sow, I observed two projectile holes in the sow's skull. Both holes were in the center of the sow's forehead, about 1 inch above a line drawn between the eyes. A bullet was lodged in the first hole and the hole clearly did not extend to the depth of the brain. The second hole appeared to have fully penetrated the skull through the brain case to the depth of the brain. This finding illustrate noncompliance with 9 CFR 313.16 (a) (1), because</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>immediate unconsciousness was not produced in the sow with a single shot from the firearm. Further, the sow was not rendered unconscious with a minimum of excitement and discomfort. This finding also illustrates noncompliance with 9 CFR 313.16 (b) (1) (iii) because the design of the stunning area did not allow the firearm operator to locate the stunning blow with a high degree of accuracy. I notified (b) (6) that the above finding would be documented on a noncompliance record around 1515 hour, as soon as I had a complete understanding of the events that transpired. No regulatory action was taken in response to this finding because establishment personnel took immediate action to ensure the sow was rendered unconscious before proceeding with shackling and hoisting the sow and because the sow was the last animal slaughtered for the day.</p>	

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10176+P 10176	Jones Butchering and Meat Processing, LLC	ZMF02 080138 18N-1	01/18/2018	04C02	Livestock Humane Handling	313.15(a)(1)	On January 18, 2018 (b) (6) (I) was observing knocking (HATS Category VIII) during slaughter operations at Jones Butchering (M10176). The establishment utilizes a chute that does not provide any means of head restraint. An establishment employee attempted to stun a beef steer at approximately 0740 with a handheld captive bolt gun. The first attempt at stunning resulted in discharge of the captive bolt gun and penetration of the skull but the animal remained conscious and standing. The plant employee immediately reloaded the captive bolt gun and rendered the animal unconscious with his second attempt. Examination of the skinned beef head showed two adjacent points of entry on the front of the skull and a steel was used to track the penetration angles. Both holes were located appropriately but the hole from the first shot had an angle that tracked laterally. Plant owner, Karl Jones, was notified of the noncompliance. 9 CFR 313.15(a)(1) 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"	CLOSED
M10176+P 10176	Jones Butchering and Meat Processing, LLC	ZMF01 080145 19N-1	01/19/2018	04C02	Livestock Humane Handling	313.2	This afternoon at approx. 15:15 while observing the live animals on premises, it was observed that even though a means to supply water to all pens and live animals was available, no water was provided at this time. All bowls/buckets etc. in all pens had no water available in them for the livestock. (b) (6) was advised of IPP's findings. (b) (6) had another employee take immediate action supplying water to all livestock on premises. At the time of this observation, approx. 6 beef and 4 lamb were on premises. None of the livestock present seemed to be in any distress and appeared relaxed/comfortable as well as protected from the weather elements on this day. The aforementioned is noncompliant with 9 CFR 313.2(e) for not having water available to livestock at all times.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10195+P 10195	Bernthal Packing Inc.	TJO371 102542 8N-1	02/28/2018	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3)	Category VIII – Stunning Effectiveness At approximately 1030 hours on February 28, 2018, the following noncompliance was observed by (b) (6) at Bernthal Packing. The electrical prongs were placed behind each ear of a market swine and electricity was applied. The swine did not vocalize and the animal stiffened and began to drop to the floor. While the animal was still dropping to the floor the prongs lost the direct contact with the head, but the establishment employee still kept the prongs in close proximity with the swine (following the swine down as it was falling to the floor). When the prongs came in direct contact again with the swine, the swine loudly vocalized. The establishment employee continued the direct contact with the prongs as the swine completely fell to the floor and the animal was rendered unconscious. This second stunning application was immediate and effective in rendering the swine unconscious. US Rejected Tag # B21416689 was applied to the knock box, in order to discuss what had been observed with the stunner and establishment owner. The rejected tag was removed shortly thereafter due to the effective corrective actions taken by the establishment employee after the vocalization. The above noncompliance is in violation of 9 CFR 313.30(a)(1)(3). Mr. Phil Bernthal (Owner) was notified of this observation and told that a noncompliance report would be issued. There have been no recent similar noncompliances.	CLOSED
M10226	DeVries Meats Inc.	HJB250 904420 6N-1	04/05/2018	04C02	Livestock Humane Handling	313.2	At approximately 06:15, on Thursday April 5, while performing ante mortem inspection in the barn I found that the water lines to all pens were shut off and no water was available to the animals. This is in violation of 313.2 (e) which states that animals shall have access to water in all holding pens. The employee in the barn was notified and the water was turned on.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M20594+P 20594	Tooele Valley Meat	REG291 303051 2N-1	03/12/2018	04C02	Livestock Humane Handling	313.1	On March 12, 2018 at approximately 1030 hours at Tooele Valley Meats (M20594), (b) (6) observed the following noncompliance. An alleyway in the establishment corral has metal siding exposed along the east side of the alleyway leading up to the knock box, the siding has sharp edges showing which could cause harm or discomfort to the livestock. Establishment owner Eddie Roberts was shown the noncompliance and informed a U.S. rejected tag number B42069022 was placed on the knock box. Eddie was informed that there will not be any slaughter procedures till the noncompliance is corrected. The Establishment failed to comply with 9CFR 313.1. After reviewing the establishments plant history no noncompliance can be associated at this time.	CLOSED
M20608+P 20608	The Pork Company	KVC441 303400 2N-1	03/02/2018	04C02	Livestock Humane Handling	313.2	At approximately 1:30pm while performing ante-mortem inspection in the barn, the following noncompliance was observed: While inspecting pigs that had been presented for ante-mortem, I noticed a pig in a pen that had 6 tattoo ink marks across its back. There was a barn employee walking with me and I pointed the pig out to him. He also counted 6 tattoo ink marks on the pig. I asked him who had been tattooing the pigs and he gave me the name of the employee and stated that he had been the only person tattooing the pigs all day. I then got the barn supervisor and showed him the pig. I informed him that the pigs are only to be tattooed once and that I would be documenting a noncompliance for inhumane handling of that pig. He then stated he would be talking to that employee. The plant's failure to ensure that pigs are handled humanely has led to noncompliance with 9 CFR 313.2.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M20608+P 20608	The Pork Company	KVC240 705571 6N-1	05/16/2018	04C02	Livestock Humane Handling	313.2, 313.30 (a)(2)	<p>At approximately 8:03am while performing the humane handling task, the following noncompliance was observed: I was at the drive chute that leads to the stunner and I was observing how the pigs were being handled as they were driven to the stunner. There were two employees moving the pigs through the chute. One employee was at the front of the chute moving the pigs into the v-restrainer and the other employee was at the back of the chute moving pigs as they entered from the barn. As I was watching the pigs move, the employee operating the stunner motioned for them to stop moving the pigs. The employee at the front of the chute stopped but the employee at the back of the chute continued to move pigs into the chute from the barn. The employee at the front of the shoot walked to the employee at the back of the chute and told him to stop moving pigs in. He then stopped and all three employees left the area to tend to another matter. I looked over the pigs that had been left in the chute and saw that two sets of pigs were wedged side by side. One of the pigs vocalized as the pig next to it tried to move forward. It then stopped trying to move. There were too many pigs in the chute and no room for any of the pigs to move forwards or backwards. I immediately went to find a supervisor and saw (b) (6), who was walking towards the kill area. I told her what I saw as we walked to the chute and she called for (b) (6). Ever had just got to the kill area and came up to the chute. When he saw the pigs wedged together he started the line back up allowing two pigs to move into the v-restrainer. This made room in the chute and he along with one of the employees were able to move the pigs apart. The plant's failure to ensure that pigs are handled and moved with a minimum of discomfort has led to noncompliance with 9 CFR 313.2 and 313.30(a)(2).</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21572+P 21572+V21 572	Robert Winner Sons, Inc.	ELD490 703132 3N-1	03/23/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Humane Handling HATS activity Category 8, Stunning Effectiveness. At approximately 0740 hours, during the humane handling verification observation, (b) (6) and (b) (6) observed the following noncompliance. We observed (b) (6) attempted to stun a Bull in the forehead via captive bolt. The first attempt, (b) (6) missed the bull's moving head and the captive bolt went into the bull's head off center not rendering 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 informed of the noncompliance. 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
M19549A	Elkhorn Valley Packing LLC	KEE391 502261 2N-1	02/12/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	At approximately 1530 today while observing cattle being knocked, I observed (b) (6) deliver an ineffective knock to a cow. He immediately grabbed a second gun from it's holder on the wall nearby and delivered a second knock that rendered the animal unconscious. He then administered a safety knock to ensure the cow did not regain consciousness. I tagged the knocking box and told them to cease knocking until I could contact the district DVMS. I called (b) (6) and we discussed the events and agreed that an NR was needed. After this conversation I discussed this with Jeff Venn, plant manager, and told him of the NR. We discussed what I had seen and I told him that the sound from the guns sounded muted and I wondered if the blanks may have gotten damp. I removed my tag and they resumed knocking.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21595+P 21595	Mayar's Halal Meat Processing	KPD401 605130 9N-1	05/09/2018	04C02	Livestock Humane Handling	313.2	On 05/09/2018, at approximately 1030 hours, while performing Antemortem at the sheep pens, I observed the following noncompliance I observed 2 mature sheep penned up in an outdoor and uncovered corridor without access to water. The corridor is a long walkway that has access to 3 waterers along its entire length but is capable of being partitioned into smaller sections using gates. The 2 sheep had been separated from the rest of the sheep on either side by the use of these gates and in that particular section of corridor, there was no water access. At the time of my observation, there were no employees present. I immediately informed (b) (6) of my observations and he proceeded to open the gate allowing the sheep to move freely to the other section of the corridor which contained a functioning waterer. After being released I observed that the 2 sheep did not immediately partake of the available water which lead to the conclusion that they had not been separated from water access for an extended period of time. The ambient temperature was approximately 75 degrees Fahrenheit. I reminded (b) (6) that animals are to have access to water at all times and that a noncompliance record would be documented. My findings indicate a noncompliance to the regulatory requirements of 9CFR 313.2(e)	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21595+P 21595	Mayar's Halal Meat Processing	KPD411 705061 ON-1	05/10/2018	04C02	Livestock Humane Handling	313.2	<p>On 05/10/2018, at approximately 1423 hours, while performing Antemortem at the sheep pen area, I observed the following noncompliance I observed a corridor of approximately 29 lambs staged for slaughter with access to a single automatic waterer which was completely dry. This particular waterer also serviced the adjacent pen which contained an additional 14 lambs. There was no access to any other water sources. At the time of my observation, there were no employees present. I immediately informed (b) (6) of my observations and he proceeded to instruct an employee to repair the waterer which had recently malfunctioned due to a sticking float device. Immediately the water began filling the waterer at approximately 1426 hours. Immediately after the waterer was filled, 2 lambs in the adjacent pen walked to the waterer to drink. The rest of the lambs appeared alert and seemed uninterested in the water at the time of my observation. The ambient temperature was approximately 72 degrees Fahrenheit. I informed (b) (6) that animals are to have access to water at all times and that a noncompliance record would be documented. My findings indicate a noncompliance to the regulatory requirements of 9CFR 310.2(e)</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21780+P 21780+V21 780	Burt's Meat & Poultry	QTD211 103322 9N-1	03/29/2018	04C02	Livestock Humane Handling	313.16(a)(1)	At approximately 0855 while performing a Humane Handling Verification Task to verify HATS Category VIII (stunning effectiveness); I observed the following noncompliance during the stunning of a bovine. A Holstein steer was restrained in the knocking box via the head restraint. Mr. Kermit Burt (Plant manager) attempted a forehead stun with a firearm. The first stun was ineffective as the beef remained conscious in a standing position, no vocalization was heard. An immediate second stun attempt was effective, rendering the beef unconscious. I took a regulatory control action by applying U.S. Retained tag NO.B38037217 to the knocking box. After skinning the forehead portion of the skull 2 holes approximately 1 inch apart were observed. I discussed with Mr. Burt the noncompliance and informed him that I would be documenting this on a Noncompliance Record. After verbally receiving corrective actions and preventative measures from Mr. Burt I removed the regulatory control action, slaughter operations resumed. The establishment is noncompliant with the regulatory requirements set out in 9 CFR 313.16(a)(1).	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21898+V 21898	Farmers Union Industries, LLC	OXG25 100249 14N-1	02/14/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>At 0657 while performing HATS Category IV (antemortem) at establishment M21898, I (b) (6) (b) (6) observed the following noncompliance: A hog was found to be stuck, at its right hip, under the south side waterer of pen 11. It was vocalizing and flailing around trying to get out from under it. The hog handler assisting with 100% in motion inspection within pen 11 had to free the hog from under the waterer. The hog then walked away from the waterer normally, leaving a linear indent approximately 8 inches in length along its right side. I soon after examined the waterer in question, as well as did establishment maintenance, and concluded there were no sharp edges along the lip. I did not consider the remaining hogs at risk and therefore did not take a regulatory control action on pen 11. Operations were allowed to continue as normal. (b) (6) was first notified, and later also (b) (6) of my issuing a noncompliance report. This is noncompliant with 9CFR313.1(a) where pens shall be free of protruding objects which may cause injury or pain to animals and 313.2(a) where animals shall maintain minimal excitement and discomfort when driven from holding pen to the stunning area.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M22095+P 22095+V22 095	Creston Valley Meats	QOI351 504301 6N-1	04/16/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>At 9:40 am I stepped outside the establishment, since they had brought in a shotgun and were going to kill a boar. I heard the (b) (6) yell "fire in the hole" and then I heard a gunshot. Immediately following the gunshot I heard high pitched squealing from inside the establishment. Approximately 30 seconds later I heard a second gunshot and the squealing ceased. I went inside and spoke to (b) (6). He said he thought he got the first shot placed correctly, but he said it must have been a little low. After the blood drained, a different employee disarticulated the head, and skinned it so we could check the placement of the holes. I confirmed that there are two gunshot holes in the skull. This is a noncompliance with regulation 313.16 (a)1 that 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 before it is shackled, hoisted, thrown, cast, or cut. The animal shall be shot in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort."</p> <p>Following the noncompliance, the establishment decided that plant manager Ryan Beyler would kill the remaining pigs.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M27300	LRN Processors, Inc.	MXN23 090450 06N-1	04/06/2018	04C02	Livestock Humane Handling	313.15 (b)(1)(ii)	<p>On April 4, 2018, at approximately 1510 hours while performing HATs VIII Stunning Effectiveness at the holding pens, the following noncompliance was observed. At the time of my observation, there were several bob veal calves that appeared non ambulatory therefore the plant employee walked to the knocking area and summons the person knocking the bob veal to the holding pens. The employee grabbed the portable captive bolt stunner gun and attempted to stun the first calf. The captive bolt gun misfired, and the bolt did not come out of the gun (clicking sound). He fired two more times and again, the bolt did not come out of the gun. After three fires where the captive bolt malfunctioned, the captive bolt stunner properly fired and the calf was successfully euthanized. The calf was not injured during these misfire events. I immediately called for Victor Vera (Plant Manager) and informed him of the forthcoming noncompliance record being documented for this deviation. The establishment employee returned approximately thirty minutes later to stun an additional nonambulatory calf with the same portable captive bolt gun. Again, the gun misfired, and on the first and second attempts, the bolt did not come out of the captive bolt gun. The calf was stunned effectively on the third firing. The establishment failed to comply with 9CFR 313.15(b)(ii): Stunning instruments must be maintained in good repair.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31559	Rantoul Foods, LLC	DRJ181 101573 ON-1	01/30/2018	04C02	Livestock Humane Handling	313.1	<p>On January 30, 2018, at approximately 0745 hours, while I was in the establishment barn performing a Humane Handling Task, I observed the following noncompliance. In the empty holding pen No. 22, I observed that the interior side of the entrance gate had a loose metal panel due to the welding coming apart. The loose paneling exposed the sharp edges of the welding. The sharp edge in question was approximately 15 inches from the top of the gate and 3 feet, 7 inches from the left interior side of the gate. I immediately notified one of the barn employees to get the barn supervisor. The supervisor was absent for the day, but (b) (6) came in his place. I informed (b) (6) of the noncompliance and told him an NR would be written. I attached two US Rejected/Retained tags to pen No. 22. One U.S. Rejected/Retained tag No. B42106534 was applied to the entrance gate of the pen and the other tag No. B42106537 was applied to the exit gate. (b) (6) immediately informed (b) (6) about the disrepair of the gate. (b) (6) observed the gate and informed me that as soon as it had been repaired that he would let me know. I also informed (b) (6) and (b) (6) of the noncompliance and that an NR would be written. At approximately 0855 hours, the barn office called the USDA office, and asked me to inspect pen No. 22. I checked the re-welded gate and confirmed the sharp edges were gone. I then removed both of the U.S. Rejected/Retained tags and told the barn they could now use holding pen No. 22. The establishment was in noncompliance with 9 CFR 313.1(a).</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31559	Rantoul Foods, LLC	DRJ220 704583 ON-1	04/30/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category III-Water and Feed Availability On April 30th, 2018, at approximately 0600 hours, while (b) (6) was performing ante-mortem inspection he observed that there was no water coming from the waterers in the barn. He informed me, (b) (6) that he believed there was no water available to the hogs and I immediately went to the barn and confirmed his observation. I tested 4 waterers in the front alleyway holding pens and observed that no water was available from any of the spouts. Spouts in all other pens were observed to not be dripping water. The hogs were not observed to be crowded around the waterers or showing signs of stress. I asked (b) (6) to not sign any pen cards or finish performing ante-mortem until we addressed the issue, as the establishment had not yet begun production. I immediately notified the (b) (6), of the non-compliance and asked for the barn supervisor. (b) (6) notified me that the barn supervisor was absent for the week and that he would address the issue. He immediately got the main water turned back on, and I observed overhead sprinklers turn on, as well as tested 2 of the waterers which were observed to be working. There was also a large leak observed near the barn office that started when the water was turned back on. (b) (6) then informed maintenance of the issue, and they came to address it. At approximately 0610 hours, I informed (b) (6) that he could finish performing ante-mortem so that the establishment could start production. (b) (6) could not tell me how long the water had been turned off, but informed me that it was likely turned off on 3rd shift because of the large leak near the office that was observed when the water was turned back on. I also informed (b) (6) of the noncompliance and that an NR would be documented. The</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							establishment was in noncompliance with 9CFR 313.2(e).	
M21265+P 21265+V21 265	Smucker's Meats	RYI1013 054603 N-1	05/03/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category III – Water and Feed Availability</p> <p>On May 3, 2018 at approximately 1000 hours the following Humane Handling noncompliance was observed. While performing a HAT procedure in the live pen area, it was observed that 6 cattle were in the middle alley and did not have access to water. I checked the anti-mortem paper and noticed that the cattle in question had been delivered and received anti-mortem inspection at 0729 hours. These cattle did not have access to water for approximately 2 1/2 hours. No Regulatory Control Action was taken because (b) (6) [REDACTED] was immediately notified and he moved the cattle up into the stun chute so they were next in line to be slaughtered. The plant is noncompliant with 9CFR 313.2(e).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M18988A+ P18988A+ V18988A	Ebels Family Center, Inc.	BXK501 403240 9N-1	03/08/2018	04C02	Livestock Humane Handling	313.2	HATS Category III: Feed and Water Availability At approximately 1440 on Thursday 03/08/2018 during ante-mortem inspection, the following humane handling noncompliant condition was observed: A group of hogs, approximately 15 animals, were contained in an area of the barn without access to water. The area where the animals were held is not an area normally used as a pen. The hogs were penned near the rear animal unloading door with the gates leading into the actual holding pens chained shut; therefore not allowing the animals to reach any of the watering systems that the establishment uses. The hogs had been unloaded from the company trailer even though all the holding pens were full. The establishment employee who had unloaded the hogs had turned on a water valve to spray on the floor approximately six feet from where the hogs were located presumably to give the hogs water; however the water was not reaching the hogs at all. The pen card associated with the group of hogs (27 animals, split between two areas of the barn) had the time of establishment inspection as 1240, meaning the hogs had been penned without water for approximately two hours. After the hogs were observed without water, they were moved into one of the pens that had been emptied, giving them access to water. The barn employees as well as the kill floor supervisor were informed that a noncompliance record would be issued. The above condition is a violation of 9 CFR 313.2(e) which states that animals must have access to water in all holding pens. No similar noncompliant conditions have been observed in the past ninety days. Continued failure to meet regulatory requirements may result in enforcement actions as described in 9 CFR 500.4.	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31865+P 31865+V31 865	Paradise Locker Meats	NNI291 104070 9N-1	04/06/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>313.15(a) (1) Noncompliance Description. On 04/6/2018 at 1300 hours at Est. 31865, I (b) (6) conducted the monthly verification of the robust systematic approach to humane handling task. During my assessment I observed noncompliance with HATS Category VIII for stunning effectiveness. I observed the (b) (6), render a captive bolt stun to the Jersey cow restrained in the knocking box and it was ineffective in delivering immediate unconsciousness to the animal. I observed the animal remain standing in the knock box and blinking her eyes normally with a small amount of blood present on her forehead. A second captive bolt stun was immediately applied and produced immediate unconsciousness. I immediately took verbal regulatory control by informing the slaughter manager the noncompliance had occurred for ineffective stunning on the first attempt and a noncompliance would be issued. I discussed with (b) (6) that a NR would be written due to noncompliance with 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."</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M32158+P 32158+V32 158	The Royal Butcher LLC	BXF161 402232 8N-1	02/28/2018	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII: Stunning Effectiveness 9 CFR 313.16 (a)(1) On February 28, 2018 at approximately 8:50 am, while observing stunning as part of a routine HATS Task IPP observed the following non-compliance: A big Beef Bull was properly restrained in the stunning area. The employee used the rifle 410 to stun, and the first stunning attempt failed. The animal fell to the floor, but showed multiple signs of consciousness, including spontaneous blinking, visual tracking (eyes moving side to side), and rhythmic breathing. The establishment employee immediately took corrective actions with a second stun. The second stun was effective with no signs of consciousness observed thereafter. The establishment owner Mr. Royal Larocque was notified verbally and writing of this noncompliance. This fails to meet the regulatory requirement for 9 CFR 313.16(a)(1) . If you want to appeal this noncompliance; please do so in accordance with 9 CFR 306.5.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M32158+P 32158+V32 158	The Royal Butcher LLC	BXF101 405230 9N-1	05/08/2018	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII: Stunning Effectiveness 9 CFR 313.16 (a)(1) On May 08th, 2018 at approximately 11:45 am, while observing stunning as part of a routine HATS Task IPP observed the following non-compliance: A calf was properly restrained in the stunning area. One of the employees that usually does not slaughter stun used the captive bolt to stun, and the first stunning attempt failed. The animal showed multiple signs of consciousness, was standing on four legs, visual tracking (eyes moving side to side), vocalizing, and rhythmic breathing. The establishment employee immediately took corrective actions with a second stun. The second stun was effective with no signs of consciousness observed thereafter. The previously corrective action was ineffective or not implemented. This non-compliance is linked to NR # BXF1614022328N on 2/28/2018 for the same root cause. The establishment owner Mr. Royal Larocque was notified verbally and writing of this noncompliance. This fails to meet the regulatory requirement for 9 CFR 313.16(a)(1) . If you want to appeal this noncompliance; please do so in accordance with 9 CFR 306.5.	OPEN
M33843+P 33843	Center Road Enterprises	ZIG150 602032 7N-1	02/27/2018	04C02	Livestock Humane Handling	313.2	HATS Category 2 Truck Unloading (9 CFR 313.2 Handling of livestock). At approximately 0652 on 2/27/18 ICC Devendorf observed a trailer of market hogs being unloaded and brought into pen 2 for presentation by plant employees, at that time 1 hog managed to escape from the loading area between the gate and the trailer. It became very excited and ran up the back hill behind the establishment. Plant employees were able to corral and catch the swine and lead the animal back to the pens at approximately 0700 without further incidence.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31965+V 31965	Triumph Foods	NMO15 220347 19N-1	03/19/2018	04C02	Livestock Humane Handling	313.2	<p>On 03/19/2018 at approximately 2000 hours while performing humane handling inspection under HATS Category IV-Antemortem Inspection, the following noncompliance was observed. A skid steer loader was being used in the west load ally to move a nonambulatory hog. The hog fell or jumped from the bucket. The skid steer bucket failed to keep the animal controlled. The operator then got out of the skid steer to attempt to move the hog into the bucket. I requested that establishment supervision come to area immediately. I took regulatory control by instructing the operator to stop attempting to load the hog. (b) (6) and (b) (6) came to the area and were notified of my observations. The hog was in sternal recumbancy and gasping slowly with its mouth open. It was agreed that the hog would be euthanized. A captive bolt device was used to euthanize the hog, rendering the animal insensible with a single blow. Regulatory control of the area was released by verbally informing (b) (6). The establishment failed to meet the requirements of 313.2(d)(3). In this case, the use of the skid steer loader did not result in humane handling of the nonambulatory hog. (b) (6) was notified that these findings would be documented in a noncompliance record.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M33916+P 33916	Loris Cold Storage and Retail	BZI0108 043006 N-1	04/06/2018	04C02	Livestock Humane Handling	313.1	HATS Category IV-“Handling during Ante-Mortem Inspection”: Pens, floors, and driveway, including entrances and exits are to be maintained in good repair (9CFR 313.1). On April 6, 2018 at 9:17 A.M. I observed at the entrance gate #5 at the middle of the gate some metal wire was broken on the gate with some sharp points that could injure the livestock also on entrance gate # 7 bottom right side metal wire broken that could also injure livestock. I immediately contacted Mr. Tim Rogers: Plant Manager, told him of the noncompliance. He said he would start at once on repairing the gates. 9CFR 313.1 States: 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. The Establishment is currently responding to the noncompliance and is taking immediate corrective action to bring the subject pens back into good repair. No animals were injured due to this noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M33940	Fauquier's Finest Custom Meat Processing, Inc.	DAG59 110107 26N-1	01/24/2018	04C02	Livestock Humane Handling	313.1	<p>On Wednesday January 24, 2018 at 06:05am while performing Human Handling Verification Task at M33490, I observed the following Non-compliance inside Pen#2&3; IIC noticed the steel guard for Pen#2 is missing and the one for Pen#3 is on the floor. I also, noticed a beef is trying to move from Pen 2 to Pen 3 by sticking its head between the broken bars. The bars have sharp ending and could lead to injure livestock, therefore M33490 decided to use steel guards to cover the bars or the broken ones between pens. I immediately took a regulatory control action by applying US Reject tags to pens 2&3 (B42108077 & B41301170) and notified (b) (6)) with the violation and Non-compliance report will be generated. (b) (6) took corrective actions by having the animals moved to different pens till the issue is fixed. At 2:15pm (b) (6) asked IIC to check the tagged pens where new steel guards been installed to cover the broken bars. Tags were removed at that time and M33490 was able to reuse the referenced pens above. Mr. Michael Rodrigues Plant Manager will be notified with the violation verbally and or by email. A review of previous NR reports revealed similar violations. M33490 was found in direct violation with 9CFR 313.1. This document serves as written notification that you failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34056+P 34056+V34 056	Olsen Farms Meats LLC	XIC011 401022 4N-1	01/22/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(1) (i)	<p>Hats Category VIII: Stunning Effectiveness 9 CFR 313.15 US Rejected Tag # B 38177009 Product Affected – None On January 22, 2018 at approximately 0900 hours, I, (b) (6) observed a humane handling incident at Est. 34056 Olsen Farm Meats. The (b) (6), (using all adequate restraints), loaded the first market hog of the day into a squeeze panel located inside the knocking chute at 0850 hours. At 0900 hours (b) (6) shot the market hog using a 6 round revolver .327 caliber pistol at a distance of about 12 inches from the hogs head. The market hog remained standing and looked at the shooter and grunted. Immediately, (within 10 seconds), (b) (6) shot the .327 caliber revolver pistol again at the market hog at a distance of 12 inches from the hog's head. Again, the market hog remained standing, looked at the shooter and grunted. At 0901 hours (b) (6) turned to his assistant who was holding a readied/loaded 6 round revolver .357 caliber pistol, (b) (6) aimed the pistol and shot the market hog with the 357 caliber pistol. The hog dropped and was immediately observed to be insensible and quiet. I took immediate Regulatory Control Action and tagged the knocking box with US Retain tag #B 38177009 and called (b) (6) and (b) (6) for advisement. Upon inspecting the market hog head I found all 3 bullet entry holes were in the same 1 large hole at the target center of the hog's head. The firm performed the following corrective actions for the humane handling event today. Olsen Farm Meats used the .357 caliber revolver pistol for the rest of the day. Owner Mrs. Kira Olsen stated she would place an order for an electrical stunning unit today for further hog kills.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M33927+V 33927	Nelson's Meat Processing, LLC	BUX240 803422 8N-1	03/27/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>While performing slaughter inspection and verification of HATS category VIII-stunning effectiveness at the kill floor at 1500 HRS on 3/27/18, I (b) (6), observed the following Humane Handling non-compliance. (b) (6) was stunning a roaster hog using the captive bolt (b) (6) stunned the animal one time. After approximately four seconds the animal started vocalizing and recovering consciousness. The second employee at the (b) (6), was ready with the 22 caliber rifle and shot the animal immediately a second time. The rifle shot was effective and the animal was rendered completely unconscious. I proceeded and applied US Rejected Tag # B16 874680 to the knock box and notified (b) (6) CFR313.15(a)(1) 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 animal shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort." The establishment failed to meet the regulation stated above. This is a recurrence of a similar non-compliance. See NR #BUX3307032228N.</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M33927+V 33927	Nelson's Meat Processing, LLC	BUX330 703222 8N-1	03/27/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>While performing slaughter inspection at the kill floor and verifying HATS category VIII-stunning effectiveness at 1410 HRS on 3/27/18, I (b) (6) observed the following Humane Handling non-compliance. (b) (6) was stunning a roaster hog using a captive bolt. (b) (6) stunned the animal one time. After approximately four seconds the animal started vocalizing and recovering consciousness. The second employee at the (b) (6) ran to the table, recharged the captive bolt, handled the captive bolt to (b) (6) and (b) (6) stunned the animal a second time. The second stun was effective and the animal was rendered completely unconscious. I proceeded and applied US Rejected Tag # B 16 874680 to the knock box and notified (b) (6). The US Rejected Tag was removed at 1450 HRS after the establishment came with the corrective action, to have a 22 caliber rifle as a back- up. If needed, will be ready and available to do a second shot immediately by the second employee on the kill floor. CFR313.15(a)(1) 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 animal shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort." The establishment failed to meet the regulation stated above. This is a recurrence of a similar non-compliance. See NR #BUX5212033527N.</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M33927+V 33927	Nelson's Meat Processing, LLC	BUX521 203352 7N-1	03/27/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	<p>On March 27th,2018 at approximately 1325 while observing slaughter operations and verifying HATS category VIII-stunning effectiveness at Nelson's meats Est. 33927, the following noncompliance was observed. As the (b) (6) activated the captive bolt to stun the fifth hog of the day, the hog moved it's head simultaneously and consequently was not stunned. This is not compliant with 9 CFR 313.15(b)(1)(iii) which states that the stunning area is to be designed to limit free movements of the animal so the blow may be delivered accurately. When I went over to the knock box to examine the animal, the hog remained standing, and it did not vocalize or show any appearance of distress. I could not visualize any obvious wound as the hog was walking around the knock box. After the captive bolt gun was reloaded, the second shot resulted in a properly stunned hog. However, due to the necessity of the second shot, this is not compliant with 9 CFR 313.15(a)(1) which states that the captive bolt shall be applied in accordance with this section so as to produce immediate unconsciousness. Once the animal was hoisted, I observed the head and saw a burn mark behind the left ear as well as what appeared to be a superficial flesh wound approximately 1/4 inch in size behind the left ear that did not appear to be bleeding at the time. I immediately informed (b) (6) of the noncompliance.</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M33927+V 33927	Nelson's Meat Processing, LLC	BUX071 205220 1N-1	05/01/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(1) (iii)	On 5/1/2018 at approximately 1240 while observing slaughter operations, (b) (6) and I witnessed the following noncompliance. (b) (6) used a 22 magnum to stun a market hog. The hog went down, however (b) (6) and I both observed that the hog was breathing rhythmically, eyes were blinking and there was some grunting vocalization. The gun clip was ready with multiple rounds, so (b) (6) applied a second stunning shot which was fully effective. I immediately notified (b) (6) of the noncompliance. A similar noncompliance was documented on 3/27/2018 #BUX2408034228. The preventive actions either were not implemented or are not effective.	OPEN
M33927+V 33927	Nelson's Meat Processing, LLC	BUX180 605481 7N-1	05/14/2018	04C02	Livestock Humane Handling	313.2	On 5/14/18 at approximately 0915 while performing a HATS category III verification, (b) (6) and I noted that there was one beef in pen number three. This pen did not have water available in it. (b) (6) was notified of the noncompliance and water was provided immediately. This is not in compliance with 9 CFR 313.2(e).	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M20780A	Elysian Fields, LLC	VYA051 103330 7N-1	03/07/2018	04C02	Livestock Humane Handling	313.1	March 07, 2018, at approximately 1150 hours while checking HATS category I (Inclement Weather), I observed the following noncompliance in the holding pen: The wire cage surrounding one of the water containers is damaged. Two pieces of wire are protruding up and out of the top of the cage. Each piece of wire is approximately 6 inches in length. No animals were present in the affected holding pen at the time of this observation. 9 CFR 313.1 (a) states: 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. (b) (6) was notified of the noncompliance.	CLOSED
M34181	Hemingway Locker & Refrig.	ZEO451 201133 0N-1	01/23/2018	04C02	Livestock Humane Handling	313.1	HATS Category IV – “Handling During Ante-Mortem Inspection”: Pens, floors, and driveways, including entrances and exits, are to be maintained in good repair (9 CFR 313.1). On January 23, 2018 at approximately 8:45 am, (b) (6) and (b) (6) area vet observed that pen 1 and 5 are in disrepair. The door to the knock box is door hinges are loose. The animals were run out of pens and Tag Reject B39258670 and B39258671. IAW 9 CFR 313.1, 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. The subject pen will remain “Rejected” for use until good repairs are made. (b) (6) stated that he would repair the pen as soon as possible. No animals were injured due to this noncompliance.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P33833+V3 3833	Water Valley Poultry, LLC	XRG010 901520 4N-1	01/04/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On January 4, 2018 at approximately 0712 the following Good Commercial Practice noncompliance was observed by (b) (6) [REDACTED]. At the entrance to the scald vat the first live bird was observed entering alive. There was no cut to the neck, the bird was blinking, had pupillary reflexes, was lifting its head, flapping its wings and breathing rhythmically. Two additional live birds entered the scald tank that appeared the same as the one described above at 0712 and 46 seconds. A fourth live bird entered the scald tank with a superficial cut to the left eye only, not penetrating any vasculature, at 0714 and a fifth live bird entered with no cut to the neck at 0715. There was no back up killer present at the start of the shift during this time period and no supervisor present in the area. At approximately 0716 (b) (6) [REDACTED] was located and asked to stop hanging due to multiple live birds entering the scald vat, no back up killer and to come to the USDA office to discuss corrective actions to regain process control. Once getting to the USDA office the incident was discussed and notification was given that a GCP noncompliance would be issued. Corrective actions were given that two additional back up killers would be put in place and line speeds would be reduced. (b) (6) [REDACTED] was informed that production could resume and that additional verification checks would be done as well. The meeting concluded at approximately 0720. A verification check was done at approximately 0726 and no live birds were seen entering the scald vat at this time. At approximately 1235 while performing a verification check, the following was observed at the entrance to the scald tank. One light fowl was seen entering the scald tank with an uplifted head, pupillary reflexes, rhythmic breathing, movements and no cut to the neck. This bird by-passed the initial back-up killer, which appeared to not be engaged/monitoring birds</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>passing him at the time, the second back-up had been removed at this point and the final back-up prior to the scald tank was busy correcting the numerous birds hung in shackles by one leg and missed this live bird. The three back-up killers were part of the Establishment's corrective actions given to USDA earlier in the shift when the initial GCP noncompliance occurred and live birds were observed entering the scald tank. However these corrective actions were not still being implemented at the time the additional live bird was observed entering the scald tank. (b) (6) was immediately notified and informed that further documentation would occur. An additional verification was done immediately. An additional live bird was removed from the line by (b) (6) after by-passing the initial back-up killer prior to entering the scald tank. No additional live birds were seen entering the scald tank. This is a violation of 9 CFR 381.65(b) which states in part, "Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding." Live bird(s) entering the scald system live is a less than Good Commercial Practices and results in adulterated product. The establishment is responsible for ensuring that birds under their control on the official premises are treated in a humane manner that will minimize excitement, discomfort, injury and/or death by means other than slaughter.</p>	

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P33833+V3 3833	Water Valley Poultry, LLC	XRG241 101560 5N-1	01/05/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On January 5, 2018 at approximately 0952 the following Good Commercial Practice noncompliance was observed by (b) (6) [REDACTED]. At the entrance to the scald vat approximately 30 light fowl were observed entering the scald vat alive. Some of the birds had superficial cuts penetrating only the skin, no vasculature, to the side of the neck, some had superficial cuts to the comb, some to the back of the head and three of the birds had no cuts at all. All birds were rhythmically breathing, some were still stunned, and others were alert, with uplifted heads, looking around, blinking and flapping their wings. After the 30th bird entered the scald vat I left the entrance to the scald vat to find (b) (6) [REDACTED]. I informed him of my observations and told him the area was verbally rejected, to stop hanging and do not resume production until informed otherwise and that I was going to go have a meeting with the Plant Manager Stacey Kesler. A meeting was held in the USDA office with the Plant Manager and he was informed of my observations, that a GCP NR would be issued and asked for corrective actions. Mr. Kesler returned to the USDA office a short time later and informed me that the kill blade had been changed (it was extremely dull) and asked if they could run a 20 bird test sample under direct observation to determine if this would correct the issue. I agreed and went with him to the kill area. Upon arrival with Mr. Kesler at 1004 we observed that production had already resumed without the area being released. Mr. Kesler went to live hang and halted production himself. Upon return, he asked if the corrective actions could be that they hung one bird every three shackles so they could observe more closely to determine if they were cut properly. I agreed and properly released the area at approximately 1011. Verification was immediately done at this time and all birds were cut properly and no live birds were seen entering</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>the scald vat. Mr. Kesler informed me that the establishment would not increase the number of birds hung until he felt like the process could be properly maintained under control and he could directly observe that it was done properly. Mr. Kesler also said that he would inform USDA prior to increasing the number of birds that were hung. At approximately 1539 verification was done at the entrance to the scald tank and the following was observed. The first live bird entered at 1539 with a superficial cut nicking the skin at the back of the head, the bird was blinking, had pupillary reflexes, flapping and looking from side to side. Two additional live birds entered the scald vat at 1542 that appeared exactly as the one described above. The fourth live bird entered with a nick to the skin at the side of the neck at 1543 that was blinking, rhythmically breathing, had pupillary reflexes, flapping and looking from side to side. At this time (b) (6) was again asked to stop hanging as the establishment had failed to maintain process control hanging birds in every shackle. An additional meeting was held with Plant Manager Mr. Kesler to inform him of the observations and to ask for additional corrective actions prior to resuming operations. At 1604 Mr. Kesler returned to the USDA office and said that he was stopping operations for the day, would hold a meeting with his employees in the morning to establish a new action plan. This is a violation of 9 CFR 381.65(b) which states in part, "Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding." Live bird(s) entering the scald system live is a less than Good Commercial Practices and results in adulterated product. The establishment is responsible for ensuring that birds under their control on the official premises are treated in a humane manner that will minimize excitement,</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							discomfort, injury and/or death by means other than slaughter. Past similar NR XRG0109015204N dated January 4, 2018 in which previous preventative measures either were not implemented or were ineffective.	
M34569+V 34569	Ohio Farms Packing Co. Ltd.	DTY070 501271 2N-1	01/11/2018	04C02	Livestock Humane Handling	313.2	On 1/11/18 at approximately 5:15 am (b) (6) was conducting an odd hour inspection for Humane Handling. Pen 5 had two tubs of water and two nipple barrels. Neither of the nipple barrels had water of a sufficient level that could be accessed by the hoses for the nipples, as they had less than ½ inch of water accumulated in the corner of the barrel that did not come in contact with a hose. (b) (6) alerted establishment personnel of the empty barrels in Pen 5 and requested them to be refilled with water. (b) (6) returned to the area approximately 20 minutes later and could see that the nipples barrels in Pen 5 were now ¼ full of water. Accessible water must be made available in a manner that the particular type of livestock held are accustomed to or capable of utilizing. Therefore, this finding of the empty water nipple barrel represents a non compliance to 9CFR313.2, HATS category III, which states that water must be available and accessible to livestock in all holding pens.	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34713+V 34713	Innovative Foods, LLC	VOL590 803340 1N-1	02/28/2018	04C02	Livestock Humane Handling	313.15(a)(3)	On 2/28/2018 at approximately 1430 while while performing the HATS verification task the stunning procedure immediate unconscious and remain unconscious, I (b) (6) observed the following noncompliance. The Establishment employee using a captive bolt instrument stunned the animal and it went down an appeared to be rendered unconscious immediately but as the shackles were being applied the animal started to vocalize, the animal did not remain unconscious. The employee immediately stunned the animal a second time and the second stun was effective in rendering the animal unconscious and it remained unconscious throughout the shackling, hoisting, sticking and bleeding process. I notified (b) (6) (b) (6) that this was a noncompliance and that an NR would be issued.	CLOSED
M34660	Tran Meat Corporation	XVC451 005051 6N-1	05/16/2018	04C02	Livestock Humane Handling	313.15(a)(3), 313.16(a)(3)	H. Category VIII - Stunning Effectiveness (9 CFR 313.5, 313.15, 313.16, and 313.30): Ineffective Stun: A stunning attempt that contacts the animal, but does not render the animal into unconscious. At 11:00 a.m. on Tuesday, 5/15/2018, during slaughter activity, I observed the designated plant employee stunning a one year old bull or steer calf using a rifle., He completely missed the proper area on the animal head by one inch which did not render the animal unconscious. The animal still standing and started moving his head from side to side. The plant employee immediately reload the rifle, waiting for the animal's head position to be correct then he applied the second shot which rendered the animal unconscious. Your stunning attempt was not successful on the first attempt which caused unnecessary excitement and discomfort to the animal. You are not in compliance with CFR. 313.16 which requires that Livestock are rendered unconscious with a single application of a bullet or projectile. Thank you for your help, if the above NR. Is acceptable, I will go ahead put it on the proper format on PHIS.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34543	Brewer Meats	DFN411 201373 1N-1	01/30/2018	04C02	Livestock Humane Handling	313.2	<p>On January 30, 2018 at approximately 0930 hours, while performing HATS category (III) verifications, (b) (6) observed the following Humane Handling noncompliance. Several holding pens housing animals were found to be without water. (b) (6) inspected pens #6 through 15 which are adjacent to the scale and sorting area. Pens 8, 9, 11, 12, and 13 were found to have empty water troughs. The 50 gallon troughs in three of these pens were completely dry of any moisture while the remaining troughs showed some moisture on the bottom but no accessible water. All pens contained lambs, sheep or goats with numbers ranging from approximately 10 to 30 head per pen. Most of these animals would have been housed in the same pens overnight. On inspection of the barn connected to this area, (b) (6) observed three of five pens, containing mostly lambs and sheep, to have their water troughs turned upside down with animals standing on top of them. All pens had feed available. (b) (6) informed Mr. Donnie Brewer, plant owner, of the noncompliance and that the establishment failed to meet the regulatory requirements prescribed in 9 CFR 313.2(e). Mr. Brewer went to the barn to discuss the situation with employees. He reported that the water hose had been left connected to an outdoor hydrant and had frozen. The employees had thawed the hydrant but were still attempting to thaw out the hose itself. Mr. Brewer instructed employees to transport water via wheelbarrow to affected pens until such time the water hose was functional.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31578	Trenton Processing Center, Inc.	LKK430 705521 6N-1	05/16/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	This morning during slaughter I observed Gary (Trenton Processing Owner) using a captive bolt on a lamb to render it unconscious. The first attempt failed, the lamb was still standing, Gary then quickly dropped the lamb with a second shot. A close look at the lamb's skull showed two holes, one just over the eye and the other in the center of the top of the forehead.	CLOSED
M39968+P 39968	Donald's Meat Processing, LLC	PIF4913 034123 N-1	03/23/2018	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 9:35am, (b) (6) observed the following Humane Handling noncompliance: an establishment employee attempted to stun a sheep using a .25 Magnum hand-held captive bolt stunning device (HHCB). Following the initial stun attempt, the sheep remained standing, had tracking eye movement, and had blood dripping down its nose. The employee immediately grabbed the backup .22 Magnum rifle and applied an effective stun to the sheep. No regulatory action was taken as the employee opted to use the .22 Magnum rifle for the remainder of the sheep to be processed. The establishment does not have a documented systematic approach for humane handling. (b) (6) was informed of (b) (6) findings. The above findings are in noncompliance with 9CFR 313.15(a)(1)	CLOSED
M39968+P 39968	Donald's Meat Processing, LLC	PIF4909 042324 N-1	04/24/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.2(f), 313.30(a)(3)	At 10:40am while watching the stunning of a large Holstein heifer in the stunning area of the kill floor, I observed the first stunning attempt was not fully effective. The animals hind end went down however her front feet remained upright and she vocalized and was trying to get up. (b) (6) had a back up weapon available and immediately applied a second effective shot. (b) (6) was notified immediately via text message and in writing with this non compliance report. This is a non compliance under 9CFR 313.2(f) , 313.16(a)(1), and 313.30(a)(3)	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M40106	Cherry Meat Company	JFQ240 901140 2N-1	01/02/2018	04C02	Livestock Humane Handling			OPEN
M40041+P 40041	Marksbury Farm Foods, LLC	NRW02 120224 14N-1	02/14/2018	04C02	Livestock Humane Handling	313.15(a)(1)	On 02/14/2018 at approximately 1100 on the livestock slaughter floor at Marksbury Farm Foods, LLC (b) (6) observed an ineffective stun on a market lamb. After the first stun the knock box was opened and the lamb was rolled out onto the slaughter room floor. On the floor the lamb showed a weak righting reflex, head raise, and eye tracking. At this time a second effective stun was applied. (b) (6) notified the (b) (6) of the ineffective stun and tagged the knock box with U.S. rejected Tag # B28142216. This is non-compliance with 9 CFR 313.15 (a)(1) and HATS category #8; first stun must render the lamb unconscious and insensible to pain.	CLOSED
M40041+P 40041	Marksbury Farm Foods, LLC	NRW15 080454 05N-1	04/05/2018	04C02	Livestock Humane Handling	313.15(a)(2), 313.15(b)(1) (iii)	Hats Category 8 - On/04/05/2018 at Marksbury Farm Foods .LLC M40041. Approximately 815 while on the slaughter floor the following noncompliance was observed, (b) (6) heard a commotion at the knock box and observed a cow going through the knock box and onto the slaughter floor. The knock box was tagged at approximately 845 with U.S Reject tag B41495587. The plant failed to control, restrain, and deliver a calm animal to the knocking environment, and was non-compliant with 9CFR 313.15(a)(2) and 9CFR 313.15(b)(1)(iii). (b) (6) and (b) (6) were notified of this noncompliance	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P40183	Sanderson Farms, Inc.	PEH391 405230 3N-1	04/30/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On April 30, 2018, at approximately 1730 hours in the Live Hang room, I observed approximately 5 piles of dead birds. Upon further investigation, I counted about 95 dead birds in the pile of dead bird located next to the door leading to the Picking Room. There were 4 other piles of birds, similar in size and dimensions as the pile of 95 dead birds. The dead birds in the aisle closest to the exit door (leading to the dumper) covered the floor below making it difficult for several establishment employees to pass by without stepping on the dead birds located below. I asked (b) (6), why there are so many dead birds and he stated he had a problem with the belt speed. As (b) (6) was telling me this, he was transporting dead birds from one pile to another location to discard them. In the pile closest to the door, I observed several live birds mixed in the pile of dead ones. One bird was resting comfortably on top the pile while two alert live birds were found beneath the dead ones. I also observed the employees responsible for hanging the birds on the shackle continue to hang birds and continue to place additional dead birds off the belt into the piles. At no point while I was present did (b) (6) intervene to regain control of the process. I spoke with (b) (6) and stated that the process was out of control and that I was taking regulatory control and stopping them from hanging additional birds. I also informed him that I needed to speak with a Plant Manager. Shortly after (b) (6) and (b) (6) arrived. I notified (b) (6) of my concerns and proceeded to place US Reject Tag #B37106775 on the power switch at the dumper station. I continued to inspect the area and observed additional birds that had suffocated and birds that were still being suffocated or at risk of being suffocated on the Live Hang conveyor belt. I</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>alerted (b) (6) and he immediately proceeded to remove birds that were on the bottom of the pile on the belt and place them in an area of that was less crowded. (b) (6) along with (b) (6) met me in the USDA office to discuss the issue. (b) (6) stated that according to the Supervisor in the Hanging Room, the belts were not working properly causing the belt not to run fast enough. I brought up a concern that the process was out of control and that the supervisor failed to react appropriately. The establishment continued to dump and hang birds without bringing the process back into control and that failure to react led to other birds being placed in a situation where they suffocated due to smothering. (b) (6) and (b) (6) decided to remove the current supervisor from the Live Hang area and replace him with one that would monitor the belt for overcrowding. (b) (6) also stated that this supervisor would be instructed to stop hanging if they identified any problems. At approximately 1850 hours, after receiving the establishment's corrective actions and preventative measures, I verified that the process was brought back into compliance. I observed that the remaining live birds were no longer at risk of being smothered and that all the dead birds had been properly discarded. I released regulatory control at approximately 1900 hours by removing the USDA Reject tag from the dumper station control box.</p>	

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M40359+P 40359+V40 359	Trinity Meat Company LLC	XQQ45 070556 03N-1	05/03/2018	04C02	Livestock Humane Handling	313.16(a)(1)	Humane Handling Category #8 Stunning Effectiveness On this date at approximately 0800 hours, the following non-compliance was observed: A steer was moved into the knock box, the head was placed in the restraint, and a harness placed on the head secured through the eyebolt by the lead rope which was held tight by a plant employee. The animal appeared to be calm. The employee performing the stunning positioned the rifle, a 410 caliber with hollow- point shells, and shot attempting to stun the animal. The steer moved its head slightly at that precise moment and remained standing with normal eye movement and no vocalization. Within seconds, the employee took a second shot rendering the steer unconscious. No regulatory control action was taken since this was the last animal for slaughter today. The establishment does have an active Robust Humane Handling Plan. Firearms must produce immediate unconsciousness in an animal with a single shot. I notified (b) (6) verbally, and Doug Thompson, owner electronically and with this written notice.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M40268A+ P40268A+ V40268A	J & R Natural Meat and Sausage - Mobile Harvest Unit	JNE491 403452 9N-1	03/29/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>Today, March 29, 2018, at approximately 0955 hours the following noncompliance was noted. CSI was performing a Humane Handling task, HATS category for Stunning Effectiveness. CSI was observing as (b) (6) attempted to stun a steer with the Blitz captive bolt with a very heavy load. The steer was calm in the knock box but as he put the captive bolt to the animals head it abruptly moved causing (b) (6) to knock the steer between the eye and nose area. The steer seemed to be only slightly startled but did not appear to be in any distress. (b) (6) immediately grabbed the backup weapon (Cash Heavy Mag with a very heavy load) and knocked the steer successfully causing it to be adequately stunned and insensible within approximately 10 seconds. The steer was then stuck and bled. CSI tagged the knock box with US Rejected tag B38581909 while discussing the incident with (b) (6). CSI determined the appropriate corrective action was taken and (b) (6) followed the MHU's SOP for Humane Handling. The tag was removed and the harvest proceeded without incident. Upon returning to the plant CSI reread the plants humane handling SOP and the records generated from the harvest. (b) (6) performed all procedures listed and correctly noted the incident on the records. The plant does not currently have a robust systematic approach to humane handling. This is a violation of 9 CFR 313.15(a)(1).</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M40432	Callicrate Cattle Co.	XQR150 704071 9N-1	04/17/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	At approximately 1238 hours on 4/17/18 (b) (6) and (b) (6) observed the following non-compliance during slaughter operations. A plant employee used a 357 magnum to stun a cow. The firearm discharged but the cow remained standing; her head was erect and her eyes were focused. The plant employee immediately took a second shot; the cow then collapsed, the head was now relaxed, the tongue was hanging out and flaccid; the eyes now held a blank unfocused stare. After the second stun attempt, the operator released the collapsed carcass from the chute and performed consciousness tests and determined the animal was now unconscious and insensible to pain. We notified (b) (6) of the stun failure violation immediately after it was determined the cow was unconscious and insensitive to pain. A post-mortem examination of the skull indicated the first stun attempt stun-failure was mitigated by improper shot placement. The above described event is non-compliant with 9 CFR 313.16 (a) (1) & (3). We notified (b) (6) that a NR would be issued.	CLOSED
M40432	Callicrate Cattle Co.	XQR260 704141 9N-1	04/18/2018	04C02	Livestock Humane Handling	313.2	At approximately 0804 hours on 4/18/18 I (b) (6) (b) (6) observed the following non-compliance while performing ante-mortem inspection on 2 steers inside a pen. I did not observe any buckets of water available to the steers and nor did they have any access to water by any means at this moment. I notified (b) (6) of the non-compliance and that a NR would be issued. (b) (6) made water available to the steers. The above described event is non-compliant of 9 CFR 313.2(e).	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M901+P901+V901	Eklund Processing Inc.	BUU0712010922N-1	01/22/2018	04C02	Livestock Humane Handling	313.2	HATS III Category Water Availability On January 22, 2018 at approximately 11:00 a.m. I was conducting the Humane Handling task when I witnessed the following noncompliance. 1 pen with 3 pigs did not have water. The water bucket was empty. The establishment was notified immediately and the bucket was filled with water. This is a noncompliance of 9CFR 313.2(e). Management was notified of this noncompliance verbally and in written form with this document.	CLOSED
M38552+P38552	B&M Processing	HJY2711034415N-1	03/15/2018	04C02	Livestock Humane Handling	313.1	On 03/15/2018 at approximately 9:00 AM, (b) (6) was observing the slaughter of market swine at the establishment. While watching the slaughter (b) (6) saw the third, fourth and sixth pig that went into the knock box trip, slip, and fall as they entered. This is noncompliant with 9 CFR 313.1(b).	CLOSED
M38552+P38552	B&M Processing	HJY5409030220N-1	03/20/2018	04C02	Livestock Humane Handling	313.1	On 03/20/2018 at approximately 8:30 AM, (b) (6) and (b) (6) were observing the beef slaughter at the establishment and observed the following Humane Handling noncompliance. In the pen closest to the knock box an approximately one and a half foot piece of the vertical support bar of the metal gate was broken loose. The broken end was sticking down and touching the side of a market swine laying in the pen. The swine was not injured by the metal but if it had stood up it could have been stabbed by the broken end. This is a noncompliance of 9 CFR 313.1(a). Immediately after plant management was notified they removed the broken piece from the gate in the pen.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M932+P93 2	West Georgia Processing	LPK281 404481 9N-1	04/19/2018	04C02	Livestock Humane Handling	313.15(a)(2), 313.2	<p>On April 19, 2018 at approximately 0952 at West Georgia Processing, est. 932, while performing a routine Humane Handling verification, (b) (6) and (b) (6), observed the following Humane Handling noncompliance. Handling of Livestock 9 CFR 313.2, Driving of the animals 9 CFR 313.15(a)(2) During a Halal kill at West Georgia Processing, Est. 932, an employee grabbed a sheep by the scuff of the neck and the rump, and lifted the sheep off the ground, about 3-4 feet, and proceeded to toss the animal into the knock box (b) (6) notified the employee to stop the action. Then, IIC checked the animal's welfare. It was not injured and was able to continue on its own to the knock box. The Kill resumed. It is determined that this is a non-egregious Humane Handling violation. (b) (6) notified (b) (6) of this a non-egregious Humane Handling violation. Establishments Corrective Actions: Establishment has stated that they will retrain employees and designate only certain employees to drive animals.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M40147+P 40147+V40 147	This Old Farm, Inc.	LDY290 702441 4N-1	02/14/2018	04C02	Livestock Humane Handling	313.1	Hats Category IV-Ante-Mortem Inspection On February 14, 2018 at approximately 08:05 while performing ante-mortem the following non-compliance was observed. A livestock trailer was being used as a holding pen for a beef because it's horns could not fit through the holding pen gate. The trailer had multiple areas of rusted sheet metal. The beef had kicked holes in the sheet metal leading to sharp jagged rusty edges protruding into the holding area. The largest of the rusted out areas was approximately four feet wide, at approximately six inches above the flooring. This rusted area caused the wall to flex and separate when the beef pushed against it. At no time did the beef exhibit signs of distress. Upon further examination of the beef there was no evidence of injury. (b) (6) was notified verbally of this non-compliance. Immediate corrective and preventative measures by the establishment were to humanely euthanize the beef and stop using the trailer for a holding pen.	CLOSED
M44779	Faulkner Meats	VMV51 120158 26N-1	01/26/2018	04C02	Livestock Humane Handling	313.2	January 26, 2018 While performing the Livestock Humane Handling task at Faulkner Meats, Taylorsville, KY, specifically Humane Handling Activities Tracking System (HATS) category III—water and feed availability, non-compliance was observed at approximately 1330. Two hogs were observed in a holding pen; the bottom portion of a plastic drum was present and was found to be completely dry. There were no indications of it recently holding water. Plant personnel were informed of this observation and the impending non-compliance record.	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44779	Faulkner Meats	VMV29 130259 06N-1	02/06/2018	04C02	Livestock Humane Handling	313.2	February 6, 2018 At approximately 1430 while performing the Livestock Humane Handling task at Faulkner Meats, Taylorsville, KY, non-compliance was observed, specifically HATS category III--water and feed availability. A large holding pen containing numerous small ruminants was found to have a bottom portion of a plastic drum being used as a water trough; the trough was completely dry and had dry feedstuff on the inside bottom. Plant personnel (b) (6) was informed of this observation and of the impending non-compliance record. This observation continues a recent trend in water availability; NR# VMV5613114921N-1 dated 11.21.2017 and NR# VMV5112015826N-1 dated 01.26.2018 are recent events. It would appear corrective actions are ineffective or are not being implemented to prevent reoccurrence.	OPEN
M44779	Faulkner Meats	VMV04 140318 13N-1	03/13/2018	04C02	Livestock Humane Handling	313.1	March 13, 2018 While performing the Livestock Humane Handling task, specifically HATS Category IV-Ante-mortem inspection, non-compliance was observed at Faulkner's Meats, Taylorsville, KY. At approximately 1400 a small holding pen was observed to contain 5 lambs, as well as a wheel barrow and a garden hose lying on the floor. The lambs were observed huddled in a corner behind the wheelbarrow. The lambs could have easily become entangled in the obstacles present in the pen. The observation was brought to the attention of (b) (6), who was informed of this non-compliance and the impending record. He removed the wheelbarrow and hose from the pen.	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44910+P 44910+V44 910	Abattoir Associates Inc.	JCH301 103351 4N-1	03/14/2018	04C02	Livestock Humane Handling	313.2	HAT Category-III – Water, 9 CFR 313.2(e) At approximately 0900, while observing livestock presented for anti-mortem inspection at establishment 44910, it was found that no water was available for three market hogs being held for slaughter. In the pen adjacent to the three market hogs was found two empty rubber water containers. Ms. Helen McArthur, Plant Manager, was notified of the humane handling noncompliance, 9 CFR 313.2(e).	CLOSED
M44922	Prime Fresh Foods, LLC	HXV190 901521 2N-1	01/12/2018	04C02	Livestock Humane Handling	313.1	grate on ramp needs repairing, bottom of panel on tub requires repairing	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44932+P 44932+V44 932	BelCampo Butchery	THC051 801590 5N-1	01/05/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 0658 hours on Friday, January 05, 2018, (b) (6) came to the inspection office and notified me (b) (6) assigned to cover the CSI-9 position at Est. 44932, BelCampo Butchery in Yreka, CA) the needed a Reject Tag due to an ineffective knock of an Angus beef animal. His observations were as follows: He was on the slaughter floor standing by the sink in the viscera inspection area approximately 35 feet from the knocking box. An Angus had been moved into the knocking box, the head restraint engaged and the chin lift activated. The FI observed the knocking from his location at the sink; he had an unobstructed view from his location. The plant employee doing the knocking administered the first knock which was ineffective; the animal vocalized. The plant employee then unloaded and reloaded the hand-held captive-bolt (HHCB) knocking gun and administered an effective second knock. The FI estimates less than 30 seconds elapsed between the two knocks. A Regulatory Control Action was initiated by placing Reject Tag # B35731790)on the knocking box. The Plant Manager, Shawn Sparks, was notified at 0700hours that the knocking box had been tagged and no more animals could be slaughtered until the Reject Tag was removed. Per the plant's Humane Handling Plan a second HHCB knocking gun is to be available at the knocking box in the event a second knock is needed. The second HHCP knocking gun was available but the plant employee did not follow the plant's procedure. At 0720(b) (6) provided the following Corrective Actions: The involved employee has been suspended pending an investigation. (b) (6) acknowledged the plant's procedure for a second knock had not been followed. He will verify the involved employee received the proper HH training. All animals in the kill alley have been backed out of the kill alley and are in a pen</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							with water. At 0815 hours I removed the Reject Tag from the knocking box; (b) (6) was informed that slaughter could resume and that an NR would be issued.	

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44932+P 44932+V44 932	BelCampo Butchery	THC141 301511 ON-1	01/10/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>Humane Handling: On 01/10/2018 at approximately 0620 hours USDA (b) (6) observed Establishment 44932 employees attempt to drive a market swine from the alley to the knock box. It was observed by (b) (6) that an establishment employee grasp the swine by the tail and attempt to release the swine been hurt from the foot been entrapped. During the attempt the foot of the market swine became entrapped in a gap between a vertical end pole of the alleyway and the frame of the knock box. The pig vocalized and struggled vigorously to free itself from the entrapment. It was concluded by the inspector that the pig was in distress and harmed. The inspector took regulatory control action and placed USDA Reject Tag Number B30663544 on the knock box. She then spoke to her immediate supervisor who then contacted his Front Line Supervisor. After speaking to Front Line Supervisor the reject tags are to remain, stop moving pigs into alley way and cease slaughter until further notice. Establishment 44932 (b) (6), and (b) (6), was informed of the regulatory control action. Establishment's Correction Actions: Maintenance performed a temporary fix by placing 2 pieces of Plexiglas in the gap that was from the Alleyway to the Knock box. This allowed the animals to move freely into the Knock box without the hazard of falling into the gap. FSIS personnel observed the corrective actions and were found acceptable. Regulatory control was released at approximately 0850 hours by removing USDA Reject Tag #B30663544 and production was resumed. Preventive Measure was given by Establishment's Management: Maintenance will move the Knock box closer to the Alleyway and fill in any remaining space. The following Regulation of but, not limited too 9CFR 313.1(a) and 313.2 (a) were not met. 9CFR</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							313.1(a) Livestock pens, driveways and ramps. 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. 9CFR 313.2 (a) Handling of Livestock. Driving of livestock from the un-loading 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.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44932+P 44932+V44 932	BelCampo Butchery	THC041 702262 8N-1	02/28/2018	04C02	Livestock Humane Handling	313.15 (b)(1)(ii), 313.15(a)(1)	<p>2/28/2018 0905 Humane Handling Est. M44932</p> <p>At approximately 0905 hours on 2/28/18, (b) (6), observed an establishment employee performing a routine knock on a beef. (b) (6) observed the captive bolt knocking gun miss fire in which the bolt didn't fully penetrate the beef skull. As observed by (b) (6) the beef in question showed all the signs of being fully alert such as still breathing, struggling to get its head out of the head catch as if nothing had happened. The establishment employee immediately administered a second knock with a second captive bolt knocking gun rendering the beef unconscious. (b) (6) immediately spoke to the (b) (6). His immediate verbal response was the captive bolt gun was not working properly. Post-mortem examination of the skinned head found 2 knock holes where one did not completely enter the brain cavity but the other hole did enter brain cavity. (b) (6) was informed that a noncompliance record would be issued citing §313.15 (a) (1) and 313.15 (b) (1) for ineffective unconsciousness after first knock and for failing to maintain stunning instruments in proper working order respectively. (b) (6) then stated their corrective actions were to use a brand new captive bolt knocking gun and replace the older ammunition with new ammunition to ensure that the captive bolt knocking gun would work and the remaining cattle would be knocked properly. The HATS category: stunning effectiveness</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44932+P 44932+V44 932	BelCampo Butchery	THC201 702112 8N-1	02/28/2018	04C02	Livestock Humane Handling	313.15 (b)(1)(ii), 313.15(a)(1)	<p>2/28/2018 Humane Handling Est. M44932 At approximately 1015 hours on 2/28/2018, (b) (6) observed a wild, nervous, agitated beef enter the knocking box. After the beef was properly restrained the plant employee attempted to knock the beef twice in which the firing mechanism failed to work causing the beef to react with increasing resistance to restraint, vocalization and repeatedly hitting back of head, jaw and neck against head catch. The plant employee then retrieved the backup knocking device and administered a desensitizing knock to the beef in question. (b) (6) was verbally informed by (b) (6) that the captive bolt knocking gun was not working properly and minor adjustments were made to the knocking gun and dry fired to ensure it was working properly returning it to production for use. (b) (6) verbal corrective actions included having maintenance inspect the captive bolt guns to ensure their proper functionality (b) (6) also stated that the firm was looking into a new type of knocking gun/device (b) (6) was informed by (b) (6) that a noncompliance record would be issued citing §313.15 (a) (1) for the firm failing to maintain minimum excitement and discomfort for the animal and 313.15 (b) (1) (ii) for not keeping the stunning device in proper working condition. This NR is linked to NR THC0417022628N. The firms previous verbal corrective actions were either ineffective or were not implemented. The HATS category: stunning effectiveness</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44932+P 44932+V44 932	BelCampo Butchery	THC581 004383 ON-1	04/30/2018	04C02	Livestock Humane Handling		<p>At about 7:30 am on 4/30/2018 while verifying knocking procedures as proffered by establishment in response to humane handling issues, I found that the establishment failed to follow the procedure that they presented on the first beef slaughtered. The beef was rendered unconscious with an effective initial knock that was applied but employee in charge of knocking released the animal from the restraint without application of a "security knock" as required by establishment's written procedures presented as corrective action for their suspension.</p> <p>Establishment was issued a Notice of Return of Suspension Held in Abeyance after submission of written procedures to be followed. One of those procedures is to apply a second (security) knock after an initial effective knock. The fact that the establishment failed to follow the SOP that was submitted is violation 9CFR 500.3 (a)(5). I discussed the issue with (b) (6) and informed him that a noncompliance would be issued.</p> <p>He explained that there had been a miscommunication with (b) (6) responsible for knocking the animals. He also said that he would note the incident and counsel the employee. The matter was referred to FLS for correlation and it was decided that a noncompliance should be issued as a result of the incident. No regulatory control was taken as slaughter did proceed "humanely" as animal was rendered unconscious with the initial knock.</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44932+P 44932+V44 932	BelCampo Butchery	THC201 005550 8N-1	05/08/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>On Tuesday May 8 2018, at approximately 0605 hours (b) (6) did a routine check of the holding pens at Belcampo. (b) (6), observed one of the holding pen with approximately 8 Cattles and no water access. The condition of the Cattles looked to be normal behavior there was no visual signs of heat exhaustion and the breathing looked to be normal. The position of the holding pen was on the South West corner of Belcampo's holding pens; however there was plenty of shade and air flow. I (b) (6) informed (b) (6) that one of their holding pens with cattle's present had no access to water. (b) (6) quickly grabbed the water hose and a placed water trough and placed it into the holding pen. (b) (6) said they had water last time he checks but maybe the cattle knock over the water trough. I (b) (6) confirmed all the water troughs had water. (b) (6) said he would watch the water troughs throughout the day. I (b) (6) verbally informed (b) (6) that a noncompliance would be issued for 9CFR313.2 (e) Animals shall have access to water in all holding pens. This NR will be linked for the same cause.</p>	OPEN
M44993+P 44993	Musa Halal Slaughter House, LLC	JAQ560 903111 2N-1	03/12/2018	04C02	Livestock Humane Handling	313.1	<p>While observing pen conditions during movement of animals after antemortem. I noted that the squeeze chute/stunning pen used to position animals for ritual slaughter was damaged. A closer examination of the metal bars on the pen showed one area on the left side of the bar used to hold the animals head in place where it joins the main framework of the pen to be rusted through and have sharp edges. These edges extend out about a 1/2" in various locations around the bar. As the edges could cause injury or harm to the animal I rejected the piece of equipment with USDA tag # B43233744. (b) (6) was notified of this rejection.</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45029+P 45029	Vermont Packinghouse LLC	FUU591 201500 2N-1	01/02/2018	04C02	Livestock Humane Handling	313.2	HAT Category III – Water Availability On 1/2/2018, at approximately 13:10hrs, while conducting a humane handling task, (b) (6) observed the following non-compliance: Pen #2 holding 20 swine did not have suitable access to water. The top access point of the automatic waterer was not frozen, however the bottom access point of the automatic waterer was frozen solid. The swine are unable to access the top waterer. I immediately notified slaughter floor employee of my findings. The establishment did not meet the regulatory requirement of 9 CFR 313.2(e), which requires that water be available to livestock in all holding pens. By reviewing PHIS there has been a similar noncompliance written within the 90 days.	CLOSED
M45029+P 45029	Vermont Packinghouse LLC	FUU191 302502 6N-1	02/26/2018	04C02	Livestock Humane Handling	313.1	Category IV On February 26th, 2018 at approximately 8:30am this occurred at Vermont Packing House: The barn supervisor had placed a heavy calf (about 500 pounds) into the knock box. He then closed the door behind the animal. He went to the front of the knock box to secure the animal into the head gate. After opening the head gate the employee tried to get the animals head secured however he saw that the animal was wild and tried to push it back into the knock box. The head gate was opened wide enough to allow the animal to get through and escape the kill chute after putting his front legs through. The animal, once out of the knock box, pushed the employee into the exit door which was to the right of the employee. The door then opened and the animal escaped.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45029+P 45029	Vermont Packinghouse LLC	FUU481 203230 6N-1	03/06/2018	04C02	Livestock Humane Handling	313.2	<p>Category II Truck Unloading. On March 6th, 2018 while a performing Humane Handling Task, I observed the following noncompliance. The farmer had the truck backed-up to into the unloading area. The back of the truck where the swine were being unloaded from was approximately 1.5-2 feet off the ground. The farmer was guiding the swine to the back door of the truck using a board. I witnessed one swine fall off the truck backwards onto its back, where it rolled and vocalized. A second swine off -loaded facing forward, but lost its footing as it unloaded buckling forward onto its front limbs. Immediately I informed the farmer he was not allowed to unload the swine without using the ramp, as the truck bed was too high off the ground. I informed the kill floor supervisor and he went to the trailer and had the farmer wait until he put the ramp down so the remaining swine could unload off the truck using the ramp. No regulatory control action was taken as the supervisor took immediate corrective action. I Informed the kill floor supervisor and the HACCP Coordinator this is a noncompliance. This is a violation of the humane handling regulation, 9CFR 313.2(a).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45029+P 45029	Vermont Packinghouse LLC	FUU430 803042 9N-1	03/29/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category VII Slips and Falls: On Thursday March 29, 2018 at approximately 9:00 am while performing humane handling verification procedures, the following noncompliance was observed by (b) (6) and (b) (6).</p> <p>A bovine animal entered into the stun box and head gate area. Before the locking head gate mechanism could be initiated, the animal thrust itself against the head gate and slipped, falling in her back two legs. While trying to regain her footing, one of her back legs slipped between the stun box side door and floor, becoming entrapped. While trying to free her leg, the medial aspect of her lower hock sustained a wound from the scraping movements against the floor edge. Establishment employees took immediate corrective actions and freed her leg, allowing her to regain footing after a few attempts. The animal was then successfully stunned on the first attempt using captive bolt, and did not regain consciousness throughout shackling, sticking, or bleeding. This is in noncompliance with 9 CFR 313.1(b).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45099+P 45099+V45 099	Responsible Transportation LLC	VOT570 802482 ON-1	02/20/2018	04C02	Livestock Humane Handling	313.2	This morning, February 20, 2018, at approximately 0715 hours, I, (b) (6), while performing HATS Category III-Water and Feed Availability, verification during HATS Category IV Handling during Ante-Mortem Inspection at Establishment 45099, observed the following noncompliance: The cattle in pens 1, 2a, and 2b did not have access to water. I reviewed the cattle unloading records maintained by the establishment and saw that the unloading of these animals occurred at 1843 hours on 2/19/18. There were 4 head of cattle in pen 1 and 20 head of cattle in pen2a/b at the start of ante-mortem on 2/20/18. The establishment did not meet the regulatory requirements of 9 CFR 313.2 (e). I verbally notified (b) (6) of the noncompliance and informed him that an NR would be forthcoming. The establishment immediately resolved the issue and supplied both pens with water.	CLOSED
M8+V8	Iowa Premium, LLC	VSH180 805371 ON-1	05/10/2018	04C02	Livestock Humane Handling	313.2	On May 10th at approximately 7:20 AM, I, (b) (6), was in the barn of M8 performing antemortem inspection, HATS Task Category IV, when I observed a noncompliance. While watching a pen of cattle go past me as I was standing in the inspection stand on the north side of the building, across the barn I noticed a group of cattle run down the south alleyway towards the knocking area. Behind them was a plant employee chasing them while waving his arms, resulting in the cattle moving at an increased level of excitement & a running pace. This is in violation of 9 CFR 313.2 (a). I informed (b) (6) of the problem, she spoke with the employee and instructed him that he was not to do this again. I informed her a noncompliance would be forthcoming.	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8+V8	Iowa Premium, LLC	VSH551 505131 0N-1	05/10/2018	04C02	Livestock Humane Handling	313.15 (b)(1)(i), 313.15(a)(1)	<p>On May 10th, 2018 at approximately 2:45 PM, I, (b) (6) was performing a HATS Category VIII task, stunning effectiveness, in the barn of M8 when I observed a noncompliance. I observed the designated knocker reach down with the pneumatic captive bolt gun and attempt to deliver a knock to the forehead of the bovine in the knock box. The animal moved its head laterally at the moment the gun went off and caused an abrasion on the forehead of the bovine and did not render the animal insensible. The animal remained conscious and was still standing, breathing, and tried to avoid further contact by moving its head away from the knocker. The knocker then grabbed the backup cartridge driven captive bolt stunning device and attempted a second stun, but the captive bolt gun was not loaded and nothing happened. After a short delay, he picked up the nearby second preloaded backup handheld captive bolt device and rendered the animal unconscious. I informed (b) (6) of the noncompliance and after verbal preventive measures were provided the remaining ten animals were slaughtered. I informed (b) (6) and plant manager Jim Reed of the issue and informed them a noncompliance would be forthcoming. This is noncompliant with 9CFR 313.15 (a)(1) and 313.15 (b)(1)(i)</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P46826	SHENANDOAH VALLEY ORGANIC	BOK491 401543 ON-1	01/30/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On 01/30/2018 at approximately 07:15 hours, while starting to give online inspection breaks, I, (b) (6) along with (b) (6) were informed by online (b) (6) (b) (6) and (b) (6), they had seen clusters of cadavers. While giving breaks, (b) (6) and I were also presented with three cadavers. After breaks, I looked and confirmed eleven more cadaver in the condemn barrels. I then started to go to back to the live hang Department and stopped and observed the birds on the rehang belt in Evisceration. I found two more birds with the same characteristics, dark red, had their heads still attached with no neck cut and had extensive hemorrhages in the breast. All sixteen birds had entered the scalding alive. The establishment was not following good commercial practices and not complying with 9 CFR 381.65(b). Poultry that are still breathing on entering the scalding die from drowning and not from slaughter and are considered adulterated and unfit for human food. I showed the two birds from the re-hang table to (b) (6) and informed her of the noncompliance. At approximately 08:15, the establishment was back in compliance after adjustments from maintenance and no more cadavers were observed by myself or the online inspection team.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46910+P 46910+V46 910	B & R Meat Processing	XXC581 105291 6N-1	05/16/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	<p>Non-compliant citation for violation of 9 CFR 313.16(a)(1) & (3) stunning effectiveness (HATS task VIII). On May 16, 2018, at B&R Meat Processing, establishment M46910, at approximately 1105 hours, I, (b) (6) as well as (b) (6), observed a stunning failure on a market hog presented for slaughter. This hog was confined in the knock box and the first stun attempt with a .22 Cal. rifle failed. The hog was still standing and alert after the first shot but was not vocalizing or moving about in the knock box. The employee immediately reloaded the rifle, and successfully performed the stun procedure. I visually inspected the prone carcass after the second stun attempt for any signs of consciousness; none were observed. This hog was now laying on its side in a convulsive seizure; it was not breathing and its eyes were fixed in a blank stare. I continued to monitor this hog for any signs of conscious during shackling, the stick procedure and bleed-out. I informed Mr. Scott Ridenoure, President & Plant Manager, of the stun failure and that a noncompliance record would be documented for the failed stun. A post-mortem inspection of the hog's head indicated the first shot was off target (less than ¾" to the right). A regulatory control of the stun process was not taken for this event because the immediate corrective measure (the second stun attempt) was determined to be effective. This document serves as notification that continued failure to comply with regulatory requirements could result in further administrative actions.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45371+P 45371	Wilson Processing Company, Inc.	HL180 703372 7N-1	03/27/2018	04C02	Livestock Humane Handling	313.16(a)(3)	On March 27, 2018, at Wilson Processing Company, Est 45371 at 0720 the following observation was made. The establishment was using a .22 caliber rifle to render market hogs unconscious. On the 11th and last hog slaughtered that day, the hog turned its head at the time the .22 caliber rifle was fired resulting in the animal not being immediately rendered unconscious. The stunner immediately took corrective action by taking a second shot which was effective in rendering the animal unconscious. This constitutes a regulatory noncompliance with USDA Regulation 313.16(a)(3).	CLOSED
M45371+P 45371	Wilson Processing Company, Inc.	HL1510 705350 8N-1	05/08/2018	04C02	Livestock Humane Handling	313.16(a)(1)	On May 8, 2018, at Wilson Processing Company, Est 45371 at 0710 the following observation was made. The establishment was using a .22 caliber rifle to render market hogs unconscious. On the 12th and last hog slaughtered that day, the shot fired was not effective in rendering the animal unconscious. The stunner took immediate corrective action by using the captive bolt which was effective in rendering the animal unconscious. This constitutes a regulatory noncompliance with USDA Regulation 313.16(a)(1).	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP061 002471 5N-1	02/15/2018	04C02	Livestock Humane Handling	313.15(a)(3)	On 2/15/2018 at approximately 0640 hours, I, (b) (6) observed the HATS category of stunning effectiveness for the Livestock Humane Handling task. I observed a beef cow that required a second stun with a handheld captive bolt device to properly stun the animal, after the first knock didn't produce full unconsciousness. Once the cow was rolled out of the knock box it began rhythmically breathing and blinking/eye rolling. This is in violation of 9 CFR 313.15 (a) (3). The stunning employee took immediate corrective action to properly stun the animal with a second knock using a back-up device, as is the establishment's protocol, which was administered within 20 seconds. I notified (b) (6) of the incident and noncompliance. The establishment took immediate corrective action to re-train the stunning employee to be more precise with placement of the captive bolt device, and to take more time to ensure the first knock is effective, as well as utilize a safety knock.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45377+P 45377+V45 377	3D Meats, LLC	VSB490 601421 8N-1	01/16/2018	04C02	Livestock Humane Handling	313.1	At approximately 1000 hours, (b) (6), observed that the metal trim in the hog knock box was bent up along the doorway into the barn and the wall inside the knock box. This created sharp protruding places where it might cause pain or injury to the hog. (b) (6) instructed (b) (6) to place a USDA reject tag on the knock box and not allow any hog slaughter until this was repaired. Tag # B41938373 was applied to the knock box door. (b) (6) then went to notify General manager/owner Leon Hilty of the situation. A similar NR was issued on Nov 29, 2017 (NR# VSB5612114530N) during (b) (6) audit of the plant. A written response was not received from the establishment to address that NR, but the metal edges had been pounded in to remove any sharp edges. This restored the knock box to acceptable conditions. This document serves as written notification that failure to comply with written regulations may result in further administrative action as described in 9 CFR 500.	CLOSED
M45377+P 45377+V45 377	3D Meats, LLC	VSB330 802460 6N-1	02/06/2018	04C02	Livestock Humane Handling	313.2	At approximately 900 hours, I went to the barn for ante mortem inspection. There were 5 cattle in 2 pens remaining from the previous slaughter day. These animals had no access to water. Establishment owner Leon Hilty was immediately notified of the situation. This is a violation of 313.2(e). This document serves as official notification that failure to comply with written regulations may result in further administrative actions as described in 9 CFR 500.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19290+P 19290	Working H Meats, LLC	NAW01 110240 23N-1	02/23/2018	04C02	Livestock Humane Handling	313.16(a)(1)	At approximately 0845 hours, at the beginning of the slaughter operations, the first hog was a sow. The following noncompliance was noted: (b) (6) and I observed the stunning of the sow. The first shot did not stun the sow, and after the shot, the sow came toward the stunner and jumped up. The stunner took immediate corrective actions and shot again, with the same firearm, a .22 magnum, rendering the sow unconscious, and then shot a security shot before they hoisted the sow in the air. After the sow was bled out and skinned, the head was removed. The skull was examined; and it was found that the first shot had not penetrated completely through the skull. This is a noncompliance of 9 CFR 313.16(a)(1). The establishment was notified immediately and in writing of the noncompliance.	OPEN
M45413+V 45413	Blankenship Farms Meat Processing	BUD480 701483 1N-1	01/31/2018	04C02	Livestock Humane Handling	313.1	On 1-30-2018 at 0730 upon performing the days Ante-Mortem inspection, there was not any water available for the animals in the holding pens. Both pens containing Custom Animals and Inspected had no water. I (b) (6) notified (b) (6) and employees 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

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45413+V 45413	Blankenship Farms Meat Processing	BUD410 702261 4N-1	02/14/2018	04C02	Livestock Humane Handling	313.2	<p>Category III - Water and Feed Availability: During ante-mortem inspection of animals designated for slaughter this morning I observed that the 2 hogs destined for inspected slaughter had pushed their water container out of the holding pen where they were staged thus preventing their access to water as required by 9 CFR 313.2(e). 9 CFR 313.2(e) requires that water be available at all times and that animals held longer than 24 hours have access to feed. This non compliance was illustrated to (b) (6) at the time it was observed at which time the water container was moved back in to the pen with the hogs. Also the water which was initially in the container was dirty so it was swapped out for clean water. Similar condition were observed on 1-31-18 and documented on Non compliance record BUD4807014831N/1 – There was no actual down time due to this non compliance. (b) (6) was 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

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45413+V 45413	Blankenship Farms Meat Processing	BUD130 803521 4N-1	03/14/2018	04C02	Livestock Humane Handling	313.2	Category III - Water and Feed Availability: Upon my arrival at the establishment for odd hour humane handling inspection I observed the following non compliance. I observed that the hogs being held overnight in the alleyway had no access to water. I observed that there were 5 hogs staged in the alleyway with an empty water container. There was evidence that there may have been water in the container at some time earlier (the floor was wet) but the container was empty upon my inspection at 0530 am. There was also a single hog in the front portion of this area with no water or even a container for water in the area. The empty container mentioned above is the container which had been secured to the fence to keep it from being turned over in response to NR# BUD4107022614N/1 dated 2/14/18. This container was no longer secure. Similar noncompliance was documented on NR # BUD4807014831N/1 dated 1-31-18, and NR # BUD4107022614N/1 dated 2/14/18. Water was placed in the pens for the hogs upon arrival of establishment personnel. The above stated noncompliance is in violation of 9 CFR 313.2(e) which requires that water be available at all times and that animals held longer than 24 hours have access to feed. It is also in violation of the establishments initial assessment for its systematic approach to Humane Handling which indicates under category 3 "Water and Feed availability" bullet #4 "If practices/facilities require improvement or maintenance they will be implemented ASAP in order to minimize excitement, discomfort, and accidental injury to livestock and recorded on proper forms."	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45422+V 45422	Messina Meats	BEJ461 603192 ON-1	03/20/2018	04C02	Livestock Humane Handling	313.2	On March 18, 2018, while performing antemortem and inspection of the animal pens at approximately 1320 hours, I observed the following noncompliance. I observed a large live hog in a small fenced pen in the area where animals are staged for slaughter. This pen contained a single water nipple designed to provide water for hogs, however the nipple was not functional and there was no other source of water for the contained hog. I showed Plant Owner Femino of the noncompliance at approximately 1330 hours and he had the pen emptied of the live roaster pig. A regulatory control action was taken and U.S. Reject tags were applied to each pen gate (B40615637 and B40615638) to prevent their use as an animal holding pen until corrective measures were taken to render the pens safe to use. As of the issuance of this noncompliance record, corrective actions had not yet been taken and thus the pen remains under Regulatory Control action. The Establishment has a Robust Systematic Approach on file. I informed Mr. Femino of the forthcoming issuance of a noncompliance record for not providing access to water in the holding pens and that this is a noncompliance of the regulatory requirements of 9CFR 313.2(e).	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46856+P 46856	Safa Halal Meat's	LHJ060 601560 5N-1	01/05/2018	04C02	Livestock Humane Handling	313.2	At 0630 while inside the barn, while performing Livestock Humane Handling Verification - Category III(Water and Feed availability), I observed that the water trough for the Beef Holding Pen Number 1 was frozen. Approximately 7 beef were present in the holding pen at this time. Upon further investigation, I observed that all water troughs outside (approximately 3 which I could observe since it was dark in the Main Yard) were also frozen. Approximately 3 goats and 2 lambs were present. I notified (b) (6) of this noncompliance. At 0700, I verified all water troughs were unfrozen and heaters were added to ensure the water would stay unfrozen. On Dec 29 2017, due to the upcoming weather reports about freezing temperatures, an awareness meeting was held with plant management advising them that the animals in all Pen had to have access to unfrozen water. This is a violation of 9 CFR 313.2(e). This document serves as written notification that your failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45471+P 45471	New Angus, LLC	VUE360 801441 7N-1	01/17/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(2), 313.15(a)(3)	<p>On 1/15/18 at about 12:15 I, (b) (6) walked into the knock box area and observed the following HATS Category VIII non-compliance. There were several establishment employees standing at the blood pit fence looking at a live heifer. She had no signs of injury and was not vocalizing. She made four trips from under the knock box and around the front of the moving table. There is about a three foot fall onto the moving table and one foot to the floor of the pit. The table is approximately six feet wide by twelve feet long and the animal was able to walk around two sides of it. At one point, she unsuccessfully tried to lunge the ten feet out of the pit, scraping the right side of her face on the bars of the fence. An establishment employee was under the belly chain and attempted a knock with a hand held captive bolt device. He was reaching through steel bars to barely reach her head as she moved by him. There was the captive bolt sound, but the animal remained conscious. I observed the animal turn and walk back to the front of the moving table. The heifer made that trip two more times and after a short delay, a blue hat from skinning line was standing on the moving table with another hand-held captive bolt device and was able to get an effective stun resulting in unconsciousness. Another establishment employee then delivered a security knock with the reloaded captive bolt device used for the initial (ineffective) stun attempt. At this time, I informed (b) (6) of the noncompliance with regulation 9CFR313.15(a). I tagged the knock box with US Rejected Tag B22023652 and called my FLS for further guidance. I was able to examine the head of this animal. There was one knock hole at about the two o'clock position, three inches from the center of the forehead. There was also a ¼ inch long knock hole in the center of the forehead. After receiving written corrective actions from</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							establishment management, I removed the US Rejected tag from the knock box and harvest resumed.	

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45471+P 45471	New Angus, LLC	VUE501 503350 1N-1	02/28/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 0945 on February 28, 2018, while performing Humane Handling task, observing HATS category VIII (Stunning effectiveness) on a cow, I observed the following noncompliance: As I approached the restrainer, I noticed that the establishment was having trouble with a cow balking in the chute, just before the restrainer. Two employees and the supervisor in that area were trying to move the animal with paddles, with no success. At that time the supervisor called the stunning employee over to knock the animal with a handheld captive bolt device. This employee went to place the device on the animal's head and fire the captive bolt, but the bolt device did not make contact with the animal on the first attempt. The employee immediately made a second attempt and I heard the device fire normally, but I was not in a position to have a clear line of sight to observe the placement of the captive bolt stunning attempt. The animal remained conscious, there were no vocalizations, but it was standing in the chute moving its head around and tracking with its eyes. Immediately after the second attempt, the animal moved forward into the restrainer, and an establishment employee stunned the animal effectively with a pneumatic captive bolt device. I then called the supervisor over to the sticking area to examine the head of the bovine. I observed the animal's head and found a small hole(1/4" in diameter) in the hide near the pole (top of the head), that was the size/shape of the hand held captive bolt. I had the head of that animal pulled off the line, after head inspection, so the SPHV could take a look at the head. The effective stun hole was located mid-forehead.</p> <p>Upon further investigation, the SPHV used a government issued pen and found that the head did have a hole near the pole that was approximately 3" deep and 1/4" wide. This hole was in the same area I found the initial wound on</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							the head in the sticking area, after the animal had been stunned. I notified Food Safety and Quality Assurance Vice President Lisa Hernandez of the noncompliance with 9 CFR 313.15(a)(1). The corrective actions implemented in a previous noncompliance (VUE3608014417N-1, January 15, 2018) were to retrain all of the animal handling employees on proper procedures for restraint and stunning. This noncompliance is being associated as the training was not adequate in preventing further noncompliance.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P46869	Carrol Poultry, LLC	DLA540 904060 4N-1	04/03/2018	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On 4/03/2018 around 15:20 while performing a Good Commercial Practice task, (b) (6) and I observed an alive (controlled movements, blinking eye and rhythmic breathing) at the end of the line before the scalding. The bird was removed from the line. Three more alive birds were observed and removed from the line before entering the scalding. A rack with 10 live birds hanging and 4 more alive birds piled in the sink adjacent to the blood tank. In less than a minute 2 more live birds were observed on the line just prior to entering the scalding. Regulatory action was taken by stopping the line to prevent live birds from going into the scalding. I notified (b) (6) and (b) (6) of the systematic failure of the plant's Good Commercial Practice 381.65 (b) and the regulatory action taken. 9 CFR 381.65 (b) states "The regulations also required that poultry be slaughtered in accordance with Good Commercial Practices, in a manner that results in thorough bleeding of the poultry carcass and ensures that breathing has stopped before scalding so that the birds do not drown." I also noticed several conscience birds in the blood tank that did not have a sufficient cut to the neck to allow proper bleeding. There was not an employee present to ensure the necks were at the end blood tank. 7 cadaver birds were recorded on the USDA lot shift on the same production day. As part of the Plant's initial preventive measurement on a noncompliance 11/02/2017, the Plant was to place an employee at the end blood tank to ensure the necks are sufficiently cut to allow proper bleeding before entering the scalding and another employee at the opposite end of the line to ensure birds are not breathing and properly bleed out. At the time of my observation today, there was no backup at either end of blood tank. The establishment informed IPP, the employee assigned to ensure proper slaughter of birds at the exit of the blood tank was not</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							completely trained. The establishment preventive measure is to verify kill staffing before each start up and if they have one killer they will hang every third shackle, if two killers every other shackle and if they are full staffed every shackle. They will have a meeting to train employees on the Establishment's Animal Welfare Program. Operations resumed once the plant had given and implemented their preventative measures.	

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45629+V 45629	Andy's Meats Inc.	DJP511 503080 1N-1	03/01/2018	04C02	Livestock Humane Handling	313.2	<p>On 2/28/18 at approximately 1400 hours while performing a Humane Handling Task HATS Category II and VI, Truck Unloading and Electric Prod/Alternative Object Use, I, (b) (6), observed a truck driver unloading five steers. While the truck driver was unloading the steers, I observed him yelling at the steers while poking and hitting them with a wooden cane, including raising the cane above his shoulder and forcefully striking one of the steers in the muzzle area of the face. The steer balked and turned away from the trucker, causing another steer to slip. The steers then grouped into a ball in the unloading area and ran back onto the trailer. The truck driver continued to yell at the steers and switched to using an electric prod to move the steers off the trailer. The truck driver repeatedly prodded the steers in the body (between the shoulders and withers), and I heard corresponding snapping sounds from the use of the electric prod. The truck driver then prodded a steer on the bridge of the nose. At no point did the steers vocalize. I informed the truck driver that excessively striking and prodding the steers is not acceptable, especially in the face. The truck driver claimed that he did not shock the steers in the face, but that he used the electric prod as a poking device. An establishment barn worker was also present; however, he stood behind a gate and did not participate in the truck unloading. Subsequently, I informed Plant Manager, Mr. Andzej Zubek, of the noncompliance and the issuance of the noncompliance record and tagged the knock box with U.S. Reject tag NO. B37601457. After Mr. Zubek proffered a verbal corrective action, I removed the U.S Reject tag, releasing the knock box. This is a noncompliance with 9 CFR 313.2(b) for the establishment's failure to move livestock with minimal excitement.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45629+V 45629	Andy's Meats Inc.	DJP341 303501 2N-1	03/12/2018	04C02	Livestock Humane Handling	313.2	On 3/12/18 at approximately 0645 hours while performing a HATS Category IV – Ante-mortem Inspection task, I, (b) (6) observed an establishment employee move 328 pigs for ante-mortem inspections. While the establishment employee was moving 57 pigs in Pen O, I performed a HATS Category III – Water and Feed Availability task and asked the establishment employee to test the 4 nipple waterers in Pen O for functionality and no water came out of them. The pigs appeared to not be in any distress and were not vocalizing from lack of water availability. I informed Plant Manager Andrzej Zubek of the noncompliance and the issuance of the noncompliance and he immediately fixed the nipple waterers for Pen O, making water available to the 57 pigs; thus no U.S. Rejected tags were used and the pigs did not need to be moved to another pen. This is a noncompliance with 9 CFR 313.2(e) because of the establishment's failure to provide animals with water in all holding pens.	CLOSED
M45629+V 45629	Andy's Meats Inc.	DJP301 004500 4N-1	04/04/2018	04C02	Livestock Humane Handling	313.2	On 4/4/18 at approximately 0710 hours while performing a HATS Category IV (Handling During Antemortem Inspection) Humane Handling task, I, (b) (6), along with (b) (6) observed the water valve leading to the nipple waterers turned to the off position for pens 3 and 5 (HATS Category III - Water and Feed Availability non-compliance). These pens held 99 and 40 pigs, respectively. The affected pigs did not have access to water overnight. The pigs appeared comfortable. An establishment employee immediately turned on the water valve to pen 3 and provided the pigs in pen 5 with a tub of water. Thus, I did not place a U.S. Rejected tag on each pen. This is a noncompliance with 9 CFR 313.2(e) because of the establishment's failure to provide animals with water in all holding pens.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45629+V 45629	Andy's Meats Inc.	DJP450 804502 ON-1	04/20/2018	04C02	Livestock Humane Handling	313.2	On 4-20-2018 at about 7:40 A. M, I, (b) (6) observed the following noncompliance. While conducting the Humane Handling of Livestock Task Category III, Water and Feed availability, I observed a non-ambulatory/disabled (NAD) market hog in the unloading dock area. The establishment indicated it had been unloaded the night before and was NAD because of a broken left rear leg. Although it was separated from other hogs it did not have access to water overnight. It was treated as a US suspect hog with tag #M-2706923 and immediately and humanely stunned by the establishment with a captive bolt gun. A broken left rear leg was confirmed on post mortem. The hog carcass was passed without restriction after trimming of the affected leg. Mr. Andy Zubek, plant manager, was notified of the noncompliance. He immediately counseled barn personnel about the lack of water for the animal. He further counseled them ,reiterating to them that NAD hogs with broken legs should be humanely stunned at the time of unloading especially when unloaded in the PM preceding the day of slaughter.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45629+V 45629	Andy's Meats Inc.	DJP471 404402 4N-1	04/24/2018	04C02	Livestock Humane Handling	313.2	<p>On 4/24/18 at 0710 hours, I, (b) (6) observed the following noncompliance while conducting a Humane Handling of Livestock Category III Task (Water and Feed Availability). I observed a non-ambulatory/disabled (NAD) market hog segregated in the walkway between pens that did not have access to water overnight. The hog did not appear to be in distress. The barn personnel said that it was unloaded the night before and was NAD because of an injured rear leg. It was treated as a U.S. Suspect hog with tag #M-2706924. Establishment personnel immediately and humanely stunned the hog with a captive bolt device. A broken left rear leg was confirmed on post mortem inspection. Mr. Andrzej Zubek, establishment manager, was notified of the noncompliance. He immediately counseled barn personnel about the lack of water for the animal. This is a noncompliance with 313.2(e) for failure to provide access to water. A similar noncompliance was documented on 4/20/18 on NR #DJP4508045020N/1. These noncompliances are associated due to the establishment's failure to provide access to a segregated, NAD hog overnight. The establishment has not yet provided a written response to the noncompliance from 4/20/18. The establishment's further planned actions were not implemented or were inadequate to prevent this noncompliance from recurring.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45629+V 45629	Andy's Meats Inc.	DJP551 005101 4N-1	05/10/2018	04C02	Livestock Humane Handling	313.2	<p>On Thursday, May 10 at approximately 9:45 a.m. while performing a HATS Category VI Humane Handling Task – Electric Prodding/Alternative Object Use, I, (b) (6), observed the following noncompliance (HATS Category VII – Observation for Slips & Falls). The chute leading up to the stunning conveyor was filled with a single-file line of market hogs. The hog at the end of the chute adjacent to the conveyor did not want to walk onto the conveyor. The barn personnel prodded the hog on the right ham with the hand held battery operated electric prod to encourage it to walk forward onto the conveyor. The hog squealed, moved forward to the conveyor and subsequently ran backward about five feet. The barn personnel prodded the hog again to encourage it to move forward. Again, the hog squealed, ran forward toward the conveyor and then ran backward about six feet causing the hog behind it to sit down on its haunches. The hog behind was forced to sit because the gate behind the chute was latched so the line of hogs had no space to backup. The hog was prodded a third time. It squealed, ran forward and then ran back about ten feet with enough force to cause the hog behind to topple from a sitting position onto its back. The hog closest to the conveyor continued to backup over the downed hog and then stepped on the hog as it walked forward. The downed hog fell to its side. All four limbs thrashed back and forth, as it gasped repeatedly. I observed blood on the floor below its snout. I notified the establishment manager of the incident. He was nearby and quickly grabbed the captive bolt device that is located by the automatic, electric stunner and stunned the down hog, rendering it unconscious. Subsequently, I tagged the knock box with U.S. Reject Tag No. B37601454. I removed the tag after verbal corrective actions were proffered by CEO, Jack Zak. This is a noncompliance with 313.2(a) & (b) for failure to</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							minimize discomfort while driving animals to the stunning area, and for failure to minimize injury while using a driving implement (electric prod). I notified Establishment Manager, Andy Zubek, and CEO, Jack Zak, of the noncompliance and the issuance of the noncompliance record.	
M45705+P 45705+V45 705	Meat Processing Career Center	IGR011 102130 6N-1	02/05/2018	04C02	Livestock Humane Handling	313.1	On 2/5/2018 at approximately 1312 hours while performing Humane Handling verification task HATS category II (truck unloading), I observed the following non-compliance: When the trailer was initially backed up, the unloading ramp was positioned flush with the trailer with no appreciable gap. As cattle were unloaded a gap formed, and I observed that the second to the last steer stepped both front limbs in the gap. After a few seconds of standing the animal stepped onto the ramp and continued into the barn with no signs of harm or distress. The last steer stepped off the trailer onto the ramp into the barn with no incident before any corrective actions could be performed. I notified (b) (6), of the non-compliance with 9 CFR 313.1(a).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45705+P 45705+V45 705	Meat Processing Career Center	IGR431 204161 0N-1	04/10/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On Tuesday April 10, 2018 at approximately 0753 hours, while verifying the establishment's stunning effectiveness during pneumatic captive bolt stunning of beef cattle. The designated pneumatic captive bolt operator discharged the captive bolt into the top of the head of the animal, which resulted in an Ineffective Stunning Attempt, in which the animal was not rendered insensible by a single blow. The animal was observed to remain conscious, remained standing after the stunning attempt with eyes tracking and reacting to surroundings. The designated pneumatic captive bolt operator and the establishment Penal Workshop Specialist overseeing the establishments stunning effectiveness, effectively determined the Ineffective Stunning Attempt and instantly without hesitation made the ineffectively stunned animal unconscious before the animal was shackled, hoisted or stuck. The establishments' Ineffective Stunning Attempt was discussed with (b) (6). He was advised to cease stunning operations, with U.S. Rejected Tag B31999946 applied to the knock box, until additional information was gathered from the onsite (b) (6), and telephone correlation with the USDA-FSIS (b) (6), and (b) (6). Upon gathering additional information, U.S. Regulatory Control was relinquished and establishment stunning operations were allowed to commence. The establishments' ineffective stunning attempt, in which an animal was not rendered insensible by a single blow to produce immediate unconsciousness, is noncompliance with the regulation requirements identified within 9 CFR 313.15(a)(1).</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45729+P 45729+V45 729	Westcliffe Meats LLC	UGM13 100119 05N-1	01/05/2018	04C02	Livestock Humane Handling	313.2	On 1-5-18 at 07:19 while performing ante mortem activities I (b) (6) observed the following: There were 4 hogs in the North holding pen with no access to water as the water was frozen. There were 9 hogs in the South holding pen with no water at all located in the pen. When proceeding back to the building to inform the owner of my findings one of the slaughter employees was carrying water out to the holding pens at which time I observed him place water in both holding pens. Good human handling practices require animals to have access to water at all times. The establishment's current system for water access appears to be inadequate. Plant owner Mr. Hank Miller was notified verbally and in writing in the form of this Non compliance report. No tag used. Review of the establishments previous 90 days of records shows one NR #UGM4110103825N/1 dated 10-24-17 for same root cause.	CLOSED
M45564A	Central Maine Meats, LLC	KRJ290 701500 9N-1	01/09/2018	04C02	Livestock Humane Handling	313.1	HATS Category I – Inclement Weather At 0701 hours, during the performance of HATS category I, Inclement Weather verification task, the following non-compliance was observed. I observed 3 beef that were being housed in holding pen number 1 and during my observation I saw 2 white plastic 5 gallon water pails filled with frozen water I personally informed (b) (6) that was on site, to the frozen water pails. A record review revealed no recent similar noncompliance documented in the past 90 days. According to 9 CFR 313.2(e) Animals shall have access to water in all holding pens.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45564A	Central Maine Meats, LLC	KRJ480 801461 ON-1	01/10/2018	04C02	Livestock Humane Handling	313.1, 313.2	Category III Water and Feed Availability: At 8:00 am on Monday January 8th I observed three beef animals delivered to the slaughter facility. Due to equipment failure issues, the beef were not slaughtered. At 8:00 am on Tuesday January 9th I observed that the same three beef animals did not have access to feed. This is non-compliance with 9 CFR 316.2(e). A further review of record did not indicate that the plant had not documented they had provided feed. (b) (6) and Plant Manager Bill Lovely were notified that there was no feed and that a non-compliance record would be issued. A review in PHIS indicates a similar non-compliance, KRJ2409102925 was documented on October 25th, 2017 for the same cause.	CLOSED
M45564A	Central Maine Meats, LLC	KRJ581 105050 7N-1	05/07/2018	04C02	Livestock Humane Handling	313.2	Category VI – Electric Prod/Alternative Object Use On May 7, 2018 at 0945 hours, while performing a routine Livestock Humane Handling Task, the following non-egregious noncompliance was observed. A heifer was in the stunning chute and the rear door was closed. Establishment employees placed a halter rope around the neck of the heifer and pulled the rope to pull the head forward through the squeeze gate. The halter rope was not being applied as it was designed to in order to minimize discomfort of livestock in the stunning area. The establishment employees were immediately notified to discontinue the noncompliant activity. (b) (6) was notified verbally and visually of the noncompliance. The establishment is further notified of this noncompliance by virtue of this noncompliance record. Review of the PHIS database does not reveal any similar noncompliance records in the past 90 days.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45741	Down Home Processing, Inc.	GVQ34 130255 14N-1	02/14/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>HATS CATEGORY VIII - At approximately 1035, while performing humane handling verification procedures, (b) (6) and I observed a mis-stun of a bovine animal. The first stun attempt failed to render the animal insensible to pain which is a violation of 9 CFR 313.16(a)(1). The animal moved during the act of shooting and immediately jumped in a backward motion after being shot. The animal raised his head in a fast, upward direction and thrashed his head once against the side of the knock box, then lowered it to a mid-position. The animal then stood with his eyes facing forward in a coherent manner (trailing movements in the vicinity). The animal's breathing had increased, yet still remained in a rhythmic pattern. The animal was in a standing position, and did not fall to the floor. The slaughter employee had lined up for an immediate 2nd stun attempt. The employee then allowed for the animal to stabilize its position, prior to the 2nd stun attempt. The 2nd stun attempt was successful. The firearm used during the stun attempts is a 357 magnum. The ammunition used is 158 grain, hollow point. I applied USDA Rejected tag# B43268867 to the knock box. Plant Manager, Alex England stated that he would conduct a staff meeting with his employees to discuss what happened and to retrain them. After notifying the supervisory chain of command and receiving corrective actions from plant management, the knock box was released to plant management personnel at approximately 1053.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45843+P 45843+V45 843	Conger Meat Market, LLC	GNS331 302301 3N-1	02/13/2018	04C02	Livestock Humane Handling	313.15(b)(1) (iii), 313.2	<p>On 2/13/18 at approximately 1215 hours while performing a Humane Handling Task, observing HATS Category VIII (Stunning Effectiveness) on a Holstein Steer, I observed the following noncompliance in HATS Category VII – Slips and Falls. The steer walked into the knock box and an establishment employee closed the metal chute door behind him. Inside the knock box there was a wooden box with the dimensions 36” tall in the front X 50” tall in the back X 29” wide, that was located at the front of the knock box to help assist with head placement. This wooden block has been a temporary fix in use since 01/31/18 to help limit mobility of the animal’s head for more accurate stun placement. Prior to any stunning attempts, I observed the steer jump up with its front two legs on top of this wooden box and back down to the cement below approximately 2-3 times. On the last jump down from the box, the steer slipped on thin layer of ice approximately 2ft. X 3ft. in size that had formed on the cement underneath and towards the back of the knock box near the metal chute door. The knock box is directly connected to the outside temperatures which were at 26 degrees F (www.localconditions.com). The steer landed with force in a sternal recumbent position with a loud audible sound, landing on its front wrists. The steer was pinned between the metal chute gate behind him and the wooden box. After the steer went down on all fours, I noticed it had bloody abrasions approximately 2” X 2” in size on each of its wrists from when it fell down. The animal struggled to get up for approximately 25 minutes while establishment employees tried to nudge the steer to rise with their hands. Establishment employees used metal hooks to pull the wooden box up and out of the knock box to give the steer more space to stand up; they also placed ice melt on the cement surrounding the steer to try and melt the ice buildup. At 1256 hours, with a couple taps from a rattle paddle, the</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							steer stood up and was stunned effectively with a captive bolt device. I notified Plant Manager, Mr. Jeremy Johnson (who was present) of my observations and my intent to issue this NR. This was the last animal to be slaughtered for the day, thus no further regulatory control actions were deemed necessary. The establishment is noncompliant with the regulatory requirements of 9 CFR 313.2(a) and 313.15(b)(iii) for not having a stunning area designed, constructed, and maintained as to limit the free movements of animals which allowed the steer to slip and fall causing the animal excess excitement and discomfort.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45843+P 45843+V45 843	Conger Meat Market, LLC	GNS451 002301 6N-1	02/14/2018	04C02	Livestock Humane Handling	313.2, 313.30 (a)(2)	<p>On 02/14/18 at approximately 1000 hours while performing a Humane Handling Verification Task to verify HATS Category VIII (Stunning Effectiveness) and IX (Consciousness on the Rail), I observed the following noncompliance during the stunning of a hog. While in the restraining pen before slaughter, the hog knocked the pin out from the gate that secured the gate to the wall. The two (b) (6) and (b) (6) tried unsuccessfully for about one minute to get the pin back in the wall. However, they chose to proceed with head stunning while (b) (6) held the gate close to the wall. This allowed the animal more range of motion than is typical. The establishment typically uses an electric wand to perform a head stun first and then a heart stun immediately afterwards to achieve unconsciousness of swine animals. As the establishment employee began stunning the pig, I heard a loud squeal as the v shaped prong touched the animal behind the ears, the employee continued to make contact with the animal and the animal dropped to the ground while the stunner was in contact. (b) (6) then performed the chest stun to finish the stun. While I could not view the animal's head from where I was standing, I did not hear any more squealing following the initial squeal nor did I see any righting reflexes. The animal did grunt and exhibit non-coordinated muscle movements during this period, but no specific signs of consciousness were seen. The grunts heard were soft, expiratory grunts and did not appear to be made consciously (b) (6) and (b) (6) shackled and raised the chain approximately a half foot off the ground, but lowered the hog immediately as it continued to grunt and exhibit non-coordinated muscle movements. The employee re-stunned the animal behind the ears at which point the movements and grunting ceased, raised the animal, and cut the throat. I discussed the stunning incident with (b) (6) and he provided verbal corrective actions. Slaughter</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							operations resumed and the four remaining hogs were all stunned effectively on the first stunning attempt. I later notified Plant Manager Mr. Jeremy Johnson of my findings and my intent to issue this NR. Due to the fact that the animal was not rendered unconscious with a minimum of excitement and discomfort, the establishment is noncompliant with the regulatory requirements set out in 9 CFR313.2(a) and 313.30(a)(2) which emphasize the importance of minimizing excitement and discomfort to the animal.	
M45843+P 45843+V45 843	Conger Meat Market, LLC	GNS161 604261 9N-1	04/19/2018	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 1235 hours while performing Humane Handling Verification to verify HATS Categories VIII (Stunning Effectiveness) and IX (Consciousness on the Rail), I observed the following noncompliance during the stunning of a goat. In the knocking pen, a plant employee restrained a goat while the slaughter floor supervisor and (b) (6), attempted to stun the animal with a hand-held captive bolt device on the goat's forehead. The first stun was ineffective as the goat remained conscious and did not drop to the floor, and vocalized twice. (b) (6) took immediate corrective actions using the back-up hand-held captive bolt device making a second stunning attempt, effectively rendering the goat unconscious with a stun to the forehead. Upon examination of the skinned and split head there were two distinct wounds; one stun wound tract located rostral to the brain, missed the brain by approximately ½" and a second went directly into the brain. I immediately placed U.S. Reject tag #B30317546 on the knocking pen and notified Plant Owner Mr. Jeremy Johnson of my observances and my intent to issue this noncompliance report. Slaughter operations were allowed to continue after (b) (6) provided me with verbal preventative measures. The establishment is noncompliant with the regulatory requirements set out in 9 CFR 313.15(a)(1).	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45853+P 45853	Hemlock Hill Farm	EGQ381 302162 8N-1	02/28/2018	04C02	Livestock Humane Handling	313.2(f)	HATS VIII, Stunning effectiveness During the DVMS humane handling verification visit the following noncompliance was observed: on the third swine being stunned with the electrical stunner the animal was ineffectively stunned as evidenced by vocalization, voluntary movement, and rhythmic breathing. The plant immediately stunned the animal with the back up hand held captive bolt device. This is non-compliant with Title 9 CFR 313.30 (a)(1).	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45856+V 45856	Prime Pork LLC	ODB02 110224 15N-1	02/08/2018	04C02	Livestock Humane Handling	313.2	<p>On February 8, 2018 at approximately 0625 hours, while performing a HATS Category IV Task (Handling During Ante-mortem Inspection) with a Hats Category III Task (Water and Feed Availability), the following noncompliance was observed in the barn: Pen 10 was divided by a gate, with hogs on each side. In the half of the pen closest to the center alley, the hogs were all laying down. No obvious floor space was visible, and approximately 3 hogs were lying partially on top of other hogs. There was no room in this half of the pen for hogs to lie single file. For hogs to access the available water they would have had to walk on top of other hogs to do so. The pen card for pen 10 documented a scale time of 1344 hours (1:44PM) indicating the hogs had been held overnight at the establishment. On the other side of the gate of pen 10, the hogs had visibly more square footage per hog, and there was obvious visible free floor space. Ante-mortem examination was withheld until the establishment addressed the overcrowding in the above mentioned portion of pen 10. This observation is noncompliant with 9 CFR 313.2 (e). (b) (6)</p> <p>was notified of the forthcoming noncompliance record. At the same time, additional pens of hogs in the barn were noted to have no additional space. Pens 8, 16, 18, 19, and 20 were divided by a center gate. The portion of the pens closest to the center alley had no obvious amount of sizeable, visible floor space when all the hogs were lying down. While this observation does not constitute a noncompliance, the lack of visible floor space present in pens demonstrates a trend toward overcrowding. IPP have previously discussed overcrowding and pen capacities with the establishment management and these discussions are documented in the weekly meeting minutes on 12/06/17 (MOI ODB3907123707E) and on 02/07/18 (MOI ODB1912023509G).</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34554	Wilson Farm Meats, Inc.	ORQ10 080140 25N-1	01/24/2018	04C02	Livestock Humane Handling	313.15(a)(2), 313.2	On 1/24/18, at approximately 8:30 am, while observing HATS Category VI (Electric Prod/Alternative Object Use), I observed the following noncompliance. A beef was brought into the knock box. The animal was balking at the head gate, refusing to step forward. An establishment employee was using a "hot shot" electric prod to drive the beef into the head gate. With several taps of the electric prod, the beef was almost to the head gate. The employee then held the electric prod on the beef's rump for several seconds, causing the beef to squish itself up into the head gate and bellow in discomfort. The beef was immediately stunned. (b) (6) applied US Reject tag # B36774627 to the knock box. This is noncompliance with 9 CFR 313.2(a), 313.2(b), and 313.15(a)(2). The (b) (6) and (b) (6) were notified of the noncompliance.	CLOSED
M34554	Wilson Farm Meats, Inc.	ORQ10 080140 25N-2	01/24/2018	04C02	Livestock Humane Handling	313.30(a)(1)	On 1/24/18, at approximately 10:45am, while observing HATS category VIII (Stunning Effectiveness); (b) (6) observed the following noncompliance. The stunner operator, utilizing a scissors-type electrical stunning wand, placed the electrodes on the head of a market hog. Immediately upon placement, the hog exhibited rigor and began falling over. The electrodes slipped off the head of the hog and the hog immediately began to squeal. The stunner operator immediately replaced the electrodes on the hog's head, and effectively rendered the hog insensible. (b) (6) tagged the knock box with US Reject Tag # B36774629. This is noncompliance with 9 CFR 313.30(a)(1). (b) (6) was notified of the noncompliance.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M51252	LaCoe's Custom Butchering LLC - Carey Plant	UYF451 302440 1N-1	02/01/2018	04C02	Livestock Humane Handling	313.2	On February 1, 2018, at approximately 1400 hours while performing humane handling verification activities at Est. 51252, I observed the following noncompliance. In the outside holding pen, on the establishment's official premises, a bull was noted inside the holding pen with two turned over and empty white buckets (approximately 5 gallon capacity sized). This is noncompliant with 9CFR313.2(e) which states in part that "animals shall have access to water in all holding pens". Plant owner, Mr. Scott LaCoe and (b) (6), were notified of this noncompliance.	CLOSED
M45919+P 45919	Circle C Farm Abattoir & Butcher Shop, LLC	QWL33 060457 10N-1	04/10/2018	04C02	Livestock Humane Handling	313.16(a)(1)	Category VIII Stunning Effectiveness On 4/10/18 at approximately 0715 hours after performing antemortem inspection I observed a mis-stun on a market hog. The animal was being stunned by gun shot where it moved it's head just as the stun was being applied resulting in the animal not being rendered unconscious. The person performing the stun by gunshot immediately applied a second shot where the animal was then made to be insensible. I notified establishment owner Mr. Manny Cruz about the non-compliance. 9 CFR 313.16(a)(1) states in part: 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.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45928+P 45928	Central Missouri Meat & Sausage	CRN381 902560 1N-1	02/01/2018	04C02	Livestock Humane Handling	313.2	HATS Category III – Water Availability On February 1, 2018 at approximately 1845 hours while performing the Livestock Humane Handling Task for water availability, I (b) (6) observed a pen of cattle did not have access to water. I observed the two water containers that were in the pens to be empty. I immediately verbally notified a plant employee of the noncompliance and at that time, he replenished the water for the cattle. Mr. Cory Hawkins (Owner/Operator) was notified of the noncompliance and that a Noncompliance Record (NR) would be issued. This shows a failure to meet regulatory requirement 9 CFR 313.2(e). A review of recent NR's does not show any similar noncompliances.	CLOSED
M45928+P 45928	Central Missouri Meat & Sausage	CRN180 902481 5N-1	02/14/2018	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3)	HATS VIII—Stunning Effectiveness On 02/14/2018, at approximately 1300 hours, I (b) (6) observed a stun failure on a hog in the establishment's slaughter area. After an establishment employee applied the initial stun with an electrical stunner, which appeared to be effective until the electrical wand was removed the hog vocalized and started to crawl. The establishment employee immediately applied a captive bolt effectively rendering the animal unconscious with the second stunning attempt. This noncompliance is a failure to meet the regulatory requirements of 9 CFR313.30(a)(1) & (3). (b) (6) informed (b) (6) Cory Hawkins, Plant Owner, that a noncompliance record would be issued.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45948	Ida-Beef LLC	AKL471 302272 2N-1	02/20/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>HATS Task Category VII (Slips and Falls). On February 20, 2018 at approximately 1130 hours I, (b) (6), was performing ante-mortem inspection with establishment owner, Larry Ward, when the following noncompliance was observed. Mr. Ward initially presented four dairy cows from (b) (4) for ante-mortem inspection. He slowly moved the cattle from the holding pen into the alleyway. The first Holstein to exit the pen slipped and fell in the alleyway on the ice on all four legs with hind legs splayed and struggled to rise while the third Holstein cow in line slipped and fell on the ice in the alleyway on her hind legs. Both cows were able to rise and were further moved into the round crowd pen. Mr. Ward next presented five dairy cows from Oak Valley Dairy for ante-mortem inspection. He slowly moved the cattle around within the holding pen to present both sides with no incidences. Mr. Ward then presented eleven dairy cows from Dry Creek Dairy for ante-mortem inspection. He slowly moved the cattle from the holding pen into the alleyway. One of the Holstein cows within the middle of the group slipped and fell on the ice upon entrance into the alleyway on her hind legs. She was able to rise and continue to move up the alleyway. The establishment did not implement any preventive measures to help eliminate the ice hazard in the pens and alleyways. I verbally informed Mr. Ward (establishment owner) that a humane handling noncompliance would be documented. A review of the establishment's compliance history failed to reveal any associated noncompliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45948	Ida-Beef LLC	AKL141 704251 9N-1	04/19/2018	04C02	Livestock Humane Handling	313.2	<p>On Thursday, April 19, 2018 at approximately 3:09pm, I, (b) (6), while performing routine ante-mortem inspection, observed the following noncompliance: Four (4) cull dairy cows presented for ante-mortem in Pen #2 did not have any water. There was a water barrel present which contained some moisture in the bottom, but was otherwise completely void of liquid. I immediately notified the responsible Establishment pen personnel. About the same time, the Slaughter Supervisor came out to the ante mortem pens. I showed him the empty water container and informed him that an NR would be issued. I then notified (b) (6) of the non-compliance who took immediate action and filled the water container in Pen #2. A review of previous noncompliance show no other NRs with the same root cause in the last 90 days.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45948	Ida-Beef LLC	AKL231 004503 ON-1	04/27/2018	04C02	Livestock Humane Handling	313.2	On Friday, April 27, 2018 at approximately 1450 hours, I, (b) (6), was covering the online slaughter inspection duties when I was asked to perform ante-mortem inspection on cattle outside in the holding pens. I proceeded to the holding pens and observed the following noncompliance. There were three dairy cows in pen number three and two water barrels present, but no water in either barrel. There were three dairy cows in pen number four and two water barrels present, although one of the barrels contained some moisture in the bottom, but both barrels were otherwise dry. I immediately notified the establishment pen personnel who was by my side that a noncompliance would be issued for no water provided to the cattle. Another establishment person began filling the barrels with water, therefore I did not apply a U.S. Reject tag. A supervisor was not readily available, so I proceeded back to the slaughter floor and informed QC personnel that a humane handling noncompliance would be issued for not providing water to the cattle in the holding pens. A review of previous noncompliance records reveals a noncompliance of same root cause issued on April 19, 2018 (NR# AKL1417042519N) indicating further establishment preventative measures were poorly implemented or ineffective.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48226	American Halal Meat	MEN3213011317N-1	01/17/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	<p>Category VIII "Stunning Effectiveness" On January 16, 2018 at approximately 14:00 hours, while conducting a routine Livestock Humane Handling Verification Task HATS category "Stunning Effectiveness", (b) (6) observed the following noncompliance. Establishment Owner Muhammad Qayyum shot a veal with a 9mm pistol, after the initial shot the beef remained standing. Mr. Qayyum immediately delivered a second shot that effectively rendered the animal unconscious. At that time (b) (6) notified his supervisor of the incident. After investigation of the incident by plant management it was determined that both shots had penetrated the skull and the initial shot was approximately 1inch below, and 1 inch to the right of the center of the skull. At this time (b) (6) informed Establishment Owner Muhammad Qayyum verbally and this record serves as written notice of the establishments inability to meet the regulatory requirements of 9 CFR 313.16(a)(1) &(3). After reviewing the records for the previous 90 days, no associations can be made at this time.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M791C	Clemens Food Group, LLC	QCF191 301480 2N-1	01/02/2018	04C02	Livestock Humane Handling	313.2	<p>HATS CATEGORY II—TRUCK UNLOADING At approximately 1250 hour on 1/2/2017 after performing ante-mortem inspection on a pen on the west side of the barn, I observed noncompliance with Humane Slaughter of Livestock, Handling regulatory requirements. After completing ante-mortem inspection, I looked north down the west barn alley toward swine unloading bay one. I observed an establishment employee gently push a standing hog down a trailer ramp from the top deck of the trailer. The employee moved the hog to the point where the back half of the hog was on the trailer and the front half of the hog was on the unloading bay dock. The employee then moved to the front of the hog, grabbed both ears of the standing hog, and gave one big yank to pull the hog the rest of the way off the trailer. This finding illustrates noncompliance with 9 CFR 313.2 (a) because a hog was not driven from an unloading ramp to a holding pen with a minimum of excitement and discomfort. In response to this finding, I immediately took regulatory control action and rejected the drop gate at the alley leading to stunning area with reject tag 36787183, per 9 CFR 313.50 (b). I then immediately notified (b) (6) of this action and my findings. By approximately 1300 hour, establishment management provided me with verbal corrective actions, which included suspension of the employee involved until an investigation was complete and additional training of animal handling employees. I then released the regulatory control action.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M791C	Clemens Food Group, LLC	QCF531 002431 3N-1	02/13/2018	04C02	Livestock Humane Handling	313.2	<p>HATS category IV While en route to perform a HATS category V verification task at approximately 0755 hours I observed a struggling hog on top of another hog, at the entry from the alleyway (2nd/last section of the serpentine) to the staging area just outside the gondola, with its snout caught in an approximately 4-5" opening between the wall at the end of the alleyway and the partially closed gate. (b) (6), who was with me at the time but at a different vantage point, observed the gate close upon this hog's snout. This hog did back up and free itself after an operator coaxed it back with a rattle paddle, at which time the gate fully closed. The gate was never observed to retract after hitting this hog's snout. I immediately placed a US Reject tag (No. B37602013) upon the control box for the west CO2 stunner until an initial assessment of the situation could be accomplished (the total time the US Reject tag was applied was approximately 2 minutes). This incident demonstrates non-compliance with 9 CFR 313.2(a) which states, in part, that the "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." (b) (6) was notified that an NR would be issued.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M51283	Dean & Peeler Meatworks LLC	YWH43 120556 09N-1	05/08/2018	04C02	Livestock Humane Handling	313.1	At approximately 7:15 AM, while conducting a Livestock Humane Handling Task, I noticed there was no water in the water trough. I immediately notified Plant Owner Dustin Dean and informed him that there must be water at all times provided while animals are in the holding pens as well as throughout slaughter. He proceeded to take corrective actions and fill up the water trough. The above issues were not in compliance with the following regulations from 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."	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M630	CS Beef Packers, LLC	KJN590 903342 9N-1	03/29/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII: Stunning Effectiveness At approximately 0715, while observing (b) (6) knock a non-ambulatory beef cow in the pens at CS Beef, Est. 630, I, (b) (6), observed the following non-compliance. (b) (6) failed to effectively stun the non-ambulatory beef cow with the first stunning attempt. The ineffective first stunning attempt was properly placed, however it did not render the beef cow unconscious. The beef cow did not exhibit signs of distress and did not vocalize. (b) (6) was patient and used the available back-up loaded captive bolt device to effectively stun the beef cow on the second attempt within approximately 30 seconds. (b) (6) followed the establishment's written robust humane handling program. (b) (6) was immediately informed that this incident was a non-compliance and would be documented as a non-egregious non-compliance. (b) (6) and (b) (6) were both informed as well. (b) (6) immediately retrained (b) (6). The establishment is currently operating with a written robust systematic approach to humane handling. Upon review of non-compliances over the last 90 days, association is not required.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M51300+P 51300	Phillips Processing Plant	CRT251 002540 9N-1	02/09/2018	04C02	Livestock Humane Handling	313.2	On 2/9/2018 at approximately 1027 hours while performing Humane Handling verification task HATS category II (Truck unloading), I observed the following non-compliance: A trailer containing two pigs was unloaded over an estimated one foot step down. The first pig unloaded with no slips or falls. The second pig balked at the entrance to the trailer. The owner entered the trailer to assist in unloading. I observed the sow manipulated so that she was perpendicular with the ground, head towards the ground and hind limbs in the air, with the owners hand on the tail. I observed the sow fall out of the trailer onto her side where she stood up and quietly walked to the pens with no limping or other signs of injury. I took regulatory action and placed US Reject tag #B41951315 on the knock box. I informed the Plant owner, Mr. Dale Phillips, of the non-compliance with 9 CFR 313.2(a). I removed regulatory action after receiving immediate corrective actions.	CLOSED
M46085+P 46085	Stevens Abattoir Inc.	CXM08 110132 22N-1	01/22/2018	04C02	Livestock Humane Handling	313.2	**Category III- Water and Feed Availability (9 CFR 313.2)** On 1/22/2016, at approximately 930 AM, while conducting official inspection duties at Steven's Abattoir, the following Livestock Humane Handling violation was observed: ** In the holding pens, there were 3 cows and 6 hogs being held without any water. In the far right pen, there were 5 hogs with an empty water trough. In the middle holding pen, there was one hog without a trough and in the left holding pen, there were 3 cows with an empty trough; thus, leaving the animals with no access to water. All animals must have access to water at all times while in the holding pens. No regulatory action was taken on the facility due to the management's immediate response in providing water to the animals. Darren Stevens, Plant Owner was notified of this finding and of the establishment's failure to comply with 9 CFR 313.2	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46085+P 46085	Stevens Abattoir Inc.	CXM38 140450 09N-1	04/09/2018	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 11:15 AM on 04/09/2018 at Steven Abattoir (TA46085). While identifying humane handling category 8, stunning effectiveness, IIC and (b) (6) observed a missed stun on a steer . Both IIC and (b) (6) were standing in an adjacent room (gut room) while Darren Stevens (owner) used a captive bolt on a steer in the knock box. As soon as Plant owner turned around a worker notified Mr. Stevens that the animal was still standing. Hunter entered the room and noticed the animal was blinking and looking around the room. The animal was conscious. Darren Stevens quickly re-loaded the charge on the captive bolt and “knocked” the animal a second time. This stun was successful. A regulatory control action was taken in the form of an U.S. Rejected tag placed on the Knocking Box (Tag Number: B37241505). Darren Stevens (Plant Owner) was notified of the non- compliance and Failure to comply with 9 CFR 313.15(a)(1). Plant owner took verbal corrective action prior to the U.S. rejected tag (B37241505) being removed.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M51309+V 51309	Texas Packing Co.	OLR401 005160 2N-1	05/01/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>On May 1, 2018 during a plant visit at Texas Packing Establishment M51309, I found the following noncompliance with the code of federal regulations: At 10:00 am I discovered cattle in pens with no access to water. I rejected pens 42, 40, 36, 34, 32, 28, and 26 with US Reject tags B39030782 and B39030783. Title 9 CFR part 313 requires animals have access to water in all holding pens. Plant Manager Jorge Correa was notified of this noncompliance with federal regulations. 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. There shall be sufficient room in the holding pen for animals held overnight to lie down. At 12:20 pm I observed a cow that had become stuck in a man escape gap in the alleyway next to pen 4. The cow was stunned and bleed out by the establishment. The pipe fence was cut to allow remove of the animal. The alley way next to pen 4 was rejected with US Reject tag B39030784 until the gap in the pipe fence could be repaired. Plant Manager Jorge Correa was notified of the noncompliance with federal regulations. 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. At approximately 12:45 I observed 7 head of cattle that had been driven into a triangular area leading to the drive chute to the knocking box. There were five plant employees in all directions on the fencing around the cattle. These plant employees were all yelling loudly and hitting the cattle with plastic paddles. There was not enough room for the cattle to turn around in the area so they could enter the chute in a head-first</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>direction. I stopped the activity and rejected the drive chute to the knock box with US Reject tag B39030785 until the establishment could proffer corrective actions. (b) (6)</p> <p>was notified of the noncompliance with federal regulations. Title 9 CFR 313.2 Handling of livestock states: (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. (b) Electric prods, canvas slappers, or other implements employed to drive animals shall be used as little as possible in order to minimize excitement and injury. Any use of such implements which, in the opinion of the inspector, is excessive, is prohibited.</p>	
M51309+V 51309	Texas Packing Co.	OLR371 605240 9N-1	05/09/2018	04C02	Livestock Humane Handling	313.1	<p>On May 8, 2018 at approximately 1000 hours, I observed 45 head of cows come off the truck and penned at Texas Packing. The cattle were slaughtered beginning at approximately 1345 hours on May 9, 2018. These cattle were not given any feed during this period which exceeded 24 hours.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46139	Cypress Valley Meat Company 1, LLC	UIV1313035120N-1	03/20/2018	04C02	Livestock Humane Handling	313.1	<p>On 3/20/18 at approximately 0810 while performing ante mortem inspection in the pen area from the alleyway, the following noncompliance was observed: There are metal slats bolted down to the concrete in the pens and alleyways to help provide good footing, however between pens 3 and 4 is a small dip in the flooring that has allowed the slatting to rise approximately an inch. This area could easily allow smaller or longer hooves to slip underneath it thereby creating an opening where the feet of animals may be caught causing trips or injuries. This was brought to the attention of Mr. Keith Crow and Mr. Bennie Jones, Co-Plant Managers. They were verbally informed a US Reject tag was being applied to the pens and they proceeded to the pen area. US Reject Tag #B42001485 was being authenticated as they tried to bend the metal into place with a hammer, which failed, and the establishment realized they could utilize the first entry door to pens 3 and 4 to unload all animals into and then bring them back into the alley by the opposite door, which allows animals to bypass this location. This was found acceptable for to prevent animals from passing over this opening. Additionally, the establishment is retrieving a drill bit and additional bolts to allow them to drill the slats and secure it to the flooring. They will use the bypass method until this repair can be made. A review of records reveals no recent NRs to be associated with this noncompliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46139	Cypress Valley Meat Company 1, LLC	UIV5909035030N-1	03/30/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>On 3/30/18 at approximately 0810 hours, while performing ante mortem inspection in the livestock pen area, the following noncompliance was observed: In pen 1, which was empty, the metal floor grating which is used to prevent slipping and falling, was broken and sticking up approximately one inch above the surface of the floor. There was no indication that the establishment was aware of this issue, since there was no identification on the pen that it should not be used. US Reject Tag # B42001486 was applied to the pen doors as we were expecting delivery of additional animals today. Also, Pen 5 contained two cattle which were delivered prior to end of operations 3/29/18. The water tub for the animals was empty and the bottom of the tub was actually dry. (b) (6) [REDACTED], was shown these noncompliances and took immediate action to provide water to the two cattle in Pen 5. Mr. Benny Jones, Co-Plant Manager, was also shown these noncompliance. At approximately 0900, Mr. Jones informed IPP that he had addressed the grating issue. This was verified and the US Reject tag was removed at approximately 0908. Mr. Chris Shaw, Co-Plant Manager, was verbally notified the tag was removed. A review of records reveals a similar noncompliance was documented on 3/20/18 in NR #UIV1313035120N/1 which stated the floor grating was raised and needed repair. The establishment's corrective actions were inadequate to prevent this noncompliance from recurring.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46139	Cypress Valley Meat Company 1, LLC	UIV0915042910N-1	04/10/2018	04C02	Livestock Humane Handling	313.16(a)(1)	On 4/10/18 at 1314 hours while performing a Routine Livestock Humane Handling Verification Task, the following noncompliance was observed: A young bull was loaded into the knocking box and a .410 ga firearm was used as the stunning method. A shot was fired and the animal was observed still in the standing position with its head moving about. The employee was observed immediately preparing for a second stun. The time was noted and approximately forty-five seconds passed before the second shot was fired. The second shot appeared effective as the animal was observed to have dropped in the knocking box with eyes fixed, mouth open and tongue slightly out. Mr. Bennie Jones and Mr. Keith Crow, Co-Plant Managers, as well as (b) (6) were verbally notified of this noncompliance.	OPEN
M48277	WJ Wainwright and Son, Inc	YAQ1212015430N-1	01/30/2018	04C02	Livestock Humane Handling	313.15(b)(1)(iii)	At approximately 8 AM (b) (6) was performing a humane handling check and observed on the swing gate of the knock box an area of approximately two feet in length at the very bottom bar to be broken and damaged /completely missing, on the outer edge. Plant management was notified both verbally and with this written N/R. There were no animals injured from this noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46170+V 46170	Quapaw Food Services Authority	IMQ461 405160 8N-1	05/08/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII-Stunning Effectiveness On May 8, 2018, I, (b) (6) was verifying effectiveness of market hog stunning on the slaughter floor. I observed on the last hog of the day, the stun operator administered a captive bolt knock. I heard the knock and observed the hog did not go down and I could observe a mark on the hog's forehead where the first knock occurred. The stun operator had another backup captive bolt gun ready and on hand and immediately administered a second blow which was effective. I verbally informed Mr. Wade Payne, plant manager I would issue a noncompliance record for the failure to render the hog insensible with a single blow. A review of previous noncompliance records does not indicate a trend is developing.	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46235+P 46235+V46 235	Hewitt's Meat Processing, Inc.	UEP381 103172 1N-1	03/21/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 0740 hours, while observing HATS Category VIII, Stunning Effectiveness, (b) (6), and (b) (6) observed the following non-compliance: We observed an establishment employee use a hand-held captive bolt device to stun a beef cow in the restrainer. The cow was still conscious after the first stun attempt as it remained standing and looking around. The stunner immediately reloaded the hand-held captive bolt device with readily available ammunition and immediately and effectively rendered the animal unconscious on the second stun. The stunner then immediately reloaded the hand-held captive bolt device with readily available ammunition and applied a poll security stun to the unconscious animal. Stunning was verbally discontinued until an establishment employee skinned and split the head to determine why the initial stun was ineffective. Once the head was skinned there were two distinct stun wounds visible on the frontal bone. One wound was approximately 1 to 2 cm above an intersection if lines were drawn from the medial canthus of the eye to the base of the opposite ear. The second stun wound was approximately 2 cm to the left of the first wound. When the head was split to expose the brain, the first wound tract angle indicated the bolt came into contact with the rostral portion of the brain. The second stun wound tract angle was approximately 2 cm rostral to the brain. The establishment employee discussed preventive measures and stunning was allowed to resume. Mr. John Franseen, Establishment Owner, and (b) (6), were verbally notified of the forthcoming non-compliance with the regulation 9 CFR 313.15(a)(1).</p>	CLOSED

Table: MOIs in Response to FOIA2019-017

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M11033	Waygood Custom Meat LLC	MAE21150 80323G	23AUG2018	04C02	Livestock Humane Handling	Open	<p>HATS Category VIII – Stunning Effectiveness (9 CFR 313.15). On August 23, 2018 at approximately 11:35am, I, (b)(6), observed the following while performing the humane handling task at WayGood Meats (Greenfields). As I walked from the kill floor to the knock-box, I noted a steer had been driven into the knock-box and was standing calmly. The establishment personnel knocked the steer laterally of the appropriate knocking area just over the right eye; the knock was ineffective. The establishment personnel immediately used the backup hand-held knocking gun and, in the same area as the first knock, attempted to knock the steer; the second knock was ineffective. The establishment personnel reloaded the first gun and, in the same area as both prior knocks, attempted to knock the steer; the third knock was ineffective. The establishment personnel reloaded the back-up hand knocker and, in a position more medial than the previous attempts and closer to the appropriate knocking area, attempted to knock the steer; this knock was effective. During the repeated attempted knocks, the steer was not distressed but was alert, responsive, and completely conscious. All three knocks penetrated the skin and the third knock left metal fragments embedded in the skull. After the fourth knock, the steer had no signs of consciousness and was hoisted and bled normally. After verifying unconsciousness on the rail, (b)(6) tagged the knock-box under my instruction. I inspected the skull and found that three of the knock-holes (the first three) were clustered together over the right eye in the orbit bone; the fourth and last knock-hole was in the center of the skull in an appropriate area to render an animal unconscious. All knocks penetrated the skull. In conclusion, there were three attempted knocks there were insufficient in causing unconsciousness and the fourth and final</p>

Table: MOIs in Response to FOIA2019-017

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								attempted knock resulted in total unconsciousness. The establishment does not maintain a written robust approach to humane handling. There is no association required due to no previous humane handling non-compliance records existing for this plant.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M17564	Indiana Packers Corporation	MLO51100 75231G	31JUL2018	04C02	Livestock Humane Handling	Finalized	<p>USDA (b)(6) and (b)(6) met with (b)(6) and (b)(6) to discuss USDA's observation at the CO2 (b)(4). On 7/30/18, (b)(6) observed animals exiting the East Butina with reflex movements and some were showing signs of regaining consciousness. The establishment employee at the shackle table administer effective security knocks with a hand held captive bolt gun on the animals that were showing signs of regaining consciousness and notified CO2 (b)(6). After approximately 10 minutes, animals continued to exit the East (b)(4) with reflex movements and security knocks were being applied. I went to (b)(6) and informed him of my observations. Shortly after that, several people entered the CO2 area including CO2 (b)(6). After informing (b)(6) of the issue, corrective actions were made to the East (b)(4), opened all the valves and increased the dwell time. The corrective actions were effective; no more animals were exiting the (b)(4) with reflex movements or signs of regaining consciousness. USDA expressed the importance of performing corrective actions in a timely manner at the (b)(4). (b)(6) insured USDA that this issue will be addressed. (b)(6) expressed concern of animals being allowed to accumulate at the end of the shackle table. There is a risk of the animals regaining consciousness since there is no security knock and no stick wound to allow them to bleed out. Also, USDA are identifying carcasses on the kill floor that are not bled out properly, this may be due to increase stun to stick time of the animals that are accumulating at the end of the shackle table. (b)(6) will look into the issue and have it</p>

Table: MOIs in Response to FOIA2019-017

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								addressed. There were no other concerns or questions. The meeting adjourned at 11:45 AM.
90	M19002	Boe Farms	CWA42130 95924G	24SEP2018	04C02	Livestock Humane Handling	Finalized	ROBUST SYSTEMATIC APPROACH VERIFICATIONS TASK: Establishment name and number: BOE FARMS (M19002) Date Task was performed: September 24, 2018 by (b)(6) Determination: "Yes" (Robust) - Establishment management was notified of these facts Attending establishment personnel response, if any: NONE
50	M20856	Eureka Locker, Inc.	GGG03070 61306G	06JUN2018	04C02	Livestock Humane Handling	Finalized	I had a meeting with the plant owner (Lori Warfel), to discuss the upcoming "Odd Hour Inspection Procedure for TA Establishments". I printed and gave her a copy of the email from (b)(6) as well as a copy of the example report. The owner stated that she would read the information.
50	M20856	Eureka Locker, Inc.	GGG24120 63227G	27JUN2018	04C02	Livestock Humane Handling	Finalized	I had a meeting with the owner and gave her a copy of FSIS Notice 34-18 ASSESSMENT AND VERIFICATION REVIEWS OF AN OFFICIAL LIVESTOCK ESTABLISHMENT'S ROBUST SYSTEMATIC APPROACH FOR HUMANE HANDLING AND SLAUGHTER. I also gave her a copy of Attachment 3 from FSIS Directive 6900.2 ELEMENTS OF A ROBUST SYSTEMATIC APPROACH TO HUMANE HANDLING AND SLAUGHTER. With these documents she will be able to re-evaluate her Humane Handling & Slaughter Program and adjust it if needed.

Table: MOIs in Response to FOIA2019-017

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M20856	Eureka Locker, Inc.	GGG54120 85208G	08AUG2018	04C02	Livestock Humane Handling	Open	<p>This meeting is to inform you that Odd Hour Inspection will be occurring at Eureka Locker beginning next month, September 2018. This Odd Hour Inspection will occur approximately once every quarter on various days. Inspection will be verifying the same criteria as is done during hours of operation. Water& feed (when needed) availability, pen conditions, livestock holding and handling, as well as unloading will be some of the things monitored. Plant management can be present during inspection if they want. Odd Hour Inspection Procedure for TA Establishments:</p> <p>There is to be a minimum of one (1) Odd Hour Inspection per month at cull cattle/veal establishments and one (1) Odd Hour Inspection per quarter at all other establishments, as assigned by the Front Line Supervisor (FLS), unless the FLS determines that more or fewer are needed for a particular establishment.</p> <p>Criteria FOR performing Odd Hour Inspections: Establishments where: Animals are unloaded outside approved hours of operation. No or minimal Humane Activity Tracking System (HATS) time is recorded for truck unloading. Animals are frequently held overnight or over the weekend. Phone calls have been received from the general public suggesting that inhumane handling was witnessed during off hours. There is suspicion that disabled animals are delivered after regular hours. Criteria for NOT performing Odd Hour Inspections: Establishments where: There are never animals present outside of approved hours of operation. There is an unsafe location or environment that will compromise In-Plant Personnel (IPP) safety.</p>

Table: MOIs in Response to FOIA2019-017

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M20856	Eureka Locker, Inc.	GGG15090 94305G	05SEP2018	04C02	Livestock Humane Handling	Finalized	This morning, 09/05/2018, between 5: & 6:00a.m., I conducted an Odd-Hour Humane Handling Inspection. During my observations, one beef and five hogs came to the plant in two separate deliveries. I seen no non-compliances or problems that would require plant attention. A copy of the report that I forwarded to my (b)(6), is with this MOI. If you have any questions, feel free to ask me or my supervisor.
25	M20863	JNB, Inc.	PNA23090 90422G	22SEP2018	04C02	Livestock Humane Handling	Finalized	The week of 9/17/2018 terr 9/21/18 at 6:10am I preformed extra duties for Hat Categories at EST.20863. Stunning 45min , conscious animals on the rail none on conscious for 1 hr. I review the records the that the designate monitor is checking every 5 sow, I observed the Supervisor cleaning the 22 magnum and the stunners daily, I reviewed the SOP plan.
25	M20863	JNB, Inc.	PNA35140 90325G	25SEP2018	04C02	Livestock Humane Handling	Finalized	The week of 9/24/2018 through 9/28/18 at 6:10am I preformed extra duties for Hat Categories at EST.20863. Stunning 45min , conscious animals on the rail none on conscious for 1 hr. I review the records the that the designate monitor is checking every 5 sow, I observed the Supervisor cleaning the 22 magnum and the stunners daily, I reviewed the SOP plan.
25	M20863	JNB, Inc.	PNA38140 95325G	25SEP2018	04C02	Livestock Humane Handling	Finalized	The week of 9/24/2018 through 9/28/18 at 6:10am I preformed extra duties for Hat Categories at EST.20863. Stunning 45min , conscious animals on the rail none on conscious for 1 hr. I review the records the that the designate monitor is checking every 5 sow, I observed the Supervisor cleaning the 22 magnum and the stunners daily, I reviewed the SOP plan.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M21207	Lorentz Etc. Inc.	RTB491209 2324G	24SEP2018	04C02	Livestock Humane Handling	Finalized	<p>M21207 Lorentz Meats September 18, 2018; 1615 hours Establishment management in attendance: Plant Manager Rob Lorentz, (b)(6), (b)(6) USDA personnel in attendance: (b)(6)</p> <p>At approximately 1615 hours, I spoke with (b)(6), (b)(6), and (b)(6) regarding the information that was conveyed to me by (b)(6) and (b)(6). At approximately 1540 hours, (b)(6) was on the slaughter floor performing postmortem inspection when she heard a single animal-like bellow. She immediately moved towards the stunning area for a better look. As she arrived at the area, she saw an establishment employee deliver another captive bolt stun to a hanging bovine. She did not see signs of consciousness. (b)(6) immediately placed USDA Reject tag #B23521619 on the restrainer (knock box) and contacted (b)(6), who then contacted me. (b)(6) was not present on the slaughter floor during this time. I asked establishment management what they had observed of the incident. (b)(6) conveyed the same information that (b)(6) did. She also arrived at the stunning area as the establishment employee delivered the second captive bolt stunning. She did not observe signs of consciousness. Although the sound appeared to emanate from the stunning area, she could not state definitively that the hanging bovine had made the bellowing sound. M21207 Lorentz Meats has a robust humane handling program. We discussed details of the establishment's robust program. Specifically, stunning equipment is to be maintained and tested daily, stunning personnel are to check for signs of consciousness before releasing the animal from the restrainer, and two working stunners are available when as animal is slaughtered. I asked establishment management if the equipment had been maintained. They replied</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>that the equipment had been checked that day and was in working order. However, after this incident, the equipment was checked again. One of the captive bolt stunners had a worn gasket that was not seated properly when the equipment was taken apart. However, when the equipment was put together, the gasket was likely seated properly. Management was unsure what role this played. Additionally, they plan to retrain stunning employees about the important of ensuring the bolt is properly seated. Laster, (b)(6) informed me that she told (b)(6) late last week that the captive bolt appeared to sound different to her. I followed up with management on September 20 at who said they are revamping their maintenance procedures to document more thoroughly, and to add velocity testing. I asked if the establishment employee had checked for signs of consciousness and whether the captive bolt had been placed correctly. They replied that the employee always checks, and he is an employee that demonstrates extreme routine as he works. I later checked the captive bolt holes and observed that both holes were located laterally within one-inch of the desired location, but was not exactly where it needed to be. The ideal placement would have been in the middle of the two stunning holes. I followed up with management on September 19 who told me that the management performed additional training with the stunning employee. Establishment management also informed me they plan to retrain a second employee to assist the stunner in monitoring for signs of consciousness. Management's goal is to empower employees who are in the area to assist the primary stunner in monitoring signs of consciousness. I asked (b)(6) remove the retain tag after the discussion on September 18,</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								and she removed the tag at approximately 1630 hours.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
05	M22095	Creston Valley Meats	QOI491506 0227G	27JUN2018	04C02	Livestock Humane Handling	Finalized	<p>On 6/26/2018 at 7:20 am I spoke with M22095 plant manager Ryan Beyler. I asked him if the plant was going to provide corrective actions for the incident on 6/25/18 when a steer slipped and fell out of a trailer and landed on its knees in the pens. He told me he could not provide me with corrective actions because "it was 100% out of our control." He stated that since the trailer used was a personal trailer, they had no control over its cleanliness and the steer slipped in the manure in the trailer. He stated there was nothing the plant could do to prevent the situation. I reminded him that, according to Agency policy, once a trailer arrives at an establishment, it is considered part of the premises. He stated he knew that but reiterated that it was out of the plants control and they weren't responsible for the issue. At the end of the conversation he stated he would call the plant owner, Simon Caleb, later in the day and ask him if he wanted to write up any corrective actions, but unless that happened they would not be providing anything. At 10:15 I called the plant owner Simon Caleb to discuss the matter with him. I explained that, according to Agency policy, the trailers and animals on the establishment's premises are the establishment's responsibility and the animals must be handled humanely. He stated that in his opinion slipping and falling down was not inhumane. I discussed that regulations requires that the establishment provide good footing for the animals. He stated that was "hogwash". He stated that the regulation was stupid and needed to be changed. He stated that I am trying to get him shut down, and I am impeding on his business. He stated that in the big plants when cattle run up the chutes they slip and fall. I discussed that cattle should not be moved faster than a normal walking speed. He stated it was impossible to prevent animals from slipping and falling 100% of the time. He stated that the</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>slipping and falling was out of his control because it was a personal trailer and he couldn't do anything about it, and everyone brings a different trailer. I asked him if he was going to provide corrective actions for the incident on 6/25 and he stated the only way they could prevent it from happening again was to buy only animals that were shown at fairs, because they could be led out of a trailer on a lead rope. He stated he would talk to Ryan, and see if Ryan thought there was anything they could write up. I asked about the ramp that was offered in their corrective actions for the incident on 6/20. He stated they would still be getting a ramp, but he did not have a timeline because he had to talk to Ryan first. He asked to meet with (b)(6), and stated I am misinterpreting the regulations and being too harsh on the establishment. Also occurring today, at 7:50 am I watched M22095 unload a trailer of four beef cattle. The trailer was approximately 2 feet off the ground and was not equipped with a ramp. No employees entered the trailer, and the plant manager Ryan Beyler was present. Two cattle came up to the edge of the trailer, and balked at seeing the drop. The first animal prepared to jump, but its back legs slipped on the debris inside the trailer, and it fell down hard on its belly, on the edge of the trailer, with its front two legs hanging off the front edge, and its back legs down in the trailer. It got its back legs underneath it, stood up on its front legs, and walked out of the trailer with no signs of injury. The second animal jumped and slipped while jumping, but did not fall down. The third animal jumped, slipped, and fell on its belly in the same way with its front legs hanging out of the trailer. The fourth animal slipped and fell while jumping, but only fell on its back knees, not its belly. At 2:00 pm I spoke with Simon Caleb about the incident. I described the incident and</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								asked what actions the plant would take. He again stated that there was nothing they could do to prevent it from occurring, but he also stated they would get a ramp made, but he could not give any date when that would be implemented.
05	M22095	Creston Valley Meats	QOI531107 5413G	13JUL2018	04C02	Livestock Humane Handling	Open	
05	M22095	Creston Valley Meats	QOI081608 2721G	21AUG2018	04C02	Livestock Humane Handling	Finalized	At 10:30 in the morning on 8/10/2018, I watched the unloading of one cow. Plant manager Ryan Beyler was present, but the truck hauler unloaded the cow. The cow was not moving out of the trailer, so the hauler got in, grabbed the cow's tail, and twisted it hard to the side in order to cause discomfort so the cow would exit the trailer. The hauler maintained the tail twitch for the length of the trailer. This action is not allowed under 9CFR 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". I spoke with plant manager Ryan Beyler about the incident. I explained that twisting the tail is not allowed because it causes pain and discomfort to the animal, and I referred him to 9CFR 313.2(a). I also reminded him that even though the person unloading the cow was not employed by the establishment, since the trailer was on the establishment's premises, they are held responsible for the humane treatment of the animals, and the actions of the people unloading them. He said that he was not aware that twisting the tail was inappropriate, since it is not explicitly referred to in the regulation, but he would make sure it did not happen again.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M244W	Tyson Fresh Meats, Inc.	BTD461408 2429G	29AUG2018	04C02	Livestock Humane Handling	Open	<p>Today, August 28th, I, Dr. Heather Bopes discussed the grate flooring in the sub pen with (b)(6), and (b)(6) due to two recent incidents. 1. On Aug. 27th, while conducting individual inspection on the disabled hogs around 12:30pm, (b)(6) made me aware of a hog with a bloody front foot. The hog was unloaded from the skid-loader and turned sharply on the grate, which caused the toenail of (b)(4) to come off. The hog was breathing heavily but did stand and walk away from us during my close up examination. The company elected to condemn the hog due to the extended (2 hours) wait time until the hog could be captive bolt stunned for slaughter. 2. Today, while performing individual inspection on the disabled hogs at 6:15 am, I observed a hog lying recumbent and breathing heavily on top of the grate flooring. On closer examination the toenail of (b)(4) of the rear right foot was missing and with a moderate sized pool of blood. The toenail was spotted in the drain directly under the bloody grate. The hog was reluctant to stand and the company elected to condemn the hog. When asked, the team members did not remember the hoof missing or any bleeding when they loaded the hog into the skid-loader to transport it from the truck chute to sub pen. The grate flooring is constructed to allow water and manure to fall into a trench drain when cleaning drive alleys and pens. It has square openings that are approximately 1.25-1.5" wide, which could be enough space for the large center toenails to become caught. Our expectation is that livestock pens and flooring are constructed in a manner to prevent injury or pain to animals. I notified (b)(6) that I would be documenting our conversation in an MOI.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M2460	Cimpl's, Inc.	PMB26170 70512G	12JUL2018	04C02	Livestock Humane Handling	Finalized	<p>At approximately 2:15 p.m. , I (b)(6) was notified by (b)(6) that, while verifying HATS Category I (Inclement Weather), temperatures in the barn appeared to be reaching and potentially exceeding (b)(4). I proceeded to the barn area, notified (b)(6) and requested temperatures using an establishment calibrated thermometer. (b)(6) notified (b)(6).</p> <p>The temperature in Pens 15 and 17 were approximately (b)(4). Upon further observation, I noted a single cow in Pen 6 (Red Angus) and a single cow in Pen 7 (Jersey). Neither of these pens is covered and, at the time of the observation, there was little to no shade present in either pen. All temperatures noted below were measured using an establishment calibrated thermometer.</p> <p>Holding Pen 6: The area with the least amount of sunlight in Pen 6 measured (b)(4). The area with the most amount of sunlight in Pen 6 measured (b)(4). (b)(6) noted the establishment had placed the Red Angus cow in holding Pen 6 approximately 20 minutes prior. Holding Pen 7: The temperature of Pen 7 measured (b)(4). (b)(6) noted the establishment had placed the Jersey cow in holding Pen 7 at approximately 8:30 a.m.. Both the cow in Pen 6 and in Pen 7 had severely elevated, rapid shallow respiratory rates (each greater than 60 breaths per minute). Following temperature measurements of Pen 6 and Pen 7, (b)(6) and Nik Harkias (Plant Manager) noted the animals would be immediately moved to a pen with shade. At the time these concerns were observed, there were at least 3 covered pens empty in the barn with measured temperatures below (b)(4) (Pen 3, 16, and</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>18). I discussed with Mr. Harkias and (b)(6) that the establishment's Animal Welfare Manual states that in extreme heat conditions of greater than (b)(4) changes will be necessary to the holding pattern of cattle so that they do not develop clinical signs associated with heat stress. I reminded the establishment that 9 CFR 313.2 requires that animals be handled with a minimum amount of excitement and discomfort. The establishment should take into consideration ambient temperature, ventilation, and access to shade when making decisions on which holding pens to place animal(s) in so that discomfort to the animal(s) is minimized in extreme heat conditions.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M2580	IBR Group Inc	XWI26070 95618G	18SEP2018	04C02	Livestock Humane Handling	Finalized	<p>M2580 IBR Group September 17, 2018 at 1330 hours Meeting attendees: Plant Manager Guillermo Marquez, CSI (b)(6) (b)(6)</p> <p>(b)(6) At approximately 1330 hours on September 17, 2018 I spoke with Plant Manager Guillermo and (b)(6) regarding the less than perfect humane handling event that occurred on September 13, 2018. On that day, at approximately 0940 hours on the kill floor at establishment M2580, I observed an establishment employee use a plastic stick to hit a bison once in the center of the face. The bison turned his face away slightly, but did not otherwise react to the stick. This bison was being slaughtered under voluntary Federal inspection. The establishment employee was located on the catwalk above the pen and was using a five-foot by half-inch plastic stick to assist the turning and movement of the animal to the restrainer. At that time, I immediately told Mr. Marquez to have the employee stop hitting the buffalo in the face. Mr. Marquez spoke to the employee and the employee stopped. The animal moved into the restrainer without further incident. In the meeting on September 18, 2018, we discussed that there are anatomical areas that are more sensitive than other areas (e.g. face, ears, and genitalia) and caution needs to be taken not to inflict pain in those areas. Mr. Marquez declined to delve further into specific humane handling regulations or examples of poor handling. I gave Mr. Marquez a copy of FSIS Directive 6900.2 Humane Handling and Slaughter of Livestock. I recommended Mr. Marquez read the regulations and examples in the directive as they can provide a lot of information, even though the directive is written to provide instruction to USDA personnel.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M2580	IBR Group Inc	XWI57080 92520G	20SEP2018	04C02	Livestock Humane Handling	Finalized	<p>On 09/18/2018 while performing a 30 day Humane handling verification review visit resulting from a HH NOS at establishment M2580 IBR Group Inc. and while verifying HATS categories VIII Stunning Effectiveness & IX Conscious Animals on the Rail, I, (b)(6), observed plant manager, Guillermo Marquez attempt to stun a beef steer with a captive bolt device at 0930 hours. The device discharged and appeared to render the beef steer insensible. Mr. Marquez appeared to check for eye reflex before releasing it from the knock box. The beef was immediately hoisted by the rear legs. There were breathing sounds appreciated audibly and then visually eyelid blinking was appreciated. The breathing of the beef was then appreciated visually as the animal's sides moved in and out, correlating with the audible breathing. I checked for an eye reflex and the animal blinked in response to my finger stimuli. At the same time, Mr. Marquez had stuck the beef to bleed and had twice used an electrical stimulizer to facilitate bleeding. The bleed site appeared to be a poor stick due to the lack of blood leaving the animal's body. I notified Mr. Marquez that the beef was showing signs of returning to consciousness, Mr. Marquez applied a second captive bolt which did not change the demeanor of the animal and I verbally notified Mr. Marquez again. Mr. Marquez applied a third captive bolt which also did not change the demeanor of the beef as it continued to eyelid blink and breathe rthymically. Mr. Marquez informed me he would be using a .44 mag gun, (b)(6) and I left the room and re-entered after the shot was heard. The beef continued to eyelid blink and rhythmically breathe, we left the room again and after the 2nd gun shot we re-entered the slaughter room and observed the animal to be lacking any signs of consciousness; he was hanging limp, not breathing nor blinking. The</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>knock box was rejected while the situation was determined to be an event to be recorded in an MOI. The animal was determined to be showing signs of returning to consciousness, but not showing signs of being conscious; the reject tag was removed. During the exit meeting at approximately 1215 hours on 09/18/2018, I shared with Mr. Marquez that my impression was that the act of using the captive bolt device and recognizing signs of consciousness or returning to consciousness could be improved at the establishment. We also discussed some differences between time to return to consciousness in electrically stunned hogs and captive bolt stunned cattle. We also briefly discussed sticking a beef for bleeding purposes; Mr. Marquez was going to continue to look for resource/educational materials on this. I provided the following resources to Mr. Marquez in print and briefly reviewed them with him: · How to Determine Insensibility (Unconsciousness)in Cattle, Pigs, and Sheep in Slaughter Plants(Revised November 2015) by Temple Grandin Dept. of Animal Science Colorado State University FSIS PHV Refresher Training: Consciousness And Stunning FSIS Small Plant Help Desk https://www.fsis.usda.gov/wps/portal/fsis/topics/regulatory-compliance/svsp/sphelpdesk NAMI https://www.meatinstitute.org/ (b)(6) https://www.uwrf.edu/FacultyStaff/5701401.cfm Gun manufacturer reps – may contact for additional outreach and training. https://www.bunzl.com/ http://www.jarvisproducts.com/index.htm</p>

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District	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
35	M320M	Smithfield Fresh Meats Corp.	VWK1810063814G	14JUN2018	04C02	Livestock Humane Handling	Finalized	<p>On June 5, 2018, at approximately 1145 hours, while performing humane handling inspection under HATS category IV "Handling During Ante-Mortem Inspection" I (b)(6) observed the following incident. I identified a disabled hog in pen 8C. The hog was unable to rise, gasping, and had tremors in the hind limbs. Multiple other hogs in the pen were stepping on and over this disabled hog. I took a regulatory control action and showed the hog to a plant employee, who shooed the other hogs in the pen away and then went to get a cart to move the hog to the recovery pen. The employee did not return immediately. After a few minutes, the other hogs had returned and were again stepping on and over the nonambulatory disabled hog, which appeared distressed and unable to move away. There were no other plant employees present on that side of the barn to notify so I went to the drive way to find additional assistance. The hog was then immediately euthanized and removed from the pen. While there were no establishment employees responsible for driving hogs over this disabled hog, this situation demonstrates there are opportunities to better protect disabled animals under the current system. Hogs identified as stressors/disabled should be immediately protected from being stepped on or otherwise distressed, even if no animals are currently being driven in that area. I am linking this MOI to MOI VWK5909052329G, from a Meeting with Establishment Management on May 25, 2018 where it was noted that the plant failed to prevent a disabled hog from being run over by another hog.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	M34799	Fares Halal	PCJ210906 0312G	12JUN2018	04C02	Livestock Humane Handling	Finalized	On June 12, 2018 at 10:00am (b)(6) performed the Livestock Humane Handling Verification task at M34799 (Mecca Halal) in Culpeper, VA. All animals had access to water. A push broom and a shovel were found on the floor of the barn in the aisle adjacent to pen #1. Only one goat was roaming loose, but these implements could be a tripping hazard to animals. The piece of metal gate lashed to the fencing of pen #1 was loosely attached and nearly fell on top of a lamb when the goat pushed its way through. This could also potentially be documented as a hazard. As has frequently been noted, the side yard is extremely muddy. No slips and falls were observed, but this situation will be monitored through sanitary dressing of the animals.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M3W	Swift Pork Company	GJC381605 3523G	23MAY2018	04C02	Livestock Humane Handling	Finalized	<p>This is to document observations in the yard between 2345 and 0000 (night shift of 05/22/2018) and conversation with (b)(6) and (b)(6) regarding an incident. While performing antemortem inspection I noted a strong smell of bleach while in the area of pen 8B. I went to investigate in the area of the chemical room adjacent to pen 14. I observed a white flow of liquid from the area of the chemical room , through pen 14 to the drain in the pen. It appeared the substance was leaking from under the locked door of the chemical room and was the source of the bleach odor. I asked (b)(6) to turn on the overhead water in the pen and move the pigs out of the pen. (b)(6) came to the area and was shown the situation. After (b)(6) discussed with (b)(4) and maintenance, he stated there was a leak in the bleach line and pigs would not be placed in pen 14 until the leaking pipe was fixed. (b)(6) said maintenance would put in a drain so chemical room overflow would go elsewhere and not drain into the pen. He said the opening at the floor in the wall between the chemical room and pen would be closed so chemicals could not drain into the pen.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M3W	Swift Pork Company	GJC520508 0424G	24AUG2018	04C02	Livestock Humane Handling	Finalized	<p>At approximately 2:30pm I, (b)(6) was observing the loading of the south CO2 stunner while observing HATS category VIII- Stunning Effectiveness. I noted that the automatic gate sliding the hogs into the gondola had multiple holes in it with pieces of plastic protruding from the holes. After observing several rotations, I noted that the protruding plastic pieces did not appear to bother the hogs or cause injury to the hogs. I notified (b)(6) of this observation. He immediately contacted the maintenance department. He informed me that a new plastic part of the gate had already been ordered; however it had not yet arrived at the establishment for installation. (b)(6) proposed that during the next company break, the maintenance crew would turn the plastic around, creating a smooth surface on the hog side of the gate. 9 CFR 313.5 requires that power activated gates be fabricated that they will not cause injury; and all equipment involved in anesthetizing animals shall be maintained in good repair.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M40246	Loretto Butcher Shop	BZE421408 2507G	07AUG2018	04C02	Livestock Humane Handling	Finalized	<p>August 7, 2018 While performing the Livestock Humane Handling task at Loretto Butcher Shop (M40246), Loretto KY, the SVMO observed a large barrow weighing approximately 500lb. and a mature sheep, together in a holding pen. The animals in question lacked access to water as the bottom portion of the plastic drum being used as a water trough was empty. The animals had been declared for custom exempt slaughter; the establishment was doing both Federal Inspected slaughter and custom exempt slaughter this day. That being said, Directive 5930.1 Revision 4 states: Under 21 U.S.C. 610(b), slaughterers of livestock must comply with the Humane Methods of Slaughter Act (HMSA). The HMSA applies to the slaughter of cattle, calves, horses, mules, sheep, swine, and other livestock. (Poultry slaughter is not included.) The HMSA applies at custom exempt facilities. Also, the FMIA (Federal Meat Inspection Act) requires custom exempt operations to handle animals humanely, i.e. animals have access to water in the holding pens. Therefore, the issuance of this MOI is based upon the fact the animals observed above were declared for custom exempt slaughter; otherwise this observation would have been documented in a non-compliance record.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M44779	Faulkner Meats	VMV13080 51724G	24MAY2018	04C02	Livestock Humane Handling	Finalized	May 22, 2018 The Livestock Humane Handling task was performed at approximately 1400 at Faulkner Meats, Taylorsville, KY. Two market swine were observed in the alleyway without access to water. FSIS Directive 5930.1 Rev 4 states "Under 21 U.S.C. 610(b), slaughterers of livestock must comply with the Humane Methods of Slaughter Act (HMSA). The HMSA applies to the slaughter of cattle, calves, horses, mules, sheep, swine, and other livestock. (Poultry slaughter is not included.) The HMSA applies at custom exempt facilities." As the establishment performs custom exempt and federal inspection slaughter, this MOI was issued as the animals in question had not been declared for federal inspection. This continues a recent trend in water availability in the holding pens. MOIs were issued for observations made May 1, 2018 and May 8, 2018.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M44779	Faulkner Meats	VMV27130 65308G	08JUN2018	04C02	Livestock Humane Handling	Finalized	<p>June 8, 2018 The SVMO made the following observations at approximately 1400 EDT while performing the Livestock Humane Handling task at Faulkner Meats (M44779), Taylorsville, KY: A pen holding three calves was found to have an approximately 3 inch floor covering of liquid manure and hay (inedible) and no access to water; a pen holding a large boar (roughly 500 lb.) was found to have a liquid manure floor covering and no access to water; and a pen holding numerous lambs (TNTC) was found to be overcrowded--there was insufficient room for the lambs to lie down. The animals in question had not been presented for federal inspection; the establishment performs both custom exempt and federal inspection slaughter activities. Directive 5930.1 Revision 4 states that the HMSA, The Humane Methods of Slaughter Act, applies to custom exempt slaughter activities, thus the issuance of this MOI and not a non-compliance record. This continues a recent trend in water availability in the holding pens. The establishment is reminded of the title 9 CFR 313.1 and 313.2 regulations which state in part that, "livestock pens, driveways and ramps shall be maintained in good repair"; "Floors of livestock pens, ramps, and driveways shall be constructed and maintained so as to provide good footing"; and "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." The establishment is encouraged to address the condition of the holding pens to prevent the creation of insanitary conditions and reduce the likelihood of slips and falls causing harm to the livestock.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M44779	Faulkner Meats	VMV13070 72811G	11JUL2018	04C02	Livestock Humane Handling	Finalized	<p>July 10, 2018 Faulkner Meats (M44779), Taylorsville, KY performs both custom exempt and federal inspection slaughter activities. The following observations were made by the SVMO at approximately 1200 hrs. EDT: A holding pen containing three mature boars weighing 500+ pounds each was found without access to water; the bottom of a plastic drum being used as a water trough was laying on its side in the pen. Additionally, a holding pen containing hogs of various sizes had soupy manure/bedding covered flooring and another holding pen containing calves and goats had sloppy manure/hay covered flooring.. The animals had not been declared for federal inspection. However, Directive 5930.1 Revision 4 states custom exempt facilities are subject to the HMSA (Humane Methods of Slaughter Act). Also, the Federal Meat Inspection Act (FMIA) requires custom exempt facilities to handle animals in a humane manner. The regulations are specific pertaining to water access in the holding pens (9 CFR 313.2(e)) and the maintenance of flooring (9 CFR 313.1(b)). This continues a trend in water availability in the holding pens. The establishment is receiving this MOI in lieu of a non-compliance record as the animals had not been presented for federal inspection.</p>

Table: MOIs in Response to FOIA2019-017

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M44779	Faulkner Meats	VMV30110 95713G	13SEP2018	04C02	Livestock Humane Handling	Finalized	<p>September 13, 2018 While performing the Livestock Humane Handling task the SVMO made the following observation at Faulkner Meats (M44779) Taylorville KY: At approximately 1030 hours EDT a truck was found to be parked at an angle to the unloading chute, creating an approximately 12 inch gap at the widest point between the chute and the truck. Plant personnel first unloaded goats, then proceeded to unload cattle. A Jersey animal was observed to fall when a front limb fell into the gap, and then became recumbent. Plant personnel were instructed to stop. A second, sight impaired bovine proceeded to walk over top of the down Jersey, then down the chute. The Jersey managed to get up and proceed down the chute. The sight impaired bovine reversed direction, came up the chute and fell into the gap, becoming entrapped between the chute and the truck; the bovine began vocalizing and thrashing about. After some time, plant personnel placed a rope about the neck of the entrapped bovine and attempted to drag the conscious bovine out of the gap and back onto the unloading ramp. In the process of trying to free the animal, the unloading ramp collapsed and the animal fell approximately three feet to the ground. The establishment does not have a Robust Systematic Approach to Humane Handling. The SVMO placed U.S Rejected Tag No. B19963403 on the unloading area and U.S. Rejected Tag No. B19963404 on the knock box and contacted the District Office for further guidance. Establishment owner Mitchell Warren was informed of this regulatory control action. After the taking of the regulatory control action and discussion with chain of command, Mr. Warren informed personnel all animals on the truck, as well as all animals in the barn, as being custom exempt. Directive 5930.1 Revision 4 states "that slaughterers of livestock must comply</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>with the Humane Methods of Slaughter Act (HMSA). The HMSA applies to the slaughter of cattle, calves, horses, mules, sheep, swine, and other livestock. (Poultry slaughter is not included.) The HMSA applies at custom exempt facilities.” The custom exempt status of the animals is the basis for the issuance of this MOI. A copy of Directive 5930.1 Revision 4 was delivered to the establishment.</p>

Table: MOIs in Response to FOIA2019-017

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
85	M45272	Real Meats LLC	NWJ43130 83215G	15AUG2018	04C02	Livestock Humane Handling	Finalized	<p>August 15, 2018 At approximately 0850, while verifying the establishment's implementation of their humane handling program at the stunning area, I observed plant personnel attempt to stun a bison with a .223 caliber rifle. The stun hit, but did not render the animal unconscious as the bison still remained standing and was seen jumping and trying to get out of the chute. A second stun attempt was immediately discharged with the same rifle, but also failed to render the bison unconscious, as it continued to stand and jump in the shoot and turn its head looking at its surroundings. A third stun attempt was then discharged from the same rifle, and the bison dropped and was observed to be rendered unconscious. This does not follow their verification plan they have set in place stating that a larger caliber rifle would be used as a back-up, and the larger rifle was observed on the table next to the plant personnel administering the stuns. I placed a "U.S. Rejected" tag (#B36840091) on the entrance to the stunning area and then (b)(6) was located to alert him of the situation and that regulatory control action had been taken to stop further stunning of exotic animals under voluntary inspections. The Atlanta District Office was notified of the incident and determined that the establishment would be issued a Notice of Reinstatement of Denial of Service for voluntary slaughter of exotic animals. I verbally notified (b)(6) of the decision to deny service. (b)(6) SPHV</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M45629	Andy's Meats Inc.	DJP391207 5617G	17JUL2018	04C02	Livestock Humane Handling	Finalized	<p>On July 9th, while observing HAT category II, truck unloading between the time period of 1450 and 1550 hours, and on July 10th, while observing HAT category IV, antemortem, at 0710 am, I (b)(6) (b)(6), made the following observations and discussed the findings with establishment representatives, (b)(6) (b)(6) (b)(6), (b)(6) (b)(6). The temperature on July 9th was approximately (b)(4) and humid. One truck was unloading upon my arrival at 1450 hours and a second truck was parked on premise. Hogs on the first truck unloaded without any major issues, although there was some piling at the truck entrance. The driver continued to unload hogs as the barn employee was moving animals into the pens, and we noted hogs piling up at the drive alley entrance, causing some temporary wedging of animals with animals vocalizing loudly. We noted the animals on the second truck were exhibiting open mouth breathing and panting. Upon movement into the holding pens the animals collapsed onto the floor in lateral recumbency, with continued panting. The animals were placed into the pens with minimal free space, as I noted pen 4 had all hogs lying down and two hogs standing with minimal free space left. In the pen behind #4, I noted one hog in lateral recumbence, hyperemic in color, open mouth breathing with increased respiratory rate. As the handler moved the last load of animals into this pen, he observed the hog (as the other hogs jostled for space, again a full pen), and did spray the animal with a nearby hose. He stated he would spray the other animals after unloading was completed. The temperature in the barn felt a bit cooler than the outside ambient temperature and the fans were on, but with the animals stocked at pen capacity (no free cement observed), signs of heat stress were still</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>apparent. I checked a couple water nozzles and there was water available, although the flow seemed to be limited. During AM on July 10th, it was observed that the water was turned off for all nipples (three on one line) for pen 4 and the pen directly behind pen 4. 3/6 nipples (on the same water line) were off in the large pen that is directly adjacent to the unloading dock. There was one recumbent hog observed on AM, that did rise, however when the SPHV came out to look at the hog, it was in sternal recumbence and the establishment choose to euthanize the hog. After AM was completed, (b)(6), (b)(6), (b)(6), (b)(6) and I talked about the observation of heat stress during the truck unloading on July 9 and lack of water access observed the morning of July 10. The establishment does not have a written animal welfare program, or a SOP for handling animals in inclement weather. We talked about spreading the animals out-allowing them to cool off, having water hoses available, making sure all the water nipples work and unloading in small groups, especially during times of extreme heat. We talked about the humane handling regulations and handling animals with a minimum amount of excitement and discomfort. The establishment should take into consideration ambient temperature, ventilation, pen density and access to water when making decisions on stocking pens so that discomfort to the animals is minimized in extreme heat conditions.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M45629	Andy's Meats Inc.	DJP060008 0201G	01AUG2018	04C02	Livestock Humane Handling	Finalized	<p>On July 9th, while observing HAT category II, truck unloading between the time period of 1450 and 1550 hours, and on July 10th, while observing HAT category IV, antemortem, at 0710 am, I, (b)(6) made the following observations and discussed the findings with establishment representatives, Mr. Shawn Ramirez-live animal handler, (b)(6) and (b)(6). The temperature on July 9th was approximately (b)(4) and humid. One truck was unloading upon my arrival at 1450 hours and a second truck was parked on premise. Hogs on the first truck unloaded without any major issues, although there was some piling at the truck entrance. The driver continued to unload hogs as the barn employee was moving animals into the pens, and we noted hogs piling up at the drive alley entrance, causing some temporary wedging of animals with animals vocalizing loudly. We noted the animals on the second truck were exhibiting open mouth breathing and panting. Upon movement into the holding pens the animals collapsed onto the floor in lateral recumbency, with continued panting. The animals were placed into the pens with minimal free space, as I noted pen 4 had all hogs lying down and two hogs standing with minimal free space left. In the pen behind #4, I noted one hog in lateral recumbence, hyperemic in color, open mouth breathing with increased respiratory rate. As the handler moved the last load of animals into this pen, he observed the hog (as the other hogs jostled for space, again a full pen), and did spray the animal with a nearby hose. He stated he would spray the other animals after unloading was completed. The temperature in the barn felt a bit cooler than the outside ambient temperature and the fans were on, but with the animals stocked at pen capacity (no free cement observed), signs of heat stress were still apparent.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>I checked a couple water nozzles and there was water available, although the flow seemed to be limited. During AM on July 10th, it was observed that the water was turned off for all nipples (three on one line) for pen 4 and the pen directly behind pen 4. 3/6 nipples (on the same water line) were off in the large pen that is directly adjacent to the unloading dock. There was one recumbent hog observed on AM, that did rise, however when the SPHV came out to look at the hog, it was in sternal recumbence and the establishment choose to euthanize the hog. After AM was completed, (b)(6), (b)(6), (b)(6) (b)(6) and I talked about the observation of heat stress during the truck unloading on July 9 and lack of water access observed the morning of July 10. The establishment does not have a written animal welfare program, or a SOP for handling animals in inclement weather. We talked about spreading the animals out-allowing them to cool off, having water hoses available, making sure all the water nipples work and unloading in small groups, especially during times of extreme heat. We talked about the humane handling regulations and handling animals with a minimum amount of excitement and discomfort. The establishment should take into consideration ambient temperature, ventilation, pen density and access to water when making decisions on stocking pens so that discomfort to the animals is minimized in extreme heat conditions.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M45856	Prime Pork LLC	ODB02160 90121G	21SEP2018	04C02	Livestock Humane Handling	Finalized	<p>On Tuesday, 18 September 2018, at approximately 1730 hours, Mr. Orv Molan, Plant Operations Manager, and his staff came to (b)(6) and (b)(6) to inform us that the final lot of the day, lot #1926 consisting of 159 hogs in pen #9, had been slaughtered without ante-mortem inspection being conducted. He asked us what actions he needed to take to rectify the situation. I then informed Mr. Molan that all products associated with Lot #1926 would need to be identified and tagged to prevent them from being sent into commerce without proper ante-mortem inspection and that all products associated with this lot of hogs would need to be cut-up, denatured and taken out of the plant to be rendered. Shortly after our discussion (b)(6) and (b)(6) verified the product was identified, segregated, and clearly marked as "on hold". Mr. Molan subsequently informed us we could immediately begin the process by cutting-up the 17 swine that remained on the slaughter line (2 additional carcasses were condemned earlier for a total of 19 carcasses in all) and all the associated viscera and offal for this lot located in the cooler that same day. This was promptly accomplished and verified. The following day (19 September, 2018), six (6) additional carcasses were added to the group of 140 placed on hold (140 carcasses remained in Lot #1926 after disposal of the 19 carcasses the previous day). These 6 additional carcasses were mixed in with the carcasses positively identified as in lot #1926 and had tattoos ending with the number "6" and could not be positively differentiated from those in Lot #1926. These carcasses were from rail-outs for trimming slaughtered on the 18th and placed back on the line throughout the processing of Lot#1926 because 6 of the carcasses in the original Lot had partially incomplete tattoo markings from</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>trimming or were otherwise not completely identifiable. The plant was insistent on ensuring that no uninspected carcasses would enter into commerce. These additional carcasses were kept with the affected Lot #1926 carcasses in the cooler and were cut, denatured and disposed for a grand total of 146 carcasses sent to rendering that day. This was accomplished and verified by (b)(6) and (b)(6). A HACCP Corrective Action letter was given to (b)(6) on 19 September by (b)(6). After review I asked Mr. Molan to revise the response and identify and quantify the amount of product destroyed that day on the Corrective Action Letter. This was accomplished and provided to (b)(6) by (b)(6) on 20 September, 2018. MS (b)(6), verbally verified the implementation of the corrective actions listed in their "Corrective Actions" dated 9/20/18: - Pen card holders have been ordered and will be attached to the outfeed gates of each pen to place pen cards signed and verified by USDA ante-mortem inspection that must be verified by plant staff before releasing any livestock for slaughter. In the interim, until the pen card holders arrive, only approved employees may release livestock from pens ONLY if a copy of a USDA approved, signed pen card is in their possession. Attachments: - Prime Pork Corrective Actions Response dated 9/20/18 signed by (b)(6) - A scanned copy of the original Pen card for Pen 9 lot #1926</p>

Table: MOIs in Response to FOIA2019-017

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M45945	Home Place Pastures	WLT54150 61627G	27JUN2018	04C02	Livestock Humane Handling	Finalized	At approximately 2:20 p.m., IPP observed establishment employees attempt to stun a hog in the knockbox. The employee stunned the hog with a captive bolt gun and then dropped the hog out of the knockbox. After the hog was let out it regained its footing and attempted to walk across the kill floor. The establishment employees corralled the animal to attempt to stun it again. The employee discharged the captive bolt gun 4 times with 3 of the discharges making contact with the animal and the 3rd attempt missing the animal entirely. The 4th attempt was effective to render the animal unconscious. Immediately the establishment employees were told to stop activities on the kill floor and the U.S. Rejected Tag NO. B43321574 was attached to the knockbox. This establishment does have a written Robust Systematically Approach to Humane Handling plan at the writing of this MOI.
90	M45945	Home Place Pastures	WLT38140 60828G	28JUN2018	04C02	Livestock Humane Handling	Open	On 6/28/18 at approximately 2:00 p.m., IPP observed establishment employees attempt to stun a sheep in the knockbox. The employee stunned the sheep with a captive bolt gun and then dropped the sheep out of the knockbox. After the sheep was let out of the knockbox it regained its footing and attempted to walk across the kill floor. The establishment employees corralled the sheep to attempt to stun it again. The employee discharged the captive bolt gun 6 times into the animal making contact but the stun was not effective until the 6th attempt. The 6th attempt was effective to render the animal unconscious. The establishment employees were told immediately to stop activities on the kill floor and the U.S. Rejected Tag NO. B43321575 was attached to the knockbox.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M46023	Wyoming Legacy Meats, LLC	SDU40140 74027G	27JUL2018	04C02	Livestock Humane Handling	Finalized	Animals were slipping during ante mortem inspection. The floor was slick with feces. The floors need to be as such to prevent animals from slipping while walking in the pen. Establishment response. Establishment will be making changes to the pen floors this weekend.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
60	M4999	Pudliner Packing	CGN41080 80902G	02AUG2018	04C02	Livestock Humane Handling	Finalized	<p>On July 31st, 2018, at 0820 hours, as (b)(6) was observing stunning effectiveness, he observed the egregious mis-stunning of a market swine in the stun box. The market swine was standing freely in the stun box and an Establishment employee attempted to stun the swine with a hand held captive bolt. (b)(6) heard the captive bolt discharge, the hog squealed and recoiled back to the other end of the stun box, but the hog remained standing and alert. The stunner made a second attempt with a .22 caliber rifle. (b)(6) heard the second attempt, the hog squealed again and recoiled back to the other end of the stun box. (b)(6) observed blood running down the snout of the hog and the Establishment employee handed the rifle to the Establishment owner. The owner then made a third stunning attempt with the .22 caliber rifle which was effective in producing unconsciousness throughout the shackling and sticking process. Upon post mortem inspection, I, (b)(6) observed the three distinct holes in the skull to verify that the animal had been hit three times. (b)(6) instructed establishment management and employees to halt further slaughter operations and tagged the stun box with U.S. Rejected tag # B37530118, to stop the slaughter process. I informed Mr. Andrew Pudliner Sr., Establishment owner, of the multiple stunning attempts needed to effect unconsciousness in a swine and informed him that due to the seriousness of this matter, an immediate regulatory control action was taken and that I was alerting the Philadelphia District Office of the egregious situation. The Establishment does not have a Robust Systematic Approach to Humane Handling.</p>

Table: MOIs in Response to FOIA2019-017

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M54271	Beef & Bacon Custom Processing LLC	AWN40090 65308G	08JUN2018	04C02	Livestock Humane Handling	Finalized	<p>In attendance: (b)(6), (b)(6), Dr. Wes Spurrier – Owner/OperatorHATS</p> <p>Category Subject of Meeting: Humane Handling Incident VIII - Stunning Effectiveness</p> <p>On June 5, 2018, at 07:56 hours, while performing the Humane Handling Task, I observed an incident at Beef & Bacon Custom Processing in which a single shot with a .22 Rifle delivered to a hog did not produce immediate unconsciousness. The animal fell on its side after the initial shot, at which time an establishment employee administered a stabbing cut into the animal's neck to allow the animal to bleed out. Immediately after the animal was stuck, it rose to its' feet. The hog was alert, with tracking eye movements and conscious vocalization and there was blood draining from the wound in the neck. A second shot was delivered after approximately 15 seconds and effectively rendered the animal unconscious. The stunning area was immediately Rejected using U.S. Reject/Retain Tag B42268006 and the owner of the establishment, Dr. Wesley Spurrier, was notified of the noncompliance. The establishment does not currently have a Robust Systematic Approach to Humane Handling.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
05	M548	Yosemite Meat Company Inc.	VHM00110 74220G	20JUL2018	04C02	Livestock Humane Handling	Finalized	<p>At Approximately 1200 hours on 7/17/18, I, (b)(6) was watching stunning and consciousness on the rail in back kill for approximately 30 minutes. During that time, I observed a total of 5 hogs reviving while on the bleed line that needed to be knocked with a captive bolt by establishment employees. After witnessing the fourth such incident, I spoke with (b)(6) and informed her of my observations. (b)(6) spoke with (b)(6) and was informed that he believed the issue was with the employee in charge of sticking being tired. The establishment elected to switch the employees, and another began sticking. Even after the employee switch, a fifth hog was noted reviving that needed to be knocked before the lot was finished and the back kill employees went on break. Since this instance occurred, each time I watch consciousness on the rail, I have noted at least one hog reviving.</p> <p>On 7/19/18 at approximately 1145 hours, I again watched stunning and consciousness on the rail. As soon as I began observing, I immediately noted a hog reviving on the line. In this instance there was an issue with the line, causing it to be stopped, giving the hog approximately 45 seconds to a minute longer than average to bleed out on the line, so that by that time the hog reached the catwalk it had exsanguinated. Do to the layout of the establishment, you are given a longer than average time to identify reviving hogs and take corrective action. That being said it is the establishment's responsibility to consistently render animals unconscious with a single application of the chosen stunning methodology. The apparent increase in hogs reviving while on the bleed line is an issue of concern and has the potential to transition into a much more serious issue. It has also been noted that when the</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								establishment employee observes an animal that needs to be knocked, the employee takes a knife, one of the two captive bolt guns kept in back kill, climbs the ladder, and then knocks the animal. Most establishments have two captive bolt guns supplied specifically for the uncommon instances when one of the captive bolt guns does not fire properly, so that another is readily available. Although this establishment does have a second, it is not readily available to the employee knocking the animal. This too is an issue of concern with the potential of becoming more serious.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M6173	Masami Foods, Inc.	CCC520907 2425G	25JUL2018	04C02	Livestock Humane Handling	Open	<p>On July 24, 2018, at approximately 11:34 am, I, (b)(6), observed the following event while performing humane handling observations for consciousness on the rail: I saw a market hog stiffening on the rail. Upon further observation, the hog began to try and regain its upright position. This was not side to side thrashing; it was purposefully lifting its head in line with the back trying to right itself. The front legs were stiff and lifting as well, not thrashing uncontrollably. When I looked below at the hogs head, the eyes were focused (were not fixed and dull), actively looking at the employee next to it, bright and attentive, and the pig began gasping for breath. I stated to the employee at head drop station (b)(6) "We have a conscious pig on the rail and needs to be knocked immediately". The employee then got down from his station to perform the knock. As the employee was getting down from the head station the (b)(6) urgently instructed the employee to get the ladder and climb up to knock the hog. The captive bolt did not fire on the first two attempts (bolt did not fire after the employee re-cocked the captive bolt both times), employee did not attempt to reload the captive bolt gun, and the third attempt (bolt fired correctly) resulted in the hog's body dropping to a state of total flaccidity and unconsciousness, with eyes fixed. I then informed (b)(6) of the incident and he told me to place a reject tag # B32115813 on the stunning conveyer.</p> <p>Note: The line speed was slowed from the regular (b)(4) to about (b)(4) 5-7 regular employees were missing with less experienced employees filling in. Last ROS was February 6, 2018</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M7356	Harmon Brothers Meats, Inc.	IJK4705055 530G	30MAY2018	04C02	Livestock Humane Handling	Finalized	<p>May 29, 2018 The Livestock Humane Handling task was performed at approximately 1100 EDT at Harmon Bros. Meats, Warsaw, KY. The following observations were made by the SVMO in the holding pens: A pen containing approximately 34 sheep/lambs/goats was found to be without access to water. One lamb was found in a moribund state-lateral recumbent; non-responsive-and had to be humanely euthanized. A pen of mature sheep held overnight had insufficient room for all animals to lie down. A holding pen floor was covered in a soupy manure/inedible hay mixture; no animals were in the pen at the time. The animals observed had not been declared for Federal Inspection. The establishment conducts both custom exempt and federal inspection slaughter activities. Directive 5930. 1 revision 4 states in part, "Under 21 U.S.C. 610(b), slaughterers of livestock must comply with the Humane Methods of Slaughter Act (HMSA). The HMSA applies to the slaughter of cattle, calves, horses, mules, sheep, swine, and other livestock. (Poultry slaughter is not included.) The HMSA applies at custom exempt facilities." As the animals had not been presented for federal inspection, the above cited Directive justifies the issuance of this MOI in place of a non-compliance record. The establishment is reminded the holding pens are to be maintained in good repair and are to have adequate footing to prevent slips and falls. Not only does the observed condition of the holding pen contribute to insanitary conditions, it increases the likelihood of slips and falls. The establishment is encouraged to recall a recent meeting with the Jackson District Office chain of command in which such observations were a topic of discussion.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M7356	Harmon Brothers Meats, Inc.	IJK4006062 322G	22JUN2018	04C02	Livestock Humane Handling	Finalized	<p>June 21, 2018 Harmon Bros. Meats (M7356), Warsaw KY performs both custom exempt and Federal Inspection slaughter activities. Directive 5930.1 Revision 4 states " [U]nder 21 U.S.C. 610(b), slaughterers of livestock must comply with the Humane Methods of Slaughter Act (HMSA). The HMSA applies to the slaughter of cattle, calves, horses, mules, sheep, swine, and other livestock. (Poultry slaughter is not included.) The HMSA applies at custom exempt facilities."</p> <p>While performing the Livestock Humane Handling task the SVMO observed a holding pen containing 13 sows/large hogs without access to water; the pen had a cattle size water trough laying on its side and a half-moon shaped trough empty. The establishment is once again reminded that livestock is to have access to water, drinkable water, at all times. Either corrective actions for previous incidents are ineffective or are not being implemented to prevent recurrence. The animals observed while performing this task had not been declared for Federal Inspection, thus the basis for this MOI versus a non-compliance record.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M7356	Harmon Brothers Meats, Inc.	IJK4105074 010G	10JUL2018	04C02	Livestock Humane Handling	Finalized	<p>July 9, 2018 While at Harmon Bros. Meats (M7356) Warsaw, KY, the Livestock Humane Handling task was performed at approximately 1215 hrs. EDT. Observations made by the SVMO included the following: A holding pen of market swine/roaster pigs in the barn since last week was found to have a soupy manure covered floor, a small quantity of questionable drinkable water, and one pig with an orbital wound—appears to have lost an eye and the surrounding tissue traumatized. A holding pen of mature sheep in the barn since last week (or longer) was found to have several sheep ambulatory disabled amongst the normal population. Some were observed carrying limbs to the point of being tripod; some crippled to the point of being barely able to rise and walk. An empty holding pen was observed with a clogged drain thereby creating a “manure pond” in the pen and into the adjacent alleyway. The observations were brought to the attention of Plant Manager Roy Palmer. The establishment is reminded of Title 9 CFR 313.2(d)(1) which states “Disabled animals and other animals unable to move shall be separated from normal ambulatory animals and placed in the covered pen provided for in §313.1(c).” Also, Title 9 CFR 313.1(b) states “Floors of livestock pens, ramps, and driveways shall be constructed and maintained so as to provide good footing for livestock.” The soupy manure floor covering not only increases the likelihood of slips and falls; it creates insanitary conditions, as does the ponding in the alleyway. The establishment performs both federal inspected and custom exempt slaughter activities. The animals observed today had not been declared for federal inspection. However, Directive 5930.1 Revision 4 requires custom exempt facilities to comply with the Humane Methods of Slaughter Act (HMSA). The Federal Meat Inspection Act (FMIA) requires custom exempt</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>facilities to handle animals humanely as well. Since these animals had not been declared for federal inspection, the establishment is receiving this MOI in place of a non-compliance record. This continues a recent trend in similar observations and noted in MOIs dated April 19, 2018, May 11, 2018, May 30, 2018, and June 22, 2018.</p>
90	M7464	F.B. Purnell Sausage Co., Inc.	CMN22100 80409G	09AUG2018	04C02	Livestock Humane Handling	Finalized	<p>August 9, 2018 While performing the Livestock Humane Handling task at Purnell Sausage Co. (M7464), Simpsonville KY, the following observation was made by the SVMO at approximately 0935 hrs. EDT: Plant personnel were observed driving sows from the holding pen into the sweep apparatus which leads to the restrainer where the sows are electrically stunned. Due to too many sows being driven into the sweep, several sows were observed upon the backs of others, sows were scrambling about the sweep, loud vocalization, and one sow observed falling from the back of another, landing lateral on the floor. Title 9 CFR 313.30(a)(2) states, "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." (b)(6), as well as (b)(6) were notified of this observation. The issuance of this MOI is to inform the establishment, thereby granting due process. If this incident had escalated to the point of animals being driven over other animals, or numerous animals falling to the floor, or had animals been pushed as, in effect, being dragged, the minimum documentation would have been a non-compliance record. If animals had been driven over a "down" animal, the potential for a more serious regulatory action exists.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
05	M783	Harris Ranch Beef Company	VNG42150 60215G	15JUN2018	04C02	Livestock Humane Handling	Finalized	<p>At 1:00 pm on Friday 6/15/18 (b)(6) for Harris Ranch Beef Company, and I met to discuss the incident with the distressed heifer from yesterday 6/14/18. In the afternoon of 6/14 plant employees noticed that a heifer lay down and stood up again a few times in the pens. She then lay down and would not get up again and plant employees thought she might be calving. They cooled her with running water from a hose and sent an employee to contact me. When I arrived at the pens I determined that the heifer was convulsing, not having contractions. After verifying with me that the animal was in distress, (b)(6) agreed that the heifer should be humanely stunned in the pens. At the time of my arrival he had already radioed for the captive bolt guns to be brought to the pens, however it took several more minutes for the guns to arrive. By the time the captive bolt guns arrived, the heifer had died of natural causes. In our discussion, (b)(6) agreed that the guns could have been brought more rapidly and that the establishment could improve in that area. He said that the guns were available in the CTR, which is very close to the pens, but the person in charge of the guns was not in the CTR at the time, and the two knockers could not stop what they were doing to bring the guns to the pens.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M791C	Clemens Food Group, LLC	QCF31070 64801G	01JUN2018	04C02	Livestock Humane Handling	Finalized	<p>I met with (b)(6) and (b)(6) on Friday 6/1/2018 in the pen area of the barn and told them of my determination that M791C had a robust systematic approach to humane handling. I also relayed observations and concerns that were identified during a visit on Wednesday May, 30th, 2018 by CDO, DVMS, (b)(6). These observations/concerns relayed to (b)(6) and (b)(6) were: 1) number of hogs driven at any one time, 2) the sorting boards falling on a hog by the loading dock, 3) the hole in the push/drive gate going into the stunner (from (b)(6) NR – most specifically the un-expeditious response time to fix the panel), 4) the fact that (b)(6) had to ask (b)(6) and me if it was OK to stick the hog that was shackled and insensible but involuntarily kicking at the stick stand after having been stunned in the suspect/subject pen (other than not sticking it because of safety concerns he should have known that it was OK to stick it), 5) observations that hogs euthanized are not further bled (and that this was not uncompliant with any reg and OK as long as they don't return to sensibility). (b)(6) took my words seriously and indicated that these issues (especially # 1) and 2) would be addressed. On 6/5/2018 I spoke briefly with (b)(6) and told him that I had noticed a significant reduction in the number of hogs being moved from the pens and to and through the serpentine. I told him that movement of hogs seemed to be much smoother and efficient.</p>
50	M791C	Clemens Food Group, LLC	QCF27050 81623G	23AUG2018	04C02	Livestock Humane Handling	Finalized	Disregard this "MOI". MOI created in error/by mistake and system unable to delete.

Table: MOIs in Response to FOIA2019-017

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M85B	Swift Pork Company	GYM19230 82008G	08AUG2018	04C02	Livestock Humane Handling	Finalized	<p>I was completing ante-mortem inspection at approximately 22:50 hours on 08/08/18 including a pen tag for row#31-36. I found that while there was a padlock at the top of the gate, the chain was not wrapped and the pen was not locked. The hogs were not being run and the gates were closed so there is no regulatory non-compliance. However establishment SOP programs state pens will be locked until USDA inspection is complete. (b)(6) checked with a barn employee and immediately placed the lock on the gate. The pen tag was signed to release the hogs for slaughter at 23:02 hours after consulting with (b)(6). I informed (b)(6) an MOI would be created.</p>
15	M9252	Bright Oak Meats, Inc.	GHD49170 74702G	02JUL2018	04C02	Livestock Humane Handling	Finalized	<p>Earlier in the day, a non-compliance was recorded for the use of two shots in order to render a large hog unconscious (documented on a separate HH task by (b)(6), (b)(6) and (b)(6) discussed the situation and the plant's preventative actions to prevent future recurrence. (b)(6) had already discussed the incident with the employee who was stunning (one of the lead slaughter employees) regarding his rationale in using the smaller caliber rifle and they both agreed that only the larger rifle will be used from this point forward. They will be updating their robust HH plan and be conducting refresher training to slaughter floor employees. (b)(6) also discussed possible further enforcement actions should this become a recurring event.</p>

Table: MOIs in Response to FOIA2019-017

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
60	M9482	Espey's Meat Market	YHK310909 3619G	19SEP2018	04C02	Livestock Humane Handling	Finalized	<p>On Wednesday, September 19, 2018 at 0915 hours, as (b)(6) was observing stunning effectiveness, he observed the egregious mis-stunning of a market swine in the stun box. The market swine was standing freely in the stun box when an Establishment employee attempted to stun the market hog, behind the ear, with a hand held captive bolt. As the captive bolt discharged, the market swine squealed and recoiled back to the other end of the stun box, but the hog remained standing and alert. The first stunner reloaded the captive bolt and handed it to another employee who made a second stunning attempt in the front of the animal's head. As the captive bolt discharged, the hog squealed again and recoiled back to the other end of the stun box. The second stunner reloaded the captive bolt and made a third attempt in the front of the animal's head which was effective in producing unconsciousness throughout the shackling and sticking process. Upon post mortem inspection, (b)(6) observed the three distinct areas, which were impacted by the captive bolt, to verify that the animal had been hit three times. (b)(6) instructed Establishment management and employees to halt further slaughter operations and tagged the stun box with U.S. Rejected tag #B20481405, to stop the slaughter process. (b)(6), informed Mr. Joe Espey, Establishment owner, of the multiple stunning attempts needed to effect unconsciousness in a market hog and informed him that due to the seriousness of this matter, an immediate regulatory control action was taken and that I was alerting the Philadelphia District Office of the egregious situation. The Establishment operates under a Robust Systematic Approach. Within the previous six months, there was one Humane Handling Noncompliance Record, for mis-stunning, on July</p>

Table: MOIs in Response to FOIA2019-017

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								25, 2018. The establishment had a back-up .22 magnum rifle available on the slaughter floor, as detailed in their Robust Plan, but chose to reload the captive bolt instead. I recommend that the Establishment be given a Notice of Intended Enforcement instead of a Notice of Suspension.

Table: MOIs in Response to FOIA2019-017

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M960	Greater Omaha Packing Co., Inc.	PEE381505 4221G	21MAY2018	04C02	Livestock Humane Handling	Finalized	<p>At approximately 1435, I, (b)(6) began observation of the knocking procedure for my HATS task and witnessed the following: a single steer was pushed too far forward on the belly belt and allowed to walk out onto the shackling conveyor belt. At this time, it lost its balance, and fell into the catch cage at the bottom of the belt and immediately got back up from the ground. After several attempts from establishment employees to stun with inline captive bolts (no discharges were made), at approximately 1437 the animal became agitated, ran the cage out of its normal location, and proceeded to run with panic in the fenced area surrounding the knock box. At this point, two employees with inline captive bolts proceeded to continue attempting cornering it with no success. When the animal came near the fence line, a third employee, also with an inline captive bolt, attempted to line up a shot, also with no success. I heard one captive bolt discharge, but due to the animal running underneath dripping carcasses and accumulating blood on its head up to the point, I was unable to discern if contact with a captive bolt had been made. This continued for several minutes, until approximately 1442 when the animal ran back up the conveyor belt, at which point one of the employees lined up a shot with an inline captive bolt. The shot was misplaced, and resulted in the bolt becoming lodged in the animal's skull. The animal was bright, alert, responsive, and continued to look and move around. It took 30 seconds to 1 minute for the corrective stun to be placed, which resulted in satisfactory unconsciousness. Throughout the entire encounter, the animal did not vocalize. At this point, I informed (b)(6) that I was taking regulatory control by placing my reject tag on the alley. GOP does operate under a robust humane handling policy at this time.</p>

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

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
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)	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. (b)(6) was notified of the noncompliance and that this 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
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.	BAKA241 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

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	<p>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) [REDACTED] 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.</p>	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

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+P20478	Snow Creek Meat Processing, Inc.	VAB220808352ON-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+P4499+V4499	Tri-Town Packing Corporation	LPA1913072724N-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	<p>HATS Category IV – Handling During Ante-mortem Inspection On September 28, 2018, at approximately 1000 hours while performing humane handling verification activities, 1(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).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M17776	Trenton Halal Packing Company	BBE060905023ON-1	05/30/2018	05/30/2018	04C02	Livestock Humane Handling	313.1	<p>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)</p> <p>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).</p>	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

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								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

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M5497+V5497	Adams Farm Slaughterhouse LLC	FWJ3713075023N-1	07/23/2018	07/23/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>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.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
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

Table: Noncompliance Reports in Response to FOIA2019-017

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+P9428	East Conway Beef & Pork Processing	XML2408074117N-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.</p> <p>(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+P9760+V9760	Herring Brothers Inc.	DIK1615073823N-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

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

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

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	<p>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</p>	CLOSED

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								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.	

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.	FYC340 909442 4N-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.	XQC140 706290 6N-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

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

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

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M5931	G.G. RUPPERSBERG ER & SONS INC	WHD17 070700 02N-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. Ruppertsberger 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. RUPPERSBERG ER & 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	GEH3015054322N-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

Table: Noncompliance Reports in Response to FOIA2019-017

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

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 an 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 stun 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

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

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	<p>HATS CATEGORY III Water and feed availability</p> <p>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.</p>	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)	<p>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.</p>	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

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

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

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

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

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M85O+P17 775+V85O	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.	
M85O+P17 775+V85O	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

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

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).	

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 ½ 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

Table: Noncompliance Reports in Response to FOIA2019-017

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 CRF 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

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) 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

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M889A+V889	J.F. O'Neill Packing Co. Inc.	DSC3811095227N-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+V889	J.F. O'Neill Packing Co. Inc.	DSC4210094928N-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)	<p>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)</p> <p>(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).</p>	CLOSED

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

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)} [REDACTED] and myself, (b)(6) [REDACTED], observed the following noncompliance:</p> <p>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

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</p> <p>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

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EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M337+V337	STX Beef Company	UNG2317061808N-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+V337	STX Beef Company	UNG0817081908N-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

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

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

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

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.	AMH4915083315N-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

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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

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.	ECD131 009392 4N-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+P4 896+V6454	Elizabeth Locker Plant, Inc.	OAF111 506142 9N-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
								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.	

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</p> <p>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

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

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

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M783+P783+V783	Harris Ranch Beef Company	VNG2715065409N-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

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

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>	

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

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								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.	

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

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) 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 Klocker, 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

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

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

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

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

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

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

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</p> <p>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)</p> <p>(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

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	<p>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.</p>	CLOSED

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

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								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).	

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) [REDACTED], 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+P4763	P&N Packing Inc.	UVF4710091704N-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 inform (b)(6) [REDACTED], of this noncompliance. Immediate corrective action was taken by a plant employee and the water bucket was filled.	CLOSED
M4999+P4999	Pudliner Packing	CGN1208074610N-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) [REDACTED] was notified orally and in writing with this NR of the noncompliance.	CLOSED

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+P9400	Cargill Meat Solutions	WIL331305533ON-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+P9400	Cargill Meat Solutions	WIL090808293ON-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. Lilyestrom 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

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+P9442	Groff Meats Inc.	UTC5211085429N-1	08/29/2018	08/29/2018	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3)	<p>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).</p>	CLOSED

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

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

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.</p> <p>(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

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								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.	

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

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

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

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)	<p>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.</p>	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</p> <p>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	<p>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.</p>	CLOSED

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

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.</p> <p>(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

Table: Noncompliance Reports in Response to FOIA2019-017

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 Systematic 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

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

Table: Noncompliance Reports in Response to FOIA2019-017

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

Table: Noncompliance Reports in Response to FOIA2019-017

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 violation 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

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 ½ 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

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M21799	Olson Meat Plant	ACL351 609510 6N-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	ACL361 409480 7N-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

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

EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
								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.	

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

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

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

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

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

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

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

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) immediately notified (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

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

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

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	<p>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)</p>	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

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)	<p>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)."</p>	CLOSED

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

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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

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

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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

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EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M8+V8	Iowa Premium, LLC	VSH421 508260 8N-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

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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

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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

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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

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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

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

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

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

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

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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 0N-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

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EstNbr	EstName	NR#	Insp_Date	NonComp_date	Task	TaskName	Regs	Description	Status
M48108+P48108	Julius Falkavage LLC	HDJ2010103425N-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	PPH4208052722N-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

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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

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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	<p>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.</p>	CLOSED

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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) that a humane handling incident had occurred at the knock box. Afterwards, I left the slaughter floor and informed the (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), who informed (b)(6) with the Denver district about the incident. Plant co-owner, Hillel</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-017

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

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 an 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 ineffective, 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

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	IGN231 708082 8N-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 matts 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+P 46070	Marble City Meats LLC	KLE310 708402 4N-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	<p>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.</p>	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

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

Table: MOIs in Response to FOIA2019-143

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M12445	Kulana Foods, Ltd.	WYF09161 10415G	15NOV2018	04C02	Livestock Humane Handling	Finalized	<p>The CSI observed a large sow brought into the stunning area for electrical stunning. A stunning attempt was applied, and the sow squealed, remained standing, and was observed to be alert and looking around. The operator then made three additional ineffective stunning attempts with the electrical stunning device. During all stunning attempts, the sow stood with muscles rigid and tense indicating that an electrical stun had been applied. However, following each stunning attempt, the sow was immediately alert, standing, and was looking around. Additionally, during the fourth stunning attempt, the sow squealed again and laid down in lateral recumbency but was still observed to be conscious, as it was looking around with rapid open mouth breathing. The CSI informed the establishment operator that repeated attempts to stun with the electrical stunning device were ineffective, and that further action needed to be taken immediately to render the sow unconscious. The establishment employee then retrieved a hand-held captive bolt gun from the cattle stunning area by climbing a ladder to gain access to the area. The charges for the captive bolt gun were then retrieved from their storage location in another room. After several minutes, a fifth stun was applied with the hand-held captive bolt which successfully rendered the sow unconscious. The CSI informed the stunning operator and establishment management that this was a noncompliance and placed US Rejected Tag # B43042868 on the stunning area. The CSI then informed the establishment that they would be contacting the Denver District Office through supervisory channels.</p>

Table: MOIs in Response to FOIA2019-143

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M12445	Kulana Foods, Ltd.	WYF07111 21927G	27DEC2018	04C02	Livestock Humane Handling	Finalized	At about 1220 on 12-26-18 at Establishment M12445, the CSI observed a truck back up to the higher unloading dock and open the tail gate. There was one pig in the truck that was tied down to the truck by a front foot and a back foot in a lying position. Two men proceeded to untie the pig from the truck bed. The pig stayed lying and refused to stand. The two men began to pull the pig out by the ropes that were tied to its feet as it remained laying. The CSI informed the men that they cannot drag a conscious pig. The men stopped pulling the ropes and were trying pushing measures and sounds to get the pig up. The pig refused to stand so they lifted the pig up and carried it out of the truck. Then they put the pig down and she stood. They then pulled on the ropes and she walked. After the CSI watched the men cut the rope off the feet of the pig, the CSI informed establishment President/GM Mr. Brady Yagi of the occurrence, and he went outside to talk with the men.
15	M12445	Kulana Foods, Ltd.	WYF56091 21227G	27DEC2018	04C02	Livestock Humane Handling	Finalized	

Table: MOIs in Response to FOIA2019-143

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M17D	Smithfield Packaged Meats Corp.	WLJ56071 24818G	18DEC2018	04C02	Livestock Humane Handling	Finalized	<p>HATS Category IV – Ante-mortem Inspection On 12/14/2018 at approximately 1220 hours, while performing antemortem inspection in the barns, I observed questionable behavior by a truck driver who was unloading hogs from his trailer. I was standing in the alleyway between pens 301 and 501 when I observed a truck driver unloading hogs from his trailer into the West Side Unloading Alley #2. The truck driver was a long distance from where I was standing (approximately 100 to 150 feet away). From my vantage point I could see up the truck's unloading ramp. The truck driver was moving hogs from the upper deck down the trailer's unloading ramp. A group of 5-6 hogs had bottle necked at entrance of the barn, at the bottom of the truck's unloading ramp, just prior to the company tattooer. The trucker was facing towards me, standing behind the group of hogs, attempting to get them to move into the barn. One of the hogs was facing away from me (and facing towards the trucker). For driving implements the trucker was using a plastic jug with BB's in it and a sort board. I observed the trucker put the jug in close proximity to the hog's face (the hog was still facing away from me.) The trucker was using wrist flicks to use the jug, not pronounced arm movements with a striking motion. Because of the vantage point and distance of my location, I could not definitively determine that the trucker was contacting the hog's face. I did not observe the hogs jumping erratically or hear them vocalizing. The hogs were deadlocked in the position. (b) (6)</p> <p>(b) (6) was standing next to me and immediately called for the trucker to stop moving the hogs. A company employee went into the trailer to help the trucker move the remaining hogs off the trailer without incident. I spoke to (b) (6) and (b) (6) about my observations. I told them that I could not</p>

Table: MOIs in Response to FOIA2019-143

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								definitively say that the trucker was striking the hog in the face but reminded them that this behavior was unacceptable, should it occur (b) (6) said that he would discuss this with his employees.

Table: MOIs in Response to FOIA2019-143

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M17D	Smithfield Packaged Meats Corp.	WLJ41071 23529G	29DEC2018	04C02	Livestock Humane Handling	Finalized	<p>HATS Category VI - Electric Prod/Alternative Object Use At approximately 1045 hours, while entering the barn to perform antemortem inspection, I observed an employee using the rattle paddle in an aggressive manner but could not confirm that there was contact with a hog. I was standing near the northwest side of pen 504. I was observing employees move hogs off the west scale, which is approximately 50-70 feet away. The small door on the on the northwest side of the scale was being utilized to tattoo hogs as they left the scale. The large scale gate on the north side was closed, obstructing my view of the hogs. I saw an employee standing south of the scale using a rattle paddle to drive hogs northward through the small open door to get tattooed. I observed the employee with the rattle paddle gradually increase the intensity of the striking motion. The motion started with using the rattle paddle below the shoulder at a moderate speed and gradually shifted to picking the paddle up above the shoulders and repeatedly swinging the paddle downward in a very fast motion. Because the gate was obstructing my view of the pigs, I cannot definitively say the employee was contacting the hogs with these aggressive paddle swings. Due to the small size of the pen, I thought it was likely the employee was contacting hogs and not striking the ground. I yelled from my position to get the employees attention and motioned for the employees to stop using the paddle. I discussed my findings with (b) (6) and (b) (6). I told (b) (6) if hogs are not moving well, hitting them harder is typically not the ideal solution. Again, I cannot definitively say the hogs were being hit. But if they were being struck with the rattle paddle with the motions I observed, it would be considered excessive use of a driving implement.</p>

Table: MOIs in Response to FOIA2019-143

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M20863	JNB, Inc.	PNA24141 05905G	05OCT2018	04C02	Livestock Humane Handling	Finalized	The week of 10/1/2018 through 10/5/18 at 6:05am I preformed extra duties for Hat Categories at EST.20863. Stunning 1hr , conscious animals on the rail none on conscious for 1 hr. I review the records that designate monitor is checking every 5 sow, I observed the Supervisor cleaning the 22 magnum and the stunners daily, I reviewed the SOP plan.
25	M20863	JNB, Inc.	PNA33091 03213G	13OCT2018	04C02	Livestock Humane Handling	Finalized	The week of 10/8/2018 through 10/12/18 at 6:05am I preformed extra duties for Hat Categories at EST.20863. Stunning 1 hr, conscious animals on the rail none on conscious for 1 hr. I review the records the that the designate monitor is checking every 5 sow, I observed the Supervisor cleaning the 22 magnum and the stunners daily, I reviewed the SOP plan.
25	M20863	JNB, Inc.	PNA34091 04313G	13OCT2018	04C02	Livestock Humane Handling	Finalized	The week of 10/8/2018 through 10/12/18 at 6:05am I preformed extra duties for Hat Categories at EST.20863. Stunning 1hr, conscious animals on the rail none on conscious for 1 hr. I review the records the that the designate monitor is checking every 5 sow, I observed the Supervisor cleaning the 22 magnum and the stunners daily, I reviewed the SOP plan.
25	M20863	JNB, Inc.	PNA35091 05213G	13OCT2018	04C02	Livestock Humane Handling	Finalized	The week of 10/8/2018 through 10/12/18 at 6:05am I preformed extra duties for Hat Categories at EST.20863. Stunning 1 hr, conscious animals on the rail none on conscious for 1 hr. I review the records the that the designate monitor is checking every 5 sow, I observed the Supervisor cleaning the 22 magnum and the stunners daily, I reviewed the SOP plan.

Table: MOIs in Response to FOIA2019-143

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M20863	JNB, Inc.	PNA04171 00119G	19OCT2018	04C02	Livestock Humane Handling	Finalized	The week of 10/15/2018 through 10/19/18 at 6:00am I preformed extra duties for Hat Categories at EST.20863. Stunning 1hr , conscious animals on the rail none on conscious for 30 min, I review the records the that the designate monitor is checking every 5 sow, I observed the Supervisor cleaning the 22 magnum and the stunners daily, I reviewed the SOP plan.
25	M20863	JNB, Inc.	PNA06171 05919G	19OCT2018	04C02	Livestock Humane Handling	Finalized	The week of 10/15/2018 through 10/19/18 at 6:00am I preformed extra duties for Hat Categories at EST.20863. Stunning 45min , conscious animals on the rail none on conscious for 1 hr. I review the records the that the designate monitor is checking every 5 sow, I observed the Supervisor cleaning the 22 magnum and the stunners daily, I reviewed the SOP plan.
25	M20863	JNB, Inc.	PNA08171 05719G	19OCT2018	04C02	Livestock Humane Handling	Finalized	The week of 10/15/2018 through 10/19/18 at 6:05am I preformed extra duties for Hat Categories at EST.20863. Stunning 1hr , conscious animals on the rail none on conscious for 1 hr. I review the records the that the designate monitor is checking every 5 sow, I observed the Supervisor cleaning the 22 magnum and the stunners daily, I reviewed the SOP plan.
25	M20863	JNB, Inc.	PNA11171 03219G	19OCT2018	04C02	Livestock Humane Handling	Finalized	The week of 10/15/2018 through 10/19/18 at 6:05am I preformed extra duties for Hat Categories at EST.20863. Stunning 45min , conscious animals on the rail none on conscious for 1 hr. I review the records the that the designate monitor is checking every 5 sow, I observed the Supervisor cleaning the 22 magnum and the stunners daily, I reviewed the SOP plan. (b) (6) did his observations no deviancies were found.

Table: MOIs in Response to FOIA2019-143

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M20863	JNB, Inc.	PNA13171 02519G	19OCT2018	04C02	Livestock Humane Handling	Finalized	The week of 10/15/2018 through 10/19/18 at 6:05am I preformed extra duties for Hat Categories at EST.20863. Stunning 45min , conscious animals on the rail none on conscious for 45 min, I review the records the that the designate monitor is checking every 5 sow, I observed the Supervisor cleaning the 22 magnum and the stunners daily, I reviewed the SOP plan.
25	M20863	JNB, Inc.	PNA58101 00029G	29OCT2018	04C02	Livestock Humane Handling	Finalized	The week of 10/22/2018 through 10/26/18 at 6:10am I preformed extra duties for Hat Categories at EST.20863. Stunning 30min , conscious animals on the rail none on conscious for 30 min, I observed employee knocking for 30min, I review the records the that the designate monitor is checking every 5 sow, I observed the Supervisor cleaning the 22 magnum and the stunners daily, I reviewed the SOP plan.
25	M20863	JNB, Inc.	PNA08131 13402G	02NOV2018	04C02	Livestock Humane Handling	Finalized	The week of 10/29/2018 through 11/2/18 at 6:05am I preformed extra duties for Hat Categories at EST.20863. Stunning 15min , conscious animals on the rail none on conscious for 15 min, I review the records the that the designate monitor is checking every 5 sow, I observed the Supervisor cleaning the 22 magnum and the stunners daily, I reviewed the SOP plan.
25	M20863	JNB, Inc.	PNA11131 12502G	02NOV2018	04C02	Livestock Humane Handling	Finalized	The week of 10/29/2018 through 11/2/18 at 6:05am I preformed extra duties for Hat Categories at EST.20863. Stunning 15min , conscious animals on the rail none on conscious for 15 min, I review the records the that the designate monitor is checking every 5 sow, I observed the Supervisor cleaning the 22 magnum and the stunners daily, I reviewed the SOP plan.

Table: MOIs in Response to FOIA2019-143

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M20863	JNB, Inc.	PNA29111 14019G	19NOV2018	04C02	Livestock Humane Handling	Finalized	The week of 11/12/18 through 11/16/18 I preformed extra duties on HAT Categories at EST.20863. stunning 15 min, conscious animals on the rail, none on conscious for 15 min. I reviewed records that the designate monitor is monitoring every 5th sow, I observed (b) (6) cleaning the 22 magnum and the stunners daily, I reviewed all records.
25	M20863	JNB, Inc.	PNA35111 10419G	19NOV2018	04C02	Livestock Humane Handling	Finalized	The week of 11/12/18 through 11/16/18 I preformed extra duties on HAT Categories at EST.20863. stunning 15 min, conscious animals on the rail, none on conscious for 15 min. I reviewed records that the designate monitor is monitoring every 5th sow, I observed (b) (6) cleaning the 22 magnum and the stunners daily, I reviewed all records.
25	M20863	JNB, Inc.	PNA50161 12830G	30NOV2018	04C02	Livestock Humane Handling	Finalized	The week of 11/19/18 through 11/23/18 I preformed extra duties on HAT Categories at EST.20863. stunning 15 min, conscious animals on the rail, none on conscious for 15 min. I reviewed records that the designate monitor is monitoring every 5th sow, I observed (b) (6) cleaning the 22 magnum and the stunners daily, I reviewed all records. (b) (6) was here the morning of Monday the 19th everything went good no NRs , this week we will work Monday thru wednesday Thursday and Friday no work for the holiday.
25	M20863	JNB, Inc.	PNA05141 22710G	10DEC2018	04C02	Livestock Humane Handling	Finalized	The week of 12/03/18 though 12/07/18 I preformed extra duties on HAT Categories at EST.20863 stunning for 15 min, 15 min on conscious animals on the rail none on conscious, for 15 min I reviewed the designated monitor is monitoring every 5th sow, I observed (b) (6) cleaning the 22 magnum and the stunner daily, I reviewed all records. I am off Thursday and Friday (b) (6) will cover for me.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M20863	JNB, Inc.	PNA07141 22610G	10DEC2018	04C02	Livestock Humane Handling	Finalized	The week of 12/03/18 though 12/07/18 I preformed extra duties on HAT Categories at EST.20863 stunning for 15 min, 15 min on conscious animals on the rail none on conscious, for 15 min I reviewed the designated monitor is monitoring every 5th sow, I observed (b) (6) cleaning the 22 magnum and the stunner daily, I reviewed all records. I will be gone on Thursday and Friday (b) (6) will be in my place.
25	M20863	JNB, Inc.	PNA20141 20110G	10DEC2018	04C02	Livestock Humane Handling	Finalized	The week of 12/10/18 through 12/14/18 I preformed extra duties on HAT Categories at EST. 20863 stunning 15 min, 15 on conscious animals on the rail none on conscious, I reviewed designated monitor for 15 min. I observed (b) (6) cleaning the 22 magnum and the stunner daily, I reviewed all records.
25	M20863	JNB, Inc.	PNA52161 20820G	20DEC2018	04C02	Livestock Humane Handling	Finalized	The week of 12/17/18 through 12/21/18 I preformed extra duties on HAT Categories at EST.20863. stunning 15 min, 15 min on conscious animals on the rail none on conscious, I reviewed the records that designate monitor is monitoring every 5th one, I observed (b) (6) cleaning the 22 magnum and the stunner daily, I reviewed all the records.
25	M20863	JNB, Inc.	PNA48131 20821G	21DEC2018	04C02	Livestock Humane Handling	Finalized	The week of 12/17/18 through 12/21/18 I preformed extra duties on HAT Categories at EST.20863. stunning 15 min, 15 min on conscious animals on the rail none on conscious, I reviewed the records that designate monitor is monitoring every 5th one, I observed (b) (6) cleaning the 22 magnum and the stunner daily, I reviewed all the records.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M20863	JNB, Inc.	PNA31141 24528G	28DEC2018	04C02	Livestock Humane Handling	Finalized	The week of 12/24/18 through 12/28/18, I preformed extra duties on HAT Categories at Est.20863. stunning 15 min, 15 min on conscious animals on the rail, none on conscious, I reviewed all records, I reviewed that the designated monitor is monitoring, I observed (b) (6) cleaning the 22 magnum & the stunner daily.
25	M20863	JNB, Inc.	PNA34141 22528G	28DEC2018	04C02	Livestock Humane Handling	Finalized	The week of 12/24/18 through 12/28/18, I preformed extra duties on HAT Categories at Est.20863. stunning 15 min, 15 min on conscious animals on the rail, none on conscious, I reviewed all records, I reviewed that the designated monitor is monitoring, I observed (b) (6) cleaning the 22 magnum & the stunner daily.
40	M337	STX Beef Company	UNG34181 22907G	07DEC2018	04C02	Livestock Humane Handling	Finalized	43 head of had no signed/inspected pen card. All carcasses, offal and head were tag and lock out.
40	M337	STX Beef Company	UNG26121 20411G	11DEC2018	04C02	Livestock Humane Handling	Finalized	Verification Plan 60th day review was done by (b) (6). New recommendations: 1. Addition flap on the knockbox. 2. Possible foot control knobs for the stun gun operator to free both hand for the control of the stun gun. 3.Stun gun operator found to be doing a good jib. 4. All relevant records were up to date.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M34056	Olsen Farms Meats LLC	XIC581211 3827G	27NOV2018	04C02	Livestock Humane Handling	Open	<p>On November 27, 2018 at approximately 0830 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 inhumane event. The first beef cow, was loaded into the headgate. The beef was tossing her head. (b) (6) using a .357 caliber rifle with .357 magnum bullets, applied a stunning attempt. The beef was conscious as she remained standing with blood dripping from her nose. The beef did not vocalize or thrash (b) (6) applied a second stunning attempt with the .357 rifle. Again, the beef remained conscious as she remained standing with more blood pouring from her nose. Again, there was no vocalizing or thrashing. (b) (6) applied a third stunning attempt which rendered the animal unconscious. Upon inspection of the beef head I found the first two shots were low. They were both at eye level. One shot was centered and the other was slightly to the left. The third shot was about 2 inches higher and at the correct placement of the x pattern. (b) (6) informed me that the first two bullets were from a new box of .357 magnum caliber bullets and that the third bullet was from the previous box of bullets. I immediately stopped production and tagged the knock box with yellow USDA Retain/Reject tag #B38177336, and contacted the Denver District Office through supervisory channels.</p>

Table: MOIs in Response to FOIA2019-143

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M34056	Olsen Farms Meats LLC	XIC211412 5113G	13DEC2018	04C02	Livestock Humane Handling	Finalized	<p>On December 13, 2018 at approximately 0800 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 inhumane event. Two Highlander beef cows were located inside the barn in the second pen. The two cows were calm, standing and milling around each other inside the pen. They were not loaded into the head gate because each had horns too wide for the head gate. There were no restraints used and the first cow was effectively stunned. The second beef cow was stunned by (b) (6) using a .357 rifle and using .357 mag 140 grain bullets. The cow was stunned and remained standing. She did not vocalize but tossed her head wildly and spun in repeated circles. (b) (6) re-aimed the rifle and allowed the cow to calm prior to second stunning attempt. The cow was rendered immediately insensible after the second stun. Upon inspection of the placement of the two shots, I found them both centered but just a quarter of an inch above eye level. The shots were approximately one inch too low for the correct placement of the X pattern. I immediately stopped production and tagged the knock box with yellow USDA Retain/Reject tag #B38177471. I then contacted the Denver District Office through supervisory channels.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
85	M40244	Gray's & Danny's Investment, Inc.	LCP370812 0324G	24DEC2018	04C02	Livestock Humane Handling	Finalized	<p>December 21st, 2018 At approximately 1155, while verifying the establishment's implementation of their humane handling program at the cattle stunning area, I observed (b) (6) attempt to stun a beef heifer with a 410 shotgun. After the first shot hit, the heifer remained standing, continued to have rhythmic breathing, and controlled eye movement as it moved its head to look at its surroundings. A second shot was immediately made, but the heifer continued to stand, have rhythmic breathing, and controlled head and eye movement. At this point, (b) (6) ran over to the ATV parked nearby and searched for bullets in the ATV while the heifer remained in the chute. He then came over to the chute, manually loaded the gun, and shot the heifer again. The heifer remained standing with rhythmic breathing and controlled head and eye movement. The gun then had to be manually reloaded in order to take a fourth shot, and two more shots had to be administered before the heifer was rendered unconscious, with manual reloading occurring between each shot. A total of six (6) shots were fired before the heifer was effectively rendered unconscious. U.S. Rejected tag (#B40160524) was placed on the chute and (b) (6) was notified that regulatory action had been taken to stop further killing of all federally inspected animals. At postmortem inspection, the head was skinned and five distinctive holes were observed on the head.</p>

Table: MOIs in Response to FOIA2019-143

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
60	M4390	Curtis Custom Meat	LPK261211 1607G	07NOV2018	04C02	Livestock Humane Handling	Finalized	<p>At approximately 2pm on 11/7/18, a meeting was held between USDA and establishment management, attended by (b) (6), (b) (6), and (b) (6), to discuss an incident that occurred earlier in the day. A cow and a bull got loose while being unloaded from the trailer at approximately 9:30am; the bull was returned to the premises several hours later in good condition. At that time, (b) (6) and (b) (6) observed truck unloading proceed without issue. The cow was not returned. Because animals have escaped control in the past at this establishment, USDA requested that management provide us with preventative measures that they will use to assure this does not happen again. (b) (6) stated that the cause of the incident was a gap left between the trailer and the barn door, through which the animals were able to escape. In the future, the establishment will ensure that all trailers are backed up straight to the barn, so that no gaps are present. They will also have at least two employees present to help and are looking into building a fence around the unloading area.</p>

Table: MOIs in Response to FOIA2019-143

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M44779	Faulkner Meats	VMV20111 05324G	24OCT2018	04C02	Livestock Humane Handling	Finalized	On Tuesday, October 23, 2018, IPP were verifying conditions in the holding pens of the barn at Faulkner Meats (M44779) Taylorsville, KY. A goat was found lateral recumbent in a holding pen at approximately 1030 hrs. EDT; the goat was alive but was diagnosed to be in a moribund state ("U.S. Condemned") by the SVMO. The SVMO instructed IPP the goat needed to be euthanized based upon its condition. IPP informed the establishment of the condition. Plant personnel euthanized the goat by cutting its throat, allowing it to expire by exsanguination. The cutting of the throat is not considered an acceptable method of euthanasia in a federally regulated facility. The owner of the establishment considers all animals held in the barn to be custom exempt, thus the basis for this MOI.
90	M44779	Faulkner Meats	VMV27131 03830G	30OCT2018	04C02	Livestock Humane Handling	Finalized	October 30, 2018 The verification of livestock holding pen conditions was made by the SVMO at Faulkner Meats (M44779) Taylorsville, KY. A pen with approximately 37 lambs/sheep was found at approximately 1400 hrs. EDT to be without access to water; the bottoms of plastic drums (2) being used for watering troughs were dry. While the owner of the establishment considers all animals in the barn to be custom exempt, per FSIS USDA Directive 5930.1 revision 4, the Humane Methods of Slaughter Act applies and all livestock are to have access to water in the holding pens at all times. Because the animals have yet to be declared for Federally Inspected Slaughter, they are considered Custom Exempt at the point of discovery and as such this Custom Exempt MOI was issued instead of a non-compliance record.

Table: MOIs in Response to FOIA2019-143

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M44779	Faulkner Meats	VMV37071 12921G	21NOV2018	04C02	Livestock Humane Handling	Finalized	<p>November 20, 2018 Federally inspected slaughter activities regularly occur at Faulkner Meats (M44779) Taylorsville, KY on Tuesdays of each week. While verifying conditions in the barn, the SVMO made the following observations in a holding pen at approximately 1330 hrs. EST: A holding pen containing approximately 20 head of swine varying in size from roughly 20 pounds to over 500 pounds were found to be without water; the 50 gallon plastic drum converted to a gravity fed waterer was observed lying on its side in the corner of the pen. Secondly, the floor was covered, near its entirety, in approximately one inch of soupy, liquid manure; if all animals were to lie down simultaneously, some would have to lie in the liquid. The above animals had not been declared for Federal Inspection at the time of these observations; the owner of the establishment considers all animals in the holding pens to be custom exempt until such time as they may be declared for federal inspection. FSIS USDA Directive 5930.1 revision 4 states the Federal Meat Inspection Act (FMIA) and the Humane Methods of Slaughter Act (HMSA) applies to custom exempt operations. The lack of water access and the absence of pen maintenance raise humane handling concerns, and also in the case of the latter, create insanitary conditions. The basis for the issuance of this Custom Exempt MOI instead of a non-compliance record is the fact the swine had not been declared for Federal Inspection. This observation continues a recent trend in humane handling concerns.</p>

Table: MOIs in Response to FOIA2019-143

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M44819	Fatback Pig Project LLC	BQY13121 03102G	02OCT2018	04C02	Livestock Humane Handling	Finalized	At approximately 11:15 am on Friday, September 28, 2018, I, (b) (6), observed an employee using the electrical stunner on a hog in the knock box. The 1st, 2nd, and 3rd attempts to render the hog insensible to pain failed. On the 4th attempt the hog was rendered unconscious and remained so throughout shackling, hoisting, and bleeding. The knock box was tagged with US Reject/Retain tag Number B42031085. The establishment has been informed there will be no more slaughter until notified by the District Office.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M45471	New Angus, LLC	VUE31091 20211G	11DEC2018	04C02	Livestock Humane Handling	Finalized	<p>On 12/7/18 a meeting was held with management representatives to review IPP findings/concerns with fractured mandibles on bovine carcasses, and discuss establishment steps for determining the cause and subsequent corrective actions. On 12/5/18 while giving break at heads, IPP saw a fractured mandible and on 12/6/18 a FI reported three heads with both mandibles fractured mid-length. IPP reported the concern to establishment management and they did an inquiry. When I reported to the knock box, management had discovered a failure in a pin on the head restraint. There were no reported fractures on heads the rest of the day. I watched the stunning for several minutes throughout the day and was unable to find a distressed animal. A note is that the chin basket lift cylinder has 8 inches more travel than required to restrain the head of the animals I saw. This also allows the chin basket to be lift up and out of the way when the carcass is rolled off the belly chain. The knock box controller stops lifting the head when the face levels out. If the knock box controller were to use that extra distance with an animal in the box, they would very likely fracture a mandible. In response to IPP concern, a deficiency was recorded in the 12/6/18 animal Handling Structural Audit under the knock box. "The head restraint was not closing and lifting heads properly." Equipment repair: Cylinder pin mounting bracket was repaired. QA has increased monitoring time at the restrainer. On 12/7/18 at approximately 1400 hours, IPP found another fractured mandible. This was similar to the one from 12/5/18. The right mandible fractured mid shaft from outside pressure. The fragments were pushed medially. (b) (6) and (b) (6) and I watched the box for several minutes and found no animals in distress (b) (6) did say that this equipment is becoming worn and</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								a new restrainer was ordered. We also looked at the possibility of the Up Puller head restraint causing the problem but, that was unable to replicate the fractures.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M45629	Andy's Meats Inc.	DJP381111 1021G	21NOV2018	04C02	Livestock Humane Handling	Finalized	<p>At approximately 0830, while observing HATS Category VIII, Stunning Effectiveness, I, (b) (6), observed the following. A nonambulatory hog tagged as U.S. Suspect was stunned with a hand held captive bolt gun. The hog was moving slightly, but the operator took his time, aimed, and shot the hog. The operator immediately walked away from the shot hog. The hog flopped seemingly as though properly stunned. I asked the operator what he is supposed to do right after stunning a hog. He responded to check the eyes. When I looked at the hog, still flopping, I observed that it blinked its eyes as a normal conscious hog would. The other barn employee pointed out that the hog didn't seem dead yet, and the stunner operator retrieved another shell for the captive bolt gun. During this time, I approached the hog and observed that it was still blinking in a normal fashion and breathing rhythmically, although it was lying on its side. I moved my hand in front of the hog, and it failed to track the movement; but did blink. At this time, the stunner operator told me he has never missed a shot, and we both saw that the wound appeared centrally, approximately 1/2" rostral to the front edge of the ears. He placed another shot into the hog's forehead, rendering it completely insensible. I tagged the stunning area with US Reject Tag B37571016 and described the situation with (b) (6). I observed him discuss the matter with the stunner operator and instruct the operator to always carry an additional charge with when stunning so if an ineffective stun occurs, he will be prepared to shoot it again. The company took further preventive measures by instructing employees to perform safety shots on all hogs stunned with a captive bolt gun. The tag was removed and slaughter allowed to continue. At approximately 0915, I met with (b) (6) to inform him that the recommendation for the</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								incident was an HH MOI. We discussed safety shot policies, specifically that safety shots are always acceptable; however, FSIS expects that the animal be rendered unconscious on the first shot. We also discussed additional stunning training in different formats, as well as signed statements of training understanding- especially in stunning aim locations, always checking the eyes for unconsciousness after the shot, the establishment's decided use of safety shots, and communication between the captive bolt operator and the electrical stunner operator.
50	M45649	Homestead Springs	ZSR571012 1404G	04DEC2018	04C02	Livestock Humane Handling	Finalized	Discussion with establishment management between (b) (6) and (b) (6). (b) (6) observed hogs reluctant to move when being brought in from the outside pen into the knock box on multiple occurrences. The establishment personnel was observed using a hog sorting board to drive the hogs into the knock box while pushing the hogs with the board (b) (6). (b) (6) spoke with (b) (6) regarding these observations. (b) (6) stated he would speak with the establishment personnel. (b) (6) suggested a rattle paddle in addition to the sorting board to assist with sorting and moving the hogs.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M46240	Light Hill Meats	MKE52131 23311G	11DEC2018	04C02	Livestock Humane Handling	Open	<p>At approximately 1245 hrs., (b) (6) observed a small ruminant sheep, weighing 130 lbs. being loaded into the knock box at Light Hill Meats (est. 46240). Using a captive bolt, the plant employee standing in the stun box with the animal administered 1 stunning attempt to the forehead wherein the animal remained standing and consciously breathing. A second attempt was administered to the forehead with the same resulting behavior. The employee requested additional captive bolt stunning charges. A third stun attempt to the forehead was unsuccessful as the animal remained standing and consciously breathing, shaking its head and licking the blood from the previous attempts. A fourth stunning attempt was administered to the back of the head, rendering the animal unconscious. It remained unconscious and insensible to pain throughout shackling, sticking and bleeding. Upon examination of the sheep head, there were 3 entry wounds on the forehead, and one penetrating wound in the back of the head. The knock box was rejected and tagged with No. B37373551. Plant manager Jennifer Spray was notified of the regulatory control action. Light Hill Meats (est. 46240) is not currently operating under a Written Robust Systematic Approach to Humane Handling Plan.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M5537	Sioux-Preme Packing Co.	TJF240712 4004G	04DEC2018	04C02	Livestock Humane Handling	Finalized	<p>Food Safety and Inspection Service 1400 Independence Avenue, SW. Washington, D.C. 20250 From: (b) (6) Date: 11/28/2018 Subject: Human Handling- incident at 5537 M on 11.27.18 Meeting Date: 11/28/2018 Meeting Time: 7:15 AM Establishment: M5537 - Sioux-Preme Packing Co. Reason Code: Other Reason Code: Comments: On Tuesday, November 27, 2018, at approximately 1515 hours, while I was walking to yards to perform ante mortem inspection, I heard one pig was vocalizing; there were 3-4 pigs in this group, at the start of walkway leading to butina. The vocalizing pig's tail was caught in narrow space of sliding door and concrete structure. The sliding door is controlled by stunning area personnel. The yards person who was walking with me instructed stunning area supervisor to humanely euthanize animal, animal was successfully euthanized with a captive bolt, transported to place on line for processing. This morning, (Wednesday, November 28, 2018 at approximately 0720 hours), Mr. Rick Getman, Plant Manager told me that management will put a corrective action for the above incidence. Management was informed a MOI will be documented and communicated to to (b) (6) and (b) (6) at Des Moines District Office for further guidance. Respectfully, (b) (6) Cc: To (b) (6) and (b) (6)</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	M6590	Randolph Packing Co., Inc.	YBB111511 3621G	21NOV2018	04C02	Livestock Humane Handling	Finalized	<p>Date of meeting: November 21, 2018 Location of meeting: Slaughter department of M-6590</p> <p>Attendees: (b) (6)</p> <p>Mr. Greg Dronen, Plant Manager Today, November 21, 2018, at approximately 3:00pm, I verbally notified Mr. Greg Dronen, Establishment Manager, of my decision to suspend inspection at Establishment M-6590. I advised Mr. Dronen that I was contacting the District Office about the suspension action and that the District Office would be following up with a written suspension letter to the establishment. I based my decision to suspend inspection at the establishment on the following information: At approximately 2:25pm, Consumer Safety Inspector (b) (6) was finishing providing inspector relief breaks in the slaughter department and he heard a cow vocalizing excessively in the knock box. He went to investigate and saw a cow backwards in the knock box, standing, thrashing its head around and blood was dripping from its nose. The establishment employee was standing with the 0.25 caliber captive bolt stunner, waiting for the cow to settle. When the establishment employee attempted to stun the cow with the captive bolt stunner, he was chasing the head with the stunner. Upon contact with the stunner on the front of the head, the cow's head dropped, but the cow remained standing and rhythmically breathing. The cow eventually lifted its head up after one approximately ¾ of a minute. After this ineffective stun, the establishment employee did immediately reload the stunner. The cow was still moving its head around. After about 10-15 seconds of this head movement, (b) (6) told the employee that the cow was suffering, and he needed to stun the cow again. The second knock, to the front of the head, effectively stunned the animal. After post mortem</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>inspection, there was a third hole on the back of the head. Upon a discussion with plant management, they confirmed that the employee had attempted to stun the animal on the back of the head before (b) (6) had arrived. As the animal was still standing and vocalizing upon his arrival, this attempt was unsuccessful. Two holes were also observed on the front of the head at post-mortem inspection. (b) (6) immediately tagged the knock box and no other animals were stunned. (b) (6) notified Greg Dronen that knock box was tagged. The establishment was allowed to clear the line of carcasses pending my arrival from another establishment. This information provided in this Memorandum of Interview includes all the topic discussed during this meeting.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M7356	Harmon Brothers Meats, Inc.	IJK3107103 715G	15OCT2018	04C02	Livestock Humane Handling	Open	<p>HATS category VIII: Stunning Effectiveness At approximately 0725 hours after a medium sized Angus steer was presented for ante-mortem inspection and brought into the knock box, I, (b) (6) observed the following: A stun was attempted with a captive bolt gun and proved unsuccessful. The steer remained standing after the shot (conscious righting reflex, conscious eye tracking), I moved to the front of the knock box and observed a wound to the forehead with a small amount of streaming blood. The employee immediately reloaded and a second stun was attempted with identical results (conscious righting reflex with conscious eye tracking). At this point the same employee grabbed a .22 magnum rifle and shot the beef, this 3rd attempt was successful and rendered the animal insensible. The animal never vocalized but there were two visible bleeding wounds to the forehead, both captive bolt attempts appeared to be well placed. I immediately informed (b) (6) of this noncompliance and tagged the knockbox entrance with USDA rejected tag # B42200560 and stopped any further slaughter. I notified Plant Manger Roy Palmer about the mis-stun attempts and of my regulatory control actions. I called (b) (6) and (b) (6) and informed them of my observations and regulatory control measures. I also emailed (b) (6) and DDM Dr. Thompson at Jackson District office.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M7644	Kota Meats Inc.	NBO40111 00805G	05OCT2018	04C02	Livestock Humane Handling	Finalized	<p>At 1100 hours on 10/5/18 during slaughter operations, the SPHV noted a potential humane handling concern. The fifth cattle of the day, a steer, had been knocked with a hand held captive bolt (HHCB) device, the neck cut had been made to facilitate bleed out, and it was lying on its side in the knock box area; but was still rhythmically breathing. The chest and abdomen were rising and falling approximately 5 times per ~15 seconds, the mouth was opening and closing, and there were guttural noises derived from its mouth due to the expiration of air during breathing. There was no righting reflex, palpebral/corneal response, or eye tracking, and the tongue was limp. The SPHV and CSI asked the plant to perform a second stun, which was performed with a HHCB device and resulted in continued breathing in the same manner as described above. A third stun was performed with a HHCB device, which resulted in diminished breathing and guttural noises but no other signs of consciousness. The neck cut was then made deeper by the owner, Mr. Alex Adame, after the third stun to speed bleed out. All skull stun holes located high and centrally focused on the forehead; head was not split to determine accuracy of shots into the brain. Two HHCB devices and a shotgun are available on the kill floor for stunning. A U.S. Reject Tag 529570 was placed on the knock box while further information was gathered. After discussion with the district office and establishment management, the tag was removed. Our observations were discussed with the owner, Mr. Alex Adame, and the concern with making cuts on an animal with signs of rhythmic breathing was discussed. We discussed that this could be a potential sign of returning to consciousness. Mr. Alex Adame agreed that cattle should have a security stun if still rhythmic breathing after the first stun or any additional</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								stuns thereafter. He then translated this information to stunner employee (b) (6).
15	M889A	J.F. O'Neill Packing Co. Inc.	DSC490712 2708G	08DEC2018	04C02	Livestock Humane Handling	Finalized	<p>I briefly met with Pat O'Neill (President) and (b) (6) on the morning of December 10th to inform them of a situation that occurred last Thursday. Apparently, an animal was found dead in a pen sometime during the late morning or early afternoon. The first I heard about this was on Friday, December 7th, when (b) (6) asked about a condemnation certificate for the animal in question. The establishment was able to provide documentation on Saturday from the rendering company confirming receipt of a carcass. While this is the first incident to my knowledge where I have been unable to verify the natural death of a presented animal, without that confirmation FSIS personnel can not responsibly issue a USDA Condemnation number and certificate. Furthermore, the establishment may be held liable for allowing a non-ambulatory animal through the production system which could lead to a recall scenario. Mr. O'Neill stated that he had seen the slashed and denatured carcass, and Mr. Acosta indicated that he had been unaware until much later after the incident initially occurred. At this time I will be completing a condemnation certificate, however, in the future any animals dying on the premises must be presented to FSIS.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
60	M9442	Groff Meats Inc.	UTC271010 5305G	05OCT2018	04C02	Livestock Humane Handling	Finalized	A stunning NR was written on August 29, 2018 for an ineffective first stunning attempt and NR number UTC5211085429 documented. Management response is “this was just a human mistake – stunner will not work if both probe[s] – [do not] make contact – don’t think hog received any electric”. Corrective actions indicating human error are not adequate corrective actions. Please advise on further planned measures. Thanks,

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M960	Greater Omaha Packing Co., Inc.	PEE170810 4824G	24OCT2018	04C02	Livestock Humane Handling	Finalized	<p>Observations and discussions with establishment management were made by (b) (6) [REDACTED], during the ninety day verification plan humane handling visit. On October 23rd, 2018 at approximately 0854 hours, I observed the following concern with HATS Category VIII – Stunning Effectiveness. A black bovine entered the restrainer with its head down. The establishment employee attempted to use the pneumatic captive bolt device to render the animal unconscious. I heard the device make its normal sound followed by vocalization from the animal. The animal vocalized an additional time and then moved its head away from the employee. The establishment employee then used the same pneumatic captive bolt device to immediately and effectively render the animal unconscious. I verbally requested the line be stopped and requested a supervisor through (b) (6) [REDACTED]. (b) (6) [REDACTED] had the pneumatic captive bolt device removed from service, replaced with a new device and replaced the employee with a more experienced stunner. The establishment employee was interviewed and stated the first stun attempt did not make contact with the head of the animal (grazed the hair line) but rather fired after the animal moved its head up and towards the stunner. The animal was not marked or retained for viewing after the incident and was not located after skinning. During the observations, no head wound was observed after the first stun attempt as the animal's head was down and out of viewing sight. After discussing the incident with establishment management stunning resumed with no further incident or concern. At approximately 1245 hours, during the exit meeting the previous observations were</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								discussed with establishment management. Attendees: (b) (6) (b) (6); (b) (6). We discussed the establishment employee's response to the stunning attempt and making sure to immediately and effectively stun the animal on the second attempt. We also discussed the importance of investigating these incidents to determine the cause prior to continuing operations. We also discussed the operation and mechanics of the pneumatic captive bolt device and its ability to fire when contact is not made with the animal. We correlated on animal movement in the restrainer and the importance of patience when stunning animals in a center belly conveyor restraint system. Establishment management will further investigate the incident and provide associated records as they are available.

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M332	FPL Food	ACA051 411321 5N-1	11/15/2018	04C02	Livestock Humane Handling	313.2	<p>HATS category 4: Handling during antemortem inspection. CFR 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. On November 15,2018, at approximately 1220, while performing antemortem inspection at Establishment M-332, FPL Food, I (b) (6) observed the following noncompliance. FPL employees (b) (6) and (b) (6) were unloading cattle (lot #1831851) from a truck into the Holding Pen. I asked the employees to segregate a bull into the suspect pen (Pen 0). All the cattle were taken from the Holding Pen except the suspect and a Holstein cow that wouldn't leave his side. The bull and cow were herded toward the Suspect Pen and (b) (6) pulled the gate open to allow entry. He then stood behind it to be able to close it. The suspect and cow were trotting into Pen 0 when (b) (6) ran forward pushing the gate. The gate hit the Holstein in the left shoulder so hard she fell completely down to the concrete floor. (b) (6) fell as well. Both got up unhurt. (b) (6) caused excitement and discomfort to the cow. The Holstein was put in Pen 9 with the rest of her lot. I immediately notified (b) (6), and he told me he notified (b) (6).</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M332	FPL Food	ACA141 011582 1N-1	11/21/2018	04C02	Livestock Humane Handling	313.1	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. On November 21, 2018, at approximately 10:50 AM, while inspecting the Tub Pen, at Establishment M-332, FPL Food, I, (b) (6) observed the following noncompliance. A metal panel lining the inside of the Tub was pulled loose at the bottom with its corner edge protruding 3-4 inches into the pen where it could cause pain and injury to the animals. I took regulatory control action US Retained/Rejected tag # B37 086373 and tagged the gate to the entrance to the Tub Pen. (b) (6) of FPL Food was notified immediately. He hammered the metal edge flat so it was no longer protruding into the pen, and I removed the tag.	CLOSED
M482	St. Croix Abattoir	NAA56 111019 04N-1	10/04/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	On October 4, 2018, at approximately 10:15am, while attempting to knock the fourth animal (a goat) of the day, the (b) (6), ineffectively knocked the animal with a captive bolt device. The animal was still upright, moving and bleating (vocalizing) after the first stunning attempt. (b) (6), immediately handed the stunning employee the back-up captive bolt device. The stunning employee administered a second stunning attempt, which was effective. The firm does not have a robust humane handling program. (b) (6) was notified by (b) (6) that a NR would be issued for this incident. The firm failed to meet 9 CFR 313.15 (a)(1) and (3); and 313.15 (b)(1)(iii) and (iv).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M482	St. Croix Abattoir	NAA00 111200 20N-1	12/20/2018	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3), 313.30(b)(3)	<p>On December 20, 2018, at approximately 10:40a.m., (b) (6) observed the following incident: The establishment's (b) (6), attempted to stun the second pig of the day, using the electrical stunner. As per the establishment's stunning protocol, (b) (6) applied the electrical stunner probes behind the ears of the pig and then to the chest of the pig. The pig started to thrash around, but (b) (6) observed the pig's eyes tracking and one blink (b) (6) notified (b) (6), who was in the knocking area, of the pig's movement. As Acting (b) (6) went to assess the sensibility of the animal, the pig rose up on all four feet and moved its head. Immediately, (b) (6) obtained the back-up knocking device, the 5 inch captive bolt stunner, which was in the knocking area and applied an effective knock to the pig. (b) (6) informed (b) (6) and (b) (6) that a NR would be issued. Plant management immediately removed the electrical stunner from the knocking area and started using the captive bolt stunner to knock the remaining animals. The 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 feels no painful sensation. The animals shall be either stunned or killed before they are shackled, hoisted, thrown, cast, or cut. They shall be exposed to the electric current in a way that will accomplish the desired result quickly and effectively, with a minimum of excitement and discomfort. The establishment failed to meet 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. The establishment failed to meet 9 CFR 313.30 (b) (3): Each animal shall be given a sufficient application of electric current to ensure</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							surgical anesthesia throughout the bleeding operation. Suitable timing, voltage and current control devices shall be used to ensure that each animal receives the necessary electrical charge to produce immediate unconsciousness.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M482	St. Croix Abattoir	NAA00 111200 20N-2	12/20/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3), 313.15(b)(1) (iii), 313.15(b)(2) (i)	<p>On December 20, 2018, at approximately 3:05pm, (b) (6) observed the following incident: The establishment's (b) (6), attempted to stun the 17th pig of the day, using the 5 inch captive bolt stunner. (The establishment's electrical stunner had been removed from use during a previous inhumane stunning incident on this day, and the smaller (22 caliber) captive bolt stunners could not be used due to a lack of stunner loads). (b) (6) attempted to stun the pig using the captive bolt stunner, but was unable to get a clear shot. The (b) (6), was in the smaller pen with the pig, trying to limit the animal's movements by pushing it against the knocking pen fence. The animal was still moving around however, and the stunner employee had a difficult time getting a clear shot. (b) (6) attempted to knock the animal using the captive bolt, but it was not an effective stun. The pig started to thrash around while standing on all four feet and was squealing. Immediately, (b) (6) obtained the back-up knocking device, the 5 inch captive bolt stunner, which was in the knocking area. The animal was moving too much to get a second shot, so (b) (6) straddled the animal to limit the animal's movements and was then able to apply an effective second knock to the pig. (b) (6) informed (b) (6) and (b) (6) to stop all slaughter activities. (b) (6) applied US Reject tag #B19323227 to the knocking box and contacted her supervisor for further instruction, as this was the second humane handling incident observed at the plant today. The establishment failed to meet 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</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>that they will be rendered unconscious with a minimum of excitement and discomfort. The establishment failed to meet 9 CFR 313.15 (a) (3): Immediately after the stunning blow is delivered the animals shall be in a state of complete unconsciousness and remain in this condition throughout shackling, sticking and bleeding. The establishment failed to meet 9 CFR 313.15 (b)(1)(iii): The stunning area shall be so designed and constructed as to limit the free movements of animals sufficiently to allow the operator to locate the stunning blow with a high degree of accuracy. The establishment failed to meet 9 CFR 313.15(b)(2)(i): Choice of instrument and force required to produce immediate unconsciousness varies, depending on kind, breed, size, age, and sex of the animal. Young swine, lambs, and calves usually require less stunning force than mature animals of the same kind. Bulls, rams, and boars usually require skull penetration to produce immediate unconsciousness. Charges suitable for smaller kinds of livestock such as swine or for young animals are not acceptably interchanged for use on larger kinds or older livestock, respectively.</p>	

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19697+P 19697+V19 697	Chaudhry Meat Company, Inc.	ZCA241 111151 4N-1	11/14/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>(b) (6) informed (b) (6) and (b) (6) of a Livestock Human Handling noncompliance at 1153 and the application of USDA Rejected Tag #B35 200103. (b) (6) described the noncompliance as a double stunning. He stated the first attempt sounded weaker than normal. (b) (6) observed the adult beef cow (Mac #396) and it was alert, blinking eyelids and breathing with wound on the head from captive bolt. Following the first attempt to stun, the plant employee immediately took action to reload captive bolt gun and made a successful second stunning. Plant's surveillance video confirms (b) (6) observations of the incidence. All stunning procedures per establishment animal welfare policy manual were followed. I discussed the mishap with Mr. Wasim Chaudhry, President/ GM and (b) (6). They credit the mishap to a defective round, possibly caused by moisture. Management proffered the following as their corrective action for this noncompliance; Gun rounds will no longer be stored in an open container on the kill floor; instead gun rounds will be in a sealed container. I reviewed the plant's establishment animal welfare policy manual and the captive bolt maintenance records. Documents were acceptable. The USDA Rejected tag was removed a 1255. This document serves as written notification that your failure to comply with regulatory requirements(s) could result in additional regulatory or administrative action.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4265+P4 265+V4265	Locust Grove Farm	XBA071 310512 5N-1	10/25/2018	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII - Stunning Effectiveness On October 25, 2018, at approximately 1410 hours while performing humane handling verification activities at Establishment M4265, I (b) (6) observed the following noncompliance. The Establishment moved a angus steer into the stun box for stunning with a 410 cal. shotgun. The steer's head was not locked into the head gate. As the Stunner made the first stunning attempt with the 410, the steer moved its head. The stunning attempt hit the head as evidenced by both the steer's sudden movement away from the stunner and a spot on the head where the gun shot hit, but the steer remained standing and was vocalizing. The stunner took immediate corrective action by re-loading the 410 and delivering a second shot, which made the steer insensible. Mr. Dean Tripp, 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
M8547+V8 547	Champlain Beef Company Inc.	PRO091 312121 8N-1	12/18/2018	04C02	Livestock Humane Handling	313.2	HATS CATEGORY III – WATER AND FEED AVAILABILITY On December 18, 2018 at approximately 1200 hours, while performing routine ante-mortem duties, the following noncompliance was observed. IPP observed Canadian cattle being unloaded into a pen in which the only water that was accessible was fully frozen over, such that the animals could not access it. (b) (6) were both notified of this noncompliance verbally and corrective actions were immediately taken. This is a direct noncompliance of 9 CFR 313.2(e).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17965	Gold Medal Packing Inc.	JRF351 110100 1N-1	10/01/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII Stunning Effectiveness On October 1st, 2018, at 1000 while walking towards the stun box from behind the hog chute, I heard a single shot from the pneumatic non-penetrating captive bolt. As I came around the corner of the hog chute, I observed a formula fed veal calf standing calmly on the black moving table, fully conscious. I then observed the employee responsible for sticking immediately apply a second stun using the back-up device (penetrating hand-held captive bolt), which rendered the animal unconscious. The animal remained unconscious throughout the bleeding process. I verbally confirmed with the pen supervisor that the initial shot from the pneumatic captive bolt made contact with the animal, but failed to render it unconscious. I informed (b) (6) and (b) (6) of the above noncompliance and examined the animal's skull with them present. The hide was removed, and bruising and a depression in the frontal bone, consistent with a blow from the non-penetrating captive bolt, were visible adjacent to the hole from the penetrating captive bolt. The failure to render an animal insensible with a single stun is a violation of 9 CFR 313.15(a)(1).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17965	Gold Medal Packing Inc.	JRF500 812361 4N-1	12/14/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category III - Water and Feed Availability</p> <p>HATS Category VII - Slips and Falls On Friday, December 14, 2018 at approximately 0700 hours I observed the following humane handling non-compliance's in the pens at Gold Medal Packing. A load of (b) (4) had been unloaded onto the ramp and hallway area. The drive sheet provided by the establishment listed the number of calves in the load as 247 with the "Max # Allowed" listed as 80 for the hallway and 50 for the ramp for a total of 130. According to your humane handling program spacing of animals is calculated to determine the maximum occupancy for each pen area; which is shown on your drive sheet. This excess of calves resulted in an abnormal number of slips and falls as the walking calves moved over and around the calves that were lying down. In addition, between the hallway and ramp there is a small space normally used to store a pressure washer and unused water barrels. With the hallway and ramp in an open configuration with each other, this storage space was open, and several calves were seen wandering into this space which resulted in additional slips and falls. According to your humane handling program ramps and walkways should be free from obstruction and anything that affects animal footing. In addition to the slips and falls, calves were crowded at the top of the ramp with the nearest available water at the bottom end of the ramp. In consideration of the crowding and distance together, the calves at the top of the ramp had no access to water. I notified plant supervisor Luis Olivera of the forth coming noncompliance. Calves were removed from the area between the two pens (containing the pressure washer) and the area was closed off. I was informed by the plant supervisor that he would discuss this issue immediately with plant management.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5300	Rhode Island Beef & Veal Inc.	VEL071 411362 1N-1	11/21/2018	04C02	Livestock Humane Handling	313.2	Humane Handling Category III: Water and Feed Availability Today at approximately 2:45PM while performing a livestock humane handling task in the pen area, the following noncompliance was observed. Eleven pigs housed in an outdoor pen were not provided water. (b) (6) [REDACTED], was notified and immediately provided water to the animals. This is noncompliant with 9CFR 313.2(e). (b) (6) [REDACTED], was notified of this noncompliance verbally and with this notice. Upon recent record review, no similar noncompliance records have been generated to reflect this finding.	OPEN
M5300	Rhode Island Beef & Veal Inc.	VEL361 112062 8N-1	12/28/2018	04C02	Livestock Humane Handling	313.2	Humane Handling Category III: Water and Feed Availability This morning at approximately 10:30am while performing a livestock humane handling task in the outside pen area, the following noncompliance was observed: Two beef cows housed in an outdoor pen were not provided water. The slaughter floor supervisor was notified and immediately provided water to the animals. This is noncompliant with 9CFR 313.2(e). (b) (6) [REDACTED], was notified of this noncompliance with this notice. Upon review of records, there are no recent similar humane handling noncompliance records.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5497+V5497	Adams Farm Slaughterhouse LLC	FWJ3614122419N-1	12/19/2018	04C02	Livestock Humane Handling	313.30(a)(3)	Humane Handling Category VIII: Stunning Effectiveness This afternoon, at approximately 3:00pm, while observing the slaughter of swine to ensure acceptable humane stunning methods, the following noncompliance was observed by the food inspector: The employee performing the stunning applied the electrical stunning wand to a large market swine in the appropriate anatomical region and activated it. The animal moved as the electrical stun was being applied and the wand lost contact, causing the animal to move away and vocalize loudly. Using the loaded back-up captive bolt stunner, the same employee applied an effective shot which was successful in rendering the animal unconscious. This is in noncompliance with 9CFR 313.30(a)3. The slaughter floor manager was notified of the noncompliance and that a noncompliance record would be generated to reflect this finding.	CLOSED
M6354+P6354+V6354	E.L. Blood & Son, Inc.	BNH5810115119N-1	11/19/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Humane Handling Category VIII: Stunning Effectiveness This morning, at approximately 8:10am, 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 initially lost its footing but then began vocalizing and stood again. Using the loaded back-up stunner, the same employee 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 the noncompliance and that a noncompliance record would be generated to reflect this finding.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9840+V9 840	Windham Butcher Shop Inc.	BCD241 110570 6N-1	10/06/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII – Stunning Effectiveness (9 CFR 313.15 (a)(1)) Friday, October 5, 2018: at approximately 5:15PM, the following noncompliance was observed while performing a routine Livestock Humane Handling task. I stood behind a barrier as a Black Angus cattle was secured into the knock box to be stunned. The initial stun attempt was with a captive bolt gun. The shot was ineffective as the animal remained fully conscious. After I heard the sound of the initial captive bolt shot, the animal vocalized loudly. It sounded as if the animal was thrashing back and forth on foot rather than dropping to the floor. The establishment was at the ready. A backup shot with captive bolt gun was immediately applied, which successfully rendered the animal unconscious. The animal did not regain consciousness at any point after the second shot. While examining the animal's head, I observed two separate and distinct wounds from the captive bolt. I verbally issued a noncompliance pending my written report to Mr. Dana Mains, Sr. (plant owner) and (b) (6). A review of PHIS indicated there has been no similar noncompliance documented within the past 90 days.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9840+V9 840	Windham Butcher Shop Inc.	BCD151 311331 4N-1	11/14/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	<p>HATS Category VIII – Stunning Effectiveness (9 CFR 313.15 (a)(1) & (a)(3)) Wednesday, November 14, 2018: At approximately 10:45 AM, the following noncompliance was observed while performing a routine Livestock Humane Handling verification task. I stood behind a garage door, which served as a barrier between the kill floor and the stunning area, while a slaughter employee applied a captive bolt stunner to a lamb's head. Following the audible "pop" sound of the captive bolt gun, the garage door was swiftly raised and the slaughter employee immediately began shackling the downed animal. However, the initial stunning application was ineffective and the lamb was not rendered fully unconscious. I observed the animal transition from lying on its side to a sternal position with its front legs extended outward and its feet were planted firmly on the floor. The lamb held its head in an upright position and the tracking of eyes was observed. The establishment was at the ready. (b) (6) [REDACTED], immediately applied a backup shot with a captive bolt gun, which successfully rendered the animal unconscious. The animal did not regain consciousness at any point after the second shot. I verbally issued a noncompliance to (b) (6) [REDACTED] pending my written report. A 90-day review of PHIS indicated a noncompliance of similar cause was documented on 10/5/2018 (BCD2411105706N).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M20321+V 20321	Luce's Maine Grown Meats	NKI050 911331 5N-1	11/15/2018	04C02	Livestock Humane Handling	313.2	While conducting a Livestock Humane Handling task at app. 945 on 11-15-18, and walking through the pens adjacent to the kill floor, I observed that water in a drinking trough and bucket placed in one of the pens holding a sow (kept overnight at the est.) had frozen. I immediately informed Mr. Luce, the plant owner, of the noncompliance with 9 CFR 313.2 (e), which requires that all animals held at the est. in holding pens 'shall have access to water.' After reviewing NRs issued within the last 90 days at the est., I found one association with record no. NKI3008084923N-1, dated 8-23-18.	CLOSED
M818+V81 8	J. H. Routh Packing Co.	FYC000 910070 4N-1	10/04/2018	04C02	Livestock Humane Handling	313.2	While performing the ante mortem inspection task in the barn on Thursday October 4, 2018 at approximately 0623, (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

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M818+V81 8	J. H. Routh Packing Co.	FYC560 510590 5N-1	10/05/2018	04C02	Livestock Humane Handling	313.2	While performing the ante mortem inspection task in the barn on Thursday October 5, 2018 at approximately 0623, (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

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M818+V818	J. H. Routh Packing Co.	FYC341 311531 3N-1	11/01/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>On Monday August 27, 2018 while performing the ante mortem task the barn, (b) (6) observed several non-compliances which are detailed below: A. Several pens of pigs were filthy. According to 9CFR 307.2(a) Other facilities and conditions to be provided by the establishment. 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 adequate hose connections for cleanup purposes). In reference to the dirty pigs; there are several stages in the slaughter process that can be an avenue of carcass contamination or cross-contamination. Because Salmonella are carried primarily in the intestinal tract of swine, contaminated fecal material initially on the carcass or released during the slaughter process are risks for Salmonella contamination (1,5). In a USDA study of 2 U.S. commercial slaughter facilities, 91% of prescald carcasses were positive for Salmonella (1,2). Not only were the majority of carcasses contaminated with the bacteria, but 37% of carcasses contained between 1 and 3.9 log CFU/100 cm². Thus, there is opportunity for cross-contamination to processing equipment or other carcasses from exsanguination to evisceration, such as dehairing and polishing equipment, knives, and head removal (1,3). Up to 69% of Salmonella contamination on a carcass is a result of contaminated slaughter environment (1,4). The pigs in the barn on that morning were covered in fecal matter and I find the condition concerning for 3 reasons: 1. As previously stated, this a pre-harvest risk to food safety 2. Dirty pigs do not allow for an acceptable ante mortem inspection of pigs 3. Quarterly establishment reporting indicate that JHR raw Pork samples that were analyzed further for Salmonella were 81.8%</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>vs.23.4% for Industry% Positive for Small Establishments. In the warmer weather, I had asked the barn staff to ask the 3rd shift person to turn on the sprinklers to clean off the pigs prior to ante mortem inspection. In these instances, the sprinklers serve two functions: cooling and rinsing. Of course there are challenges especially in the colder winter weather which is why it is pertinent that pens be clean for animals upon arrival. In prior instances where several animals in a lot(s) were infected with Swine Erysipelas, JHR and the USDA SPHV were literally overloaded with lesioned carcasses at mid-rail and at final rail that were not all observed during ante mortem inspection due to dirty pigs. President Jeff Myers has approached me and asked several times how we avoid all the commotion and excess carcasses on the rails in situations where Swine Erysipelas had been observed either in the barn or on the kill floor. There are two scenarios here: 1: Swine Erysipelas is observed in the barn during ante mortem and animals are segregated, temperatures taken, and labeled as suspect animals or if not, condemned OR 2. Lesioned animals are not observed in the barn and unsuspectingly end up on either the mid or final rail for veterinary disposition. There are strict regulations in 9 CFR regarding Swine Erysipelas including: 309.2 Livestock suspected of being diseased or affected with certain conditions; identifying suspects;disposition on post-mortem inspection or otherwise. (h) All hogs suspected on antemortem inspection of being affected with swine erysipelas shall be identified as U.S. Suspects and disposed of as provided in § 311.5 of this subchapter or paragraph (i) of this section. (i) A hog suspected of being affected with swine erysipelas may be set apart and held for treatment under Program or other responsible official supervision approved by the area supervisor. If at the expiration of the treatment</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>period the animal upon examination is found to be free from disease, it may be released for any purpose. Otherwise, it shall be identified as U.S. Suspect and disposed of as provided in § 311.5 of this subchapter, or condemned and disposed of as provided in § 309.13, whichever is appropriate.</p> <p>309.9 Swine erysipelas. All hogs plainly showing on antemortem inspection that they are affected with acute swine erysipelas shall be identified as U.S. Condemned and disposed of in accordance with § 309.13.</p> <p>311.5 Swine erysipelas. Carcasses affected with swine erysipelas which is acute or generalized, or which show systemic change, shall be condemned.</p> <p>311.6 Diamond-skin disease. Carcasses of hogs affected with diamond-skin disease when localized and not associated with systemic change may be passed for human food after removal and condemnation of the affected parts, provided such carcasses are otherwise healthy.</p> <p>References</p> <ol style="list-style-type: none"> 1. Pathogens of Interest to the Pork Industry: A Review of Research on Interventions to Assure Food Safety, 2013 Baer, A.A., Miller, M.J., and Anna C. Dilger, A.C. Vol.12, Comprehensive Reviews in Food Science and Food Safety. 2. Prevalence, enumeration, serotypes, and antimicrobial resistance phenotypes of Salmonella enterica isolates from carcasses at two large United States pork processing plants. 2012 Schmidt J, Brichta-Harhay D, Kalchayanand N, Bosilevac J, Shackelford S, Wheeler T, and Koohmaraie M. Appl Environ Microbiol. 3. Natl. Pork Board/ Pork Information Gateway factsheet. 2002 Dickson J, Hurd HS, Rostagno MH. Tracking the Salmonella status of pigs and pork from lairage through the slaughter process in the Republic of Ireland Duggan SJ, Mannion C, Prendergast DM, Leonard N, Fanning S, Gonzales-Barron U, Egan J, Butler F, Duffy G. 2010.. J Food Prot 73(12):2148–60. 4. Pre-harvest Food Safety as Integral Part of Quality Assurance/Systems in the Pork Chain from “Stable 	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>to Table”, Blaha, T.G. 2001 In Proceedings of the 4th International Symposium on the Epidemiology and Control of Salmonella and other Food Borne Pathogens in Pork. B. Over crowding on the scale According to 9 CFR 313.2(a) Handling of livestock. 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. JHR does have a written systematic approach to humane handling (SAHH) plan. The SAHH plan is to effectively address four aspects of a systematic approach that FSIS outlined in the 2004 Federal Register Notice and include in part to design facilities and implement practices that will minimize excitement, discomfort and accidental injury to livestock, evaluate periodically and respond to those evaluations. To those points; the scale is often overcrowded and the gate used to squeeze pigs on to the scale which suggests that there is no room for those animals on the scale resulting in pigs piling and on top of one another despite their origin and associated behaviors. Furthermore, often times there are stressed and/or fatigued pigs in the group as well which do not do well under those circumstances. JHR Barn employees and QC have been reminded of this fact several times including the establishment meeting February 21, 2018 as well as in subsequent discussions this year and the concern remains. In this particular incident (crowding of the scale), no observable injuries were noted; however, there are noncompliances with 9 CFR 313 that IPP/SPHV are to act upon even though the noncompliances are not causing animals to be injured, to be in pain, or to be under excessive excitement or discomfort. As required by 9 CFR 313.50, IPP are to inform establishment management of such noncompliances. The IPP/SPHV are to verify that the establishment takes necessary corrective actions and further</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>preventive measures to achieve regulatory compliance and prevent recurrence. IPP/SPHV are to take regulatory action if the establishment fails to take such actions or to promptly provide the inspector with satisfactory assurances that such actions will be taken. A subsequent noncompliance is observed that derives from the same or related cause, thereby indicating a failure to continue effective implementation of previously proffered corrective and preventative measures. In conclusion, I can not grant your appeal based on these facts and the concern will need to be addressed. This noncompliance was also written in conjunction with #4 below. C. Pigs slipping and falling in the scale area</p> <p>According the 9 CFR 313.1(b) Humane Animal Tracking Category VII: Establishments are to provide adequate footing in their livestock facilities. The IPP or SPHV are required to verify that the establishment prevents livestock from slipping and falling due to inadequate footing or improper handling practices. In addition, they (IPP or SPHV) are to take appropriate actions and document a non-egregious inhumane noncompliance as set out in Chapter VII if animals are slipping and falling because of poor footing or lack of slip resistant footing. 9 CFR section 313.1 states” (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. The noncompliance was written in response to slipping leaving the scale and NOT for mats not being in place. Slipping of animals leaving the scale is not a new issue at JHR Packing Co. and is the reason I had asked that the mats be placed on the ramp and mid alley as the mats do reduce the amount of slipping witnessed while in the barn. In conclusion, I can not grant your</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							appeal based on these facts and the concern will need to be addressed. To reiterate, JHR does have a written systematic approach to humane handling (SAHH) plan. The SAHH plan is to effectively address four aspects of a systematic approach that FSIS outlined in the 2004 Federal Register Notice and include in part to design facilities and implement practices that will minimize excitement, discomfort and accidental injury to livestock, evaluate periodically and respond to those evaluations. To date no other solutions have been presented.	
M6785	Bob Evans Farms Inc.	NRL330 712071 9N-1	12/03/2018	04C02	Livestock Humane Handling	313.2	On 12/3/2018 at approximately 9:10am while performing the ante-mortem portion of my livestock humane handling task, I, (b) (6) observed the following noncompliance. While watching an employee move the sows from the (b) (4) producer around in the pen, I noticed a vocalizing sow who was previously up walking around that became laterally recumbent (laying on her side) due to being moved around by the employee. The sow was not able to ambulate herself due to multiple sows stepping on and standing over her. The employee then walked back over to the part of the pen to move the sows off of the disabled sow. Once he was able to move the sows away from her, she was not able to stand up again and appeared to be severely stressed. She remained laterally recumbent and the plant elected to captive bolt stun her and plant condemn her. This document serves as a written notification that continued failure to meet regulatory requirements can lead to enforcement actions as described in 9 CFR Part 500.4.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7429+P7429	Hampton Meat Processing Co., Inc.	IPE5712115714N-1	11/14/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII-Stunning Effectiveness At approximately 1220 I observed an employee use a captive bolt on a large sow, weighing approximately 700 pounds. The bolt did not render the animal unconscious. The animal was still standing, alert and moving its head around, eyes blinking. The employee obtained a .38 caliber rifle and delivered a second effective shot. The animal remained insensible thereafter. The stunning area was immediately rejected and I placed a U.S. Retained tag #B26104118 on to the knock box. Then informed plant foreman, Paul Yoder, and (b) (6) of the NR.	CLOSED
M8082	Kirby & Poe Slaughterhouse	EXA1709124505N-1	12/05/2018	04C02	Livestock Humane Handling	313.16(a)(1)	HATS VIII - Stunning Effectiveness On December 5, 2018, at approximately 8:30 am, while performing the Humane Handling Task, I observed an incident in which a single shot with a .357/.38 rifle using .38 caliber shells delivered to a large market swine did not produce immediate unconsciousness as required by 9 CFR 313.16(a)(1). The animal vocalized and remained in an alternating standing and semi-standing position, alert and eyes blinking. A second gunshot was delivered as soon as possible from the same rifle and effectively rendered the animal unconscious. The stunning area was immediately rejected with US Reject Tag B18 931300 and Owner/Operator Kelly Poe was notified of the humane handling noncompliance and corrective action(s) were implemented.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF340 710061 ON-1	10/09/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category VII: Observation for Slips and Falls; 9CFR313.1(b), On October 9, 2018 at approx. 1300 hours, while performing humane handling task (unloading of livestock) at Establishment 04271, I (b) (6), observed the following noncompliance. When I entered the pen area I observed an employee attempt to lead a Steer to the ramp which goes to the slaughter area. The Steer slipped and fell in the buildup of fecal on the floor. The Steer raised to its legs and the employee lead it to the slaughter area. I immediately notified the (b) (6) of the noncompliance and rejected pen# 5, the runway (to slaughter), by placing US REJECT tag B37604674 on pen # 5. I inform (b) (6) that no livestock may be unloaded or moved into the area with build up of fecal (causing slippery conditions) at approx. 1305 hours. (b) (6) had the fecal build up removed from pens 4, 5, 6 and the ramp leading to the slaughter. He then put straw on the floor to provide good footing for the livestock. He had me reinspect the area at approx. 1325 hours. I determined that the actions taken eliminated the slippery condition and provided good footing. I removed the tag and released all areas rejected. Then, I permitted unloading of livestock from the trailer.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF591 110291 2N-1	10/12/2018	04C02	Livestock Humane Handling	313.1	HATS Category IV: Handling During Ante-Mortem Inspection; 9CFR313.1, On 10/12/2018, at approximately 0800 hours, while performing ante-mortem inspection at Establishment #04271, Greise Brothers Packing, I (b) (6), observed the following non-compliances. Pen #7 had 10 cattle in the pen. Separating pen #7 from Pen# 5 there is a wooden door. The bottom of the door is broken causing a jagged bottom that may cause injury to the livestock. I also observed the back wall has metal fencing, underneath the metal fencing there is a metal rectangular structure (approx. 18in X 12 in. X ½ thick) protruding inward to the livestock, there are broken sections of concrete block placed under the metal fencing and railroad crossties (split along the side) placed beneath the metal fence. These conditions may injure livestock if their head or leg would get into this area. The floor has water and mud covering an area of approx. 4ft X 14ft. This condition may lead to slipping and livestock falling. I took immediate control action by having the 10 cattle removed and rejecting pen#7 by placing tag # B37604675 on the entrance gate. Mr. Greise was notified of the noncompliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF560 611440 6N-1	11/06/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category IV: Handling During Ante-Mortem ; 9CFR313.2 (e), On 11/6/2018, at approximately 0735 hours, while performing ante-mortem inspection at Establishment #04271, Greise Brothers Packing, I (b) (6), observed the following non-compliances: Pen#7 had approximately 140 lamb and goat in this pen. This was too many livestock in this area to permit access to water located in the corner of the pen or to lie down. This does not comply with 9CFR313.2(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”. I notified Mr. Greise and (b) (6) of this non-compliance with 9CFR313.2(e). I took regulatory control action by placing a US Reject tag (B37604646) to the entrance to the pens to prevent any further livestock from being placed in this area. Mr. Greise had the livestock moved to other areas to prevent crowding. He had the pen cleaned and bedding (hay) was put on the floor of the unloading area to pen #7 and to the ramp to the kill floor. I reinspected the area at approx. 0945 hours and found the area acceptable. The tag was removed and the area was released.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF330 912401 0N-1	12/10/2018	04C02	Livestock Humane Handling	313.1	<p>Category III: Water /Feed Availability; 9CFR313.2(e), On December 10, 2018 at approximately 0730 hours, while performing ante-mortem inspection at Establishment 04271, Greise Brothers Packing, I, (b) (6), observed the following noncompliance. Pen #6 had 6 lamb in the pen and no water in the container. I notified (b) (6) immediately that the lambs in pen #6 have no water. He immediately had the water container filled with water. Category VII: Observation for Slips and Falls; 9CFR313.1(b), On December 10, 2018 at approximately 0750 hours, during ante-mortem Inspection, I observed the walkway leading to the kill floor knock box was covered with ice. There was ice from the knocking box approx. 10 feet in length up the ramp, which created an extremely slippery condition. I notified (b) (6) of this condition. He immediately covered the entire ramp area with hay to provide good footing for the livestock. (Note: No US Reject tags were used. All corrective actions were taken immediately and in my presence). This NR is being linked to NR CZF5606114406 dated 11/6/18 (this previous NR has not yet been answered by establishment management).</p>	CLOSED
M6526	Blue Ridge Meats of Front Royal	QEM14 081204 12N-1	12/12/2018	04C02	Livestock Humane Handling	313.2	<p>At approximately 0905 hours on 12/12/18, (b) (6) and (b) (6) observed the following non-compliance in the holding pen area; Pen #5, which contained five lambs, had no water available for the animals. There was a receptacle for water but it was empty. (b) (6) was notified of this non-compliance and corrective action was implemented immediately. IIC observed a plant employee fill the water container at approximately 0910 hours, restoring compliance. The above cited observation serves as evidence of your establishment's failure to comply with 9CFR 313.2(e).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7415+P7 415+V7415	HOFFMAN'S QUALITY MEATS	YUN460 711091 ON-1	11/10/2018	04C02	Livestock Humane Handling	313.2	Category III - Water and Feed Availability At approximately 0630 hours while performing livestock ante-mortem inspection verification task, prior to the beginning of the day's slaughter operation, I observed ten swine in small livestock pen number five with no access to water. The animals were asleep and showed no outward signs of stress. I asked an employee in the immediate area to supply water to the affected animals and no regulatory control was taken. I informed (b) (6), of the establishment's failure to meet 9CFR regulations.	CLOSED
M10800	Shriver Meats	SBN410 812000 5N-1	12/04/2018	04C02	Livestock Humane Handling	313.15(a)(3)	HATS Category VIII: Stunning Effectiveness; 9 CFR 313.15(a)(3), On December 4, 2018 at approximately 0830 hours, the following noncompliance was observed at establishment 10800M. (b) (6), observed an establishment employee attempt to stun a steer with the .25 caliber hand-held captive bolt stunner when it abruptly moved its head causing an inadequate strike to the head, therefore not rendering the animal unconscious. The establishment employee immediately administered a second captive bolt blow and was effective in rendering the animal unconscious as determined by its falling to the floor. Mr. David Shriver, owner, was immediately notified of the noncompliance and the failure to meet the regulatory requirements of 9 CFR 313.15(a)(3). Mr. Shriver, owner, is notified thru this noncompliance report of the establishments failure to meet the regulatory requirements of 9 CFR 313.15(a)(3) and that continued failure to meet the regulatory requirements could result in additional regulatory or administrative action as described in 9 CFR 500.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH571 411410 3N-1	11/03/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category II-Truck Unloading On November 3, 2018 at approximately 0915 hours while observing truck unloading (b) (6) observed the following noncompliance. Hogs were being unloaded in both docks #5 and #7. The hogs on the trailer in dock #7 were vocalizing loudly drawing (b) (6) attention. Upon observing the unloading process it was noted that the driver was having a difficult time getting a hog to go up the ramp from the bottom section in the nose of the trailer in order to exit the trailer. (b) (6) then observed the driver open the man gate beside the ramp that went to the top deck and drive the hog off an approximate 3 foot deck from the nose onto the hogs in the belly of the trailer. The hog went off the drop off nose first. The hog did not appear to be hurt and it did not fall to the bottom of the trailer. None of the hogs in the bottom of the trailer appeared to be hurt. (b) (6) immediately took a regulatory control action and asked the Tyson team member to shut the gate and stop the unloading process. The driver was asked to exit the trailer to address the noncompliance issue. (b) (6) was summoned to the area by (b) (6) to discuss her observations. Mr. Bounds immediately summoned (b) (6) to the area as well to address the truck driver. The driver was not allowed by Tyson to finish the unloading process, rather the remaining hogs were unloaded from the trailer by a trained Tyson team member without incident. (b) (6) was notified both verbally and in writing with this NR of the establishment's failure to comply with the regulatory requirements of 9 CFR 313.2.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH481 611231 9N-1	11/19/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category VI - Electric Prod/Alternative Object Use On November 19, 2018 at approximately 1515 hours (b) (6) while performing a humane handling verification task in the CO2 stunning area observed the following noncompliance. Upon entering the CO2 room (b) (6) noted that there was an increase in the amount of vocalization of the hogs being driven to the (b) (4) for stunning. After closer observation it was observed that the Tyson team member who was at the time operating the North (b) (4) was striking the hogs with her flag in a forceful manner. The team member was repeatedly raising her hand over her shoulder and then striking the hogs with her flag in an effort to drive the hogs forward in the alleyway leading to the (b) (4). The hogs were vocalizing in response but then would move forward with no evidence of apparent injury. (b) (6) immediately asked the Tyson Management Support (b) (4) Operator in the area to have her stop driving the hogs to the North (b) (4) and then asked if he could summon (b) (6) to the area. The team member did not initially stop driving the hogs so (b) (6) then instructed her to stop moving the hogs to the (b) (4). (b) (6) arrived and (b) (6) went on to explain the observation to him. His immediate response was that he would address the issue after he reviewed the video footage. At this time (b) (6) was present so (b) (6) explained her observations to him and stated that until the issue was adequately addressed with the team member that they were to not drive hogs in that alley way to stunning. Immediately (b) (6) replaced the team member and operations resumed as normal. (b) (6) and (b) (6) were both notified verbally and now in writing with this NR of the establishment's failure to comply with the regulatory requirements of 9 CFR 313.2(a) and 9 CFR 313.2(b).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M788	Aurora Packing Company, Inc.	GLK511 012420 8N-1	12/08/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category: VIII Stunning Effectiveness On 12/08/2018 at approximately 1025 hours while performing HATS: VIII Stunning Effectiveness at the knock box, I, (b) (6), observed a fat steer being stunned with a hand held captive bolt gun. The gun was positioned correctly and fired. I observed the bolt wound in the steer's head as it continued to have rhythmic breathing, track with its eyes, normal blinking and tried moving its head away from the establishment employee. The establishment employee quickly reloaded the captive bolt gun, placed it correctly on the animal's head and fired a second shot. The steer was rendered unconscious on the second shot. (b) (6) was notified of noncompliance 9 CFR 313.15(a)(1). (b) (6) replaced the ammo and I observed 20 additional animals stunned with the hand held captive bolt gun. The animals were stunned effectively on the first shot. No similar noncompliances were documented in the past 90 days.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M788	Aurora Packing Company, Inc.	GLK161 012202 ON-1	12/20/2018	04C02	Livestock Humane Handling	313.2	I, (b) (6) was in my office at about 11:15Am, when (b) (6) came to my office. He said that he wanted me to look at one head of cattle which had been knocked and is on the carcass rail. I immediately went to the kill floor in the knocking area. The cattle was not found in or near the knocking area. It was found near the hide pulling area. It takes about 20 minutes for a carcass to move from the knocking area to the hide pulling area. The Company had no explanation about not notifying FSIS personnel in a timely manner. The subject cattle was a downer or a non-ambulatory and should have been condemned in the knocking area and should have not been brought to the kill floor. It should have been taken to any inedible area of the plant and should have been sent to rendering after proper denaturing. According to the 9CFR 309.3(e), the Establishment personnel must notify FSIS personnel when cattle become non-ambulatory disabled after passing ante-mortem inspection. Non-ambulatory cattle shall be condemned and disposed of in accordance with 9CFR309.13. Non ambulatory disabled cattle are not allowed to enter the slaughter establishment and must be handled and killed humanely.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M788	Aurora Packing Company, Inc.	GLK190 912412 1N-1	12/21/2018	04C02	Livestock Humane Handling	313.2	<p>I (b) (6) was sitting in my office on December 12th, when (b) (6) came to my office and told me about the following incident. He said that one head of cattle fell in the drive alley near the knocking box. The other live cattle were behind this downer animal. He panicked and knocked the downer animal due to safety reasons. I rushed to the kill floor immediately and found the knocked cattle near the hide puller. It takes about 20 minutes from the point where the animal was knocked to the point where the animal was found. The Company should have informed the FSIS personnel immediately when the animal fell in the drive alley. The Company violated their own Humane Handling procedure which states, "If cattle should drop prior to entering the knocking box, the DVM residing shall make the decision if the cattle is eligible for condemning". The Company also violated the following Regulations; The 9CFR 309.2(b) states, "All seriously crippled animals and non-ambulatory disabled livestock shall be identified as U. S. suspects and disposed of as provided in 311.1 of this subchapter unless they are required to be classified as condemned under 309.3". The 9CFR.3(e) states, "Establishment personnel must notify FSIS inspection personnel when cattle become non-ambulatory disabled after passing ante-mortem inspection. Non-ambulatory disabled cattle that are offered for slaughter must be condemned and disposed of in accordance with 309.13". The 9CFR309.13(a) states," Except as otherwise provided in this part, livestock identified as U. S. condemned shall be killed by the official establishment, if not already dead. Such animals shall not be taken into the official establishment to be slaughtered or dressed; nor shall they be conveyed into any department of the establishment used for edible products. ; but they shall be disposed of in the</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							manner provided for condemned carcasses in part 314 of this subchapter."	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ572 210122 6N-1	10/26/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV Ante-mortem Inspection: The following non-compliance was observed while perform daily ante-mortem duties. At approximately 1816 hours while performing ante-inspection on a lot of market hogs in pen 911, I observed a 7 inch by 3 inch hole in the pen floor metal gutter plate. The hole had sharp edges around it and was directly over a drainage gutter. This gutter runs along the East side of the pen and serves as a drainage for fecal and waste water. I did not observe any hogs with injuries while doing ante-mortem inspection. I immediately informed (b) (6) of my findings and informed him of the forthcoming non-compliance record. After I ante-mortem inspected and passed the lot, an establishment employee blocked the hogs from having access to the damaged part of the pen, and the hogs were driven immediately to kill to prevent any possible injuries from stepping in the hole. I then placed Reject Tag B37 081205 on the pen to prevent it from being utilized to house any more hogs until repairs were made. Upon review of the establishment's Hog Pen Checklist for pen 911 on 10/26/18, the pen was initialed at 1522 hours by an establishment employee as being inspected prior to loading this lot of hogs into the pen. The first item on the checklist is "Gutter Covers." According to the check list under this item, employees are to "check for proper placement & no bent, curled, or sharp material." This finding is non-compliant with 9 CRF 313.1(a) as "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 on an animal may be injured shall be repaired."</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ571 211181 5N-1	11/14/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category II – Truck Unloading On 11/14/2018 at 1235 hours, while performing antemortem inspection in the barns during kill operations, I observed a sharp object in a truck unloading alley that was noncompliant with the regulations. While walking through the “farmer’s unloading alley” next to the west local pen (the western most unloading chute), I observed a metal gate with rust and corrosion. This alley is where hogs are unloaded from trailers upon arrival. Hogs walk through this alleyway during unloading and occasionally are staged there for a short time before being moved to other areas of the barn. The gate with corrosion was in the middle of this unloading alleyway where it can be “closed” to split the unloading alley into different sections. I observed the gate in the “open” position (gate parallel to the wall, leaving the unloading alley unimpeded) with the sharp rusted areas exposed to where animals would walk and rest. The frame of the gate is made of hollow metal piping that is approximately 3 inches in diameter. The 2 metal pipes that were closest and parallel to the ground contained rust and corrosion which left sharp edges. The 2 corroded areas on the bottom 2 pipes left an approximately 3 x 4 inch rusted defect and a 1 x 4 inch rusted defect, each with sharp corroded edges. These pipes are parallel to the ground and are within 6 inches of the ground. The sharp edges could have caused lacerations on the hogs’ lower legs or on other portions of their body if laying down and resting against the gate. The establishment had not restricted use of this alleyway. During my observation, there were no pigs in the alley. However, I observed hogs in this unloading alley earlier in the day. During my noncompliance finding, I observed a trailer backing into the unloading chute, indicating that this alley was going to be used again. I rejected access to the alleyway by applying US Reject tags B37081209</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							and B37081210 on the alley's northern and southern gates. I informed (b) (6) and (b) (6) that I would be issuing a noncompliance report. At approximately 1430 hours I returned to the barn and observed that a plastic panel was put in place to cover the sharp surfaces. I removed my reject tags and released the alleyway for use. This is noncompliant with 9 CFR 313.1(a) as livestock pens and driveways shall be maintained in good repair and shall be free from sharp objects which may cause injury or pain to the animals.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ081 612312 8N-1	12/28/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV – Ante-mortem Inspection On 12/28/2018 at 0900 hours while performing the livestock humane handling task I observed a gate in poor repair with sharp edges. I was standing on the east side of pen 301 performing ante-mortem inspection on the hogs in the pen. I the observed that the frame on the pen was broken. The pen's frame is hollow metal pipe that is approximately 2 inches in diameter. The bottom right corner of the pen was broken at the point where the horizontal pipe frame meets the vertical pipe frame. This left a sharp, rusty edge circumferentially along the 2 inch broken, exposed surface of the horizontal pipe. I initiated a regulatory control action and placed US Reject Tag B37081207 on the east gate of the pen, preventing more hogs from being put in the pen. I informed (b) (6) that I would issuing a noncompliance record. (b) (6) had the pen of hogs emptied immediately and stated that they would fix it. When I returned at approximately 1045 hours I observed the repairs that were made to the pen and deemed them acceptable. The 2 parts of the metal frame were welded together, and electrical tape was placed around them to ensure no exposure of any metal. I removed my reject tag and allowed the establishment to resume use of the pen. This is noncompliant with 9 CFR 313.1(a) as livestock pens shall be maintained in good repair and be free from sharp objects which may cause injury to the animals. This NR is being associated with a similar NR from 11/14/2018 that also had a rusted, sharp portion of a metal gate exposed to hogs in the pen (WLJ5712111815N-1)</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M253	Long Prairie Packing Company, LLC	AGL0508114617N-1	11/17/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 11/17/2018 at 07:08 hours while performing HATS Task Category VIII- stunning effectiveness at the stunning restrainer in Zone 1 I observed the following non-compliance: The restrainer was stopped, I observed two animals wedged side by side at the beginning of the belly chain. A small black Angus cow and a larger Hereford cow. The Angus cow was ahead of the Hereford cow and appeared to be on the belt correctly with the Hereford cows head at her shoulder. I was unable to tell if the Hereford cow was also on the belt correctly, neither animal was struggling nor did they appear distressed. The establishment employee went to stun the Angus cow with a hand held captive bolt. The employee placed the captive bolt gun on the cow's forehead and I witnessed the flash and heard the sound from the discharge of the captive bolt gun. The cow remained conscious after jerking her head away from the discharge of the captive bolt gun. She did not vocalize but did struggle her way out of the restrainer. She inch wormed her way along the belly belt onto the conveyor belt below the restrainer, and slipped around on the belt. After regaining her footing on the conveyor belt she jumped the approximately 1.5 feet down to the floor of the the blood pit, below the restrainer, and was walking around freely in the approximately 12 foot by 12 foot area. While the animal was free in the blood pit, I did not see any evidence of a wound or blood on the cows head from the captive bolt stun attempt, or the rest of her body from the restrainer. After a delay due to the location of the animal the cow was successfully stunned on the second attempt with a hand held captive bolt device and the establishment applied a security stun after checking for signs of consciousness. Regulatory control action was taken and a U.S. reject tag, number B41501572, was placed on the restrainer. I informed the Plant Manager Mr. Lyle</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>Meyer and (b) (6) of the forthcoming noncompliance record for the failure to meet regulation 9 CFR 313.15(a)(1). The initial attempt was discussed with (b) (6), Mr. Meyer and (b) (6) and verbal preventative measures were provided. After verbal preventive measures were provided I relinquished the regulatory control action as the establishment was in compliance. I later viewed the head of the dead cow to verify that 2 captive bolt holes were present on the forehead from 2 stun attempts, both of these holes overlapped making one larger hole. Just to the cow's left of the previously mentioned wound on the forehead there was a circular indent in the skull that was 7/16 of an inch in diameter indicating where a third stun attempt was applied.</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2439+P2 439+V2439	Ranchland Packing Co.	WHN00 151122 05N-1	11/05/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Category VIII Stunning Effectiveness: On 11/05/18 at approximately 1334 hours (b) (6) ; (b) (6) , observed plant employee, (b) (6) attempt to knock a hog with the captive bolt pistol while he was on the other side of the knock box. After (b) (6) and (b) (6) heard the captive bolt pistol discharge, (b) (6) noticed the hog vocalizing as it stood. This was noted by (b) (6) and within 10 seconds he reloaded the captive bolt pistol and knocked the hog a second time rendering it unconscious. An exam of the swine's head revealed the first knock was too far forward. An immediate regulatory control action was taken with the placing of US Rejected tag number B18 9437720 to the knocking box. The hog was not immediately rendered unconscious on the first stunning attempt, which is a non-compliance with 9 CFR 313.15(a)(1). Also, this is a noncompliance with 9 CFR 313.15(b)(1)(iv) the failure to render the hog unconscious was due to an inexperienced stunner. Plant manager, Justin Fisher was notified of this noncompliance at the time of observation, and again in writing with the issuance of this noncompliance record.	CLOSED
M2439+P2 439+V2439	Ranchland Packing Co.	WHN03 081235 10N-1	12/10/2018	04C02	Livestock Humane Handling	313.2	Category III Water and Feed Availability On December 10, 2018 at approximately 0615 hours, I, (b) (6) observed a frozen water tank in pen 3. Water was not available to 7 head of cattle. This is in violation of 9 CFR 313.2(e) which states, animals shall have access to water in all holding pens. The designated (b) (6) , was nearby and I notified him of the noncompliance at the time of the observation. The immediate corrective action was to replace the water tank heater and break the ice exposing the water beneath. Plant manager, Justin Fisher, was notified in writing with the issuance of this noncompliance record.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2460+P2 460	Cimpl's, Inc.	PMB23 171057 22N-1	10/22/2018	04C02	Livestock Humane Handling	313.15(a)(2), 313.2	<p>At 16:57, while performing the directed verification plan HATS activity, category VIII stunning effectiveness, at establishment M2460, I (b) (6), observed the following humane handling noncompliance with HATS category VI electric prod and implement use: An approximately 900# black Angus cow was being directed towards the restraining knock box via a hydraulic manually operated push gate. The cow did not move forward voluntarily, placing its front hooves in a locked position and its head in a lowered stance. The push gate operator, unaware of the cow's resistance, continued to advance the push gate, causing the cow's hind end to lift off of the ground. The cow then tumbled forward into the knock box entrance. It righted itself immediately, now facing the opposite direction of forward moving cows, and continued running back towards the alley from where it came from. I asked for (b) (6) and explained my observations to him and notified him that a noncompliance record would follow. (b) (6) placed US Reject Tag #B38161805 on the hydraulic controls for the knock box, suspending operations until appropriate written corrective actions were accepted by the Des Moines District Office. This is a noncompliance of 9CFR313.2(a) handling of livestock and 9CFR313.15(a)(2) driving animals with a minimal amount of excitement.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8979+P8 979	New Geneva Meats & Processing Inc.	BAM11 151151 15N-1	11/15/2018	04C02	Livestock Humane Handling	313.2	HATS Category III: Water and Feed Availability (9 CFR 313.2). At approximately 1255 hours, while entering the holding pens to observe generally the conditions of the livestock, I noted the following non-compliance: I observed that the 9 hogs being held in the back were divided into three separate holding pens. Upon further investigation, I noted that only one group, containing 3 hogs, had access to a water pan. The remaining 6 in the other two holding pens did not. I checked the water nipples to verify if they were dispensing water, but they were not turned on. I then determined that the remaining two pens containing a total of 6 hogs did not have access to water for nearly an hour and a half, as I had previously watched them be unloaded at approximately 1130 hours. I notified a kill-floor attendant who took immediate corrective action. I then informed (b) (6) [REDACTED], that I will be documenting my findings in a non-compliance record.	CLOSED
M18632+P 18632+V18 632	Hudson Meats &and Sausage, Inc.	TFO281 410251 2N-1	10/12/2018	04C02	Livestock Humane Handling	313.1	At approximately 1400 hours the following non-compliance was observed: In the livestock holding area of the barn about three foot up from the floor there were 2 broken planks on the east wall by the south alleyway gate. One of the broken planks was sticking out into the alleyway where it could be run into by passing beef. This was observed at the end of the day and no beef were present in the barn. I notified (b) (6) [REDACTED] of the situation (b) (6) [REDACTED] acknowledged the situation and the possibility for injury to beef. He also stated that the condition would be repaired by Monday (10-15-18).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M86M	Cargill Meat Solutions	PAI241 410390 3N-1	10/03/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	At approximately 1130 while performing HATS task VIII stunning effectiveness, a steer climbed out of the restrainer. A supervisor arrived with a rifle and fired a shot at the head. The animal turned around in place. There was no vocalization or physical signs to indicate the animal had been shot. The supervisor immediately reloaded the gun, fired another shot, and rendered the animal unconscious. Upon examination of the head, there were two bullet holes in the skull. This is in non-compliance of 313.15(a)(1). Preventative measures are to 1) retrain employees and management on procedures for loose animals, 2) replace shells every 6 months, 3) look into designing an alleyway in which a loose animal can return to the restrainer to be stunned.	CLOSED
M86M	Cargill Meat Solutions	PAI361 910571 0N-1	10/10/2018	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 3:28 PM while performing the HAT task for Stunning Effectiveness, I observed a heifer in the restrainer knocked in the poll on the head. This did not render the animal unconscious. The company employee immediately knocked the heifer in the proper location rendering the animal unconscious and a third safety knock was then applied. I took regulatory control action and halted production, then notified (b) (6) who called (b) (6). I informed him of what I observed and told him I would document the incident in a noncompliance report. The head in question was located and I placed US RETAIN TAG #B20590751 on it. Upon observation of the head (b) (6) and I verified one knock hole in the top of poll and two knock holes in the forehead. (b) (6) was also notified of the incident. Preventative measures are to (1)retrain all qualified employees for the knocking position on the proper operation sequence of the knocking gun, (2) have a supervisor or trained designee document a 50 head knocking audit once per production period on proper gun operation.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244W	Tyson Fresh Meats, Inc.	BTD400 710512 4N-1	10/23/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On October 23, 2018 at approximately 1041 hours, while performing HATS task Category VIII, Stunning Effectiveness in the barn, I, (b) (6), observed the following noncompliance: A hog was lying in right lateral recumbency along the wall in the truck unloading area across from local chute 2. Two team members and (b) (6) had the animal restrained with a metal U-board with the head exposed. The first team member stood inside the U-board next to the wall and the second team member stood across from him, along the wall outside of the U-board. The first team member placed the loaded hand-held captive bolt gun against the hog's forehead and attempted to stun the hog. The gun fired with a muffled, soft pop sound. As the team member pulled the captive bolt gun from the skull, the hog's head moved inside of the U-board. I clearly heard 3-4 weak squeals from the hog as (b) (6) directed that the hog be shot again. The sensibility test normally performed was not done due to the urgency of the request for a second shot. The hog was still in lateral recumbency when the second team member grabbed the head from inside the U-board and immediately delivered an effective stun to the hog. The unconscious hog then stiffened and began reflexive kicking. I informed (b) (6) that I heard multiple vocalizations from the hog after the ineffective first stun attempt and that an NR would be documented. (b) (6) expressed to me that he thought the first gun had not fired properly due to the muffled sound and showed me the shell from the first shot. He mentioned that the shell was not completely opened compared to others shots when the shell is completely blown wide open. Captive bolt gun #12 was taken out of service. When looking at the head, it appeared there was one captive bolt gun wound but removing the skin, one wound was placed directly in the middle</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							of the skull and a second wound was ¼" rostral and ¼" closer to the animal's right eye. When probed, the caudal dropped straight into the cranial portion of the cranium and the rostral wound went back into contact the caudal wall of the frontal sinus. On sagittal section, it confirmed the caudal shot entered the cranium and the path of the rostral wound was in the caudal portion of the frontal sinus but difficult to interpret its complete path due to numerous bone fragments. We are not able to determine which wound was caused by which shot. The establishment failed to meet the regulatory requirement of 9 CFR 313.15(a)(1) which requires rendering an animal immediately unconscious on the first application of stunning.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M717CR+P 717CR	Smithfield Fresh Meats Corp.	RZG311 111440 8N-1	11/08/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category 9 CFR 313.2(c) Handling of livestock At approximately 0645 hours, while performing ante mortem inspection, I proceeded to the slow pen to inspect fatigued market hogs. (b) (6), just brought in one market hog with a skid loader that became fatigued during the drive to the kill alley. When I examined the hog, I noticed the animal had a fresh cut on its left hind leg, proximal to the metatarsal and it was actively bleeding. I immediately called (b) (6), and showed him the injured hog. I told him I would like to examine the skid loader that was used on this hog. (b) (6) and I went where the skid loader was parked. Upon closer observation, the skid loader bucket edge was razor sharp and there were spots of blood present on the sharp edges. I asked (b) (6) if he noticed anything and he said the animal came out of the bucket but he didn't notice the injury. I told (b) (6) and (b) (6) that the skid loader bucket has the potential to cause injury and unnecessary pain to animals and I will be issuing a noncompliance report. (b) (6) said as a corrective action, the skid loader is being removed from the service immediately and will not be used until it is repaired. No U.S. Reject tag was applied because the skid loader was immediately taken to the maintenance shop for repair.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M889A+V8 89	J.F. O'Neill Packing Co. Inc.	DSC220 811482 3N-1	11/23/2018	04C02	Livestock Humane Handling	313.2	Category VII Slips and Falls, III Water and Feed Availability Shortly before 0740 while performing HATS Category VII, I observed four cattle locked in the alley from the crowd pen to the knock box. Water is not provided in this pen. The cattle were in line to be slaughtered. At that time the slaughter side of the establishment had stopped operations for company break. I made note of the tag numbers of those animals in the alley. Later I returned to discover two of the four animals were still being held in the pen. As the establishment was on break, this alley is now considered a holding pen. I informed a barn employee that the animals needed access to water, and he backed them out of the alley into the crowd pen where water is available; therefore no U.S. Retain tag was applied. I told (b) (6) that I would be writing a noncompliance for water inaccessibility. This noncompliance record is associated with MOI #DSC3508105102G documented on 10/2/2018 for same root cause.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M208A	National Beef Packing Co., L.L.C.	LLG441 411102 3N-1	11/23/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	<p>On November 23, 2018, at approximately 06:50 hours, while observing stunning effectiveness under HATS Category VIII, the following non-compliances were observed: I observed an establishment employee attempt to stun an animal in the restrainer using a captive bolt. The first attempt was ineffective in rendering the animal insensible. Right before the employee made the attempt, the animal moved its head down, I heard the device discharge, and observed a bleeding hole in the head approximately 2.75 inches up and 1.5 inches right of where the placement should have been placed. Immediately the animal swayed his head and was tracking the employees. The employee immediately delivered a second stun with the same device and I observed the head of the animal drop down in a state of complete unconsciousness. I informed (b) (6) who observed the incident, that a non-compliance record would be issued. A few moments later, I verified that the animal remained unconscious while in the stack. I was afforded the opportunity to observe the head after it had been through the system, at an offline location, and the initial hole in the head was consistent with my observations in the knock box. The establishment is non-compliant with 9 CFR 313.15(a) (1) and 313.15(a) (3) for failure to render the animal unconscious and remain unconscious.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M320M+V 320	Smithfield Fresh Meats Corp.	VWK11 141203 10N-1	12/10/2018	04C02	Livestock Humane Handling	313.2	<p>HATS TASK CATEGORY I TRUCK UNLOADING On 12/10/18 at approximately 1200 hours while performing review and observation of HATS Task I Truck Unloading, I observed the following noncompliance. A truck driver unloading on the East bay of the South barn was observed to strike a hog twice on the right side of the face in an attempt to turn the hog to the exit ramp. The hog was sitting down and facing away from the exit ramp and had not responded to being struck with the paddle on the back. I notified the plant employee assisting with tattooing the hogs as they came off the truck, who immediately entered the truck to assist with unloading and to monitor handling. I then notified (b) (6) [REDACTED], that I would be issuing this NR. This is a noncompliance with 9 CFR 313.2(a), which states that 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.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5798+P5 798+V5798	Williams Brothers Meat Co.	FVM27 111019 29N-1	10/29/2018	04C02	Livestock Humane Handling		<p>At approximately 10:00am (b) (6) was observing the slaughter of large swine at Est. 5798. Because of the large size Owner Steve Williams decided to use a .22 magnum which had previously worked on 7 large swine with no incidents during the same day. After the first shot on the 8th swine the animal did not go down and was confirmed still standing by (b) (6) and (b) (6). Immediately after confirmation of the unsuccessful first shot Owner Steve Williams Retrieved a larger caliber pistol (.38 Special) and made a second shot on the animal which put the animal down. (b) (6) confirmed after the second shot that the animal was completely down and unresponsive to stimulation. (b) (6) did not observe regular breathing, but reflective breathing/gasping was still heard but quickly stopped after a captive bolt knock was used. The Establishment is in non-compliance of 9 CFR 313.16(a)(1) and 313.16(b)(1)(I). Steve Williams was immediately notified about this noncompliance verbally and in writing with this NR. After reviewing records for the last 90 days no similar incident has occurred.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M337+V33 7	STX Beef Company	UNG35 101008 09N-1	10/09/2018	04C02	Livestock Humane Handling	313.15 (b)(1)(i), 313.15(b)(1) (iii)	At approximately 10:15 the following non compliances were observed. Plant QC personnel informed plant (b) (6), that an animal had escaped from the knocking box and had to be rendered unconscious using a rifle. After I was informed of the problem I went to the knocking box to perform Humane Handling Task Stunning Effectiveness, at which time I observed the knocking box operator use a hand held knocking gun on an animal, the gun did not discharge. I observed the knocker use the pneumatic gun successfully and go to the next animal. Again he tried to use the hand held device, the device did not fire. The pneumatic gun was used at this time rendering the animal unconscious. At this time I stopped the kill to have the hand held device tested and see why it was not working. A second hand held device was not available. According to the plants Humane Handling Systematic Approach Plan, (b) (4) (b) (6), was present and was advised of the noncompliance. This is a failure to comply with 9 CFR 313.15 b)1) iii) and 313.15 b) 1) I).	OPEN
M337+V33 7	STX Beef Company	UNG08 131001 19N-1	10/19/2018	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 10:10 the following noncompliance was observed while performing Humane Handling Task, Category 8 Stunning Effectiveness. While observing the knocking box operator I noted that he used a hand held knocking gun on an animal in the proper area, the gun fired and penetrated the animals head, however the animal was not rendered unconscious. The animal was noted having its head up and being aware of its surroundings, there was no vocalization noted. The knocking box operator immediately applied a second gun and effectively knocked the animal unconscious (b) (6) (b) (6), was present and was advised of the noncompliance. This is a failure to comply with 9 CFR 313.15 a) 1).	OPEN

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M337+V33 7	STX Beef Company	UNG51 161046 24N-1	10/24/2018	04C02	Livestock Humane Handling	313.15(b)(1) (iii)	At approximately 1535 while performing Humane Handling Ante Mortem inspection task, HATS category 4, the following noncompliance was observed. (b) (6), was advised that an animal had escaped from the knocking box. On arrival, I confirmed that a Heifer was walking about the floor of the knocking area (b) (6) was called, and on arrival rendered the animal unconscious using a rifle. The animal was unconscious with one shot. (b) (6) was advised of the noncompliance. A similar incident was recorded on 10-09-2018. NR UNG3510100809N noted an animal escaping from the knocking box onto the knocking box area floor and having to be rendered unconscious using a rifle. This is a failure to comply with 9 CFR 313.15 b) 1) iii).	OPEN
M337+V33 7	STX Beef Company	UNG06 131215 11N-1	12/11/2018	04C02	Livestock Humane Handling	313.1	Today 12/11/2018 @ 7:30 am anti-mortem inspection was done by 4031 (b) (6). He found copious amount of blood in Pen #9 and report the said incident to the IIC. The IIC conducted a visual inspection of the Pen #9 and was able to pinpoint the cause of the tail injury. It was cause by a rusted fence pipe with a hole that could cut the tail with the sharp edges of the hole. A picture of the rusted pipe with the hole was taken for documentation. At 12:00 pm another cattle was injured as evidence by the copious amount of blood on the wall and floor leading to the carrousel.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI371 310311 8N-1	10/18/2018	04C02	Livestock Humane Handling	313.15(a)(2)	On 10/18/18 at approximately 1320 hours while observing a group of calves in motion for antemortem inspection, I then observed the Halal blesser driving the animals to the knock box. The lead calf turned around in the runway and ran into two calves, knocking them down and running over the top of them. They became wedged in the runway and were unable to rise. I immediately notified Kelsey Lloyd, plant manager, of the situation and immediately showed her the downed calves. I told her I would be writing an NR and tagging the knock box. I applied US Reject tag # B36297669 to the knock box and stopped the slaughter. Since the plant has a robust systematic approach to humane handling program, I advised Ms. Lloyd that I would remove the tag from the knock box and allow them to resume slaughter as soon as they give me an acceptable corrective action. The above incident is in violation of 9CFR 313.15(a)(2). Animals must be driven with a minimum of excitement and not allowed to suffer unnecessarily.	CLOSED
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI301 211543 0N-1	11/30/2018	04C02	Livestock Humane Handling	313.2	On 11/30/18 at approximately 1215 hours while checking the holding pens for cattle, I encounter the following NR: cattle in all 3 covered holding pens do not have access to feed; cattle in the lower pens do not have access to feed or water. There is one water container with a small amount of water in the bottom which is not sufficient for the number of cattle in this area. Cattle are required to have access to water at all times and to feed after 24 hours. I informed Kelsey Lloyd of my findings and told her I would be writing an NR. There was a similar NR written on 8/15 addressing this same issue. Ms. Lloyd immediately had maintenance bring rolls of feed to the cattle. There is a water leak which is being addressed at this time.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7455+P7 455+V7455	Williams Sausage Co Inc	UQD59 111245 28N-1	12/28/2018	04C02	Livestock Humane Handling	313.30(a)(4)	At approximately 1000 hours on 12/28/18 while working the slaughter line position, I observed several company employees gathering around the corner from my location looking toward the incline slaughter line. I did not leave the inspection station as the line had stopped several times earlier in the morning. At 1008 hours, (b) (6) entered the kill floor area and informed me that he wanted to stun the animal (hog). I followed (b) (6) to the area where the conscious animal was hanging. (b) (6) observed one (1) live conscious and alert hog shackled and hanging with no cuts made (b) (6) immediately stunned the hanging hog with a captive bolt which then rendered unconscious at 1010 hours. I noticed that 12 more hogs had been effectively stunned after the aforementioned was shackled. I immediately notified (b) (6) of my observations and he intern notified the Jackson District Office. The knock-box was tagged with U.S. Rejected Tag # B26013910 at that time. After phone conversation with Jackson District Office, in-plant inspection staff and M7455 management, it was determined that this would be a noncompliance. At 1140 hours, (b) (6) removed U.S. Reject Tag from the knock-box.	CLOSED
M8327+V8 327	Southeastern Provision LLC	UOF450 811300 5N-1	11/04/2018	04C02	Livestock Humane Handling	313.2	HAT Category III - Water and Feed Availability. At approximately 7:30 AM while performing an odd-hour humane handling inspection at Southeastern Provision in Bean Station, TN, SPHV Wayne Reid observed 3 cows separated in the round pen that did not have access to food or water. This is a noncompliance according to 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. Bill Gilger (Plant Manager) was notified of the noncompliance and corrective action was immediately taken by the plant to provide access to water and feed for all cattle.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M86R	Cargill Meat Solutions	EHN371 912572 8N-1	12/28/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATs Category: Category VIII – Stunning Effectiveness On December 28, 2018 at approximately 1710 while performing a scheduled Livestock Humane Handling task per FSIS Directive 6900.2, (b) (6) observed the following noncompliance: After an initial unsuccessful attempt to render an animal unconscious with a single blow to the head from a pneumatic captive bolt stunning device, the animal panicked and attempted to crawl over the successfully stunned animal in front of it, throwing its head to the left before a second successful stunning attempt could be performed. This is noncompliant with regulation 9 CFR 313.15(a)(1). Upon review of records for the last 90 days there were no noncompliance records for the same root cause. This NR is not being associated.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M267	JBS Tolleson Inc.	ECD131 611062 ON-1	11/19/2018	04C02	Livestock Humane Handling	313.1	<p>On November 19, 2018 at approximately 0600 hrs the following regulatory non-compliance was noted by (b) (6) while performing Ante Mortem Livestock Inspection. All of the drains located in the south alleyway of the cattle yard were backed up with manure and mud. The backed-up material resulted in an accumulation of the muck that was as high as 6 to 8 inches in depth extending out from the alleyway to several of the adjacent animal holding pens. Animals were transported and moved through the backed up alleyways and across the backed up drains. (b) (6) took regulatory control by placing US Reject Tags B36800738 and B42257913 on the south side pens (pens 20-38) and alleyway due to the excessive buildup of manure and mud. These conditions also created an environment for potential slips and falls. These findings were immediately shown to (b) (6) who was informed that a non-compliance record (NR) would be issued for the finding. She then arranged for the cattle located in the dirty pens to be moved to the relatively unaffected north side pens. This finding represents non-compliance with 9 CFR 313.1(a) which states that "livestock pens, driveways and ramps shall be maintained in good repair." The establishment also failed to meet the requirements of 9 CFR 416.2(e)(2) with the finding of the backed-up drains. As a result of the conditions caused by the drainage backup, cattle were being brought into the plant with significant additional contamination on their feet and shanks which potentially could impact the establishment's food safety program.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M322+V32 2	Double J Meat Packing, Inc.	QOE48 161223 31N-1	12/31/2018	04C02	Livestock Humane Handling	313.2	<p>ON December 31, 20018 while performing Ante-mortem inspection activities on cattle, (b) (6) observed the following noncompliance. Pens 12 and 13 share an automatic water tank and there was no water in the tank as of 710am. Pens 12 and 13 did have cattle in the pens; there fore, the cattle did not have access to water I got the attention of the Supervisor (who refers to him self as (b) (6) I ask him to check the water tank in question (b) (6) open the alley and he confirmed that there was no water. I saw a small amount of frozen ice about 1inch thick across the bottom of the tank (b) (6) immediate corrective action was to de ice the water tank with hot water, he proceeded to cleaned out the tank and place fresh water in the tank. I also inquired at what time the cattle arrived (b) (6) did not know the time, so he went to ask. Approximately 30 minutes later (b) (6) informed me that the cattle arrived the night before around 8p.m (b) (6) also assured me that the cattle had accessed to water upon arrival , however the water tank froze up sometime during the night. I then notified (b) (6) that I would be issuing a noncompliance. Double J Inc. is in noncompliance with CFR 313.2 (e) Handling of livestock, which states: " Animals shall have access to water in all holding pens and, if held longer that 24 hours, access to feed. There shall be sufficient room in the holding pen for animals held overnight to lie down." There are no other NR's within the last 90 days to be associated with this noncompliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M969+V96 9	Swift Beef Company	UOA09 221121 24N-1	11/24/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	<p>"HATS Category VIII – Stunning Effectiveness; HATS Category IX – Consciousness on the Rail On 11/24/2018 at approximately 1740, I observed the following noncompliance: An employee, (b) (6), attempted to stun a bovine using a pneumatic captive bolt device but the bolt did not discharge from the device. After the first attempt, the animal remained conscious, so the stunner released the pneumatic captive bolt and grabbed a hand-held captive bolt device, loaded it, and attempted a second stun. The device did not fire, so the stunner loaded another hand-held captive bolt device and applied a stun attempt which contacted the head. The stunner released the animal from the restrainer onto a conveyor belt. I observed the animal was still conscious as the animal was attempting to right itself, lift its head up, and the eyes were tracking. I immediately instructed the employee to stop the conveyor. The employee stopped the conveyor, went down to the animal, and applied a final stun attempt with a hand-held captive bolt which rendered the animal unconscious. Upon observation of the head, two stunning attempts were confirmed to contact the head. I informed the employee (b) (6) that animals must be rendered unconscious on the first stunning attempt and this was a noncompliance with 9 CFR 313.15(a)(1). Slaughter was stopped and the Denver District Office was contacted through supervisory channels for further instruction. The establishment's immediate corrective actions were to replace the pneumatic captive bolt and the two hand-held captive bolt devices. They performed several test fires with the replacement pneumatic captive bolt to insure it was functioning properly. The stunner, (b) (6), was also replaced for the remainder of the night's operations. At approximately 1930, (b) (6) and (b) (6) were informed that a</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							non-compliance record would be issued for the incident and slaughter operations could resume.	
M4975+P4 975	Dale T. Smith and Sons Meat Packing Company Inc	IYC1807 114320 N-1	11/20/2018	04C02	Livestock Humane Handling	313.2	<p>Category III: Water and Feed Availability Category I: Adequate Measures for Inclement Weather On 11/20/18 at approximately 0540 hours I, (b) (6), observed the following noncompliance while performing a routine 'Livestock Humane Handling' inspection task in the livestock yard. There were cattle in a small holding pen south of the truck unloading ramp, the only water trough available to this pen had a layer of ice covering the water, preventing access. I verbally notified (b) (6) of this noncompliance. I observed, with (b) (6), (b) (6) break up the ice to provide cattle with access, no U.S. Retain tags were necessary. A review of recent noncompliances revealed none issued for the same cause.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4975+P4 975	Dale T. Smith and Sons Meat Packing Company Inc	IYC3214 115130 N-1	11/30/2018	04C02	Livestock Humane Handling	313.1	<p>Category IV Ante-Mortem Inspection On 11/30/2018 at approximately 0825 hours (b) (6) observed the following non-compliance while performing a routine "Livestock Humane Handling" task in the livestock pens. On the south end of the cattle holding pen located on the farthest east side of the establishment premises, a Holstein cow had been removed from the pen by establishment personnel to be segregated from the other ambulatory cattle. This area is in between the south fence of the pen and the stacks of hay bales used to feed cattle. I observed the area surrounding the cow and saw a greenish steel fence gate, approximately 8' long by 4' wide, lying flat on the ground partially under the cow, as I looked further the green gate had a 6-8" long, 2" thick bar that had been cut protruding out from the hay laid on the ground next to the cow. I also observed, protruding from the bottom of the pen fencing, a steel pipe approximately 4" in diameter and 3' long, this pipe also had a small piece of steel sticking out on the cut end of it that was approximately 1" by 1", the end of this pipe was laying against the cow's front shank. The issue of old fence posts and other debris surrounding the livestock pens was initially addressed in a weekly meeting on 7/1/2017 MOI # IYC5212074801E. It was also discussed recently on 11/17/2018, MOI # IYC4215113417E. (b) (6) was immediately informed of the noncompliance, and the cow was euthanized humanely by captive bolt. A review of recent noncompliances revealed none issued for the same cause.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M325	Clausen Meat Company Inc.	FBJ440 210160 2N-1	10/01/2018	04C02	Livestock Humane Handling	313.2	On 10/1/18 at approximately 0810 hours during my humane handling verification, I observed that pen 12 with approximately 80 roasters had no access to water. The waterer was empty. This is a violation to HATS Category III, water and food availability. I called (b) (6) to show her the empty waterer. We went back to the USDA Office. At about 0830 hours, I informed (b) (6) that pen #12 had an empty waterer and that pigs have no access to water. She said that she will go and check immediately. At about 0840 hours, I informed Ping Lau that pen #12 had no water available for pigs. Both Ping Lau and I went to check the pen. At this time, the waterer had been filled with water and about 3 pigs were observed drinking the water. I informed Mr. Lau that I had informed (b) (6) earlier and she had come and checked it. I also informed him that a non-compliance will be issued. This is a violation to 9 CFR 313.2(e). This NR is linked to FBJ1706074630N issued on 7/30/18 and FBJ2813071717N issued on 7/17/18. These NRs both documented pigs with no access to water.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M325	Clausen Meat Company Inc.	FBJ480 610082 9N-1	10/29/2018	04C02	Livestock Humane Handling	313.2	On 10/29/18 at approximately 0343 hours while performing ante-mortem inspection, the following humane handling non-compliance was observed. I observed approximately 25 roaster pigs being held in the outside holding pen. The water trough in the holding pen was empty and dry, so the roaster pigs had no access to water. I immediately notified a plant employee that the water trough was empty and he then turned on the water. As the trough was filling with water, the roaster pigs were crowding around the trough trying to get a drink of water. At approximately 0414 hours, I informed Plant Owner Ping 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# FBJ4402101602N) with the same cause, which was documented on 10/1/18.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M548	Yosemite Meat Company Inc.	VHM34 131208 26N-1	12/26/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At 0702 hours, while checking Seneca valley suspect hogs in the pens at Yosemite Meat Co., I, (b) (6) was observing an establishment employee knock a crippled hog in the D1 suspect pen. I observed the employee knocking the hog deliver the first knock too low on the head, and the blow did not render the animal unconscious. The hog sat up after the blow, and began vocalizing and moving its head back and forth. (b) (6) immediately handed the employee the second captive bolt gun to deliver another blow, but the second blow delivered was a glancing blow just above the left eye that did not penetrate the skull.</p> <p>Meanwhile, the QC technician was reloading the first captive bolt gun while the animal continued to vocalize. The first captive bolt gun was reloaded within approximately 15 seconds and the employee was able to deliver an effective knock on the third attempt. I immediately notified (b) (6) of my observations, and informed him that I was going to be contacting district for further guidance. On my way to tag the knock box, I saw and immediately notified (b) (6) of my observations and informed him of the need to stop slaughter. At 0712 hours, I tagged the knock box stopping stunning with U.S. Rejected tags B38095260 and B38095259. The above cited observations are in violation of 9 CFR 313.15(a)(1).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M783+P78 3	Harris Ranch Beef Co.	VNG23 111124 21N-1	11/13/2018	04C02	Livestock Humane Handling	313.1	<p>On Tuesday, November 13, 2018 at approximately 7:39 am while performing HATS task IV - Ante-mortem Inspection (b) (6), observed the following noncompliance: HATS VII: Slips/Falls; In pen #9, in the middle of the pen, a heifer that started walking from a standing position fell onto both front knees after a couple of steps. The heifer was not fractious, excited or moving quickly. (b) (6), was not approaching or driving the animal with the plastic bag tool. The animal stood up and walked away after the slip. This is noncompliant with 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. (b) (6) placed U.S. Rejected tag #B-45024977 on the entry gate to pen #9 and pen #10 to prevent further injury to cattle falling, until the establishment could investigate the incident. (b) (6) informed (b) (6) and (b) (6), that a noncompliance record (NR) would be issued. No NRs have been issued for this regulation previously. In addition, slipping concerns were mentioned in multiple weekly meetings (i.e. 10/19/18, 8/10/18, 4/6/18) and copies of the meeting agenda were provided to all establishment management in attendance.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M783+P78 3	Harris Ranch Beef Co.	VNG52 171209 21N-1	12/21/2018	04C02	Livestock Humane Handling	313.2	At approximately 10:03 AM, I was observing (b) (6) unload trailer 125. He unloaded the bottom half with no problem. When he opened the upper half of the trailer, the animals would not exit the trailer. (b) (6) then went inside the trailer and with excessive force, started smacking a animal on its rump repetitively (Approx. 5 times). The trucker was holding the handle of the paddle with one hand, raised the Handle of the paddle to the level of his head, took a step forward to lean in, and used that momentum to smack the animal on the rump repetitively. The animal then tried to kick him. (b) (6) went inside the trailer and told him to stop. I gathered the information about the trucker and trailer, and informed (b) (6) that I would discuss the humane handling matter with (b) (6). I latter informed (b) (6) of this N.R.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4969+P4 969	J J Meat Co.	JCO501 712211 1N-1	12/11/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3), 313.15(b)(1) (iii)	<p>On December 10, 2018 at approximately 1551 hours, the following noncompliance was noted while observing Category VIII – Stunning Effectiveness Component of the Humane Handling verification. I observed (b) (6) performing calf stunning using a power captive bolt stunner. I was on the upper level of the stunning area as (b) (6) fired the power knocker on a Holstein veal calf that was being restrained by his left leg. The calf moved its head to the left as the captive bolt penetrated the skull off the midline towards the lower right side of the skull. The calf did not go down after the first stun and was still conscious and moving its head (b) (6) still had the calf restrained with his left leg. He made a second effective knock with the power knocker within seconds of the first ineffective knock. The second knock rendered the veal calf unconscious as the calf lost mobility and fell to the floor. (b) (6) immediately checked the veal calf for signs consciousness and there were none. I took immediate regulatory control action and stopped any more animals from being knocked. I tagged the knock box with US Retain/Reject tag No. B38505632 and informed (b) (6) of the forthcoming noncompliance. At approximately 1600 hours I removed the tag and allowed the establishment to resume knocking only after corrective action and preventative measures were implemented. The establishment was noncompliant with the regulatory requirement of 9CFR 313.15(a)(1), 9CFR 313.15(a)(3) and 9CFR 313.15(b)(1)(iii).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4969+P4 969	J J Meat Co.	JCO361 312442 6N-1	12/26/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3), 313.15(b)(1) (iii)	<p>On December 21, 2018 at approximately 1709 hours, the following noncompliance was noted while observing Category VIII – Stunning Effectiveness Component of the Humane Handling verification. I was performing ante mortem inspection inside pen No. 1 when I heard a calf vocalizing after it was knocked. I was standing next to the barrel of water for the calves as (b) (6) was performing calf stunning using a power captive bolt stunner. From my position I can hear when the power stunner is being used. Right after I heard the knock, I heard a veal calf vocalized. I immediately made my way to the stunning area (about ten feet away) as the calf that was knocked vocalized two more time. At the entrance of the stunning area I witness the calf on the floor getting back up on all four legs. At the same time the calf was getting up, (b) (6) grabbed a bullet for the hand held captive bolt stunner and made an effective second knock within seconds of the first ineffective knock. The second knock was effectively applied rendering the calf unconscious as the calf lost mobility and fell to the floor. I did not witness the first ineffective stun but after the second knock (b) (6) immediately checked the veal calf for signs consciousness and there were none. As I observed the head of the calf, the first knock penetrated the skull approximately 3/4 of an inch lower from the targeted area (b) (6) confirmed that the lower hole on the calf's head was the first knock and it was lower than it's supposed to be. It was the end of shift when the noncompliance was observed and there were only two calves left to knock. I informed (b) (6) of the forthcoming noncompliance and at approximately 1712 hours allowed the establishment to resume knocking only after corrective action and preventative measures were implemented. The establishment was noncompliant with the regulatory requirement of</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							9CFR 313.15(a)(1), 9CFR 313.15(a)(3) and 9CFR 313.15(b)(1)(iii). This noncompliance record is being associated with a similar noncompliance record No. JCO5017122111N for an ineffective stun on December 10, 2018. Repeated failures by plant management to effectively address the trend in noncompliance records may result in further regulatory action.	
M226+P48 63+V226	Independent Meat Company	DOD10 091033 11N-1	10/11/2018	04C02	Livestock Humane Handling	313.2	HATS Category III Water and Feed Availability At approximately 6:30AM on October 11, 2018 I, (b) (6), was performing antemortem inspection at M226 Independent Meat Company in Twin Falls, Idaho. (b) (6) was acting as yardsperson. When I went to perform antemortem inspection on the hogs the establishment had segregated into the suspect pen, I observed that no water was available to the hogs present in the pen. This pen has 2 water troughs, one permanent and one moveable. Neither had any water present. I notified (b) (6) of the humane handling noncompliance and observed him provide water to the hogs. This is a noncompliance with 9 CFR 313.2(e).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9265+P9 265	Marks Meat, Inc.	CFJ061 710021 1N-1	10/11/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>Hats Category VIII Stunning effectiveness On October 11, 2018 at 10:21 AM (b) (6) and (b) (6) were observing stunning effectiveness on hogs at Est. 9265 as part of the Humane Handling Verification Plan implemented in response to a reinstatement of suspension issued on 9/27/2018. Establishment employees discharged the hand held captive bolt and the animal immediately vocalized and began moving about the stunning box. The animal moved to the back of the stunning box and the stunning employee evacuated the stunning area per protocols for safety. The backup stunning rifle was immediately available by the secondary stunning employee and a second effective shot was discharged rendering the animal unconscious. The knock box was tagged with US Reject tag # A1281786 and the establishment notified that this incident would be passed on to the FLS and district management team for further evaluation. Upon inspection of the head post mortem, both shots entered the same entry wound. The entry wound and wound tracts are approximately 1cm lower than the center of an "X" drawn in an imaginary line between the medial canthus of the eye and the ventral aspect of the opposite ear. There is a large bore hole approximately ½ cm diameter (suspected captive bolt) track traveling more rostral and at a steeper angle than would be expected to cause significant brain injury. The second wound track is smaller diameter travels through the brain cavity and exited out the soft palate just rostral to the foramen magnum. The .223 caliber bullet was recovered from this wound tract. A review of records show a similar incident occurring on a Beef animal on 9/21/2018. This non-compliance is being linked with NR#CFJ5116092121N and indicates a trend of non-compliance. Further corrective actions are necessary in order to ensure that stunning of all species of animals at the</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							establishment is conducted in accordance with regulations outlined in 9 CFR part 313. Continued non-compliance may initiate further regulatory control action on behalf of the establishment.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M12426+V 12426	Andrade Slaughterhouse	ECK591 111552 8N-1	11/28/2018	04C02	Livestock Humane Handling	313.2	<p>Humane Handling: M12426 (Andrade Slaughterhouse) HATS Category III - Water and Feed Availability; HATS Category IV - Ante-mortem Inspection On 11/28/2018, at approximately 0255 hours, Kevin Blackstad, Plant Manager, informed me that I could proceed to perform my Ante-Mortem inspection. I proceeded with my inspection and I observed a total of six (6) cattle in two different pens, three in each pen. I observed one pen had three cattle, green barrel upside down that was positioned at the corner. The animals had no access to water. I notified Mr. Blackstad and Ms. Andrade, Owner/Food Safety Manager, that one of the pens with three cattle had an upside down green barrel in the corner and therefore animals had no access to water. This is a noncompliance with 9 CFR 313.2(e). In accordance with Code of Federal Regulations: Title 9, Part 313 (Humane Slaughter of Livestock), Section 2(e) states: "Animals shall have access to water in all the holding pens and, if held longer than 24 hours, access to feed."</p> <p>Establishment Awareness Meetings: Humane Handling discussion: water accessibility in the pens was the responsibility of the establishment.</p> <p>10/17/2018, ECK3716112614E 11/14/2018, ECK4312212728E Past Similar NR: ECK3803051807N / 1, dated 5/02/2018, Completed: Corrective actions: Ms. Andrade will inform the ranchers to make sure the barrels are filled with water at the time of delivery in all the pens with animals. 10/17/2018, ECK3716112614E 11/14/2018, ECK4312212728E Past Similar NR: ECK3803051807N / 1, dated 5/02/2018, Completed: Corrective actions: Ms. Andrade will inform the ranchers to make sure the barrels are filled with water at the time of delivery in all the pens with animals.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M12445+P 12445	Kulana Foods, Ltd.	WYF05 101236 27N-1	12/27/2018	04C02	Livestock Humane Handling	313.2	On 12-26-18 at Establishment M12445 Kulana Foods, Ltd., I (b) (6) went to the animal holding area at about 1150 and observed nine pigs being held in one pen roughly three feet by eight feet. This pen has one nipple waterer in the corner which most of the pigs couldn't access due to overcrowding. One of the pigs was lying on two other pigs due to the shortage of room. I informed establishment President/GM Mr. Brady Yagi. He said he would have someone separate them and stated that the pigs are unloaded by the people that deliver the pigs. I went to the animal holding area at 1215 to verify the pigs had been separated, and they were in the process of being separated into additional pens at that time, where they could access water.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M791+P79 1+V791	Clemens Food Group, LLC	MXL37 071203 19N-1	12/18/2018	04C02	Livestock Humane Handling	313.2	<p>Category III – Water and Feed Availability. On December 18, 2018 at approximately 1440 hours I, (b) (6) observed the following noncompliance: During the tour of the establishment I performed Review and Observation component of Livestock Humane Handling. During the performance of the aforementioned task I observed, in the Barn in the space between pen #8 and back of the serpentine, two hogs #58 and # 61 as identified on their backs that were lying on the floor. I observed they had no access to water. The only water trough was approximately 5 to 6 feet away from hog #61 and approximately 6 to 7 feet away from hog #58. At the time of my observation establishment was in the process of moving hogs from lot #62 in the serpentine. At this time I contacted (b) (6) and physically showed him the hogs in the same place. When (b) (6) arrived I asked him how long had the hogs been there (on the floor between pen #8 and back of the serpentine)? He informed me they could have been there for 15 to 20 minutes going by the lot numbers on the backs of the aforementioned animals (#58 and #61). I also asked (b) (6) if these hogs were ambulatory or non – ambulatory? He informed me they were non – ambulatory. No regulatory control action was initiated as establishment elected to perform its corrective actions. According establishments' Animal Welfare Program Manual also identified as The Clemens Food Group Robust Systematic Approach Plan for Humane Handling and Slaughter dated March 16, 2018 it states the following on page 6. "11. Animals shall have water available in the holding pens or any location where the animals may be housed. If livestock are fatigued/non – ambulatory, water must be provided in shallow waters pans, buckets or water sources within easy reach of livestock." According</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							to Rules and Regulation 313.2(e) Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed (b) (6) is notified in writing of this record of noncompliance. (b) (6) is notified verbally and in writing of this record of noncompliance for establishment's failure to meet the Meat and Poultry Rules and Regulations of 9 CFR 313.2.	
M4999+P4999	Pudliner Packing	CGN3008112927N-1	11/27/2018	04C02	Livestock Humane Handling	313.2	HATS Category IV Ante-mortem Inspection On 11/27/18 at 0826 hours while performing Ante-mortem inspection in the barn/holding pen area of the establishment, the following noncompliance was observed. 9 cows were presented with a pen card for U.S.D.A. inspection. (b) (6) observed that four cows presented in pen number 1 inside nearest the knocking pen did not have access to water. An establishment employee and (b) (6) were notified verbally. A US retain/reject tag no. A6910852 was placed on the pen because the establishment did not take corrective action as determined by (b) (6). (b) (6) removed the regulatory control action at 0845 hours after verifying the animals in the holding pens all had access to water. A search of PHIS did not show any recent similar noncompliance. This is noncompliant with 9 CFR 313.2(e).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4999+P4 999	Pudliner Packing	CGN58 081252 07N-1	12/07/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>HATS Category VIII Stunning Effectiveness On 12/7/18 at approximately 0915 hours while performing the humane handling verification activities at Est. 4999, Food Inspector (b) (6) observed the following noncompliance and reported it to (b) (6). The Establishment moved a cow into the stunning area directly outside of the slaughter floor for stunning with a .22 caliber rifle. (b) (6) stayed inside the slaughter floor record keeping area to listen from an adjacent room. He heard the first shot but instead of hearing the animal fall to the ground, as is customary after shooting, he instead heard sounds of vocalization and not the rhythmic movement of reflexes that are typically heard after a successful stun. He then heard a second gunshot and the "All Clear" from the Stunner, signaling that stunning was complete. He then confirmed that the animal was insensible. (b) (6) completed the examination of the skull. This examination revealed two full-thickness holes in the skull of the animal. This observation, combined with what (b) (6) heard after the first shot, confirmed that the first stunning attempt did not immediately or effectively render the animal unconscious. Mr. Andrew Pudliner Sr., 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)."</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9400+P9 400	Cargill Meat Solutions	WIL151 510520 1N-1	10/01/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HAT Category VIII, Stunning Effectiveness On October 1, 2018 at approximately 1517 hours, while verifying HAT Category VIII, Stunning Effectiveness, at establishment M9400, I (b) (6) observed the following noncompliance. An establishment employee attempted to stun a mature dairy cow in the belly-restrainer in the knock box with a pneumatic captive bolt device. The stunning attempt contacted the animal, which was apparent by an abrasion on its head, but did not render the cow unconsciousness. The cow remained fully conscious and aware of its surroundings, and moved its head away from the employee. A second stunning attempt was immediately placed, using a handheld captive bolt device, and rendered the animal unconscious as evident by lack of any signs of sensibility. The cow remained unconscious throughout shackling, sticking and bleeding. (b) (6), and (b) (6), was notified of the noncompliance with 9CFR313.15(a)(1).	CLOSED
M9400+P9 400	Cargill Meat Solutions	WIL100 810222 6N-1	10/26/2018	04C02	Livestock Humane Handling	313.2	On October 26, 2018 at approximately 0539 hours, while performing ante-mortem inspection, at establishment M9400, I (b) (6) observed the following noncompliance. Pen 29 (719 square feet) was overcrowded with 40 mature Holstein dairy cows present (lot 9575). These cows did not have sufficient room to lie down. The 2007 AMI guidelines, used by the establishment, states 20 square feet should be allotted for each 1,200 lb steer or cow, which was not provided in this case. (b) (6), was notified of the noncompliance with 9 CFR 313.2(e).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9400+P9 400	Cargill Meat Solutions	WIL161 312031 1N-1	12/11/2018	04C02	Livestock Humane Handling	313.1	<p>Category IV Handling during Ante-mortem and in pens. On 12/11/2018 at approx. 12:40 pm while performing ante-mortem in the barn (b) (6) observed the following a black beef cow had her head stuck between the 2 lowest pipes of her pen #11 and was unable to remove it. The plant employees immediately tried to help the cow remove her head but it remained stuck. They kept her calm while an employee got the skid steer and used the skid steer to bend the pipe and free the cow. The animal was uninjured. This in a non compliance with 9CFR 313.1 (a) unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired. Being stuck between pipe may cause injury. (b) (6) and (b) (6) were notified of this non-compliance. The pen was tagged out with US retained #s B-45164525-26</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9400+P9 400	Cargill Meat Solutions	WIL061 012083 1N-1	12/28/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>Category III Water and Feed Availability</p> <p>Category IV Handling during Ante-mortem and in pens. On 12/28/2018 at approx. 12:30 pm while performing ante-mortem in the barn (b) (6) observed the following: a dairy cow had her head stuck between the 2nd and 3rd pipes of the section of the pen next to the water section toward the center of the barn in pen #13 and was unable to remove it. The plant employee was trying to help the cow remove her head. He moved cows that were not allowing the stuck cow to straighten her neck. The employee kept her calm while he got her to move toward the end of the space. With this help the pipes were repositioned from behind a stub horn to between the eye and the stub horn by the cow struggling. When the employee started to climb over the pipes to continue helping free the cow's head she pulled free. The cow was made an untagged suspect and the neck and head area examined on post-mortem. The both parotid salivary glands were blood shot and bruised and there was blood clot on the right side between the parotid salivary gland, the lymph node and the bone. These injuries were in the area of the pipes locations on the head and neck. While the cow was entrapped between the pipes it did not have access to water. These are non-compliances with 9 CFR 313.1 (a) unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired and 9 CFR 313.2(e) animals must have access to water. The (b) (6) was notified of this non-compliance. The pen was tagged out with US retained #s B-45164601 and B-45164602. This non-compliance is linked to NR #WIL161312031N on 12/11/2018 for the same root cause. 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

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9492	Bucher Meats	YCA501 110210 2N-1	10/02/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII - Stunning Effectiveness On October 2, 2018, at approximately 0850 hours while performing humane handling verification activities at Establishment 9492, I (b) (6) [REDACTED] witnessed the following Noncompliance. The establishment moved the last Roster hog into the stun box for stunning with a hand held captive bolt. The Roster was standing freely in the stun box. As the stunner made the first stunning attempt with the captive bolt, the Roster hog moved its head (establishment's statement). The stunning attempt hit the head as evidenced by the two distinct holes upon post mortem. The roster remained standing and vocalized until the second shot was given. The stunner took immediate corrective action by re-loading the captive bolt and delivering the second stun, which made the Roster insensible. Mr. Bucher, 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)."</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9492	Bucher Meats	YCA270 812280 4N-1	12/04/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Today on 12-4-18, at approximately 0720 hours, while performing Humane Handling verification activities, I witnessed the following noncompliance. After moving the second market hog into the stunning box, the stunner used a captive bolt stunning device to render the animal insensible. However, the first stunning attempt was unsuccessful and the animal vocalized and the stunner realized the animal was not insensible. He took immediate action, making a second attempt using a .22 caliber rifle to render the animal insensible. After the second attempt was made, he was successful in rendering the animal insensible. After careful post mortem examination of the head, there were 2 holes present which identify both the captive bolt and the .22 caliber rifle attempt. Mr. Jake Bucher(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#	Date	Task	TaskName	Regs	Description	Status
M9646+P9 646+V9646	Stoney Point Inc.	AUG42 091214 10N-1	12/10/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On December 10, 2018, at approximately 1010 hours while performing humane handling verification activities at Establishment 9646, I (b) (6) observed the following Noncompliance. The Establishment moved a 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 dropped but started to vocalize. The Hog had distinctive eye movement and attempted to stand. The stunning attempt hit the head as evidenced by both the Hog dropping down away from the stunner and a spot on the head where the captive bolt hit, but the Hog remained conscious 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. Mike Chrismer, Plant Supervisor, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1)."	CLOSED
M9672+P9 672	Al-Marwa L. L. C.	YYD001 012342 8N-1	12/28/2018	04C02	Livestock Humane Handling	313.15(b)(1) (iii)	On December 28, 2018 I observed a veal calf getting its front hoof stuck between the floor and the side wall of the holding box, preventing it from being hoisted properly and promptly. (b) (6) took immediate action to prevent the animal suffering. Regulation 9 CFR 313.15(b)(1)(iii) states that the holding box should be free from openings in which livestock may injure their feet or legs, therefore they are not in compliance with this regulation.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9704+V9 704	Springfield Meat Company	QGE450 612012 0N-1	12/19/2018	04C02	Livestock Humane Handling	313.1	HATS Category II: Truck Unloading Date: 12/19/2018 Time: 1400 Location: Incident occurred on the truck unloading ramp outside of the building. While performing ante mortem inspection on cattle, Insp. (b) (6) observed a steer coming down the unloading ramp from the truck slip to its knees and then struggle to regain its footing. (b) (6) was verbally notified and plant employees immediately placed grit on the ramp to provide better traction for the animals being unloaded. There were no further slipping incidents after the grit was placed on the ramp. This is Noncompliant with 9CFR 313.1(b).	CLOSED
M9714+P9 714	Thoma Meat Market	MEK54 111128 20N-1	11/20/2018	04C02	Livestock Humane Handling	313.2	HATS CATEGORY III: WATER AND FEED AVAILABILITY At approximately 1240 on November 20th IPP entered the barn pen area. Animals were being held in two pens adjacent to the unloading dock on the side of the driveway: one beef in the first pen and two swine in the second. I, (b) (6), observed no water containers available in either pen. I immediately notified (b) (6), of this noncompliance. Plant employees were immediately notified by plant management. Water containers were provided in each pen and filled with water. No regulatory action was taken since the situation was immediately remedied. I reviewed NRs from the past 90 days and found no similar noncompliance. This is a noncompliance with regulation 313.2 (e).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9784+P9 784+V9784	Leona Meat Plant Inc	OMK39 101150 20N-1	11/20/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category III Water and Feed Availability On November 16th 2018, at approximately 0730 hrs., while performing Ante-Mortem inspection at establishment 9784M I observed the following noncompliance: In the pens, twenty (20) sheep were divided into two pens, pens #5 and #6. During my observation, I noticed both pens were without water available for drinking. I notified (b) (6) of this noncompliance and violation of 9CFR 313.2(e). Immediate corrective action was taken by (b) (6) and water was distributed to both pens. After witnessing the sheep had been given water, I re-inspected and released pens #5 and #6 and the plant continued with its daily production.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562	JBS Green Bay, Inc.	QSM28 151013 05N-1	10/05/2018	04C02	Livestock Humane Handling	313.15(b)(1)(iii)	At approximately 1200 hours on October 5, 2018, (b) (6) was performing HATS Category VIII (Stunning Effectiveness) and observed the following noncompliance. In the restrainer, there are large metal panels used to adjust the size of the restrainer and/or "squeeze" animals as they go through the stunning process. (b) (6) noticed an irregular area on the bottom side of the left panel that was potentially broken with a small amount of hair caught. Quality Assurance (QA) and maintenance employees were notified of the potential issue. (b) (6) and (b) (6) went back to observe the area on the restrainer and noticed that there was a jagged "L" shaped crack approximately 4 inches on the long side and 3 inches on the short side in the lower left lip of the metal panel. Cattle that placed their heads low in the restrainer at the position of the second stunner could potentially get cut or caught in the sharp broken metal. Plant management and the frontline supervisor were notified. U.S. Reject tag #B37426204 was placed on the restrainer to stop production at 1245 hours until the defect could be addressed. The establishment addressed the issue with the restrainer and (b) (6) verified that the area was suitable to resume operation and the tag was removed.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562	JBS Green Bay, Inc.	QSM33 071129 28N-1	11/27/2018	04C02	Livestock Humane Handling	313.2	<p>At approximately 11:25AM on Tuesday November 27th, 2018, while returning from performing Ante-Mortem inspection (HATS category IV) (b) (6) observed a noncompliance with HATS category III. Pen 13 had a group of cows that had arrived at the establishment the previous day. These cattle have been on the premises for greater than 24hrs. Pen 7 also had 2 steers that had been on the premise for greater than 36 hrs. (arrival date the evening of 11/25/18). The pens the animals were located in for ante-mortem on the morning of the 27th did not have any fresh or trampled hay present or hay pushed out of the pen as is typical when the animals have been fed overnight. There was also no hay present in the current pens or any other pens of this barn. When (b) (6) asked the barn supervisor if the cattle were fed he stated that the establishment was only feeding cattle held for 24hrs and that he was unsure if they had been fed. (b) (6) showed him the pen cards that indicated the animals had been on the premises for more than 24hrs. The feed log located by the scale, which is identified in the establishment's humane handling program as a means to track animals that are fed and filled out on a weekly basis, had no entries of pens fed for the week. 9 CFR 313.2(e) states that animals held longer than 24 hours shall have access to feed. (b) (6) was notified of the noncompliance.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562M	JBS Plainwell, Inc.	CFO570 310443 1N-1	10/31/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>At approximately 0830 hours while performing verification observations for HATS Category II Truck unloading, the following incident occurred. A gooseneck trailer backed up to the outside unloading ramp where Holstein cattle were being unloaded. The unloading ramp is designed with side panels approximately 4 feet high which serve to enclose the ramp as it leads into the facility. With the trailer backed up flush to the ramp, the junction of the side panels with the back of the trailer creates a triangular gap on both sides. The gap is approximately 2 inches at the top and 16-18 inches at the bottom. One animal was observed to stick its head through the right gap, and became entrapped across the entrance of the ramp, with the head through one side and the lower part of the hind limbs through the other. After a brief struggle, the animal elected to lie down, remaining entrapped. After approximately 15 minutes, the animal was able to struggle free and returned uninjured to the trailer. There were 4 animals remaining on the trailer and the owner proceeded to unload those animals. The last animal on the trailer stepped onto the ramp and the left hind leg was observed to slip through an opening between the floor of the ramp and the left side panel. The foot and lower leg were extended through the gap and as the animal struggled to free the entrapped foot, the lower leg sustained a laceration. As the owner attempted to drive the entrapped animal with a paddle, several establishment employees immediately stopped the owner and eliminated his involvement in the unloading process. The animal was euthanized with a handheld captive bolt device. These observations are a violation of the regulatory requirements of 9 CFR 313.1(a),and (b) which requires facilities to be maintained in sufficient repair to eliminate sharp edges and unnecessary opening to prevent entrapments and injury; and 9 CFR 313.2(a) which requires animals</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							to be driven in a manner that minimizes excitement and distress. Regulatory control of the unloading ramp was taken by placing U.S. Rejected tag number B37583057 at the time of the observations.	
M952	BEF Foods, Inc.	YUC371 110540 4N-1	10/03/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 10/3/18 at approximately 10:45am while verifying the humane stunning of the sow by the establishment in the hog pens. I. (b) (6) while standing about 10 feet in front of the sow observed the following non compliance. (b) (6) attempted to captive bolt stun the sow while plant employees were restraining her with sort boards. After the first captive bolt shot in to the sow's skull the sow made a low short vocalization and she did not move from the original position she was in before she was shot. She was still looking around, her eyes were still tracking movement, blinking and breathing normally just as before the first shot. I observed a hole in her head after the first attempt (b) (6) was immediately handed another loaded captive bolt gun and shot the sow in the skull a second time effectively rendering the sow unconscious and her body immediately dropped to the floor. I observed a second hole in her skull after the second shot. I then informed the plant manager (b) (6) that there would be a Non compliance record issued because the sow was still conscious after the first captive bolt shot attempt.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2444	Strauss Brands Inc.	VFG160 810082 9N-1	10/29/2018	04C02	Livestock Humane Handling	313.1	<p>On 10/29/2018 at approximately 0615 while performing a Livestock Humane Handling task (b) (6) observed the following noncompliance. After establishment personnel had offloaded the first forty veal calves from a livestock trailer, one calf took a misstep and its forelimb slipped into a gap caused by the slight angle between the back of the trailer and the offloading dock, causing the calf to become stuck; the improper placement of the vehicle had previously gone unnoticed by establishment personnel. This represents noncompliance with 9 CFR 313.1(b). (b) (6) took a regulatory control action and placed US retained tag B41826420 on the trailer. The calf's limb was promptly freed, but the animal was nonambulatory, so it was properly stunned and euthanized in accordance with regulations, after which (b) (6) noted a complete fracture of the right forelimb. (b) (6) then removed the retained tag, and offloading was allowed to continue at a slower pace to prevent further injury to the remaining forty calves (b) (6) verified that all remaining calves were offloaded without incident. (b) (6) informed (b) (6) and plant manager Wayne Bucholtz of the noncompliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10114+P 10114+V10 114	C. Roy, Inc.	FEI5512 114220 N-1	11/20/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category VI - Electric Prod/Alternative Object Use On November 20, 2018, at approximately 0740 hours, I, (b) (6), observed the following noncompliance. While on the kill floor, I observed Nate (stunner) standing by the door which leads to the barn. I also observed that a bovine was loose in that alleyway directly alongside the knock box. There was also a bovine already in the knock box. The bovine in the alleyway couldn't move forward because there was a wall directly ahead. Nate was attempting (with a non-electric prod) to get the bovine to back up in the alleyway and re-enter the pens. After at least five separate attempts to move the animal backwards, the bovine continued to struggle and became more agitated. Another employee (b) (6) decided to go into the barn (the back way) to observe the situation. It was then discovered that two other bovines had followed the first bovine into the alleyway. The presence of the two other bovines in the alleyway (directly behind the first bovine in the alleyway) prevented the first bovine from being able to move forward or backwards. After this was discovered, the animals were backed up (one by one), freeing up the alleyway. No rejected tag was used. The establishment's written Systematic and Robust Approach to Humane Handling and Slaughter Program states that all animals are moved with a minimum of excitement. The above findings are in violation of 9 CFR 313.2(a), which states that livestock be handled with a minimum of excitement and discomfort to the animal (b) (6). (b) (6) was notified that a noncompliance report would be issued. There have been no similar noncompliance reports issued in the past 90 days.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21207+P 21207+V21 207	Lorentz Etc. Inc.	RTB042 110551 2N-1	10/12/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>At approximately 1500 hours on October 12, 2018 while performing postmortem voluntary inspection and Humane Handling Verification of HATS Categories VIII (Stunning Effectiveness) and IX (Consciousness on the Rail) on bison, (b) (6) and (b) (6) saw the following noncompliance. (b) (6) was on the slaughter floor inspecting bison carcasses and left the room through the east door after being informed that the establishment was ready to stun the last bison of the day with a firearm. (b) (6) stood outside the door and heard a firearm blast. She then heard noises coming from the slaughter floor, peered through the glass window of the slaughter door and observed people running, and heard employees yelling that an animal was loose. (b) (6) went to the nearby USDA office and informed (b) (6) that an animal was loose on the slaughter floor. (b) (6) proceeded to the slaughter floor and on his way observed an establishment employee in the hallway hurrying to the slaughter floor. This employee is the primary stunner at the establishment. (b) (6) later learned the employee was obtaining additional ammunition from a room approximately 30 feet from the stunning area. The backup ammunition on the kill floor could not be safely procured while the animal was loose. While standing in the hallway, (b) (6) observed a conscious bison on a viscera cart by the cooler door. This cart was approximately twenty feet from the restrainer. (b) (6) observed the employee shoot the bison. (b) (6) entered the kill area and observed the animal unconscious and nonresponsive. The employee then bled the animal. (b) (6) and (b) (6) state that the time between the first and second shot was approximately sixty seconds. (b) (6) requested the employee skin the head and observed two bullet holes. One hole was located at the midpoint of the bison's horns, and</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							one hole was approximately ¼" to the left of the midpoint of the two horns. (b) (6) placed regulatory reject tag B40942633 and informed Plant Manager Rob Lorentz and (b) (6) of the noncompliance.	
M20855	Chenoa Locker, Inc.	SSH531 110062 3N-1	10/23/2018	04C02	Livestock Humane Handling	313.1	23 October, 2018 At approximately 1030 hours during a humane handling review, the following observations were made at establishment 20855 Chenoa Locker. The base of a metal panel of the knock box gate is jagged and bent inwards towards where the animals are positioned for stunning. (b) (6) noted that the state of disrepair of the knock box gate represented noncompliance with 9 CFR 313.1, and could potentially cause injury to the animals. The establishment was immediately notified of these findings.	CLOSED
M20855	Chenoa Locker, Inc.	SSH501 411111 2N-1	11/12/2018	04C02	Livestock Humane Handling	313.2	On 11/8/2018 While performing a Human Handling inspection (b) (6) found that in the holding area outside of building had livestock that did not have access to water. This is in violation of regulation 313.2(3)(e): Animals shall have access to water in all holding pens and, if held longer than 24hrs, access to feed.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21651	Peoria Packing Ltd.	WQF34 071252 28N-1	12/27/2018	04C02	Livestock Humane Handling	313.30 (a)(2), 313.30(a)(1), 313.30(a)(3)	<p>HATS VIII: Stunning Effectiveness and 9CFR 313.30(a)(3): Immediate Insensibility, 313.30(a)(1): Administration of electric current, and 313.30(a)(2): Driving or Conveying of the animals On 12/27/2018 at approximately 1325 hours, I, (b) (6), performed HATS VIII: Stunning Effectiveness at Establishment 21651, Peoria Packing, in the electrical stunning area. I observed an noncompliance, 9CFR 313.30(a)(3), 313.30(a)(1), and 313.30(a)(2) during that time. There were two pigs in the electrical stunning restrainer. Pig (#2) was on top of Pig (#1). The establishment employee (Stunner) placed the electrical prongs onto Pig (#1). As electric current was flowing through the prongs (Pig (#1) was ridged), Pig (#2) touched the prongs with its nose, vocalized and turned its head away. I instructed the Stunner to stop stunning, after Pig (#1) was effectively stunned and notified (b) (6) of my observations. At 1330 hours, (b) (6) arrived at the restrainer and instructed the Stunner to stun Pig (#2). The prongs were placed on the left side of the animal's nick below the left ear. As the Stunner administered the electric current, Pig (#2) vocalized and turned then became ridged. Pig (#2) then repositioned in the restrainer, still conscious (holding its head up and rhythmic breathing). The Stunner quickly repositioned the prongs and effectively stunned Pig (#2). I placed US Rejected Tag #B32550082 on the restrainer. (b) (6) was informed that a noncompliance record will be documented. (b) (6) informed me of the corrective actions then I removed the US Rejected Tag #B32550082 at 1429 hours. No similar noncompliances were documented in the past 90 days.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M27236+V 27236	Sunnyside Meats, Inc.	YOA171 712050 4N-1	12/04/2018	04C02	Livestock Humane Handling	313.30(a)(1)	<p>"HATS Category VIII – Stunning Effectiveness On December 4th, 2018 at approximately 1:25 p.m. while performing a PHIS Humane Handling task, I observed the following deviation: While attempting to electrically stun a sow, plant employee (b) (6) applied the wand from the electrical stunning device 3 different times in different locations. The sow was not rendered unconscious and instead was still standing and vocalized after each attempt. The employee realized the electrical stunning device was not working and I observed it was not plugged in. I told (b) (6), and he quickly went and plugged it in. When (b) (6) attempted to stun the sow again, the sow once again became vocal and was moving on the ground while the wand was being applied. It was unclear if the electrical stunning device was being discharged. I instructed (b) (6), to take further action because the sow was becoming excited and had signs of discomfort, as it was still vocalizing. (b) (6), quickly grabbed the hand-held captive bolt device and applied a stunning attempt which rendered it unconscious. I then requested for (b) (6) to come to the kill floor and explained to him what had happened." (b) (6) informed (b) (6) of the situation and that there would be an NR issued for the deviation. This is a violation of 9 CFR 313.30(a)(1), which requires the electrical current to be applied in a way the minimizes excitement and discomfort."</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M22095+P 22095+V22 095	Creston Valley Meats	QOI131 512452 1N-1	12/20/2018	04C02	Livestock Humane Handling	313.1	HATS VII: Slips and Falls. At 12:00 pm on December 20, 2018, I watched plant employees (b) (6), (b) (6), and (b) (6) attempt to move 3 beef animals into the chute leading to the knock box. When one of the employees waved their arms abruptly, one of the beef animals whirled around, its hooves slipped in mud that was spread across the floor of the pens, and fell to the ground on its left hindquarters. I notified plant manager Ryan Beyler of the noncompliance. No similar noncompliances have been recorded in the previous 90 days.	OPEN
M27440	Valley Beef, Inc.	VEJ531 111131 6N-1	11/16/2018	04C02	Livestock Humane Handling	313.1	At approximately 0810 on 11/16/2018, while performing ante-mortem inspection (and Category VII of HATS task, Slips and Falls), (b) (6) observed the trailer unloading of 14 young fed beef steers at Valley Beef. As the animals exited the trailer, there is a very short alley and then a 90 degree angle turn in to the holding pens. The concrete located at the 90 degree angle turn is relatively smooth without significant corrugations (the rest of the holding area has grooved concrete). Five of the 14 steers slipped and fell, with their bellies or sides touching the floor, as they entered the building. The steers unloaded and entered the building in one large cluster. After righting, the animals did not exhibit any signs of distress or injury. (b) (6) was notified of the incident and the impending non-compliance record. The establishment is currently operating with a written robust systematic approach to humane handling. Upon review of non-compliances over the last 90 days, association is not required. Corrective and preventative measures will need to be instituted before the unloading area can be used again for young fed cattle.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21938+P 21938	EcoFriendly Foods	FYA270 912091 2N-1	12/12/2018	04C02	Livestock Humane Handling	313.2	<p>On December 12, 2018 at approximately 9:20 AM while performing the review and observation component of HATS Category 3: Water and Feed Availability within the humane handling task (b) (6) was inspecting the pens and noticed that the 5 hogs remaining in the pens for the day had no access to water. The waterers had a very small amount of ice at the bottom of the bowl but the water pipe system was not turned on. There was no evidence of other watering implements available. (b) (6) verbally informed the plant manager/owner Beverly Eggleston who brought out a large bucket of warm water to fill the bowls and a trough he had available. The pigs did not seem extremely thirsty. No regulatory control action was taken since the noncompliance was brought into compliance immediately. This is a non-compliance with 9 CFR 313.2(e) that requires animals in pens to have 24 hour access to water. Plant management was notified both verbally and in writing of this non-compliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M27499+P 27499	Wenneman Meat Company, Inc.	RKC561 412240 6N-1	12/06/2018	04C02	Livestock Humane Handling	313.1	<p>On December 6th, 2018, routine slaughter operations were performed. A semi-truck arrived and delivered cattle. The animals were presented for slaughter and the 8 market sized beef in Pen 3 passed ante-mortem inspection. The pen card was signed by inspection personnel at 0930. Employees and inspection personnel returned to the slaughter floor after lunch. A market beef was effectively stunned, exsanguinated and continued throughout the process. I heard a noise and noticed the employee who stuns was in the knock box from the floor side and not the live pen side. I walked over and saw a market size beef had entrapped its head into the bottom of the gate between the runway and the knock box. The opening measured at 9 inches high and 18 inches at its widest point. The animal did not struggle or vocalize. Its breathing was faster than normal, but not labored. The animal was unable to free itself from the entrapment. The decision was made to stun and exsanguinate the animal where it was. The carcass was inspected per Directive 6100.2 and passed. The animal is identified as Lot No. 8340, No. 5997. The animal could be harmed because openings where the head, feet or legs may become injured. The animal was unable to self-retract from the opening at the bottom of the gate. I notified (b) (6), I would issue an NR for the condition. The opening in the bottom of the gate was not covered. allowed a beef to become entrapped and it was unable to self-retract. This is a violation of 9 CFR 313.1(a), HATS Category – Handling During Ante-Mortem Inspection.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31561+V 31561	Maple Ridge Meats LLC	PMM12 101000 09N-1	10/09/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On October 9, 2018, at approximately 1110 hours while performing humane handling verification activities at Establishment M31561, I, (b) (6) observed the following noncompliance. The Establishment moved a mixed breed heifer into the stun box for stunning with a hand held captive bolt. The heifer's head was locked into the head gate. As the Stunner made the first stunning attempt with the captive bolt, the heifer moved its head. The stunning attempt hit the head as evidenced by both the heifers sudden movement away from the stunner and a spot on the head where the captive bolt hit, but the heifer remained standing and did not vocalize. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which made the heifer insensible. Mr. Greg Hathaway, 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
M31561+V 31561	Maple Ridge Meats LLC	PMM14 081141 07N-1	11/06/2018	04C02	Livestock Humane Handling	313.2	HATS CATEGORY III ...Water & Feed Availability At approximately 1716 hours on November 6, 2018, while performing a routine humane handling task, the following noncompliance was observed. I, (b) (6), observed two separate pens of swine in which water was not accessible. In these pens, the water tubs were upright and empty. (b) (6), was immediately notified verbally and in writing of this noncompliance. Plant management immediately performed corrective actions by providing accessible water. This is noncompliant with 9 CFR 313.2(e).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31561+V 31561	Maple Ridge Meats LLC	PMM29 121122 19N-1	11/19/2018	04C02	Livestock Humane Handling	313.2	<p>HATS CATEGORY III ...Water & Feed Availability At approximately 1301 hours on November 19, 2018, while performing a routine humane handling task, the following noncompliance was observed. I, (b) (6), observed one pen containing sheep, in which water was not accessible. The water tub was upright and empty. (b) (6), was immediately notified verbally and in writing of this noncompliance. Plant management immediately performed corrective actions by providing accessible water. This is noncompliant with 9 CFR 313.2(e). A similar noncompliance occurred on November 6th, 2018 and was documented on NR # PMM1408114107/ 1N. Plant Management's response to this NR regarding further planned actions was either not implemented or ineffective. This document serves as written notification of the repetitive nature of this noncompliance and that continued failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action. Establishment management was notified verbally and in writing with this official noncompliance record of the failure of this establishment to meet regulatory requirements.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31561+V 31561	Maple Ridge Meats LLC	PMM10 081252 18N-1	12/18/2018	04C02	Livestock Humane Handling	313.2	<p>HATS CATEGORY III ...Water & Feed Availability</p> <p>At approximately 0700 hours on December 18, 2018, while performing an odd hour humane handling task, the following noncompliance was observed. I, (b) (6), entered the holding pen area with plant manager Greg Hathaway and observed two separate pens of swine in which water was not accessible. Establishment management, Mr. Greg Hathaway, was immediately notified verbally and in writing of this noncompliance. Plant management immediately performed corrective actions by providing accessible water. This is noncompliant with 9 CFR 313.2(e). A similar noncompliance occurred on November 19, 2018 and was documented on NR # PMM2912112219/ 1N. Plant Management's response to this NR regarding further planned actions was either not implemented or ineffective. This document serves as written notification of the repetitive nature of this noncompliance and that continued failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action. Establishment management was notified verbally and in writing with this official noncompliance record of the failure of this establishment to meet regulatory requirements.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M32170+P 32170	Ganaderos Borges Inc.	FNL140 710201 7N-1	10/16/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>Today October 16, 2018 at approximately 1430 hours the following noncompliance was observed. While standing at the inspection station I heard a captive bolt gun being shot at the knocking box. I went to the knocking box area and noticed a sow in the box with a captive bolt shot in the head. I asked the knocker about the shot. It was an ineffective stun. The employee applied an immediate second attempt using electric stun, which rendered the sow into complete unconsciousness. I proceed to stop slaughter procedures. I immediately placed Rejected No.B41427360 to the knocking box since the captive bolt equipment didn't immediately knock the sow unconscious. An immediate corrective action verbally provided by management was the immediate remove of the captive bolt equipment. Regulation 313.15 (a) (1) clearly 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". Management was advice about this NR verbally and also advice of their right to appeal this decision as delineated by regulation 306.5 of the CFR.</p>	CLOSED
M32158+P 32158+V32 158	The Royal Butcher LLC	BXF011 012532 1N-1	12/20/2018	04C02	Livestock Humane Handling	313.2	<p>On December 20, 2018 at 7:40 AM while performing ante mortem inspection I observed 1 beef in the pen with frozen water. This is a noncompliance with 9CFR 313.2(e), wish states that "animals shall have access to water in all holding pens". (b) (6) was notified verbally about the non compliance. They supplied water to the animals immediately.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M33845+V 33845	Moonlight Meat Processing Inc	PPQ510 710411 8N-1	10/18/2018	04C02	Livestock Humane Handling	313.1	10/17/2018 Moonlight Meat Processing Inc M33845, approximately 930 while performing Humane Handling task (b) (6) observed the following noncompliance in pen #2 had 2 broken wires sticking out into the pen area ,right inside the door to the pen where they could possibly cause harm to an animal. (b) (6) tagged the pen with U.S. Rejected tag#B42151284. Anne Bays, Plant Owner was notified of this noncompliance.	CLOSED
M33971+V 33971	McNees Meats and Wholesale LLC	LWA54 101245 03N-1	12/03/2018	04C02	Livestock Humane Handling	313.2	HAT Category III – Water and Feed Availability At approximately 1120 hours on December 3, 2018, while walking through the pens, I (b) (6) noticed that twelve swine were in a pen without access to water. When this was observed, an establishment employee (who was also out in the barn) immediately moved the animals to various other pens and provided water in each pen. No U.S. Rejected Tag was issued since immediate corrective actions were taken. The establishment employee also stated that the animals had just recently been unloaded. I informed Mr. Ernie McNees (Owner), of the events and notified him that a noncompliance report would be issued. The above noncompliance is in violation of 9 CFR 313.2(e). There have been no similar noncompliances in the past 90 days.	CLOSED
M34056+P 34056+V34 056	Olsen Farms Meats LLC	XIC241 010072 5N-1	10/25/2018	04C02	Livestock Humane Handling	313.1	HAT Category III – Water Availability and Accessibility - 9 CFR 313.2(e) On Wednesday October 24th, 2018, at approximately 2:30 pm, I (b) (6), during a routine humane handling task HATS category III, at Olsen Farms Meats 34056, I observed the following noncompliance. A holding pen with three market hogs had no water in the container. Another holding pen with a single steer had no container for water. This is noncompliant. (b) (6) was notified verbally and owner Kira Olsen was notified in writing.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34360+P 34360	House of Halal Meat, Inc	VUA331 012242 8N-1	12/28/2018	04C02	Livestock Humane Handling		On Friday, December 27, 2018 at approximately 10:30 A.M while conducting a routine pre operational sanitation task, I, (b) (6) observed the following non compliance: A. In a hold pen, approximately six cows were ankle deep in mud. The establishment had been warned previously, as documented in a recent MOI, that animals were to be housed on solid non slip surfaces. The animals were having trouble moving around, and having trouble getting to feed and water. The owner, Mr. Mohammad Iqbad was notified. This is notification of the Plant's failure to observe a required federal regulation. In the absence of corrective actions, further administrative or punitive measures may be taken.	OPEN
M34384+V 34384	Elkton Locker and Grocery, Inc.	TLN051 312101 9N-1	12/19/2018	04C02	Livestock Humane Handling	313.1	At approximately 12:40 pm on December 19, 2018, while verifying HATS task category VII, Observation For Slips and Falls, FSIS Inspection Program Personnel (IPP) observed a hog being driven into the stun chute ready to be stunned, when the back legs fell into a gap between the concrete and stunning chute door. The gap is approximately 2 1/2 feet long by 2 1/2 inches wide. Company employees were able to lift the hog into the stun chute with no injury to the animal. I informed (b) (6) of the incidence and that a Noncompliance Report would be generated.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34699	Cox Butcher Shop	TDU150 810513 1N-1	10/30/2018	04C02	Livestock Humane Handling	313.1, 313.2	On 10-30-18 at 0700 as I inspected the holding pens I noticed on the north side that the wire panels and steel bar brace are pulled lose and could become a hazard for injury to bovine feet. I notified (b) (6) and (b) (6) 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
M31578	Trenton Processing Center, Inc.	LKK461 010040 3N-1	10/03/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(1) (i)	On 10/3/2018 at 10:00AM while at Establishment M31578 (b) (6) observed the following noncompliance's while performing Hats Category VIII Stunning Effectiveness 313.16(a)(1) , 313.16(b)(1) While attempting to shoot a sow plant owner Gary Schwend's first shot behind the ear did not render the sow unconscious. Gary immediately fired a second shot into the top of the sows head rendering the sow unconscious.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31578	Trenton Processing Center, Inc.	LKK490 711332 9N-1	11/29/2018	04C02	Livestock Humane Handling	313.1, 313.15(b)(1) (iii)	On 11/28/18 the (b) (6) had a few area pointed out by the (b) (6) on the establishment knock box and holding that are of concern during an inspections. In the knock Box the restraint plate has quite a few corroded rust holes in it that is a concern for possible feet injury or hair snagging, also in the knock box area the drop door has a few curls semi sharp ridges that even had hair in it were animals may have snagged hair on it, the other concern are was in the holding pens on spot was the bottom of the gate closest to the load area has a broken weld and has a sharp end on it, and a few spot in several area that has rusted through pipes , both of these are concerns for possible injury to the animals. The CSI will follow up accordingly based on what the establishments plan of action is to rectify these non regulatory concerns. all these concerns is covered in 9 CFR 313.1(a) which covers Livestock pens, driveways and ramps and 313.15 (b)(1)(iii) which covers Adequate restraint; stunning area design and construction all of this was noticed during Handling During Ante Mortem Inspection HATS category task. These concerns were discussed with Gary Schwend (Establishment owner) and (b) (6)	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M39968+P 39968	Donald's Meat Processing, LLC	PIF1809 120617 N-1	12/17/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	<p>On December 17, 2018 at approximately 10:00 AM while performing the review and observation component of HATS Category 8: Stunning Effectiveness within the humane handling task (b) (6) was observing the stunning of a steer. The plant employee discharged the rifle and hit the steer. The steer remained standing, dropped its head briefly for a second and then raised it again and continued to observe its surroundings. After the ineffective stun, the plant employee immediately grabbed a back-up firearm and delivered a successful second shot which brought immediate unconsciousness to the steer. A third shot, security knock, was also taken by the plant employee. After the effective second stun, the animal remained unconscious through bleeding, shackling, hoisting and skinning. On post-mortem examination, there were three holes in the skull: one above the right eye, and two in the proper location. (b) (6) verbally informed the (b) (6), and texted plant manager Rosalea Potter of this non-compliance. No regulatory control action was taken since this was a single, isolated, non-egregious incident. This is a non-compliance with 9 CFR 313.16(a)(1) and 9 CFR 313.16(a)(3) which require animals to be in a state of immediate unconsciousness after a single gunshot. Plant management was notified both verbally and in writing of this non-compliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M40236	Marks Custom Meats LLC	JXW550 711141 3N-1	11/13/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On November 13, 2018 at approximately 0840 hours while performing humane handling verification activities at Establishment 40236, I observed the following noncompliance. There were several market hogs freely standing in the stunning area during stunning. The stunner made a stunning attempt on a market hog with a hand held captive bolt. The stunning attempt hit the hog's head but the hog was still standing and vocalizing. The establishment was unable to immediately dislodge the captive bolt. The stunner took immediate corrective action and used the rifle to deliver a second stun which was effective in producing unconsciousness. Mark Bair, plant owner, was informed of the noncompliance. The establishment is not complying with 9CFR 313.15(a)(1).	CLOSED
M40253	Downing Cattle Company, Inc.	LMI001 310111 0N-1	10/10/2018	04C02	Livestock Humane Handling	313.16(a)(1)	On October 10, 2018, at 12:52 hours, while performing the Humane Handling Task, I, along with (b) (6), observed an incident at Downing Cattle Company in which a single shot with a .22 long Rifle delivered to a hog did not produce immediate unconsciousness. The animal remained standing after the first shot and was alert. A second shot was delivered immediately from a second weapon, .22 Magnum, and effectively rendered the animal unconscious. The owner of the establishment, Mr. Jeff Downing, was notified of the noncompliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44779	Faulkner Meats	VMV58 071131 28N-1	11/27/2018	04C02	Livestock Humane Handling	313.2	November 27, 2018 HATS Category III: water and feed availability The following observation was made by the SVMO while present at Faulkner Meats (M44779) Taylorsville, KY: At approximately 1300 hrs. EST a holding pen containing three heavy calves, two beef and one dairy, were found to be without access to water; an empty, dry bottom of a plastic drum was observed in the corner of the pen. Also, the alleyway leading to the kill floor was partially closed- off and held approximately 20 mature sheep/lambs; they too were without access to water and had no visible means to make water available to them. The above animals had been declared for Federal Inspection at 1000 hrs. EST. (b) (6) [REDACTED], was informed of this non-compliance and the forthcoming non-compliance record.	OPEN
M44950+P 44950+V44 950	Schrader Farms Meat Market	JKL480 710502 6N-1	10/26/2018	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII - Stunning Effectiveness At approximately 0830, I observed A Black steer loaded into the knocking box. Plant employee delivered an initial shot from a 20 gauge shotgun. The steer remained conscious, showing signs of sensibility with rhythmic breathing, vocalizing and looking around. The employee immediately administered a second shot that rendered the steer unconscious. I verbally notified the plant manager, Kara Schrader, of the non-compliance with 9 cfr 313.16(a)(1).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45119+P 45119	Red Barn Meats Inc.	ZWQ33 071119 30N-1	11/30/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Category VIII- Stunning Effectiveness While performing slaughter inspection duties at Red Barn Meats, Inc. Est. # M45119, at approximately 0715, I observed the following noncompliance. After a Black Angus heifer was properly restrained in the head chute, the plant employee applied the captive bolt stunning device. At the last moment the heifer moved and received a minimal application of the device. The heifer remained standing and did not vocalize, tremble or show any signs of discomfort. The plant employee then took immediate corrective action and used a firearm as a stunning device and the heifer was rendered insensible to pain. The heifer was then shackled, hoisted and stuck without returning to consciousness. This is a failure on 9 CFR 313.15 (a) which requires the animal to be rendered insensible with a single application of a stunning device. Jordan Brandt, Plant Manager of Red Barn Meats, Inc., was verbally informed of this noncompliance at approximately 0720.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1061	Happy Valley Processing Inc.	JYP131 011391 5N-1	11/15/2018	04C02	Livestock Humane Handling	313.2	<p>On 11/14/2018 at approximately 8:05 A.M., I performed ante-mortem and all the pens had water for the animals. Throughout the day one of the steers knock over the water in the pen 3 and J.E. refilled the water. Then when those animals were moved to be slaughtered one of the steers knock the water over again. When the plant moved an animal from pen 5 to pen 3 to be able to open the gates to give access to the alley way to lead the animal into the knocking box, there was no water in the pen was available to the animal. This is a non-compliance with 9 CFR 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. There shall be sufficient room in the holding pen for animals held overnight to lie down. GDA notified (b) (6) of the non-egregious non-compliance. Plant Response: (b) (6) reiterated with all employees' that work on the kill floor, the importance of water availability at all times to the animals. (b) (6) stated the plant will put a new water line that goes to each pen that can receive water from one turn of the spigot. Also, the plant will chain each bucket to the wall where it is not as likely no to be turned over by an animal.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45200+V 45200	Makaweli Meat Company	FUS161 711592 1N-1	11/21/2018	04C02	Livestock Humane Handling	313.2	<p>Humane Handling: 11/21/2018 On 11/21/2018, at approximately 0600 hours, (b) (6), informed me, (b) (6), that I could proceed to perform my Ante-Mortem inspection of the livestock in the pens. I proceeded with my inspection and I observed a total of nine (9) cattle in different pens. I observed one pen had two animals with a blue barrel, positioned at the corner, and the inside was dry. I continued with my inspection and I observed seven cattle were in two separate pens, tub position between the pens, less than half full of water. I notified (b) (6) that one of the pens with two animals had an empty blue barrel for water, no access to water, noncompliance of 9 CFR 313.2(e), and will be documented. (b) (6) asked one of the employees to fill the blue barrel with water for the animals. (b) (6), was notified at approximately 0720 hours of the noncompliance. In accordance with Code of Federal Regulations: Title 9, Part 313 (Humane Slaughter of Livestock), Section 2(e) states: "Animals shall have access to water in all the holding pens and, if held longer than 24 hours, access to feed." MOI: FUS0402044230G, Humane Handling (access to water), dated 4/30/2018. Establishment Awareness Meeting with the establishment dated 5/11/2018, FUS4512053114E: Humane Handling was discussed during the meeting by (b) (6). Further planned corrective actions will be addressed in response to this noncompliance record by the establishment.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45272+V 45272	Real Meats LLC	NWJ50 101003 30N-1	10/30/2018	04C02	Livestock Humane Handling	313.16(a)(1)	Tuesday, October 30, 2018 at 0945 hour- After performing ante-mortem inspection at the hog pen, I observed the following noncompliance: On the 4th of the 6 hogs that were stunned, I observed eye movement and labored breathing coming from the 4th animal that was stunned. The hog was resting on its belly when the 1st shot was placed to the head therefore, the animal was already down. The head of the hog was in a upright position and did not drop once the shot was placed to the head. After further investigation, it was determined that the animal was not rendered unconscious from the 1st gun shot. The person performing the stunning by gunshot immediately applied a second shot where the animal was then made to be insensible. I notified Mr. Joey Long (Plant Manager) of the noncompliance. 9 CFR 313.16(a)(1) states in part: 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. This document serves a written notification that your continued failure to comply with regulatory requirements could result in additional regulatory or administrative action.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46407	Open Range Beef, LLC	LPN4010102111N-1	10/09/2018	04C02	Livestock Humane Handling	313.1	<p>From October 8 through October 10, 2018, (b) (6) conducted an onsite Humane Handling review of the Establishment 46407 M, Open Range Beef Humane Handling Program. During the review the following observations were noncompliant with Title 9 CFR 313.1(b). On October 8, 2018 during antemortem inspection three animals were observed to slip on the flat rubber mat in the alleyway, one of these animals lost her footing and fell resulting in knee contact with the ground. On October 9, 2018 while watching unloading, several animals were seen to slip at the end of the unloading ramp and then trip over the edge of the woven rubber mat at the base of the unloading ramp. Review of the construction and maintenance of the facility showed that the establishment utilized wire, consistent with baling wire to hold the leg and belly wash hoses in place on the fencing. The wires had worked loose, and the free ends extended from the fence. The loose wire extended approximately six to eight inches from the surface of the fence and provided a hazard to the animals held in the pen who may have an opportunity to poke themselves with the wires. This is a noncompliance with Title 9 CFR 313.1(a). The floor of the pens is constructed of grooved concrete. In the pen immediately adjacent to the unloading chute parts of the floor of the pen are in disrepair resulting in a significant triangular deficit in the surface of approximately ten inches by six inches and one inch deep. This surface deficit may result in tripping or falling for animals held in the pen. This is a noncompliance with Title 9 CFR 313.1(b). These observations and the subsequent issuance of the noncompliance report were discussed with (b) (6).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8+V8	Iowa Premium, LLC	VSH151 410411 7N-1	10/16/2018	04C02	Livestock Humane Handling	313.2	<p>On Tuesday October 16th at approximately 8:00 AM, I, (b) (6) was performing HATS Category III task, food and water availability in the barn of establishment M8 when I observed a noncompliance. When I checked pens 4, 5, and 6 I noticed there were approximately 15 head each in of pens 4 and 5 and the waterers were off and held no water in them. This resulted in approximately 30 head of cattle with no access to water. I inquired with the (b) (6) as to why and how long these waterers were off resulting in cattle without water. She informed me they were functioning when she had left the day prior. (b) (6) discovered the water main to that section of the barn had been turned off by maintenance to fix a leak and had not been turned back on. She immediately turned the water back on to those pens restoring water to those cattle. I informed her that this was a noncompliance with regulation 9 CFR 313.2 (e) and I would be issuing an NR for the noncompliance.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46910+P 46910+V46 910	B & R Meat Processing	XXC021 410171 7N-1	10/17/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	<p>Non-compliant citation for violation of 9 CFR 313.16(a)(1) & (3) stunning effectiveness (HATS task VIII). On October 17, 2018, at B&R Meat Processing, establishment M46910, at approximately 1330 hours, I, (b) (6) observed a stun failure on a market hog presented for slaughter. This hog was confined in the knock box and the first stun attempt with a .22 Cal. rifle failed. The hog was still standing, alert and vocalizing loudly after the first shot. The employee immediately reloaded the rifle, and successfully performed the stun procedure. I visually inspected the prone carcass after the second stun attempt for any signs of consciousness; none were observed. This hog was now laying on its side in a convulsive seizure; it was not breathing and its eyes were fixed in a blank stare. I continued to monitor this hog for any signs of conscious during shackling, the stick procedure and bleed-out. I informed Mr. Scott Ridenoure, President & Plant Manager, of the stun failure and that a noncompliance record would be documented for the failed stun. A regulatory control of the stun process was not taken for this event because the immediate corrective measure (the second stun attempt) was determined to be effective. This document serves as notification that continued failure to comply with regulatory requirements could result in further administrative actions.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP050 810561 1N-1	10/11/2018	04C02	Livestock Humane Handling	313.15(a)(3)	<p>On Thursday, October 11, 2018, at approximately 0525 while verifying HATS category VIII: Stunning Effectiveness, I, (b) (6), observed the following non-compliance. I observed a well fleshed steer on the floor of the shackling station begin to regain consciousness as evidenced by some low-level vocalization, a small amount of eye movement, and an attempt to lift its head. The animal was shackled, but not yet hoisted. The stunning employee observed these changes and immediately retrieved the standby captive bolt device and administered an effective second stun, as per the establishment's humane handling program. The plant employee verified the animal was insensible; additionally, I verified that the second stun rendered the animal unconscious. I informed (b) (6) of the noncompliance with 9 CFR 313.15(a)(3). I proceeded to apply US reject tag B36296364 to the knock box in accordance with 9 CFR 313.50(c). Establishments must ensure that once knocked, animals must remain in a state of unconsciousness throughout the shackling process. Upon receipt of adequate corrective actions, the knock box was released at approximately 0730 hours.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP280 810551 8N-1	10/16/2018	04C02	Livestock Humane Handling	313.15(a)(1)	On 10/16/2018 at approximately 0740 hours, I, (b) (6), while performing HATS category VIII, stunning effectiveness for the Livestock Humane Handling, observed the following non-compliance. A beef cow required 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 with head raising movements and rapid eye movements. The stunning employee took immediate corrective action to properly stun the animal with a second knock per the establishment's written humane handling protocol. I notified (b) (6) of the noncompliance, and tagged the knock box with US Reject tag No. B26818765 in accordance with 9 CFR 313.50 (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). This noncompliance is linked to a similar stunning noncompliance that occurred on 10/11/2018, NR RAP0508105611N.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP221 410221 7N-1	10/17/2018	04C02	Livestock Humane Handling	313.1	<p>On 10/17/2018 at approximately 1130 hours, I, (b) (6), observed the following noncompliance while performing the Livestock Humane Handling task. I observed that the cattle round pen (which leads into the chute to the knock box) had a rusted/broken hole in a metal ground plate that contained sharp jagged metal edges, and was large enough for a cow to step into. The round pen was empty at the time, though is used on all cattle slaughter days, and I tagged the gate to the round pen with U.S. Rejected No. B36462893. I notified (b) (6) of the noncompliance. As the establishment failed to maintain the livestock pen in good repair, free from sharp objects or unnecessary openings which may cause injury or pain to the animals, a violation of 9 CFR 313.1 (a) exists.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46837+P 46837	Adam Farms, LLC	JSO511 010460 3N-1	10/03/2018	04C02	Livestock Humane Handling	313.16(a)(1)	On Wednesday, October 3 2018, while performing a HATS category (Stunning Effectiveness) on the Slaughter floor at 11:20 am. The rifle being used was a 22 magnum. I observed the first shot fired did not stun the animal. There was blood coming from the nose, but the animal was still standing and alert but did not vocalize. Immediately (b) (6) shot the animal again with the 22 Magnum and this stun was successful. (b) (6) was verbally notified of this noncompliance citing regulation 313.16(a)(3). I placed two rejection tag on the knock box's. One tag No. B36 243473 and the other NO. B36 243472.	OPEN
M19290+P 19290+V19 290	Working H Meats, LLC	NAW20 101056 15N-1	10/12/2018	04C02	Livestock Humane Handling	313.16(a)(1)	. HATS Category VIII-Stunning Effectiveness On October 12, 2018, at approximately 14:38 hours, I (b) (6), observed that a hog was brought into the knock box. The stunner proceeded to place the captive bolt on the hog, and then the captive bolt was shot. The stunner told the restrainer to back up, he then picked up the 22 magnum, walked out to the alleyway leading to the knock box and immediately re-stunned the hog. My supervisor, (b) (6), also verified this action, and (b) (6) immediately went out to seek Terrie Hardesty, the establishment owner, to inform her that this would be documented as a Noncompliance stunning effectiveness per 9 CFR 313.16(a)(1). This Noncompliance is being linked to Noncompliance-NAW5012090606/1N written September 6, 2018. The establishment's previous corrective actions, per owner Terrie Hardesty stated, re-training on the placement of the shot and chart were not effective in preventing the noncompliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19290+P 19290+V19 290	Working H Meats, LLC	NAW16 081001 23N-1	10/19/2018	04C02	Livestock Humane Handling	313.1	HATS Category III-Water and Feed Availability On October 19, 2018, at approximately 0803 hours, I (b) (6), while performing livestock humane handling, I noticed pen 4 had no water. There were 2 steers in the pen, they did not appear to be in distress. The establishment employee came out to the barn about 3 minutes later, and I pointed out that pen 4 had no water. The employee stated, "yes that's what I'm about to do." After completing my task, I went to find the owner, Terrie Hardesty, and explained what I had found. I told Terrie this is a noncompliance per 9CFR 313.2(e). This Noncompliance is being linked to NAW4909095711N-1 written on September 6, 2018. The establishment's previous corrective actions, per Terrie Hardesty, that the establishment employee would continuously check the pens for water was not effective in preventing further noncompliance's.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45422+V 45422	Messina Meats	BEJ541 712351 ON-1	12/10/2018	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3)	<p>On 12/10/18, at approximately 0826 hours, while performing a humane handling task, I observed a plant employee apply water to back wool of ewe in the knock box. The employee then took the electrical stunning wand and placed it to the head approximately behind the ears of the ewe. The ewe went down in the knock box. The employee opened the side door of the knock box and pulled the animal into the blood pit area. The animal was still visibly conscious. The ewe was rhythmically breathing, and voluntarily blinked approximately 4-5 times. The plant employee quickly recognized the animal was still conscious, reached for the captive bolt nearby. He fired a single blow to the back of the ewe's head. The animal was rendered unconscious at this time (approximately 20 seconds after the initial mis-stun). I informed Mr. Nunzio Femino, Plant Manager, of the noncompliance at approximately 0831 hours.</p> <p>The findings of this observation were regulatory noncompliance with 9 CFR 313.30(a)(1) and 9 CFR 313.30(a)(3) due to failing to render the animal unconscious immediately with the initial application of the electrical stunning wand. Failure to comply with regulatory requirement(s) may result in additional regulatory or administrative actions as described in 9 CFR 500.4.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48108+P 48108	Julius Falkavage LLC	HDJ130 911001 5N-1	11/15/2018	04C02	Livestock Humane Handling	313.2	Upon entry of the establishment at approximately 645AM, I became aware that a holding pen of 6 market swine had no water to drink. Immediately I notified (b) (6) of the non-compliance (b) (6) explained that he put water in a white tube with a metal drinking apparatus the day prior but this unit was frozen solid. A green plastic container normally used for water was empty lying in the pen corner. The 6 market swine were held over night. This is a non-compliance with 9CFR 313.2e HATS category III Water and Feed Availability. Upon notification of the non-compliance a small red container of water was given to the market swine at approximately 0710AM.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46877+P 46877	Seven Hills Abattoir	NOA40 101238 18N-1	12/18/2018	04C02	Livestock Humane Handling	313.1	On December 18, 2018 while performing the review and observation component of HATS Category 7: Slips and Falls within the humane handling task, (b) (6) observed the movement of 22 cattle in the pen system and 11 cattle in the chute and knock box. Of the 22 animals observed moving through the pen system, two cattle fell while being moved at a normal walking pace. The cattle slipped trying to get back up but eventually got their footing and continued moving. The establishment employee did not move the animals with excessive excitement, prodding, or alternative objects. Of the 11 cattle observed being moved into the knock box and standing prior to stunning, 2 animals lost their footing completely and fell (one ended up sitting and not attempting to re-stand), and 4 others slipped. The knock box flooring is a sloped brick floor that is slick when wet. The pen system has a smooth concrete floor. This is a non-compliance with 9 CFR 313.1 which requires facilities to be constructed and maintained to provide good footing for livestock. (b) (6) verbally informed the plant manager, Dalton Mosser, of this non-compliance. Plant management was notified both verbally and in writing of this non-compliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45629+V 45629	Andy's Meats Inc.	DJP130 812101 4N-1	12/14/2018	04C02	Livestock Humane Handling	313.1	<p>At approximately 0600, during an odd-hours humane handling inspection; while observing HATS Categories II Truck Unloading and VII Observation for Slips and Falls; I, (b) (6) [REDACTED], observed a trend of market hogs slipping on the unloading ramp. The ramp is constructed of wood with 2X4s providing cleats spaced approximately 18 inches apart. During unloading, the wood was wet, and hogs were slipping on the wooden surface between cleats.</p> <p>Near completion of the unloading of the trailer, three hogs were observed to slip and fall. No animals were injured. This is noncompliance with 9 CFR 313.1(b) which requires that floors of ramps be constructed and maintained to provide good footing. The unloading ramp was rejected with U.S. Reject Tag # B35822861 pending corrective actions. The establishment's animal handlers were notified of the rejected ramp and Plant Manager Andy Zubek was notified of the rejected ramp and NR.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M157+P15 8+V157	Sailer's Food Market and Meat Processing, Inc.	MKU25 121112 21N-1	11/21/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 11/21/18 at approximately 0905 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 forehead 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 grabbed a rifle 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. (b) (6) also observed the non-compliance. This is a noncompliance with 9 CFR 313.15(a)(1) (b) (6) informed Establishment Owner Jake Sailer of the noncompliance and issuance of the noncompliance record. After Mr. Sailer provided verbal corrective actions and preventive measures, slaughter activities were resumed.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48184	Hawaii Island Meat Cooperative	GHV22 131205 14N-1	12/14/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 12-13-2018 at approximately 7:45am I (b) (6) while performing Livestock Humane Handling Task I observed the first sheep of the day was restrained and the plant employee proceeded to stun the sheep with the hand held captive bolt gun. Post stunning the sheep showed signs of consciousness with natural blinking, no vocalization was made. The Establishment made immediate corrective actions and applied a second stun by reloading the captive bolt gun and administering a second stun. After the second stun the sheep was rendered unconscious. I, (b) (6) informed (b) (6) that a humane handling noncompliance record (NR) was going to be issued for this event (b) (6) observed the head of the first sheep at post mortem and concluded that the location of the knock was administered too low, which caused the deviation. (b) (6) corrective action was to administer the remainder of the stuns for the rest of the day himself (which were all successful and monitored for effective stuns). The Establishment plans on adding a sheep stunning location diagram to their HACCP Plan so establishment employees can review the proper placement procedures. There have been no associated noncompliance records with same root cause within the past 90 days.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45856+V 45856	Prime Pork LLC	ODB33 151258 21N-1	12/21/2018	04C02	Livestock Humane Handling	313.2	HATS Category III. At approximately 1148 hours while performing ante-mortem inspection, I noticed that pen 23 (tattoo 3890) arrived at 1128 on the previous day (12-20-2018) according to the livestock pen card, and there was no visible feed in the pen. I continued a HATS task (Category III) started earlier this morning and (b) (6) had confirmed that pen 23 had not been fed and there was no record of feeding pen 23. Pen 23 was held longer than 24 hours and not given access to feed and (b) (6), (b) (6), and (b) (6) were notified of this noncompliance. Yards personnel immediately provided 50# of feed to the pen of pigs, as they were not slated to be slaughtered until later this afternoon. Not providing animals with feed if held longer than 24 hours in a noncompliance with 9CFR 313.2(e).	CLOSED
M45919+P 45919	Circle C Farm Abattoir & Butcher Shop, LLC	QWL27 121200 14N-1	12/13/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	While doing a routine inspection for the PHIS Humane Handling task on 12/13/18 at approximately 10:45 AM an noncompliance was observed. On the 5th lamb of 6th that were slaughter during this date, the establishment slaughter guy did not produced immediately unconsciousness to the lamb after the first shot during ante-mortem. The animal was being stunned by gun shot when it moved it head just as the shot was being applied. The lamb went down after the first shot but continue it to have rhythmic breathing and moving it neck up right. The establishment employee immediately applied a second shot to the lamb to made it insensible; this second shot was effective and the animal got unconsciousness. 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

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48210	Summit Meat Processing	SLG450 510060 5N-1	10/03/2018	04C02	Livestock Humane Handling	313.2	At approximately 7:30 on 10/03/2018 a beef and pens with four lambs were observed without access to water. Slaughter personnel were notified and water was placed in pens. (b) (6). owner was notified that animals must have access to water at all times and feed if held over 24 hours. Category III - 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.	CLOSED
M45928+P 45928	Central Missouri Meat & Sausage	CRN071 612432 6N-1	12/26/2018	04C02	Livestock Humane Handling	313.2	HATS Category III- Water Availability On December 26th, 2018 at approximately 15:30 hours while performing a routine Humane Handling Verification Task, I (b) (6) observed the following noncompliance. In the holding pen, swine that was being held for the following day's inspected slaughter did not have access to water. I observed the nipple type waterers on both sides of the pen were 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

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45948	Ida-Beef LLC	AKL371 410551 6N-1	10/16/2018	04C02	Livestock Humane Handling	313.2	Category III – Water and Feed Availability; Category IV – Antemortem Inspection; Category III – Water and Feed Availability On Tuesday October 16th, 2018 at 1325 hours, I, (b) (6) [REDACTED], while performing a routine ante mortem inspection observed the following noncompliance. On this date, Establishment management personnel requested ante mortem inspection to be performed on one lot of beef cows. The pen contained hay and six barrels for water, three on each end of the pen. All six water barrels were found to be dry and void of any water. Plant management personnel stated the water buckets had been filled this morning and they would get them immediately refilled. I then notified the (b) (6) [REDACTED] of the non-compliance and that an NR would be issued. A review of previous non-compliances in the last 90 days found no other similar non-compliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45948	Ida-Beef LLC	AKL290 912480 5N-1	12/04/2018	04C02	Livestock Humane Handling	313.2	<p>On 12/4/18 at approximately 1215 (b) (6) was asked verbally by the knocker to do an Ante-Mortem on 2 lots of cattle. After donning his coat, (b) (6) preceded to the holding pens to perform Anti-Mortem at approximately 1220. Upon viewing the Plants watering system for the animals (b) (6) observed that all the water barrels were frozen. Thus; not giving the animals the ability to use the water when they needed it. (b) (6) informed the plant designee of the inability of the animals to use the water barrels since they were not being maintained properly. Which mandated a non-compliance. (b) (6) performed the Anti-Mortem as requested, then preceded in to the Knock box area. Mr. Tom Claycoln, Plant Manager was Notified promptly at 1228 and asked to halt production until the water issue was resolved. This was about 2 minutes down time since the plant was going to lunch at 1230. There was a regulatory control action taken and retain/reject tag B40246029 was applied to the knocking area. (b) (6) then informed (b) (6) of the situation. When asked for a corrective action, (b) (6) stated; "that he would work with the designee that checks the water for the rest of the day". The regulatory control action was removed at 1245 after (b) (6) and (b) (6) verified that the animals had water. The plant's Animal Handling Plan States; (b) (4) The plant's Operation Water Log had an entry for 1225 that was acceptable for water at that time; IPP found the deficiency at 1225. Further preventative measures given by (b) (6) were; "we are installing heated water troughs when we add the new concrete in the pens". There has been 1 similar non-compliance (AKL3714105516 dated 10/16/18) observed by the inspection staff in the preceding sixty days. The plant's monitoring</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							system was inadequately implemented and failed to detect this Humane Handling deficiency. The Plants previous corrective actions and further preventative measures were either ineffective or poorly implemented.	
M48219+P 48219	Panola County Processing LLC	QGD21 161230 20N-1	12/20/2018	04C02	Livestock Humane Handling	313.15 (b)(1)(ii)	<p>On 12 20 18, at approximately 0955 hours, I observed the following noncompliance: I observed an employee attempt to poll stun an animal (cow). The employee positioned to stun the animal using a captive bolt gun and the gun mis-fired. The skull was not penetrated. The employee attempted to stun the animal with the same captive bolt gun a second time and the gun mis-fired again. The animal was alert (looking around) during the first two stunning attempts. On the third attempt the gun fired correctly and the animal was immediately rendered unconscious. There was no attempt to utilize the backup captive bolt gun or .410 rifle which is available to the kill operator. Also, there was no supervisor present during the stunning attempts. I verbally notified (b) (6) of the incident. (b) (6) stated, "Sometimes the gun will get wet and it will cause the gun to mis-fire." I requested records from (b) (6), to determine when the last time maintenance was done on the guns. The last maintenance on the guns was performed on 12 19 18, with no repairs documented. The establishment is reminded animals must be shot in such a manner that they will be render unconscious with a minimum of excitement and discomfort. The establishment hasn't had any humane handling issues in the last 90 days. The establishment failed to comply with 9 CFR 313.15(b) (1) (ii) which states, "stunning instruments must be maintain in good repair."</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46011	Homestead Farm and Packing, LLC	KHO06 121102 01N-1	11/01/2018	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII – Stunning Effectiveness – On the above date, at approximately 7:35 A.M., I observed the following noncompliance while performing a routine Humane Handling task. After loading a swine into the stunning box, (b) (6) 1st gunshot was unsuccessful in rendering the animal unconscious. He took immediate action by firing a 2nd gunshot that did immediately render the animal unconscious. I immediately notified (b) (6) of this noncompliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M51283	Dean & Peeler Meatworks LLC	YWH24 091117 09N-1	11/05/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3), 313.16(a)(1), 313.16(a)(3)	<p>At approximately 9:45 AM on Monday November 5th, 2018 while on the kill floor, I observed (b) (6) deliver an ineffective stun with the captive bolt on a sow. The captive bolt jammed and he immediately proceeded to use the .38 in which the 2nd and 3rd knock were unsuccessful. He then delivered a 4th knock which then rendered the sow unconscious. The establishment has a Robust Systematic Approach to Humane Handling with all records of maintenance of captive bolt and .38, personnel training, and assessment of facilities and personnel to determine that they have the knowledge, skills, and abilities necessary to minimize distress and injury to livestock. However, due to this incident, establishment will have to put corrective actions in place to prevent this issue from reoccurring and thus render livestock unconscious immediate and effective (b) (6) was notified and (b) (6) was notified and later arrived at establishment. The above issues were not in compliance with the following regulations from 9 CFR: § 313.15(a)(1) Mechanical; captive bolt. "The slaughtering of sheep, swine, goats, calves, cattle, horses, mules, and other equines by using captive bolt stunners and the handling in connection therewith, in compliance with the provisions contained in this section, are hereby designated and approved as humane methods of slaughtering and handling of such animals under the Act...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 or discomfort." § 313.15(a)(3) Immediately after the stunning blow is delivered the animals shall be in a state of complete unconsciousness and remain in this condition throughout shackling, sticking, and</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>bleeding. § 313.16(a)(1) Mechanical; gunshot “ ”. 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 before it is shackled, hoisted, thrown, cast, or cut. The animal shall be shot in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort.</p> <p>§ 313.16(a)(3) Immediately after the firearm is discharged and the projectile is delivered, the animal shall be in a state of complete unconsciousness and remain in this condition throughout shackling, sticking, and bleeding.</p>	
M46081+P 46081	Foster's Meat	WLD27 121251 20N-1	12/20/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>On the afternoon of December 20th, 2018 at establishment 46081 in Duncan, South Carolina, I performed the USDA, FSIS Livestock Humane Slaughter task. I was accompanied by (b) (6) of the FSIS Atlanta District Office. At approximately 1240 hours, an establishment employee used a .22 Magnum rifle to stun a medium size (market weight) hog. The first shot employed was not completely effective in rendering the animal fully unconscious. It remained upright. Establishment personnel took immediate and effective corrective action by employing a second shot, which rendered the animal unconscious. Post mortem examination of the carcass revealed two entry points. This scenario represents noncompliance with applicable regulation(s), cited in block six of this report, which serves as notice and record of such. The matter was discussed with owner/operator Jennifer McAbee. Continued failure can result in additional regulatory or administrative action(s). The method to appeal an Inspection Program Personnel (IPP) decision is described in 9 CFR 306.5 and 381.35</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48260	Walhalla Valley Smokehouse & Market, LLC	YSX281 411270 8N-1	11/08/2018	04C02	Livestock Humane Handling	313.2	HATS Category III- Water and Feed Availability (9 CFR 313.2) On November 7, 2018 at approximately 1325 hours, while conducting an antemortem inspection of the holding pens at Walhalla Valley on a slaughter day, (b) (6) and I, (b) (6) observed that Pen 1 which was occupied by one pig, did not have water available to the animal. There was no water bucket in the pen. In accordance with 9 CFR 313.2(e) water must be available to livestock in all holding pens (b) (6) notified Kurt Morrill, Plant Manager, of the noncompliance at the time of the incident. This noncompliance represents a failure of the plant to demonstrate it is implementing a robust humane handling plan. Further noncompliance may result in regulatory control action.	CLOSED
M46085+P 46085	Stevens Abattoir Inc.	CXM49 131212 13N-1	12/13/2018	04C02	Livestock Humane Handling	313.1	Category: Water and Feed Availability While conducting a humane handling inspection at Stevens' Abattoir at approximately 10:00am on December 13 the following non compliance was observed. The animal that was 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

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48264	Southwest Native Meats	GDB081 211402 3N-1	11/23/2018	04C02	Livestock Humane Handling	313.2	HATS Category III: Water/Feed Availability: 9CFR 313.2(e), On November 23, 2018 at approximately 10:30am, while conducting a routine Humane Handling Task at Establishment #48264, Southwest Native Meats, the following noncompliance was observed: (b) (6) observed there was no water in the pen where there were 3 sheep held. (b) (6) verbally notified establishment manager Franco Lee of the noncompliance with 9CFR 313.2e. Mr. Lee immediately took action by moving the sheep to another pen that had water and informed (b) (6) that the reason there was not any water was due to the water hose was busted because of low temperatures. (b) (6) and (b) (6) had discussed the importance of water and food being available to livestock the week prior 11.12.18 to 11.16.18 and the conversation was documented in weekly meeting MOI GDB5608113919G.	OPEN
M51309+V 51309	Texas Packing Co.	OLR571 611321 2N-1	11/12/2018	04C02	Livestock Humane Handling	313.50	On November-12-2018, while touring the holding cattle pens at approximately 1312 hours the following non-compliance was observed; Nine of the cattle holding pens were observed to have stagnant water in them. all of the cattle in these holding pens were observed to be knee deep (approximately 8 to 12 inches) in the wet saturated ground. The cattle that were resting, were resting in wet muddy soil. These cattle were immediately moved to a drier holding pen, to allow the reconditioning of these wet saturated pens. (b) (6) and (b) (6) were notified of the non-compliances and that a NR would be issued. This is a violation of title 9 CFR part 313.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M51309+V 51309	Texas Packing Co.	OLR161 711481 5N-1	11/15/2018	04C02	Livestock Humane Handling	313.1	On November-15-2018, at approximately 1035 hours while performing beef cattle anti-mortem inspection the following non-compliances were observed; Several cattle holding pens, loaded with cattle, were observed to have no water available to these cattle. Cattle pens #s 13, 28, 30, 31, & 35 were rejected because of no water available. Title 9 CFR part 313 requires animals to have access to water in all holding pens. Also all of the cattle holding pens at this establishment did not have any feed available to the cattle stationed in these pens. These cattle were held in these cattle pen with no feed over the 24 hour required time frame. (b) (6) and Plant Manager- Rean Brooks were notified of the non-compliance and that a NR would be issued. The unloading dock was rejected using Reject/Retain tag # B35543744 until the feed and water could be provided to all the cattle holding pens. This is a violation of Title 9 CFR part 313.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46117	McLamb's Abattoir & Meats, Inc.	ONM05 081128 06N-1	11/05/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>While I was performing the observation component for Humane Handling Category II inspection verification task at approx. 2:00pm, I observed the following noncompliance during the unloading process: As I was observing the unloading of 60 small swine (approx. 70lbs) off a gooseneck trailer I observed an approx. 3" gap from the holding pen unloading ramp to the floor of the gooseneck trailer (trailer was off center from ramp). I observed 4 swine drop their hind legs in the void and the swine climbed back out with minimal excitement and were not hurt (not vocalized). I immediately requested (b) (6) to stop the unloading process and he immediately halted the operation and took implemented immediate corrective actions and brought the situation back into compliance. The wooden holding pen's unloading ramp also has a loose wooden cleat (approx. 3' wide by 2" square). One end is totally loose from the ramps frame. I notified (b) (6) and (b) (6) of the noncompliances and of the failure to meet regulatory requirement 313.1 & 313.2. I did not take a regulatory control action due to the immediate corrective actions management implemented.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46139+V 46139	Cypress Valley Meat Company 1, LLC	UIV171 110123 1N-1	10/31/2018	04C02	Livestock Humane Handling	313.16(a)(1)	On 10/31/18 at approximately 0959 hours, while performing a Routine Humane Handling Verification Task for the HATS Category VIII Stunning Effectiveness, using the Review and Observation component, the following noncompliance was observed: A steer was in the knocking box and would not be still. The employee was patient and tried to get an accurate shot with the .410ga shotgun, waiting approximately 10 to 20 minutes prior to taking the shot. The first shot did hit the animal but he continued to stand with his eyes wide and head moving about. The employee reloaded the firearm and administered a second shot; the animal dropped and showed no further signs of consciousness. The knocking box was tagged with US Reject Tag # B42001448 and after consulting with the (b) (6), the incident was determined to be noncompliance. The tag was removed and slaughter process was released at approximately 1034 hours. Mr. Chris Shaw, Plant Manager was verbally notified of this noncompliance.	OPEN
M48277	WJ Wainwright and Son, Inc	YAQ431 211300 6N-1	11/06/2018	04C02	Livestock Humane Handling	313.2	At approximately 6:45 AM while performing ante-mortem the following Humane handling non-compliance was observed: In pen 2 there was 2 swine with no access to water, in pen 3 there was 1 swine with no access to water and in pen 4 there was 1 swine with no access to water. These pens did have water that was located in buckets that were hanging up high as these pens are normal used for cattle. The water was dripping from the buckets but this was not sufficient per the visiting veterinarian. This is a failure to comply with Regulation 313.2(e). Troy Wainright, Plant Manager was notified both verbally and with this written NR that this noncompliance exists.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46172+P 46172+V46 172	JM Watkins, LLC	IGT550 810562 5N-1	10/23/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 10/23/18 at approximately 0750 hours, I, (b) (6), was performing a Humane Handling Category VIII (Stunning Effectiveness) Task when I observed the following noncompliance. 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. The shot sounded muffled. After the captive bolt was discharged, the steer remained standing and fully conscious. The steer did not vocalize during this time and did not appear agitated. The establishment employee immediately used a backup rifle and applied an effective stun, rendering the animal unconscious. I tagged the knock box with U.S. Reject tag NO. B38122842. During post mortem inspection, I viewed the head of the steer before the hide was removed and observed a hole in the skin of the poll and a hole in the forehead of the steer. After the head was skinned, I observed the poll area and did not observe any holes that penetrated the skull. This is a noncompliance with the regulatory requirements of 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. A similar noncompliance was documented on 9/24/18 on NR#IGT2810090524N for an incident that involved the ineffective stun of a bovine with a hand-held captive bolt device. The establishment's preventive measure of buying new captive bolt cartridges and repackaging them in smaller, vacuum packed packages with desiccants was ineffective to prevent the noncompliance from recurring.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46240	Light Hill Meats	MKE12 091003 29N-1	10/29/2018	04C02	Livestock Humane Handling	313.2	Humane Handling Activities Tracking System (HATS) Category III - water and feed availability At 0730 hours on October 25, 2018, while performing a Humane Handling Verification task, FSIS observed 2 water barrels to be empty in a pen holding 10 market swine. This is in violation of 9 CFR 313.2(e) which states that animals shall have access to water in all holding pens. Plant Manager Jennifer Spray was notified verbally and in writing concerning the issuance of this NR.	CLOSED
M46240	Light Hill Meats	MKE54 071255 14N-1	12/14/2018	04C02	Livestock Humane Handling	313.2	Humane Handling Activities Tracking System (HATS) Category III - Water and Feed availability On the morning of December 14th, 2018, while performing an Odd Hour Humane Handling Inspection task, FSIS observed the water barrels to be empty in a pen holding 4 market swine. This is in violation of 9 CFR 313.2(e) which states in part that animals shall have access to water in all holding pens. Plant Manager Jennifer Spray was notified verbally and in writing concerning the issuance of this NR.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46297	Lockhart Meat Company	CPO301 612351 7N-1	12/17/2018	04C02	Livestock Humane Handling		<p>HATS Category VIII: Stunning Effectiveness On December 17, 2018 at approximately 1230 hours, I, (b) (6), while performing a routine Livestock Humane Handling Task HATS category VIII, Stunning Effectiveness, at Est.46297 Lockhart Meat Company observed the following inhumane event. The last slaughter animal for the day was an adult bull. The establishment uses a knock box with a head restraint and the preferred method of stunning is a captive bolt gun. Due to the size of the bull, the head restraint would not be useable. (b) (6), decided not to use the captive bolt but instead he brought out a pistol (a 357 magnum). I stepped into the processing room, adjacent the slaughter floor, before (b) (6) attempted to stun the animal. After I heard the firearm go off, I went into the doorway of the slaughter room. The first stunning attempt did not render the animal unconscious. The bull was still standing. The bull did not vocalize or show signs of distress. (b) (6) made a second stunning attempt with the same firearm, which immediately and effectively rendered the bull unconscious. Upon inspection of the skull, both stunning penetrations appeared to be slightly off center. No regulatory control action was taken due to observation of corrective actions. I contacted the Denver District Office through supervisory channels. I informed (b) (6) that a humane handling noncompliance record would be issued. There are no associated noncompliance records of same root cause within the past 90 days.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M35	Rantoul Foods LLC	KLI3213 103810 N-1	10/10/2018	04C02	Livestock Humane Handling	313.2	<p>HATS V: Suspect and Disabled On 10/10/2018 at approximately 1127 hours while performing HATS V: Suspect and Disabled, I, (b) (6) [REDACTED], observed a barn employee driving approximately 40 head of market hogs from the scale to the front area of the back alley. One of the hogs was non-weight bearing on the right hind leg (broken) hobbling behind the normal ambulatory hogs and open mouth labored breathing. The barn employee continued to drive it with the rest of the hogs. I intervened and informed the employee that the hog in front of him has a broken leg. He replied that he was instructed by his boss that if they are moving to keep them moving. I instructed him to segregate the hog. (b) (6) [REDACTED] was notified of the noncompliance and the failure to meet the regulatory requirements prescribed in 9 CFR 313.2(d)(1) and 313.2(a). No similar noncompliances were documented in the past 90 days.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M35	Rantoul Foods LLC	KLI4707 113424 N-1	11/23/2018	04C02	Livestock Humane Handling	313.1	<p>On 11/23/18 at approximately 0904 hours while performing ante-mortem inspection, I observed the following noncompliance: The exit gate to pen 22 was open and several market hogs from lot #607 were walking out into the alley that leads to the stunning area. They were contained in a compartmentalized section of the alley with two closed gates. There were already hogs from a different lot in that sectioned part of the alley that had passed ante-mortem inspection. I had not performed ante-mortem inspection on the hogs in pen 22 yet. I closed the gate to pen 22 and verified that the gates were closed on either side of that sectioned alleyway. I re-inspected the hogs in the compartment and the hogs in pen 22. I placed a US rejected tag on both the entrance #B34786139 and exit #B34786140 of pen 22. I notified (b) (6) and (b) (6) of the noncompliance. They requested maintenance to repair the pen gate. Once the gate was repaired, I removed the tags. The establishment failed to meet the regulation requirements of 9CFR 313.1: "Livestock pens, driveways and ramps shall be maintained in good repair." Had those hogs not been contained in the alleyway and were led to the stunning area, they would not have had antemortem inspection. We would have had to rely on their tattoos to determine which hogs belonged to lot #607 and would need to be condemned.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M35	Rantoul Foods LLC	KLI3512 120407 N-1	12/07/2018	04C02	Livestock Humane Handling	313.2	HATS IV: Handling during Antemortem Inspection On 12/7/2018 at approximately 12:05 PM, while performing antemortem inspection, I heard increased vocalization from hogs in the alley leading to the (b) (4) I observed multiple groups of hogs climbing on each other and the gate behind them, while vocalizing, as the overhead gate came toward them. One of the hogs, while still standing on only its hind legs, was temporarily pinned after the gate made contact with it. (b) (6) was notified of the noncompliance and the failure to meet the regulatory requirements prescribed in 9 CFR 313.2.	CLOSED

Table: MOIs in Response to FOIA2019-258

13:30 Tuesday, March 26, 2019 1

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M10026	Hillsdale County Meats	RMN14130 22419G	19FEB2019	04C02	Livestock Humane Handling	Finalized	<p>Meeting Attendees: (b)(6) Based on review of your approach to humane handling on 2/19/19, I have determined that your establishment has a robust systematic approach to humane handling. First, I found you had performed an assessment of your animal handling program. This was evidenced by a Humane Handling Standard Operating Procedure which described methods for the following: the unloading of livestock, the holding of livestock, the movement of livestock, the stunning of livestock, the maintenance of stunning equipment, and the implementation of corrective actions when less than ideal humane handling practices occur. Second, I discovered you had designed facilities and implemented practices that minimize excitement, discomfort, and accidental injury to livestock. During my evaluation, I observed livestock holding, handling, and stunning methods to be conducted in a manner that minimized excitement, discomfort, and injury to the livestock. Third, I identified that you perform periodic evaluation of handling and stunning methods. Daily and monthly humane handling monitoring records showed establishment personnel have routinely monitored the condition of the facilities, the condition of equipment, the handling of livestock, the stunning of livestock, and the return to consciousness of stunned livestock. In addition, you had records of training of employees on humane handling procedures. These monitoring and training activities helped to ensure facility conditions, equipment conditions, and employee handling practices did not result in injury to livestock. Fourth, I determined you adjust handling practices and facilities to ensure that they minimize excitement, discomfort, and accidental injury when a less than ideal practice or part of the facility is identified. This is evidence</p>

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								<p>by the records you maintain, my observation that facilities are maintained to minimize injury to livestock, and my observation that livestock are handled to minimize excitement, discomfort and injury. These findings support that you have a robust systematic approach to humane handling</p> <p>A possible vulnerability in your Humane Handling approach may be documentation of training records. Under current procedure, employees' humane handling training is documented only after all training (including ante-mortem handling, driving, prodding and stunning) is complete and signed off on by supervisor. Though possibly trained in some aspects of humane handling, it may not necessarily be documented as such while waiting for completion of training in other areas of humane handling.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M1620	Quality Pork Processors	QMO5211 035814G	14MAR2019	04C02	Livestock Humane Handling	Finalized	<p>On 03/14/2019 at 610 a.m. while I was performing ante mortem inspection I observed a barn employee starting to move hogs in pen 313. As he started from left to right with his paddle tapping the hogs, they were getting up slow. The middle hog he tapped tried to get up but laid back down and the rest of the hogs started walking down the pen. The employee, for the second time, paddled the hog a little more aggressively to get up and the hog got half way up on all four legs, his legs started to shake and laid back down. The employee, instead of moving the rest of the pen, he was concentrating on getting that one pig to move. Before he could try getting that hog to move for the third time, I stopped him and told him to leave is for the slow pen. I informed the (b)(6) about this barn employee's inability to recognize slow moving hogs.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M17D	Smithfield Packaged Meats Corp.	WLJ46150 11529G	29JAN2019	04C02	Livestock Humane Handling	Finalized	<p>HATS Category IV – Handling During Ante-mortem Inspection At 0900 hours, while performing ante-mortem inspection on the “West Local Pen”, I observed a gutter plate that was dislodged that was a tripping hazard. The west portion of the gutter plate in the west farmer’s unloading chute was not sitting flush with the floor. There was an accumulation of bedding between the gutter plate and the ground that was causing the gutter plate to be elevated approximately 2 inches off the floor. Approximately 2 feet of this gutter plate was elevated in this fashion. A trucker was getting ready to unload hogs from the chute. I was with (b)(6) at the time of my finding and explained the above observations to her. She called (b)(6) (b)(6) who came out to fix the gutter plate. He removed the gutter plate and scraped the hard, impacted bedding from the floor and from the backside of the gutter plate. After the debris was removed, he gutter plate was able to sit flush with the floor, eliminating the trip hazard. The establishment also bolted the gutter plate to the ground to prevent it from coming away from the floor and accumulating debris.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M17D	Smithfield Packaged Meats Corp.	WLJ02220 23112G	12FEB2019	04C02	Livestock Humane Handling	Finalized	<p>At approximately 0034 hours on 2/9/2019 (towards the end of 2nd shift starting on 2/8/19), I observed the following humane handling concerns. As I entered the East side of the barn by the designated dead hog area, I looked South down the skid loader alleyway adjacent to the 4th unloading chute on the east side. I observed two hogs. One hog was standing along the southern most door of this alleyway. The other hog was laying alongside the east wall in an accumulation of snow approximately 18 inches wide, 30 inches long, and 1 inch deep. The hogs did not appear to be in distress. This snow entered the barn through a 2 inch by 12 inch gap of the bottom edge of the East wall. These two hogs were designated by the establishment as cripple/non-ambulatory because they became stressed during unloading and were unable to walk to the holding pens. Establishment employees placed them here to await being picked up by the hog barn bobcat/tractor to be taken to the designated cripple/non-ambulatory pen. The floor of the alleyway is a solid exposed cement floor with no bedding or pine shavings. The ambient temperature at the time was approximately 2 degrees Fahrenheit. The establishment's hog barn is currently not heated and maintains a temperature similar to that of the environment outside the building. I notified (b)(6) of my findings.</p> <p>The hogs were immediately taken to the designated cripple/non-ambulatory pen. Humane handling concerns of this incident include the following: If this alleyway is being used to house any class of hog, access to water would need to be provided at all times. The floor with the snow accumulation can pose for a slippery surface for hogs attempting to ambulate. Exposure to the weather elements, snow in this case, could lead to the hogs becoming hypothermic, distressed, and/or develop frostbite.</p>

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District	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M17D	Smithfield Packaged Meats Corp.	WLJ14130 34404G	04MAR2019	04C02	Livestock Humane Handling	Finalized	<p>HATS Category IV – Handling During Antemortem Inspection This MOI is to document the conversation I had with (b)(6) on 2/28/2019 at 1205 hours following an observation of pen disrepair in the barns while performing antemortem inspection. While performing antemortem inspection in the barn, I observed a broken gutter plate in pen 811. The gutter plate runs the length of the northwest wall of pen 811. The gutter plate is approximately 16 inches wide and 7 feet long. An approximately 3-foot section of the gutter plate had “buckled” in the middle - the gutter plate had fractured in the center along its longitudinal axis and collapsed into the pit. The fracture left a 3-inch gap between the 2 broken portions of the gutter plate. Straw and fecal material were densely packed into the pit and overflowed into the pen, filling the 3-inch gap in the gutter plate. The straw/fecal debris was so densely packed in the pit that it supported the broken gutter plate and prevented hogs from getting their feet stuck or falling into the pit. I informed (b)(6) that I would be issuing an MOI for my finding. I stated that this pen disrepair could have led to a situation that caused harm to the animals, but at this time there was no evidence the hogs could get hurt. The barn employees are trained to check the pens every time they are filled. They should have identified the broken gutter plate at an earlier time. It is unclear how long the gutter plate was broken, but it was clear that the gutter plate had deteriorated over a long period of time as it was worn and thin.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M19185	Spectrum Preferred Meats, Inc	ASE391002 5608G	08FEB2019	04C02	Livestock Humane Handling	Finalized	<p>At approximately 9:40am on 02/08/19 while performing a Livestock Humane Handling review and observation task, I observed a driver unloading his truck and went outside to check the state of the trailer and animals due to dropping temperatures and inclement weather. The name on the tractor indicated he was a driver from "Bayler" and I observed at least 75% of his trailer was blocked off which is within the parameters of the vendor agreement of the establishment. I also observed a minimal amount of bedding which was concerning.</p> <p>While unloading two groups of hogs were sent down the ramp off the truck where an est. employee applied a tattoo; the first group with 23 and the second with 25. The driver seemed to be attempting to move the hogs faster than they were able to go in consideration of the temperature which was approximately 12 above without the wind chill. He also seemed, in his manner and speech, to be more aggressive than necessary while driving the animals. When the hogs were on the scale, I thanked him for blocking up his trailer properly. He replied that he knew how biting the wind would be and that he knew he needed to address the bedding. He said "it's almost gone 'cause it's been in there three days...". I left the livestock area to ask FSQA (b)(6) and (b)(6) to accompany me to the barn. While the three of us watched the remainder of the animals being unloaded, the driver changed his speech to a lower volume, decreased the use and aggressive manner in using the paddle and unloaded two additional groups on the ramp directly off his trailer; one group contained seven hogs and the other contained nine. (b)(6) advised she would have (b)(6) contact the trucking company regarding the bedding as the trailers are to be sprayed out and new bedding</p>

Table: MOIs in Response to FOIA2019-258

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								applied after each use. The obvious changes made to the manner in which the animals were unloaded and handled by the driver suggests knowledge that he was not operating in the best interest of humane handling. (b)(6) reminded (b)(6) livestock personnel must insist and enforce proper handling at all times even without USDA presence at the time of unloading.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M19185	Spectrum Preferred Meats, Inc	ASE241602 0819G	19FEB2019	04C02	Livestock Humane Handling	Finalized	<p>At approximately 14:25pm I went to the barn to perform a Livestock Humane Handling review and observation task and observed a truck being unloaded. As a group of 14 hogs were unloaded, I noticed several stepping down into a space between the trailer and the dock. I was inside talking to (b)(6) as I proceeded higher onto the tattoo ramp toward the dock door and asked about the gap. At that moment (b)(6) (b)(6), who was on the trailer assisting with the unloading, reached that same door from the outside. He instructed the driver to move his trailer due to a gap without any knowledge of the conversation I was having with (b)(6) (b)(6) and I went outside a man-door right by the dock and he showed me a rubber guard on the back of the trailer. That will result in a gap due to the guard, but there was an additional gap increasing from the middle and growing to approximately 1.5" at the outside edge caused by the trailer being unevenly backed up in relation to the dock. (b)(6) and (b)(6) said this was a result of the trailer sliding on the ice and many thousands of pounds of livestock being moved. The driver adjusted his trailer and continued to unload. I left the dock and returned to the USDA office to speak with (b)(6). She and I returned to the unloading area at approximately 14:45pm. We observed the trailer was still not backed up straight into the dock resulting in the same type and size gap observed and described above. (b)(6) told (b)(6) the gap caused by the misalignment wasn't ok. He repeated that the trailer had slipped due to ice and the shifting weight. He relayed to (b)(6) that the trailer needed to be moved then (b)(6) relayed that to the driver. When the driver objected, (b)(6) reply was "It don't matter. They want it moved, you move it." (b)(6) was reminded this was a regulation, not a personal request or preference</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>and also a part of his establishment's livestock vendor program. (b)(6) insisted the misalignment was due to the trailer sliding on ice and shifting weight. (b)(6) asked why the issue of ice hadn't been addressed earlier in the day as it was almost 15:00pm. (b)(6) had no answer for that question. (b)(6) advised (b)(6) if an animal were to be injured in the gap caused by the misalignment, an egregious humane handling violation would result. The driver tried and failed to straighten up the trailer once. (b)(6) let him know and he made another attempt. That time, he successfully lined up his trailer with the dock; leaving no gap. (b)(6) and I observed the unloading of several more groups of livestock and there was no noticeable shift or gap after at least 15-20 minutes. A non-compliance record was issued on 02/18/19 regarding humane handling; specifically regarding HATS category #2 truck unloading. USDA has been informed livestock personnel were recently given instruction regarding the adherence and accountability of the Livestock Vendor Program. At least two other MOI's have been documented in the last two weeks in regards to establishment personnel requiring drivers to operate within the guidelines of this program.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	M19290	Working H Meats, LLC	NAW37090 35128G	28MAR2019	04C02	Livestock Humane Handling	Finalized	<p>Today, March 28, 2019, at approximately 0900 hours, I verbally notified (b)(6) Establishment owner/manager, of my decision to suspend slaughter at Establishment 19290. I advised (b)(6) that I would be contacting (b)(6), and the Raleigh District Office about my decision. I based my decision to suspend slaughter inspection at the establishment on the following: At approximately 0850 hours, a 9-year-old Belted Galloway bull was loaded into the knock box. (b)(6) attempted to stun the bull using a .22 Magnum rifle. The CSI and I were standing just outside the slaughter floor behind a closed door for safety reasons. We started to open the door and realized a second shot was being fired so closed the door immediately. (b)(6) fired the .22 Magnum a second time. Again we started to open the door and realized (b)(6) was getting ready to fire another shot so partially closed the door before the shot was fired. At this point, (b)(6) switched to the .308 rifle and fired the third shot. The CSI opened the door, and we observed that the bull remained standing and was agitated. A fourth shot was fired with the .308 rifle, and the bull was rendered unconscious with this shot. At this point, US rejected tag #B40457351 was placed on the knock box by CSI Stacy Bitts, and I verbally notified (b)(6) that a regulatory control action was being taken and slaughter was suspended. I contacted (b)(6) to inform him of my decision and then contacted (b)(6) with the Raleigh District office to discuss the suspension. The establishment notified me at this point that the head was skinned so that I could verify all four shots had penetrated the skull, which they had. The .22 rifle had penetrated the skull in two locations in the center of the skull at the level of the eyes, approximately 1 inch apart. The first</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								shot from the .308 rifle was centered approximately 1 inch above this and had shattered the skull but did not appear to have completely penetrated the skull. The last shot was up near the poll, in the center. There was a fifth hole below the two holes from the .22 rifle which (b)(6) explained was the exit point of the last .308 bullet. Establishment 19290 does not operate under a robust systematic approach to humane handling.
60	M20321	Luce's Maine Grown Meats	NKI391002 0019G	19FEB2019	04C02	Livestock Humane Handling	Finalized	At approximately 10am on Tuesday, February 19, 2019 I, (b)(6) and (b)(6) spoke with (b)(6) about humane handling of cattle and pigs in the knock box. Using a rope as a noose on cattle will be considered noncompliant with 313.15(a)(1), "animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort", if it causes the animals to choke or show signs of suffocation such as increased vocalization or struggling. We also discussed with (b)(6) regulation 313.15(b)(1)(iii) that states "the stunning area shall be so designed and constructed as to limit the free movements of animals sufficiently to allow the operator to locate the stunning blow with a high degree of accuracy". Because the knock box at this facility allows cattle and pigs space enough to turn around and does not limit their head movements sufficiently for the stunning blow to be performed with a high degree of confidence and accuracy, it is not compliant with this regulation. (b)(6) indicated that he would look into the possibility of installing a head gate for cattle and that a pig board would be utilized to minimize the free movements of pigs. For the future a halter will be used on cattle instead of a rope tied into a noose.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M20856	Eureka Locker, Inc.	GGG04080 12730G	30JAN2019	04C02	Livestock Humane Handling	Finalized	This morning I did an Odd-Hour Inspection from 0600-0700. I documented my findings on a FSIS Form 8100. A copy of this form was printed for the plant owner, the Inspector's files, and a copy was sent to (b)(6). No issues were found all observed items were found acceptable.
25	M20863	JNB, Inc.	PNA30110 15002G	02JAN2019	04C02	Livestock Humane Handling	Finalized	The week of 12/31/18 through 1/1/2019 I preformed extra duties on HAT Categories at Est.20863 stunning 15 min, 15 min on conscious animals on the none on conscious, I reviewed the records that the designated monitor is monitoring every 5 one, I observed the (b)(6) cleaning the 22 magnum & the stunner daily.
25	M20863	JNB, Inc.	PNA30140 14504G	04JAN2019	04C02	Livestock Humane Handling	Finalized	The week of 12/31/18 through 01/4/2019 I preformed extra duties on HAT Categories at EST.20863 stunning 15 min, 15 min on conscious animals on the rail none on conscious, I reviewed all the records that the designate monitor is monitoring every 5 one, I observed (b)(6) cleaning the 22magmun and the stunner daily.
25	M20863	JNB, Inc.	PNA16110 14811G	11JAN2019	04C02	Livestock Humane Handling	Finalized	The week of 1/7/19 through 1/11/19 I preformed extra duties on HAT Categories at est20863 stunning 15 min, 15 min on conscious animals on the rail none on conscious, I reviewed that the designate monitor is monitoring every 5th sow, I reviewed the records, I observed (b)(6) cleaning the 22 magnum and the stunner daily
25	M20863	JNB, Inc.	PNA17110 13911G	11JAN2019	04C02	Livestock Humane Handling	Finalized	The week of 1/7/19 through 1/11/19 I preformed extra duties on HAT Categories at est20863 stunning 15 min, 15 min on conscious animals on the rail none on conscious, I reviewed that the designate monitor is monitoring every 5th sow, I reviewed the records, I observed (b)(6) cleaning the 22 magnum and the stunner daily.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M20863	JNB, Inc.	PNA45140 12718G	18JAN2019	04C02	Livestock Humane Handling	Finalized	The week of 1/14/2019 through 1/18/2019 I preformed extra duties on Hat Categories at EST.20863 stunning 15 min 15 min conscious animals on the rail none on conscious for 15 min I reviewed that the designated monitor is monitoring every 5th sow I observed (b)(6) cleaning the 22 magnum and the stunner daily I reviewed all the records.
25	M20863	JNB, Inc.	PNA46140 12918G	18JAN2019	04C02	Livestock Humane Handling	Finalized	The week of 1/14/2019 through 1/18/2019 I preformed extra duties on Hat Categories at EST.20863 stunning 15 min 15 min conscious animals on the rail none on conscious for 15 min I reviewed that the designated monitor is monitoring every 5th sow I observed (b)(6) cleaning the 22 magnum and the stunner daily I reviewed all the records.
25	M20863	JNB, Inc.	PNA26150 10625G	25JAN2019	04C02	Livestock Humane Handling	Finalized	The week of 1/21/2019 through 1/25/1019 I preformed extra duties on HAT Categories at EST.20863 stunning 15 min, 15 min on conscious animals on the rail, none on conscious for 15 min I reviewed that the designated monitor is monitoring every 4 sow, I reviewed all of the records, I observed (b)(6) cleaning the magnum 22 and the stunner daily.
25	M20863	JNB, Inc.	PNA19150 20701G	01FEB2019	04C02	Livestock Humane Handling	Finalized	The week of 1/25/19 through 2/1/2019 I preformed extra duties on HAT Categories 15 min on conscious animals on the rail none on conscious for 15 min I that the designated monitor is monitoring every 5th sow, I observed (b)(6) cleaning the 22 magnum and the stunner daily, I reviewed all the records.

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25	M20863	JNB, Inc.	PNA35090 23009G	09FEB2019	04C02	Livestock Humane Handling	Finalized	On 2/6/2019 (b)(6) and (b)(6) came to review the human and handling every thing went well they killed 36 sows all on first shot were down no NRs (b)(6) said everything looks good all the paperwork and everything was in order that she was going to close this verification task that today would be my last day to in put it. that she would email the district and Jenifer so that we all should get a copy. good job.
50	M21651	Peoria Packing Ltd.	WQF09160 12630G	30JAN2019	04C02	Livestock Humane Handling	Finalized	Tuesday January 29, 2019, at approximately 1415 hours, USDA (b)(6) spoke with owner Harry Katsiavelos and Asst. Plant Manager Edward Lynch at est. #21651M regarding the dangerous temperatures in the upcoming days and the added humane handling issues that must be considered. Harry explained he scheduled livestock personnel to coincide with the first truck of the day and staggered the three trucks to ensure the animals are unloaded as soon as they arrive. Each truck has fewer hogs than normal, 170 versus the normal 190-200, to allow all three to fit in the available space prior to ante-mortem inspection at 0600 hours and out of the weather immediately upon arrival.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M21651	Peoria Packing Ltd.	WQF30140 23901G	01FEB2019	04C02	Livestock Humane Handling	Finalized	<p>I, (b)(6) arrived in the parking lot at est. #21651 at approximately 5:15am on Thursday, January 31, 2019. The temperature outside without wind chill was approximately 17 degrees below zero and I observed two livestock trucks on the property. One was being unloaded and backed into the receiving dock. The other was parked perpendicular to and just in front of the building. According to my conversation with Owner, Harry Katsiavelos, and Asst. Plant Manager Edward Lynch on Tuesday, January 29, 2019, three trucks were scheduled this morning. They were to be staggered at thirty minute intervals to allow for immediate unloading with the first to arrive at 4:30am. This conversation was due to predicted extreme temperatures causing the possibility of harm to the animals within minutes if left exposed. At approximately 5:25am, the employee working in the livestock area, Isadoro, came out and knocked loudly on the driver's door of the semi tractor. I approached the window as the driver was lowering it and he had been sleeping. At the same time the employee was telling the driver he could move his truck to unload, I identified myself as an agent of the USDA and asked him how long he had been sitting here. His response was "Since about 2 or 2:30." I asked if he had taken any precautions for the animals due to the extreme temperatures. He responded that he had pulled over twice to check on them and had extra blocks in the trailer for them. I thanked him and allowed both gentlemen to proceed in order to get the animals out of the weather as soon as possible. I entered the livestock area at approximately 5:50am and let (b)(6) know about the conversation I'd had with the driver of the truck that was currently being unloaded. He explained he had scheduled them the way we had discussed Tuesday and they had not been on his</p>

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								<p>official premises until approximately 3:50am. (b)(6) advised me that (b)(6) had started unloading the first truck at approximately 4:30am. That was the one in the receiving dock with I arrived at 5:15. I let (b)(6) know I would not sign off on ante-mortem inspection or allow production until I observed the animals at rest and consulted with my immediate supervisor. While (b)(6) believed he had scheduled to the best of his ability, there were no contingency plans in order to maintain and ensure the welfare of the animals in the extreme cold that he was aware would be a factor in operating today.</p>

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25	M21898	Farmers Union Industries, LLC	OXG19100 23015G	15FEB2019	04C02	Livestock Humane Handling	Finalized	<p>On 2/15/19 at approximately 08:35 hours, while verifying HATS category VI- Electric Prod/Alternative Object Use, I observed the following humane handling concern. A team member was attempting to move a hog into the restrainer and after using his rattle for a short period of time, he grabbed the electric prod/hot shot and touched the hog 3-5 times quickly. Upon discovering that this did not work, he again touched the hog about 2-3 secs later again 3-5 times with the electric prod. The hog did not vocalize and did enter the restrainer after the second attempt. After a couple of minutes of observation, he again used the prod on hogs towards the back of the driving chute leading to the restrainer when the first hog started to back up. I also observed him using the electric prod in the circle alley. Prod placement varied between the hind and fore quarters of the hog. Per regulation 9 CFR 313.2(b) electric prods shall be used as little as possible in order to minimize excitement and injury. (b)(6) discussed this same issue of excessive prodding during her establishment weekly meetings on 12/21/18 and 12/14/18. Electric prods should be used to drive animals when other techniques are not working. When used, their effectiveness should be evaluated after a single application before continuing to use it again. When requesting to review Humane Handling Electric Prod/Hot shot Usage SOP or training materials for team members, it was discovered that there is no written standard operating procedures for their implementation. Original MOI modified at the request of (b)(6) who wrote the original MOI, and (b)(6) Ames Circuit, on 2/27/19 to specify there is no written SOP for Electric Prod use at Farmers Union Industries, Est. M21898.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M34569	Ohio Farms Packing Co. Ltd.	DTY351203 2928G	28MAR2019	04C02	Livestock Humane Handling	Finalized	<p>On Tuesday, March 26, I, the humane handling (b)(6), observed a straight truck from the (b)(6) fleet pulled to the unloading dock. This truck has been here previously and concerns had been raised about the unloading of bob veal calves from the second level. I immediately went to the QA office and informed (b)(6). Previously I had brought up the method being used to unload bobs and that it was noted the workers were not permitted to grab animals by the legs and/or drag them to get them out of the truck. While observing the unloading of this truck, it was evident the employees were doing their best to drive the bobs to the rear of the truck for Kenny Perry to pull them out and lower them to the floor. In doing so it was observed this method was causing several animals to become excessively excited, whereas they began to run around. I contacted (b)(6) to get further instruction and advice. She recommended a sit-down with management to explain the consequences of further attempts at unloading this truck in that manner. The truck does not have a ramp at the end which necessitates removing the animals by lowering them by hand. One of the barn employees calls it the "hand-me-downs". Of concern other than the bob veal is the possibility of an employee being injured from back strain or getting kicked in the face. The following day, (b)(6) came to the barn to observe and was taking measurements and informed me they were working on building some sort of ramp to be used for this truck or any like it. Inspection would like a timeframe for implantation and a plan for unloading this truck if it comes here prior to the ramp being built.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M44779	Faulkner Meats	VMV33130 14208G	08JAN2019	04C02	Livestock Humane Handling	Finalized	<p>January 2, 2019 Federally inspected slaughter of livestock took place this day at Faulkner Meats (M44779), Taylorsville KY. The SVMO made the following observations while verifying the conditions of the holding pens:</p> <p>1: At approximately 1400 hrs. EST a pen of goats was observed to be without access to water. The bottom of a plastic drum being used as a water trough was observed empty; the automatic water trough was observed to be dry. The latter was found to have the supply line valve in the "off" position as I witnessed plant personnel investigate the situation; it appeared non-functional when turned to the "on" position as water did not enter the trough; plant personnel returned the valve to the "off" position.</p> <p>2: In this same pen, the metal roofing lining the walls of the pen was observed in disrepair as well. Along one wall the bottom of the metal siding was found rolled up approximately 12 inches, projecting a jagged edge into the pen thereby creating a hazard to the animals housed within.</p> <p>3. A third observation was made in the adjacent pen housing goats and sheep; a goat was found dead in a corner under the automatic water trough and the stocking density of the pen made it questionable as to whether all animals could lie down. The owner of Faulkner Meats considers all animals being held in the holding pens as being custom exempt until such time as they are declared for Federal Inspection. The animals noted above were not declared as such when the observations were made by the SVMO. That being said, the establishment is once again reminded that the FMIA (Federal Meat Inspection Act) and the HMSA (Humane Methods of Slaughter Act) applies to custom exempt slaughter activities per FSIS USDA Directive 5930.1 Revision 4. The basis for this custom exempt MOI is the fact that the goats and sheep had not been declared for Federal</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								Inspection at the time of the observations. This continues a recent trend in humane handling issues at the establishment.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M44779	Faulkner Meats	VMV59170 25407G	07FEB2019	04C02	Livestock Humane Handling	Finalized	<p>On Thursday, February 7, 2019 animals were presented for federal inspection at Faulkner Meats (M44779) Taylorsville, KY. While on the kill floor verifying activities related to federally inspected slaughter, the SVMO and CSI observed a custom exempt mature hair sheep ram being brought to the kill floor in an area separate from inspected product. Plant personnel and two individuals presumed to be the now owner(s) of the custom animal were observed preparing for the ritual religious slaughter of the sheep. [It should be noted that the establishment houses animals in the holding pens at all times, and that the establishment considers all animals held in the barn as being custom exempt; the animals are sold to individuals prior to slaughter.] The SVMO and CSI observed at approximately 1130 hrs. EST plant personnel restrain the sheep by placing it in lateral recumbency on the floor, and with the assistance of another one of the individual owners (?), hold the animal down while the other individual made a rather timid cut with his personally supplied knife to the throat of the sheep. When all involved with the ritual slaughter released their hold on the animal, the sheep was observed to rise from its lateral recumbent position on the floor and proceed to walk about the kill floor. An open, bleeding wound was observed on the ventral upper cervical region of the neck. After approximately two minutes, plant personnel restrained the sheep for a second time and additional cuts were made which did allow the animal to expire via exsanguination. The SVMO immediately contacted the owner of the establishment, Mitchell Warren, and brought this observation to his attention. Mr. Warren was likewise informed of this forthcoming MOI. U.S. Code: Title 7, Chapter 48: Humane Methods of Livestock Slaughter ("The Humane Methods of Slaughter Act"), section 1902(b) states "by</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument and handling in connection with such slaughtering" as being humane. Furthermore, the Federal Meat Inspection Act (FMIA) (21 U.S.C. 610(b)) prohibits slaughter or handling of livestock in connection with slaughter in any manner not in accordance with 7 U.S.C. 1901-1906 (HMSA). Allowing the sheep with the initial ritual cut to rise and walk about the kill floor does not fall under an acceptable method of humane slaughter or a recognized form of ritual slaughter per the HMSA. You, as the owner of Faulkner Meats, are ultimately responsible for the actions of individuals performing slaughter activities at the establishment.</p>

District	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M45948	Ida-Beef LLC	AKL431701-5710G	10JAN2019	04C02	Livestock Humane Handling	Finalized	<p>On January 10, 2019 at approximately 0735 hours, I, (b)(6) while performing ante-mortem inspection of a lot of 17 cattle, I observed two non-ambulatory cattle in the corner of the pen. The black cow was facing the opposite position of the brown cow, laying end to end with each other. It did not appear that the black cow would be able to achieve an ambulatory state.</p> <p>(b)(6) and (b)(6) were both present. The establishment made the decision to euthanize the black cow in the pen. (b)(6) went to retrieve a captive bolt stunner. (b)(6) returned to the pens with a captive bolt stunner to euthanize the black cow. The first attempt at stunning the cow sounded muffled and weak. At this time (b)(6) checked the consciousness of the cow and determined it needed a second stun. (b)(6) left the pen area and went inside to retrieve different cartridges. (b)(6) later told me that the cartridges were wet, and he wanted dry cartridges. At this time, it was apparent the black cow was still conscious. I observed the head was raised straight up; there was steam coming from the black cow's nostrils; and rhythmic breathing could be observed. Upon returning, (b)(6) delivered a second stun. The head of the cow finally dropped. After a few moments, the head of the black cow started to raise straight back up again. (b)(6) delivered a third stun to the black cow. After the third stun, the black cow remained unconscious. No further signs of rhythmic breathing, twitching of the tail, or eye movement were observed.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M46240	Light Hill Meats	MKE30090 33219G	19MAR2019	04C02	Livestock Humane Handling	Open	At approximately 0820 hrs., (b)(6) observed a market swine, weighing 320 lbs. being loaded into the knock box at Light Hill Meats (est. 46240). Using a .22 caliber Long Rifle, 40 grain ammunition, the plant employee administered 1 stunning attempt to the forehead wherein the animal remained standing and consciously breathing. A second attempt was immediately administered to the forehead using the same device wherein the animal remained standing along with audible squealing. The plant manager promptly took the gun from the employee and administered a successful third stun to the forehead rendering the animal unconscious. It remained unconscious and insensible to pain throughout shackling, sticking and bleeding. Upon examination of the forehead, there were 2 wounds, and one penetrating wound. The knock box was rejected and tagged with No. B37373555. Plant manager Patrick McCord was notified of the regulatory control action. Light Hill Meats (est. 46240) has been under a 90 day verification plan for a previous ineffective stun which occurred in December of 2018.
80	M46877	Seven Hills Abattoir	NOA27100 22326G	26FEB2019	04C02	Livestock Humane Handling	Finalized	A meeting was held at 9:30 AM with Dalton Mosser, plant manager, and Sydney Varney, who is responsible for the humane handling plan. We discussed the new corrective action for footing in the pen systems and the addition of sand. After watching a few cattle move through the pens today, the sand appeared adequate (all cattle moved at a calm walking pace). We discussed the need for further monitoring of their corrective action and re-assessing the written humane handling plan to reflect the issues found. As such, they may choose how they wish to monitor their corrective action and overall footing in the pens.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
05	M4969	J J Meat Co.	JCO041503 0019G	19MAR2019	04C02	Livestock Humane Handling	Finalized	<p>This HATS MOI is being issued in response to a question raised by Establishment (Est.) M4969, JJ Meats, regarding humane handling of bob veal and is meant to provide guidance to M4969 IPP and the Est. Est. management recently asked about stunning larger veal calves, that have passed ante-mortem inspection, in the pens and then dragging them to the kill floor via the knock box. The Est. would like to reduce the burden of Est. employees having to carry large veal calves that have passed ante-mortem inspection, but might have difficulty walking a distance, to the knock box to be stunned. The Est. provided an informal document labeled "HH Veal" to justify this practice. Question 10 states: "Once bob veal calves have passed ante mortem inspection, what options are available to acceptably get them to the knocking area?" One of the three answers states "[t]hey can be knocked in the holding pen." Javier Juarez, Jr, the plant manager, estimated that this guidance was provided to the Est. circa 2008 by a DVMS for the District. The document does not have any identifying author information, a date, or even any indication that it came from USDA FSIS. FSIS Policy Development determined that this document was not formal guidance issued from FSIS. Current IIC at the time, (b)(6), reviewed FSIS humane handling Directives and training materials, then sought additional clarification of policy on this topic. According to FSIS Policy and guidance from Directive 6900.2, page 16, Section V SECONDARY ENTRANCES, it is acceptable to stun a larger veal calf in the holding pen after it has passed FSIS ante-mortem inspection, and then transport the unconscious calf onto the slaughter floor. The calf must remain unconscious until it is bled out and deceased for slaughter. Use of secondary/alternative entrances is acceptable so long as the establishment complies with</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								antemortem inspection and humane handling regulations. Livestock that have not undergone and passed ante mortem inspection are not eligible for slaughter, per 9 CFR 309. Animals that have not passed ante mortem inspection for any reason; are dead, or non-ambulatory disabled, may not be conveyed into the Establishment through any entrance, primary or secondary/alternative. (b)(6) recommends that Est. 4969 JJ Meat develop a clear written procedure for the use of an alternative entrance, explaining why this technique is more humane than current procedures, as well as defining how, why and when this practice will be employed. This documentation can be included as part of the written Humane Handling program, or a stand-alone procedure. These procedures should be developed thoughtfully, with the welfare of the animals in mind, and guided by the existing FSIS regulations.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	M6590	Randolph Packing Co., Inc.	YBB581301 4528G	28JAN2019	04C02	Livestock Humane Handling	Finalized	<p>Date/Time: 01/28/2019 at approximately 1:40pm Location: USDA office of M6590 Attendees: (b)(6) (b)(6); (b)(6) (b)(6); Mr. Greg Dronen, Plant Manager The purpose of this Memorandum of Interview (MOI) is to document my discussion with establishment management. At approximately 1:25pm on January 28, 2019, the following deviation of corrective actions were observed at Randolph Packing Co. (M-6590) in Asheboro, NC. The establish is currently under a Notice of Suspension Held in Abeyance (NOSHIA) for an egregious humane handling noncompliance on November 21, 2018. The establishment proposed corrective actions to the district office, which were accepted at that time. The establishment was then allowed to operate with suspension held in abeyance pending verification of corrective actions. Inspection personnel were instructed to verify the establishment's corrective actions daily. Enclosed in the NOSHIA letter to the establishment was a copy of this Verification Plan. The Verification Plan stipulates that inspection personnel are to: "Verify that no cattle are knocked if they are not properly loaded into the box (head first.)" On the afternoon of January 28, 2019, (b)(6) (b)(6) notified me that a black cow had been stunned in the knock box facing backwards a few minutes prior. He stated that the cow showed no signs of excessive excitement prior to stunning and the cow showed no signs of consciousness post-stun. (b)(6) had been performing post-mortem inspection at the other side of the slaughter department but went to the hide-puller area to observe the knocking due to the commotion. (b)(6) stated that (b)(6) (b)(6) was at the knock box and was then gone a few moments later. (b)(6) stated that he was outside attempting to clear the alleyway to run</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>the backward animal out of the knock box and re-load her into the box. (b)(6) then notified (b)(6) and (b)(6) that an animal was backwards in the knock box, which was against procedure (b)(6) saw (b)(6) go to the knock box area. (b)(6) then observed the animal be stunned backwards and notified me. Plant Manager Dronen expressed his disappointment in the employees for not following the prescribed protocol. I spoke with Mr. Dronen about the establishment's responsibility to follow the corrective actions that they had proposed. Mr. Dronen immediately investigated the incident and took the stunner off-line for discussion and re-training. A training record was supplied to me within a few hours of the incident. Mr. Dronen also noted that he would communicate with (b)(6) (b)(6), (b)(6) and (b)(6) regarding the incident. I informed (b)(6) that our discussion would be documented in an MOI and the District Veterinary Medical Specialist would be notified. The NOSHIA letter states "The suspension will remain in abeyance pending verification by FSIS that your proposed corrective and preventative measures have been effectively implemented." On today's date, the establishment did not implement their corrective actions. Mr. Dronen stated that he took the issue seriously and would work to ensure adherence to the corrective actions with all personnel involved in stunning. The information provided in this MOI includes all the topics discussed during the meeting.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	M6590	Randolph Packing Co., Inc.	YBB141001 5030G	30JAN2019	04C02	Livestock Humane Handling	Finalized	<p>Date/Time: 01/30/2019 at approximately 8:30AM Location: USDA office at M6590 Attendees: (b)(6) (b)(6); (b)(6); (b)(6); Greg Dronen, Plant Manager Today, January 30, 2019, at approximately 8:30am, I verbally notified Mr. Greg Dronen, Plant Manager, of my recommendation to the Raleigh District Office to reinstate the suspension currently held in abeyance at M6590. I advised Mr. Dronen that I had contacted the District Office already, which would be followed up with a written suspension letter to the establishment. I based my decision to suspend inspection at the establishment on the following account from a USDA inspector at this establishment: This is the observation of (b)(6): At approximately 7:30am while on the kill floor near the head inspection station (b)(6) heard excessive vocalizing and excitability in the knock box. He immediately walked towards the knock box to ascertain why there was vocalization. When he was able to see the knock box he observed a black cow with both front legs over the top wall trying to escape the knock box. When he observed this, he observed several employees begin to run away from the area and he turned away seeking safety too. He then surmised that it was impossible for the cow to hoist itself over the wall. He then turned around and went back to the knock box area. He went to observe if the cow was being humanely handled. After he arrived at the knocking area and had better visibility, he realized that the cow trying to escape was on top of another cow that had its head in the head restraint. He observed excitability from the both cows. He observed the cow that was trying to escape being struck by an employee with a white rod. The white rod appeared to be at least 28 to 30 inches long and</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>at least ¾ of an inch in diameter. The plant employee lifted the rod behind his head and forcefully struck downwards onto the cow's shoulder and neck area multiple times. (b)(6)</p> <p>(b)(6) stated that there appeared to be great force behind the strike. According to (b)(6) the cow was excessively excited during the entire ordeal. The whites of the cow's eyes were showing as the eyes were open wide. The cow was vocalizing loudly and constantly. (b)(6) stated that the animal appeared to be trying to furiously escape being trapped in the knock box. (b)(6) then observed an employee using his foot kicking and nudging the cow's brisket area as the cow was attempting to climb out of the knock box. (b)(6) then requested that they leave the animals alone to allow them to calm down. Plant manager Greg Dronen, who had just arrived, asked if the cow in the head restraint was still alive. (b)(6) answered "yes." (b)(6) further stated that he didn't see a wound in the cows' head and the cow was still breathing. When (b)(6) peered into the knock box it was revealed that a third cow was in the knock box, under the cow in the head restraint. This third cow did not appear to be able to move and was laying down on the ground under the other two animals. After the cows were calmed, the plant manager gave the order to knock the cows. The cow in the head restraint was knocked first, then the cow on top second, and the cow on the bottom last. (b)(6) then observed the animals immediately rendered unconscious. He then informed the plant manager that he was initiating a regulatory control action and tagged the knock box with U.S. rejected tag no. B30902991 at approximately 7:40am. The information provided in this MOI includes all the topics discussed during the meeting.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
40	M675	Caviness Beef Packers, Ltd.	GGC10150 13026G	26JAN2019	04C02	Livestock Humane Handling	Finalized	<p>Humane Handling MOI Est. 675 Date: 25 January 2019 Time: 1415 Hours Establishment Personnel in Attendance: Luis Arias (GM), (b)(6)</p> <p>(b)(6) (b)(6)</p> <p>(b)(6) FSIS Personnel in Attendance: (b)(6) Topic: Cattle that are injured during transport to the facility by low compartments rubbing their backs. On 1/24/19 (b)(6) observed a dairy cow during antemortem inspection with a marked abrasion of the dorsal thoracic region. (b)(6) informed me about the cow on 1/25/19 at 12:07pm via email. I met with the establishment GM and others listed above. The standard procedure when this has happened in the past has been the yards manager takes photos of the animal and sends them to the cattle buyer who then contacts the transportation company and the owner of the cattle. Also, the transport drivers have been shown the lesions when recognized before they depart. The cattle with these lesions have either been condemned in some cases or made US Suspects and knocked immediately to alleviate suffering. The establishment has been cooperative in implementing these measures and the measures have significantly mitigated the occurrence. The DDO, (b)(6) has been consulted about the matter and indicated to continue the current measures and procedures. During further discussions with the establishment management I asked if the establishment would consider additional measures to mitigate the occurrence of cattle arriving with this injury. The GM and cattle buyer both mentioned additional possible measures and indicated they needed to discuss these further within their management team. My understanding is that the establishment is not held responsible for injuries occurring to livestock during transportation outside of the official premises. They are responsible for</p>

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District	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								handling injured livestock humanely when they arrive at the official premise. In the instances I have been involved in when cattle arrive with this injury the establishment personnel have handled the appropriately.
50	M6785	Bob Evans Farms Inc.	NRL260901 1203G	03JAN2019	04C02	Livestock Humane Handling	Open	<p>This is in regards to the incident where a sow jumped out of the shoot and was running loose in the stunning area and skinning area. She was apprehended and corralled back to the holding pen with no inhumane incident but this is a reminder that the handling of the animals to be stunned shall be done to minimize excitement. This is according to regulation 9 CFR 313.2(a) Handling of livestock: Driving of livestock from the unloading ramps to the holding pens and from the</p> <p>(b)(6)</p> <p>with a minimum of excitement and discomfort to the animals. Livestock shall (b)(6) faster than a normal walking speed.</p>
50	M6785	Bob Evans Farms Inc.	NRL380801 1623G	23JAN2019	04C02	Livestock Humane Handling	Finalized	<p>This is in regards to 1/7/2019 at approximately 6:30am, I, (b)(6) while performing a portion of Humane Handling task I observed that time was not documented any where for the Cooper lot that arrived on 1/4/2019. I took a look at the feeding log. I observed that hogs were fed on Friday 1/4/2019 but there was no time indicated. There were hogs fed on Saturday 1/5/2019 at 3:30 but there was no AM or PM designated. Due to the following discrepancies of time and the lack of accuracy of documentation of time it makes it extremely difficult for USDA personnel to determine if the establishment is in compliance 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."</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M717M	Smithfield Fresh Meats Corp.	UYI461001 3721G	21JAN2019	04C02	Livestock Humane Handling	Finalized	<p>At approximately 9:42 AM on 1/21/19, Establishment employees were emptying pen 32 and 33 in the barn into the circle pen. The gate to the circle pen was open and they were driving pigs through the gate. The gate started to slowly fall and went to the level of the pigs, where it started bouncing up and down as it hit the backs of pigs going underneath it and went back up slightly before coming down again. The employees driving pigs continued to drive pigs under the gate as it hit them on the back and bounced back up slightly. (b)(6)</p> <p>(b)(6) saw this occur and after a short amount of time walked over and held the gate up as employees continued to drive pigs. After the pen was empty, (b)(6)</p> <p>(b)(6) walked up and I asked if he had seen what happened and he answered that he did not. I then told him what happened and he went to talk to (b)(6) and put "do not use" signs on the pens that used that gate. I also told (b)(6) what I had seen happen and told him that the gate shouldn't be hitting the pigs as they go through, as there was a possibility of injury occurring. I then informed (b)(6) and Humane Handling (b)(6) that this MOI would be written.</p>

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90	M7356	Harmon Brothers Meats, Inc.	IJK1809032115G	15MAR2019	04C02	Livestock Humane Handling	Finalized	<p>March 14, 2019 Since October 2018 Harmon Bros. Meats (M7356) Warsaw, KY has been officially suspended from Federally Inspected slaughter due to a humane handling incident. The establishment has been allowed to continue custom exempt slaughter activities during this timeframe, however. While at the establishment following-up on a regulatory control action from the previous day, the SVMO observed at approximately 1330 hrs. EDT a holding pen in the barn lodging roughly 17 swine of varying sizes and weights without access to water. Also, at least half of the pen was covered in a liquid feces soup and the other half in a heavily soiled bedding. One pig was observed in a rather emaciated state; numerous pigs had rather large umbilical hernias; and several were noted with hock lesions, dry though they may have been (not actively oozing/bleeding). This observation was brought to the attention of plant personnel, and to Mr. Dave Harmon, establishment owner, who was likewise informed of this forthcoming MOI. The FMIA (Federal Meat Inspection Act) and the HMSA (Humane Methods of Slaughter Act) apply to custom exempt slaughter activities per FSIS USDA Directive 5930.1 Revision 4.</p>
50	M791C	Clemens Food Group, LLC	QCF1812025812G	12FEB2019	04C02	Livestock Humane Handling	Finalized	<p>On Tuesday, February 12, 2019 at approximately 0905 hours; (b)(6) had a discussion with (b)(6) about her observations of possible over usage of the "Rattle Paddles" in the serpentine area. She directed his attention to 9 CFR 313.2(b) which states: "Electric prods, canvas slappers, or other implements used to drive animals shall be used as little as possible in order to minimize excitement and injury. Any use of such implements which, in the opinion of the inspector, is excessive, is prohibited." (b)(6) indicated that he would discuss the concerns with the team.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M8979	New Geneva Meats & Processing Inc.	BAM07130 25820G	20FEB2019	04C02	Livestock Humane Handling	Finalized	<p>At approximately 1305 hours, I was observing the slaughter process including stunning, sanitary dressing, etc., in the doorway of the kill-floor. A kill-floor attendant was stunning goats with a captive bolt, while a halal religious representative bled the goats. I observed a goat fall to the floor after a captive bolt was discharged and then heard the operator trying to get the attention of the religious representative. I heard a goat vocalize. When I approached the stunning site the throat of the goat had been slit, however I could not determine if the goat was conscious, nor could I determine if the goat had vocalized before or after the ritual cut. (b)(6)</p> <p>(b)(6) then discharged a second captive bolt to the goat. I did not have a clear view of the goat while these events occurred. I took a verbal regulatory control action, based on the vocalization of the goat, and informed establishment management that slaughter operations were to be stopped, while I contacted my supervisor for further guidance. I then placed a U.S. Reject tag (#B37697557) on the stunning pen). After further discussion with the district management team, I removed my tag and slaughter operations resumed. I then spoke to (b)(6); (b)(6); and Paul Smith, owner, in regards of the situation and that an MOI will be documented. In this discussion, it was suggested of checking for consciousness before making the cut- it would be a best practice if a plant employee did this before the cut, i.e. checking the eyes for reflexes.</p>

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15	M9265	Marks Meat Inc.	CFJ421602 4201G	01FEB2019	04C02	Livestock Humane Handling	Finalized	<p>On 2/1/2019, at approximately 10:45 am, I, (b)(6) observed the plant owner, Jimmy, and (b)(6) attempt to stun a beef cow with a .22 caliber pistol. The cow remained conscious as the cow was still standing and displaying eye movement and reflex. Tomas immediately attempted a second stunning attempt with the same firearm which again failed to render the cow unconscious. The cow was still standing, and the eyes were tracking to the environment. Thomas immediately attempted a third stunning attempt, again, with the same firearm. The cow fell to its knees but was still conscious, as the head was observed to be raised, and the eyes were still tracking to the environment. (b)(6) attempted a 4th stunning attempt but the gun was out of ammo. Jimmy, the plant owner, immediately grabbed the new hand-held captive bolt device and attempted another stunning attempt which rendered the animal unconscious. I immediately applied a rejected tag on the knock box (No. A1281778) and informed plant owner, Jimmy, that this is a noncompliance and that I would be contacting the Denver District Office through supervisory channels for further instruction.</p>

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50	M952	BEF Foods, Inc.	YUC091402 4220G	20FEB2019	04C02	Livestock Humane Handling	Finalized	<p>Meeting Attendees: (b)(6) Based on review of your approach to humane handling on 2/19/2019 and 2/20/2019, I have determined that your establishment has a robust systematic approach to humane handling. First, I found you had performed an assessment of your animal handling program. This was evidenced by a humane handling policy document which described methods for the following: the transportation of livestock, the unloading of livestock, the holding of livestock, the movement of livestock, the maintenance of the facilities, the stunning of livestock, the maintenance of stunning equipment, emergencies, and the training of personnel handling livestock. Second, I discovered you had designed facilities and implemented practices that minimize excitement, discomfort, and accidental injury to livestock. During my evaluation, I observed livestock movement, holding, and handling methods to be conducted in a manner that minimized excitement, discomfort, and injury to the livestock. Third, I identified that you perform periodic evaluation of handling and stunning methods. Daily and weekly humane handling records showed establishment personnel monitor and/or record the condition of livestock transport trailers, the training of truck drivers, the condition of the facilities, the condition of stunning equipment, the holding of livestock, the movement of livestock, the stunning of livestock, and the return to consciousness of livestock. These monitoring activities helped to ensure facility conditions, equipment conditions, and employee handling practices did not result in injury to livestock. Fourth, I determined you adjust handling practices and facilities to ensure that they minimize excitement, discomfort, and accidental injury when a less than ideal practice or part of the facility is identified. This is evidence</p>

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District	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								by the records you maintain, my observation that facilities are maintained to minimize injury to livestock, and my observation that livestock are handled to minimize excitement, discomfort and injury. These findings support that you have a robust systematic approach to humane handling. However there were a couple areas that are vulnerabilities in the plant's humane handling system. On 2/19/19 a sow was found to have its head stuck in a low rung of a gate in pen #3, and while the plant took immediate action to mitigate further injury and made plans for corrective action to prevent reoccurrence, these plans have not yet been implemented. Also, as previously observed by (b)(6) there continues to be an issue of sows bulking upon entering the automated restrainer and the restraint area between the two drop gates.

Table: MOIs in Response to FOIA2019-258

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
60	M9573	Tri County Meats Inc.	USN01100 15107G	07JAN2019	04C02	Livestock Humane Handling	Finalized	<p>On January 7, 2019, at approximately 0845 hours while performing humane handling verification activities at Establishment 9573, I observed the following egregious mis-stunning of a sow. 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 animal was hit but remained conscious. The stunning attempt hit the head as evidenced by the sow's sudden movement away from the stunner and a spot on the head where the captive bolt hit, but the sow remained standing and vocalized. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun. A second attempt was made with new cartridges, but the animal remained conscious evidenced by vocalization . A third attempt was made with a new captive bolt and cartridges and once again the animal remained conscious evidenced by vocalization . The stunner then used electrical stunning to render the sow unconscious and insensible. Upon post mortem, I observed the three distinct holes in the skull to verify that the animal had been hit three times. I instructed establishment management and employees to halt further slaughter operations. I tagged the stunning box, with U.S. Rejected tag #B26811293, to stop the slaughter process. I informed Mr. Robert Weyandt, manager, of the multiple stunning attempts needed to effect unconsciousness in a sow and informed him that due to the seriousness of this matter, an immediate regulatory control action was taken and that I was alerting the District Office of the egregious situation. The Establishment operates under a Robust Systematic Approach. Within the previous six months, there were no Humane Handling Noncompliance Records. I recommend</p>

Table: MOIs in Response to FOIA2019-258

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								that the Establishment be given a Notice of Intended Enforcement instead of a Notice of Suspension.

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M332	FPL Food	ACA561 201350 3N-1	01/02/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category: Water and Feed Availability CFR 9 313.2(e) All animals shall have access to water in all holding pens, and if held longer than 24 hours, access to feed. On January 2, 2019, at approximately 0515 hours, while performing antemortem inspection at Establishment #332, FPL Food, LLC, I, (b)(6) observed the following noncompliance. Pen 23, occupied by cattle, had no water. (b)(6) and (b)(6) were notified immediately. Upon further investigation, the occupied pens on the front half of the barn (pens 19, 20,21,22,23, and16) also had no water. On the backside, Pen 3, occupied by cattle, had no water. I could not ascertain the status of the rest of the backside pens as by then the establishment had taken a corrective action and turned on the water.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M332	FPL Food	ACA271 401532 1N-1	01/21/2019	04C02	Livestock Humane Handling	313.1	<p>9 CFR 313.1 (a) Livestock pens, driveways, and ramps shall be maintained in good repair. They shall be free from sharp objects 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. On January 21, 2019, at approximately 8:30 AM, while inspecting the Tub and Stairwell at Establishment 332M, FPL Food, I, (b)(4), (b)(4), observed the following noncompliance. Sheet metal panels which had just been installed to replace old metal panels that served as the walls of the stairwell all had sharp edges on the bottom corners that could cause pain and injury to the animals. There were no animals in the Tub. (b)(4) was present and I asked him to call (b)(4). (b)(4). (b)(4) was notified immediately. I took regulatory control action and tagged the gate to the entrance of the Tub (US Retained/Rejected tag # B37 086372). There were a few animals in the stairwell that went on to the Knockbox. FPL maintenance workers took the corrective action of cutting the edges and grinding them. I walked though the Stairwell afterwards and felt all the corners. They were no longer sharp. I removed the tag from the gate.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M332	FPL Food	ACA551 301502 2N-1	01/22/2019	04C02	Livestock Humane Handling	313.1	<p>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. On January 22, 2019, at approximately 5:20 AM, while performing antemortem inspection at Establishment M-332, FPL FOOD, I, (b)(6), observed the following noncompliance. Inside the USDA Suspect holding pen, where a cow was being kept, were two separate wooden boards with exposed sharp nails in them which could cause pain and injury to the cow. I asked (b)(6) to call (b)(6) and (b)(6) was notified immediately. (b)(6) took the corrective action of removing the boards from the pen.</p>	CLOSED
M332	FPL Food	ACA170 903120 7N-1	03/07/2019	04C02	Livestock Humane Handling	313.15(a){1}, 313.15(a){3}	<p>This morning at approximately 0545 while performing antemortem examination on pen 6, a calf was noted in the pen. All the cattle were removed from the pen except the calf. The calf was dry and walking strongly. An FPL employee attempted to knock the calf with a captive bolt gun. The first knock was ineffective with no state of complete immediate unconsciousness - the calf fell to the floor, vocalized, was blinking, and was trying to get up. Following their Robust Systematic Approach (RSA), the establishment took immediate, effective corrective actions and stunned the animal a second time. The second stun was effective and rendered the calf unconscious. I immediately tagged off the knockbox in accordance with 9CFR 313.5c. I immediately notified (b)(6), (b)(6), and (b)(6). I notified (b)(6), (b)(6), and (b)(6).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M482	St. Croix Abattoir	NAA45 120121 29N-1	01/29/2019	04C02	Livestock Humane Handling	313.2	<p>At 10 o'clock am on January 29, 2019, (b)(6) Symons went to the holding pens to conduct ante mortem inspection on the 24 mature sheep in pen #1, which were brought in the day before. The pen floor was covered in manure and the water trough had approximately 1/2inch of water in it. (b)(6) (b)(6) informed (b)(6) that the pen needed to be cleaned and the water trough needed to be filled so that the animals had access to water. (b)(6) also informed (b)(6) (b)(6) and (b)(6) (b)(6) of the situation. (b)(6) stated he would talk to the pen man. At 1:05 pm, (b)(6) went to the holding pens to conduct ante mortem inspection on the remaining 17 sheep in pen #1. (b)(6) observed less than ½ inch of water in the West end of the water trough, and the Eastern end of the trough was empty. (b)(6) arrived at the pens while (b)(6) was observing the conditions and he filled the water trough for the sheep. (b)(6) informed (b)(6) that a NR would be issued for the failure to provide adequate water to the animals in the pen. Per 9 CFR 313.2 (e): Animals shall have access to water in all holding pens.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M11113	Ali International Inc.	FDA5612010416N-1	01/16/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category VII: Observations for Slips and Falls 9 CFR 313.1(b) At approximately 1315 hours while I, (b)(6), was performing humane handling verification for HATS Category VII at M11113 (Ali Meats) the following noncompliance was observed: Six cattle were presented for antemortem inspection with each animal being housed in a separate pen. The flooring of the three larger pens (pens 1-3) are slanted and constructed of smooth concrete with shallow lines cut into them. The flooring of the three smaller pens is made of rough concrete. As the animals moved themselves around in the pens, the cattle housed in pens 1 and 3 were observed to slip (portions of the legs other than the foot made contact with the ground) and fall (the animal abruptly lost its upright position and parts of the animal other than the limbs touched the ground). After slipping and falling, it was observed that the animal in pen 1 had to make several attempts to gain sufficient footing to stand. After falling, the animal in pen 3 was able to right itself on the first attempt, but was observed to skid forward in the pen. Both pens 1 and 3 were also observed to contain a thin layer of moist cattle feces. Skid trails were observed in the feces. (b)(6) was notified of the noncompliance and observed the animal in pen 1 slipping and falling. As all pens six were occupied, the affected animals were removed from the pen, sequentially allowed to progress to the stunning box, and were slaughtered. No US reject tag was applied to pens 1 and 3 as the animals were immediately sent to slaughter and no further animals were placed in these pens. It was explained to (b)(6) that animals were required to have footing adequate to prevent slips and falls. The above noncompliance fails to meet the regulatory requirements of 9 CFR 313.1 (b). This noncompliance was not considered egregious. This document serves as written</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							notification that your failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action.	
M11113	Ali International Inc.	FDA071302S612N-1	02/12/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category VII: Observations for slips and falls 9 CFR 313.1(b) At approximately 1330 hours while performing antemortem inspection at establishment # M11113 (Ali Meats) the following noncompliance was observed by (b)(6) and (b)(6). Two cattle were presented for antemortem inspection in pen #2. One of the cattle was observed to be agitated and aggressive in behavior, and while moving around in the pen was observed to slip (portions other than the foot made contact with the ground) and fall (losing its upright position suddenly and the side of its chest touching the ground). The incident occurred in the left front area of the pen and at the entrance of the pen. (b)(6) was notified of this noncompliance. A regulatory control action was taken rejecting pen #2 with US reject tag # B4126561S. Both cattle were removed from Pen #2. This does not comply with 9CFR 313.1(b) This noncompliance has been linked/associated with NR # FDAS612010416N/1- dated 1/16/2019. Previous implemented corrective actions have been ineffective. This document serves as written notification that your failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M11116	Osteen Meat Service Inc.	TOA301 102420 4N-1	02/04/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	<p>HATS category VIII: Stunning Effectiveness 9 CFR 313.15(a)(1) and 313.15 (a)(3) On February 4, 2019 at approximately 9:15am, While performing a Humane Handling verification task at establishment M11116. I, (b)(6) observed the following noncompliance; An establishment employee was observed to deliver an ineffective captive bolt stun to a market hog. The stun was ineffective as it contacted the animal but failed to render it unconscious. The hog remained standing and was vocalizing after the captive bolt was applied. The employee then immediately delivered a second captive bolt blow that effectively rendered the hog unconscious. The head of the animal was inspected after the animal was bled and hoisted. Two circular captive bolt holes were observed to be present. Mr. Steve Osteen (plant owner) was notified of the noncompliance. The above noncompliance fails to meet the regulatory requirements of 9 CFR 313.15(a)(1) and 313. 15(a)(3). This noncompliance was not considered egregious as the plant took immediate and effective corrective actions. 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

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6590	Randolph Packing Co., Inc.	YBB351 201190 8N-1	01/08/2019	04C02	Livestock Humane Handling	313.2	<p>At approximately 12:45pm on January 8, 2019, the following humane handling noncompliance was observed at Randolph Packing Co. (M6590) in Asheboro, NC: While observing the stunning activities of cattle, I noticed a cow showing signs of excessive excitement in the knock box. The cow walked into the knock box and the rear-pusher equipment did calmly push her head towards the head restraint. However, the cow positioned her head to the side and her head was caught in a side opening when the head restraint mechanism was manually lowered. The cow immediately began vocalizing loudly and continuously, exhibiting signs of excessive excitement and distress. Her eyes were opened very widely, and the whites of her eyes were prominent. Her head and neck were restrained upwards and to the side at a sharp angle. The cow was resisting the head restraint with her body. One establishment employee at the head restraint adjusted the equipment, which further tightened the restraint on the cow's neck. The cow continued vocalizing in distress and resisting the restraint. Both employees at the knock box walked a few feet away from the head restraint controls towards the side of the cow's body. No one was present at the head restraint controls to address the excessive excitement of the animal; neither employee was making proactive moves to do so. When presented with multiple opportunities to address the excessive excitement of an animal, establishment personnel did not perform any effective actions, and this allowed for continued distress of the animal. At this point, I was able to catch the attention of one of the establishment employees and notified them to release the animal from the head restraint. The animal's head was released from the head restraint upon my notification. There were no obvious signs of trauma to the animal's body. I allowed for the calm attempt to stun the animal. The animal's head was quickly and calmly</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>repositioned into the head restraint and the cow was promptly and effectively stunned. (b)(6) (b)(6) and Mr. Greg Dronen, plant manager, were notified of the humane handling noncompliance. The regulation 9 CFR 313.2(a) requires that: "Driving of livestock ...from the holding pens to the stunning area shall be done with a minimum of excitement and discomfort to the animals." The U.S. Rejected tag No. B3093S024 was placed in the stunning area pending corrective actions and preventative measures from the establishment. The establishment was able to process carcasses that had already been stunned. Mr. Dronen identified the cause of the noncompliance as a personnel issue. He developed a policy that no animal may be restrained in this side opening if it is showing any signs of potential excitement or discomfort. He stated that many animals are stunned with minimal excitement and distress when restrained in this side opening. He trained the employees involved on this new policy and stated that he will document the policy in the humane handling standard operating procedures. He also gave a verbal refresher training to the stunner on how to identify excitement and discomfort in cattle and how to address them. The employee who had tightened the head restraint for the second time stated that this was accidental, as they were not familiar with the controls. Mr. Dronen counselled the employee that only trained employees should adjust the restraint controls. Regulatory control was removed from the stunning area at approximately 1:25pm.</p>	

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6720	Martin's Pork Products, Inc.	AVA430 302542 2N-1	02/21/2019	04C02	Livestock Humane Handling	313.1	On February 21, 2019 while outside in the barn I came across a noncompliance. Pens in the back of the barn had not been cleaned pen 10 had hogs inside. Before hogs can be put into a pen the pen must first be clean. The unloading ramp was not clean could cause the animals to slip when they are being unloaded. (b)(6) was notified of the establishment failure to comply with federal regulation 313.1(b).	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M18079+P 27232	Smithfield Fresh Meats Corp.	VFB172 202041 2N-1	02/12/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	<p>At approximately 2104, on February 12, 2019, while verifying HATs category eight on hogs in the "A Back" pens, I observed (b)(6) a Livestock Supervisor, as he stood in front of a hog and attempted to perform a handheld captive bolt stun. (b)(6) was assisting (b)(6) by holding a sorting board against the hog's side. Prior to the stun attempt, the animal was in the sitting position, in the backside left corner of the pen. When (b)(6) fired the captive bolt gun, I noticed that the sound was muted. The hog began vocalizing and attempted to move, however she was restrained in the pen corner by (b)(6). (b)(6) used the back-up captive bolt gun, which was in his possession, to re-stun the hog. When the second shot was fired, the animal immediately stopped vocalizing. Approximately 30 seconds elapsed between the first stun attempt and the second stun attempt, which rendered the animal insensible. I inspected the animal's head and found two distinguishable holes made from the first and second stun attempt. They both appeared to be in an acceptable region to produce an effective stun. (b)(6) was present during my inspection of the animal's head. I asked that (b)(6) call for (b)(6). (b)(6), so that I could notify her of the situation. Immediate, official control was taken of the livestock hand-held captive bolt guns with retain U.S. Reject/Retain Tag No. B42199733. The establishment took both of the handheld captive bolt guns and the cartridges out of service. Regulatory control was released at 2342.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19511+P 19511	Thomas Brothers Abattoir	VVA571 103181 5N-1	03/15/2019	04C02	Livestock Humane Handling	313.1	While observing the pens, driveways and ramps at Thomas Brothers TA19511 at approximately 12:30 PM the following noncompliance was observed. Holding Pen #1 on the right hand side one of the poles has rusted through and is causing sharp edges. Also in holding pen #1 the metal plate above the water trough has rusted through and is causing sharp edges. In Holding Pen #4 the metal piece on the backside of the door has rusting through causing sharp edges. In Holding Pen #6, the metal rail above the water trough has rusted through and is causing sharp edges. Regulatory Control was taken of pen 1,4 and 6 with USDA tag numbers B 30 323002, B 30 323001 and B 30 323005 and was applied as per rules of practice 500.2(a)(1). Ted Thomas, Plant owner was notified of the noncompliance and failure to comply with CFR 9 313.1	CLOSED
M4265+P4 265+V4265	Locust Grove Farm	XBA461 001321 4N-1	01/14/2019	04C02	Livestock Humane Handling	313.2	HATS CATEGORY III At approximately 1146AM on January 14, 2019 while performing a routine humane handling task, the following noncompliance was observed. I, (b)(6), observed three pens of swine in which water was not present. There were two market hogs in one pen, one market hog in a pen and a sow in the third pen all three pens did not have a bucket or any source of water available, further more there was not a bucket or holding devise for water in the entire holding pen area. Establishment Kill floor employees were immediately notified verbally and in writing of this noncompliance. Plant employees immediately performed corrective actions by providing accessible water. This is noncompliant with 9 CFR 313.2(e).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4486+P4 486	N S Brandon Packing Inc.	ZWE20 140116 17N-1	01/17/2019	04C02	Livestock Humane Handling	313.2	CATEGORY III- Water and Feed Availability: 9 CFR 313.2(e) On Jan 17, 2019 at approximately 3:05 pm I observed the first pen of lambs had no water in their bucket. It was dry as a bone. (b)(6) (b)(6) was notified of this non compliance with 9 CFR 313.2(e). (b)(6) immediately gave the lambs water.	CLOSED
M8547+V8 547	Champlain Beef Company Inc.	PRO160 903541 9N-1	03/18/2019	04C02	Livestock Humane Handling	313.2	HATS Category IV On March 18, 2019, at approximately 1630 hours while performing routine humane handling verification activities at Establishment M8547, IPP observed the following noncompliance in the livestock pens. A bovine animal arrived at the establishment intended for slaughter. Upon arrival, the animal was nonambulatory on the trailer and the establishment began procedures to demonstrate that the cow was ambulatory. However, their attempts failed, and a plant employee explained to IPP that they would like to leave premises with the animal to utilize a different method of getting the cow to stand. IPP stated that because antemortem inspection was being performed, taking the cow off-premises would not be acceptable. One plant employee became upset and threw the hand-held electric prod towards the back of the trailer where it hit the nonambulatory cow squarely on the shoulder. (b)(6) (b)(6) was immediately notified of the noncompliance and the establishment's failure to adhere to the regulatory requirements of 9 CFR 313.2(a).	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19989+V 19989	Ward Willard & Son	HMH12 070356 01N-1	03/01/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	HATS Category VIII - Stunning Effectiveness On March 1, 2019, at approximately 0747 hours while performing humane handling verification activities at Establishment M19989 Ward Willard and Son, I (b)(6), observed the following Noncompliance: The Establishment moved a Holstein dairy cow into the stun box for stunning with a handheld captive bolt. The cow was standing freely in the stun box. As the Stunner made the first stunning attempt with the captive bolt, the cow didn't go all the way down. The cow went down into a sitting position, with the front feet still upright. Her head was not down, and her hind feet were under her (as if sitting like a dog). The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which made the cow insensible. Mrs. Willard, Plant Owner/HACCP Coordinator was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1) and 9 CFR 313.15 (a)(1) for unconsciousness.	CLOSED
M5297+V5 297	Big Dog Meats LLC	XFI2109 033212 N-1	03/12/2019	04C02	Livestock Humane Handling	313.1	HATS Category III While performing ante mortem at 0730 hours I observed the following noncompliance. There were 4 sheep in a pen on site with no access to water. I notified Plant Owner Joe Latella of this violation Immediately. I took a regulatory control action immediately. Joe Latella had an employee place a tub of water in the pen with the sheep, so then I removed my regulatory control action. This is a violation and noncompliance of 9 CFR 313.1 & 313.2(e).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5300	Rhode Island Beef & Veal Inc.	VEL151 401180 2N-1	01/02/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>Humane Handling Category VIII: Stunning Effectiveness This afternoon, at approximately 2:45pm, while observing the slaughter of beef cows to ensure acceptable humane slaughter methods, the following noncompliance was observed: The employee performing the stunning applied the captive bolt stunner to the head of a beef cow and shot it with a captive bolt stun gun. The beef cow remained on its feet, and moved its head to the right, but was not vocalizing. The employee immediately utilized the loaded back-up captive bolt gun and applied a second, successful shot which rendered the animal unconscious. This is noncompliant with 9CFR 313.15(a)1. (b)(6)</p> <p>(b)(6) was notified of this noncompliance verbally and with this notice. No regulatory control action was taken due to the immediate action by the employee.</p>	CLOSED
M5300	Rhode Island Beef & Veal Inc.	VEL130 801152 8N-1	01/28/2019	04C02	Livestock Humane Handling		<p>Humane Handling Category III: Water and Feed Availability While conducting livestock humane handling task in the inside pen area on 1/28/19 at approximately 0800 the following observations was made: 3 separate indoor pen: one pen holding approximately 7 cows, second pen holding a mixture of approximately 15 lamb and goat and third pen holding a mixture of approximately 100 lambs and goats were not provided with water. The (b)(6) and (b)(6) was notified and immediately provided water to the animals. This is noncompliant with 9 CFR 313.2 (e).</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5300	Rhode Island Beef & Veal Inc.	VEL080 902422 5N-1	02/25/2019	04C02	Livestock Humane Handling	313.1	Humane Handling Category II: Truck Unloading On 2/22/19 at approximately 0900 while conducting unloading facilities the following noncompliance was observed: The outside receiving pen has approximately 3 inches of metal wires along the fence and by the opening gate bent and exposed into the receiving pen. There was no animal in the pen at the time of observation as the animal had been moved inside to a different holding pen after being delivered. (b)(6), was notified of this non compliance verbally and with this notice.	OPEN
M5300	Rhode Island Beef & Veal Inc.	VEL191 302532 7N-1	02/27/2019	04C02	Livestock Humane Handling	313.1	Humane Handling Category IV: Handling During Ante-Mortem On 2/27/19 at approximately 1353 while conducting ante-mortem the following noncompliance was observed: The opening gate between the shoot and the main holding pen has approximately 6 inches of exposed metal fencing wire into the holding pen. At the time there was 16 pigs in the pen. (b)(6) took immediate action of the noncompliance and no U.S. Reject Tag was applied on the gate. (b)(6) (b)(6) was notified of this non compliance verbally and with this notice.	OPEN

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5497+V5497	Adams Farm Slaughterhouse LLC	FWJ0314015702N-1	01/02/2019	04C02	Livestock Humane Handling	313.16(a)(1)	Humane Handling Category VIII: Stunning Effectiveness This afternoon, at approximately 1430 hours, while observing the slaughter of swine to ensure acceptable humane slaughter methods I observed the following: the employee performing the stunning had the last animal of the day, a large sow, in the kill box. He used a pistol to shoot the sow. The sow remained upright, not vocalizing at all but blood was observed in its facial area. The employee immediately reloaded the pistol and shot again successfully rendering 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. The establishment has a robust, systematic animal handling slaughter plan on file. There is one similar NR issued 12/19/2018, record number FWJ364122419N.	CLOSED
M5497+V5497	Adams Farm Slaughterhouse LLC	FWJ0514011609N-1	01/09/2019	04C02	Livestock Humane Handling	313.15(a)(1)	Humane Handling Category VIII: Stunning Effectiveness This morning at approximately 11:35, while observing the slaughter of swine to ensure acceptable humane slaughter methods, the food inspector observed the following: the employee performing the stunning had a hog in the kill box. He applied the captive bolt stunner to its head and shot it. The hog vocalized and remained standing. Immediately upon seeing the hog remain upright the employee retrieved the back up stun gun, which is readily available in the kill box area, and applied a second, successful shot which rendered the hog unconscious. (b)(6) was notified of this noncompliance verbally and with this notice. The most recent similar NR for captive bolt stunning was record no. FWJ3713075023N on 7-23-2018. The establishment has a robust, systematic animal handling and slaughter plan on file.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5497+V5 497	Adams Farm Slaughterhouse e LLC	FWJ481 401473 ON-1	01/30/2019	04C02	Livestock Humane Handling	313.30(a)(3)	Humane Handling Category VIII: Stunning Effectiveness This morning, at approximately 10:30am, while observing the slaughter of swine to ensure acceptable humane stunning methods, the following noncompliance was observed by the food inspector: The employee performing the electrical stunning applied the stunning wand to a market swine and activated it. The animal moved as the stun was being applied and the wand lost contact causing the animal to move and vocalize loudly. An employee standing by used the loaded back up captive bolt stun gun and applied an effective shot rendering the animal unconscious. (b)(6) was notified of this noncompliance verbally and with this notice.	CLOSED
M5497+V5 497	Adams Farm Slaughterhouse e LLC	FWJ451 202342 2N-1	02/22/2019	04C02	Livestock Humane Handling	313.15(a)(1)	Humane Handling Category VIII: Stunning Effectiveness This morning, at approximately 0800 hours, while observing the slaughter of swine to ensure acceptable humane stunning methods, the following noncompliance was observed by the food inspector: The employee performing the captive bolt stunning had a hog in the kill box. He applied the captive bolt stunner to the hogs head and shot it. The hog vocalized and remained standing. Upon seeing the hog still standing the employee got the backup stun gun, which is readily available in the kill box area, and applied a second shot which was successful in rendering the hog unconscious. (b)(6) was present at the time and observed the miss stun. The most recent similar NR issued for captive bolt stunning was record number FWJ0514011609N on 1/9/2019. The establishment has a robust, systematic animal handling and slaughter plan on file.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5497+V5497	Adams Farm Slaughterhouse LLC	FWJ1311031225N-1	03/01/2019	04C02	Livestock Humane Handling	313.30(a)(3)	Humane Handling Category VIII: Stunning Effectiveness On Friday, March 22 at approximately 3:45, while observing the slaughter of swine to ensure acceptable humane stunning methods the following noncompliance was observed by the food inspector: The employee performing the electrical stunning applied the stunning wand to a market swine and activated it. The animal moved its head as the stun was being applied and the wand lost contact with the area behind the ear which resulted in the animal vocalizing and an unsuccessful stun. The employee immediately retrieved the loaded backup stun gun and applied an effective shot rendering the animal unconscious. (b)(6) was present and was notified visually, verbally and with this notice.	CLOSED
M5998	Bristol Beef	FUL1710025306N-1	02/06/2019	04C02	Livestock Humane Handling	313.2	HATS CATEGORY III Water and Feed Availability (9CFR 313.2) Today (2/6/2019) at approximately 9:30AM I observed 7 sheep, 1 goat, and 1 veal calf being held in holding pen number one and 6 steers and 2 veal calves being held in pen number 2 at establishment # 5998 Bristol Beef. In holding pen number 1 and 2 there was an empty bucket normally used for water. The lack of water access is a noncompliance with 9CFR 313.2(e). I informed establishment manager William DeMartino of this noncompliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6354+P6 354+V6354	E.L. Blood & Son, Inc.	BNH15 110303 13N-1	03/13/2019	04C02	Livestock Humane Handling	313.15(a)(1)	Humane Handling Category VIII: Stunning Effectiveness This morning, at approximately 11:30am, while observing the slaughter of sheep to ensure acceptable humane stunning methods, the following noncompliance was observed: The employee performing the stunning applied the captive bolt at the back of the animal's head and shot it. The sheep then lost its footing but was sitting in sternal recumbency, still held its head up and was looking around, breathing rhythmically, and blinking. Using the loaded back-up captive bolt stunner, the same employee applied an effective 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 the noncompliance and that a noncompliance record would be generated to reflect this finding. Upon record review, no recent, similar noncompliance records have been generated to reflect the same root cause.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45790	3282 Beaver Meadow Road LLC	BJL311 102462 8N-1	02/28/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 10:45am on 02/28/19, while performing a routine humane handling task, the following non-compliance was observed. I observed the plant move a market pig into the stun chute. The pig was moved calmly, had good footing, and did not appear to slip or fall. I was located on the kill floor approximately 10 feet from the kill chute and had a clear and unobstructed view of the stunning area. I observed (b)(6) attempt to stun the pig with a captive bolt. The first attempt to stun the pig did not effectively render the animal unconscious, as immediately following the attempt the pig remained standing and moving it's head in an up and down motion; I also observed a small amount of blood on the pig's forehead. (b)(6) took immediate corrective action by reloading the captive bolt and applied a second stun. Following the second stunning attempt I observed the animal for signs of sensibility and concluded the animal was completely unconscious. I observed (b)(6) check the animal for signs of sensibility before continuing the slaughter process. The animal remained fully unconscious throughout shackling and bleeding. This is a non-compliance with 313.15(a)(1). Regulatory control action was not taken, as (b)(6) had a second captive bolt shell ready to use when immediate corrective action was needed. (b)(6) was verbally notified, and (b)(6) and was both notified in writing with this non-compliance record.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9542+P9 542+V9542	Lemay and Sons Beef, LLC	TQL360 902131 4N-1	02/14/2019	04C02	Livestock Humane Handling	313.2	<p>HATS category III: Feed and Water Availability</p> <p>While performing a humane handling task in the holding pens at approximately 10:00AM on 2/14/19, the following noncompliance was observed: 6 sheep housed in a single pen were not provided water. (b)(6)</p> <p>(b)(6) was notified and the animals were immediately provided water. This is in noncompliance with 9CFR313.2(e). (b)(6)</p> <p>(b)(6) was notified of the noncompliance verbally and also informed that a noncompliance record would be generated to reflect this finding. Upon record review, no recent noncompliance records of the same root cause have been generated.</p>	CLOSED
M20321+V 20321	Luce's Maine Grown Meats	NKI121 002442 5N-1	02/25/2019	04C02	Livestock Humane Handling	313.16(a)(1)	<p>HATS Category VIII (Stunning Effectiveness) (9 CFR 313.16(a)(1)) At approximately 1100 on Monday, 2-25-19, while performing a routine Livestock Humane Handling task, I observed (b)(6)</p> <p>(b)(6), (b)(6)</p> <p>(b)(6) into the kill chute and then heard him alert the inspector and other personnel that the bull was ready to be stunned. I withdrew myself to a safe location in the hallway nearby. After hearing (b)(6) fire a .410 bore shotgun for the first time, (b)(6)</p> <p>told me to stay where I was because the bull had not yet been stunned. I saw that the bull was standing upright on all four legs and breathing normally. (b)(6) then reloaded the shotgun and fired it a second time, after which shot the bull dropped to the floor and was rendered immediately unconscious. The animal remained unconscious after it was hoisted and bled. I notified (b)(6) and (b)(6) of the noncompliance with 9 CFR 313.16(a)(1). No associations were found with any other noncompliance records issued within the last ninety days at the establishment.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M20321+V 20321	Luce's Maine Grown Meats	NKI280 903360 7N-1	03/07/2019	04C02	Livestock Humane Handling	313.2	HATS Category III – Water and Feed Availability (9 CFR 313.2) The following noncompliance was observed on Thursday, March 7, 2019 at approximately 8:30AM, while performing a routine Livestock Humane Handling task. Within the holding pen area, I observed one dairy cow and three market swine were without access to drinking water. The cow's holding pen had two water pails, one of which was frozen solid with ice and the other was filled with what appeared to be frozen mud. I observed a clean pail containing fresh water located outside of the holding pen, which the cow could not reach. The water pail inside the market swine's pen was also observed to be empty. This represents noncompliance with 9 CFR 313.2 (e), animals shall have access to water in all holding pens. I immediately notified Mr. Arnold Luce, Plant Owner, of my observations and verbally issued a noncompliance pending my written report. A review of NRs in PHIS showed no documented noncompliance of similar cause during the past 90 days.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7464+P7 464	F.B. Purnell Sausage Co., Inc.	CMN01 220151 28N-1	01/28/2019	04C02	Livestock Humane Handling	313.1	<p>On Monday , 01/28/2019 at approximately 21:30 hours I (b)(6) observed the following non-compliance while conducting HATS verification in the barn : the floor drain in pen # 4 was not covered and there were approximately 40 sows in the pen. The open drain hole was approximately 6-7 inches wide and dropped down 2-3 feet deep into the ground of the pen I did not witness any animals stepping into the open drain and no animals in the pen appeared to be injured in any manner. There were no personnel to be found in the barn so I rejected the pen door with USDA tag # B42 198872 & rejected the loading chute with USDA tag # B42 198873 until I located (b)(6) who informed me he himself did not unload those hogs that (b)(6) (b)(6) was the one who unloaded them. (b)(6) met me at the rejected pen and stated: "The drain was not like that when he put the hogs into the pen & perhaps one of the hogs pulled it off ". (b)(6) immediately entered the pen and replaced the drain cover which was a few feet away from the open drain. I released pen # 4 and the loading chute at that time. This represents non-compliance with 9 CFR 313.1(a) 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." (b)(6)</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7464+P7 464	F.B. Purnell Sausage Co., Inc.	CMN35 230123 30N-1	01/30/2019	04C02	Livestock Humane Handling	313.1, 313.2	<p>At approximately 22:30 hours on Wednesday 01/30/2019 while verifying Humane Handling Activities (HATS) I, (b)(6) made the following observations: Every holding pen in the barn had overhead water sprinklers running with ceiling fans on, each pen had approximately 30-40 sows placed. The sows were observed crowding into the corners of the pens to avoid the freezing water spraying on them. I observed animals slipping & falling in distress & discomfort due to ice covering the pen floors & due to unnecessary crowding in pen corners. I observed ice (approximately two inches thick, area approximately four feet long X one foot wide) in the main aisle in the barn where animals are moved into & out of the pens. The weather outside was inclement and approximately five degrees Fahrenheit. In my opinion under Category I-Inclement Weather the establishment is not adapting their facility to inclement weather to minimize accidental injury, or discomfort to livestock. The conditions created with the overhead sprinklers caused unnecessary distress to the livestock and the establishment was not preventing livestock from slipping & falling due to inadequate footing caused by ice on the pen floors & aisle ways where livestock are moved. I did not observe the use of any such absorbent materials such as sand, sawdust or salt in any pen or aisle floor in the barn. After immediately bringing my observations to the attention of both (b)(6) & (b)(6) I was told that "it was normal procedure to run the sprinklers overnight after the barn was full & to keep the water lines open from freezing". (b)(6) later informed me he would attempt to take corrective action by turning off the exhaust fans.</p> <p>(b)(6)</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7464+P7 464	F.B. Purnell Sausage Co., Inc.	CMN14 090233 04N-1	02/04/2019	04C02	Livestock Humane Handling	313.2	February 4, 2019 HATS Category III: water and feed availability The following observation was made by the SVMO while performing HATS (Humane Handling Activities Tracking System) verification tasks at Purnell Sausage Co. (M7464) Simpsonville, KY: A holding pen containing 92 sows was observed without water access at approximately 0830 hrs. EST. The water was found to be turned off to the water trough. When the water was turned on as the sows were being moved from the pen, sows were observed eagerly drinking the water. This non-compliance was brought to the attention of (b)(6) (b)(6) who was informed of the forthcoming non-compliance record as well.	CLOSED
M8078+P8 078+V8078	Boone's Abattoir, Inc.	APM05 100141 25N-1	01/24/2019	04C02	Livestock Humane Handling	313.2	January 24, 2019 HATS category III: water and feed availability The SVMO made the following observations in the holding pens at Boone's Abattoir (M8078) Bardstown, KY: Four lambs were being held in the scale; no visible means of water access was found. Seven market hogs were in a holding pen without access to water; due to excessive manure build-up in the water trough "upstream", water was unable to flow into the trough passing through the pen. The above observations were made at approximately 1300 hrs. EST. (b)(6) was notified of the non-compliance and the forthcoming non-compliance record.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9112+P9 112	Fairplay Meat Processing	EJO560 802072 1N-1	02/21/2019	04C02	Livestock Humane Handling	313.16(a)(3)	On 02/21/2019 while performing the Humane Handling Verification Task under HATS Category 8 at Fairplay Meat Processing, an ineffective initial shot was delivered with a .410 shotgun at 09:00 which did not render the animal insensible to pain. The employee stated that the hog turned its head laterally while discharging the first shot. The employee then stated that the hog stood up on all fours as he was about to raise the chute gate. (b)(6) and (b)(6) witnessed the hog standing on all fours as the kill floor employee was preparing to administer a second shot. Immediate and effective corrective actions were administered with the same .410 shotgun which rendered the animal insensible to pain. The chute was rejected with tag number B38644013. The plant owner, Foster Graves, was notified.	CLOSED
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF480 701202 2N-1	01/22/2019	04C02	Livestock Humane Handling	313.2	HATS Category III: Water/Feed Availability; 9CFR313.2(e), On January 22, 2019 at approximately 0725 hours, while performing antemortem inspection at Est. 04271, Greise brothers Packing, I, (b)(6) observed the following non-compliance. I observed lamb and goats inside Pens#2 & #3 and there was no water available for these animals. I immediately notified (b)(6) and (b)(6) of the regulatory non-compliance. They immediately had a worker supply water to the livestock in pens#2. I was present during the time of the immediate corrective action (Regulatory Control action of tagging & rejecting the pens was not necessary). This NR is being linked to NRCZF5606114406. This NR was documented on 11/6/18 for overcrowding pen #7 prohibiting the livestock access to water. The response from the establishment on this NR was , "The employees were instructed when sorting animals for slaughter. The animals need to be spaced out in other pens to prevent overcrowding".	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF080 702180 4N-1	02/04/2019	04C02	Livestock Humane Handling	313.2	HATS Category III: Water/Feed Availability; 9CFR313.2(e), On February 4, 2019 at approximately 0637 hours, while performing an odd-hour inspection on livestock and pens at Est. 04271, Greise Brothers Packing, I, (b)(6), observed the following non-compliance. I observed lambs and goats in Pen#9 had no water available. I immediately notified (b)(6) and (b)(6) of the non-compliance. They immediately moved the animals into pens 6 and 4 and supplied water to all livestock. I met with plant owner Mr. Frank Greise, II and informed him that there was no water available this morning for the livestock in pen# 9 and that a similar non-compliance was documented on January 22. I verified the water was supplied to the livestock at approximately 0710hours. This NR is being linked to NR CZFS606114406 documented on 1/22/19 for no water for livestock in pen#2 & #3. The establishment response of "employees were explained that water was to be filled completely at the start of the day and at the end of the day when feeding" has not prevented the reoccurrence of this non-compliance.	CLOSED
M10803+P 10803	GALVINELL MEAT CO., INC	WJB560 903461 3N-1	03/13/2019	04C02	Livestock Humane Handling	313.30(a)(3)	On March, 13, 2019 at 0715 hours, while performing a verification of the establishment's procedure to electrically stun a goat, I observed the plant employee contact the goat with the electrical stunner. The goat dropped to the ground and vocalized but was not rendered unconscious. The plant employee immediately re-stunned the goat and rendered it unconscious. I informed the plant owner, Dan McGrath the this is a stunning failure and a Regulatory Non-Compliance. This is a violation of 9CFR 313.30(a)(3) which states: "The quality and location of the electrical shock shall be such as to produce immediate insensibility to pain in the exposed animal."	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10804+P 10804	Wagner Meats, LLC.	IWC160 902040 1N-1	01/31/2019	04C02	Livestock Humane Handling	313.16(a)(1)	Category VIII- Stunning Effectiveness On 01/31/19 at approximately 1020 hours, while performing Humane Handling Inspection, I observed the following noncompliance: The 13th beef cattle was shot three times, before being rendered unconscious. The first shooter took two shots and the animal remained standing unaffected. The first shooter had to stop and reload the gun between the first two shots. The backup gun was not readily available. A second shooter took over, and immediately rendered the animal unconscious with a third shot. I examined the head along with (b)(6) (b)(6), after being removed from the carcass, and observed three bullet holes in the skull. The first two bullets hit high into thick bone. The establishment has implemented a written Robust Systematic Approach Humane Handling program. The establishment is in noncompliance with 9CFR313.16(a)(1).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5502	Ruwaldt Packing Co.	KCA531 003350 8N-1	03/08/2019	04C02	Livestock Humane Handling	313.1	This is a HATs category IV--handling during ante-mortem inspection related noncompliance. On March 8th, 2019 during a routing humane handling verification visit by (b)(6), the following issues with the facility were noted: The floor of pen number 1 contained several holes where old posts had been cut flush with the flooring. There was also an uncovered floor drain. The unnumbered pen adjacent to it had similar holes in its floor. Pen floor contained a floor grate with a missing slate. The space created is large enough for an animal to potentially get a hoof caught in it. The walkway from the holding pen to the stunning area has several remnants of old poles with jagged edges in the floor. The stunning area has a piece of pipe along the doorway that is has a large broken off piece. The stunning area has 5 broken pipes adjacent to the shackles. In regulation 313.1(a), livestock pens...shall be maintained in good repair...free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animal..."	CLOSED
M6775+V6 775	Calihan Pork Processors	EZI1308 011929 N-1	01/29/2019	04C02	Livestock Humane Handling	313.2	HATS III- Water and Feed Availability While performing HATS III-Water and Feed Availability on 1/29/2019 at 0513 hours with ambient temperature of 6 degrees Fahrenheit, I, (b)(6) observed the following 9 CFR 313.2(e) noncompliance in the barn: Pens 827 and 907 share the same waterer. When the waterer cover was lifted up, there was straw and frozen solid ice under the straw. There was no other water source available for the total of 90 head of sows which were placed in the pens on 1/28/2019. (b)(6) was notified of the noncompliance. The animals were moved to another pen so they would have access to water. (b)(6) stated that he inspected the waterers yesterday afternoon. They were functioning properly at that time.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17419+P 17419	Dewig Bros. Packing Co.	SOF021 103021 9N-1	03/19/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On March19, 2019 at approximately 8:05 A.M while performing HATS category (VIII) verification, I (b)(6) observed the plant employee using the handheld 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. The employee then applied the third blow as a security knock .All the above observations were made while the animal was in the knock box. On post mortem examination of the head, I observed three (3) penetrating injuries into the cranium. Failure to render an animal unconscious with a single shot is a noncompliance with 9 CFR 313.15(a) (1). 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.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19185	Spectrum Preferred Meats, Inc	ASE041 202311 8N-1	02/18/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category 2-Truck Unloading On Monday, 02/18/19 at approximately 11:40am, I was performing a Humane Handling review and observation task. The following non-compliance was observed during truck unloading at est.# M19185: A group of 27 hogs were unloaded at one time causing undue excitement and several instances of the livestock jumping on the backs of and climbing on other hogs while (b)(6) observed and was applying tattoos. I observed two separate instances of the hogs jumping and climbing on each other, increased vocalization, and the driver using the paddle at the back of the group to try to relieve the bottle neck at the front of the unloading chute. He continued to attempt to drive them regardless of the vocalization and jumping. The Harvesting Supervisor did not attempt to address the issue. I discussed the level of excitement and discomfort being exhibited by the hogs as a result of the driver's actions and the size of the group with the Harvesting Supervisor. While addressing the issue, I heard increased vocalization again and turned around to observe another instance of hogs jumping on and tripping over each other in the unloading chute while the driver continued to attempt to move the group down the chute from the back. The Harvesting Supervisor addressed the driver about this before unloading the next group. The following group unloaded contained only 12-15 hogs. I advised the Harvesting Supervisor a non-compliance record would be issued regarding truck unloading and hogs jumping over and on top of the backs of other hogs in the chute that he failed to correct without USDA intervention. Regulatory compliance with 9 CFR 313.2 mandates proper handling and driving of livestock with a minimum of excitement and discomfort.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ231 301242 1N-1	01/19/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV: Ante-mortem Inspection On 01/19/2019 at 1220 hours, while performing the livestock humane handling verification task in the barn, I observed a noncompliance related to pen disrepair. While inspecting hogs in pen S06, I saw a piece of concrete on the back of a hog who was laying against the wall. The piece of concrete was approximately 5 x 5 x 2 inches and weighed about 10 pounds. About 1.5 feet up the wall, directly above where the hog was laying, was a portion of the concrete wall that was missing whose shape corresponded to the concrete piece on the hog. There is a vertical post made of wood which supports the roof that enters the concrete wall at this location. It appears the support post shifted which caused the concrete to break loose and fall on the hog. I informed (b)(6) (b)(6) that I would be issuing a noncompliance report. I did not apply a USDA Reject tag to the pen because I did not see evidence that the pen was going to deteriorate further. The establishment has elected to restrict access to this pen due to the potential of structural instability. This is noncompliant with 313.1(a) as livestock pens shall be maintained in good repair. In this case, the disrepair of the barn caused concrete to fall on a hog.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ370 101412 5N-1	01/24/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII – Stunning Effectiveness At approximately 1820 hours following the inspection of non-ambulatory hogs, the following non-compliance was observed. Barn employees were in the process captive bolt stunning inspected and passed non-ambulatory hogs in the South “cripple” pen. While standing by the North “cripple” pen and facing South, I observed a non-ambulatory hog in a dog sitting position (sitting on its hind limbs and standing on its front limbs) facing East making my initial view the broad side of the animal. Two designated barn employees approach the hog to captive-bolt stun it. The first shot fired with normal firing sounds followed by the vocalization of the hog. The hog remained in the dog sitting position and was shaking its head. I then walked forward as to view the front of the hog. The hog remained fully conscious and blinked several times. The hog’s eyes tracked the movement of its surroundings. I observed a captive bolt stun wound to the right base of the ear. Blood had begun to seep from the wound. A second captive bolt stun was immediately applied and rendered the hog unconscious. After the second stun, the hog fell to the ground and began reflexively kicking. I informed (b)(6) of the forthcoming non-compliance report and asked for immediate corrective actions before captive bolt stunning could resume. (b)(6) provided corrective actions/preventative measures before captive bolt stunning resumed. This is non-compliant with 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” and as “animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort.”</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WU541 501442 5N-1	01/25/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV – Handling During Ante-mortem Inspection On 01/25/2019, while performing ante-mortem inspection in the barns, I observed a noncompliance due to poor footing that was causing slips and falls in a pen. While performing ante-mortem inspection on hogs in pen 621, I observed a hog fall after stepping on the gutter plate. The gutter plate runs along the west wall of pen 621. It is made of a metal material and is approximately 18 inches wide. The gutter plate had a textured surface that has worn down and is now smooth. There is a 5 foot section of this gutter plate that is not level with the ground, resulting in the plate sloping downward to the east. I observed the hogs slowly walking in the pen for approximately 5 minutes. During this time, I observed 5 hogs fall and one hog slip. The falls all involved the front leg slipping and the shoulder hitting the ground. I informed (b)(6) (b)(6) that I would be issuing a noncompliance report for my finding. I placed USDA Reject tag B37081246 on the entrance to pen 621. The establishment sent the hogs to slaughter immediately. No slips or falls were observed while hogs were exiting the pen. The establishment put their own tag on the pen to restrict use until changes to the gutter plate were made. This is noncompliant with 9 CFR 313.1(b) as floors of livestock pens shall be maintained to provide good footing for livestock. On 3/18/2019 at 0840 hours the establishment presented the pen with a new gutter plate that was textured to prevent slipping. The USDA Reject tag was removed and access to pen 621 was allowed.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ271 603491 8N-1	03/16/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category V – Suspect and Disabled On 03/16/2019 at 1025 hours, while observing barn employees handle a fatigued hog, an employee used the rattle paddle inappropriately. While standing along the west wall in the (b)(4) room next to the hand wash sink, I observed a non-ambulatory fatigued hog in the sorting pen just prior to the 2 (b)(4) walkways. The hog was panting and was lying sternally with all 4 of its legs beneath it. An employee made an attempt to get the hog to rise by taking a rattle paddle and striking the hog on the back 4 times quickly, without pause between strikes. The paddle was not raised over the employee's shoulders, but the use of the paddle was inappropriate and unnecessary. The hog continued to pant. The hog did not vocalize, nor did it attempt to rise. I got the employee's attention and instructed the employee to stop the behavior. I then observed multiple plant employees humanely put the fatigued hog in a sled and move it to the "(b)(4) fatigue pen" as described in the company's humane handling program. I informed (b)(6) (b)(6) that I would be issuing a noncompliance for inhumane treatment of the hog. (b)(6) immediately had the employee removed from the area. This is noncompliant with 9 CFR 313.2(b) as implements employed to drive animals shall be used as little as possible in order to minimize excitement and injury. Any use of such implements which, in the opinion of the inspector, is excessive, is prohibited.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M3W+V3 W	Swift Pork Company	GJC341- 603222 1N-1	03/21/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 3/21/2019 at 0900 hours while performing HATS Task Category VIII- Stunning Effectiveness in the slow and disable hog area, I witnessed the following non-compliance: A hog condemned for clinical signs of disease had a stun applied with a hand-held captive bolt gun by an establishment employee. The hog was laying in lateral recumbency when the establishment employee applied the stun to the forehead. When the captive bolt gun was discharged the hog vocalized and sat up in a dog sitting position and remained conscious. The stunning employee applied a second stun, just caudal to the caudal aspect of the left ear base, with the same reloaded hand held captive bolt device immediately and it was effective. This was followed by a security stun applied to the forehead with the same reloaded hand held captive bolt device. I examined the head and there were 2 stun wounds overlapping in the center of the flat surface of the forehead and 1 stun wound at the caudal base of the left ear. The initial attempt was discussed with (b)(6)</p> <p>(b)(6)</p> <p>and he provided verbal preventative measures prior to any additional stunning, so a U.S. Reject tag was not applied. I informed (b)(6) of the forthcoming non-compliance.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7785+V7 785	Huettl's Locker & Dressing Plant	FPI1609 014230 N-1	01/29/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII Stunning Effectiveness At approximately 7:40 I observed the establishment attempt to stun a 380 lb. beef animal with a captive bolt device. The stunning attempt was applied. The captive bolt device made a normal sound, but the animal did not fall. It remained calm and took about two steps backward. I then observed blood trickling down the animal's forehead. The operator took immediate corrective action by reloading the captive bolt device and applied a second stunning attempt. This application was effective as the animal dropped immediately and was unconscious. The operator applied a third captive bolt stun as a security knock. The animal was hoisted and bled and showed no signs of return to consciousness. I immediately applied USDA Reject tag #B30317061 to the knock box and informed Jim Huettl, owner, that the establishment would not be allowed to stun subsequent animals until he provided corrective actions. After the head was skinned I observed two holes near the center of the forehead and one hole about 2 1/2 inches to the right and above the target site on the skull. I released the regulatory control action after the owner agreed to use a squeeze gate on subsequent animals to better restrain the animal prior to stunning application.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M85O+P17 775+V8SO	Swift Pork Company	HEM17 140130 07N-1	01/07/2019	04C02	Livestock Humane Handling	313.1	<p>Around 13:20 while performing HATS task V (Handling of suspect and disabled hogs) in pen 43, one of the 7 hogs in the pen was sprinting from one end to the other without the stun tech operator doing anything out of the ordinary. On one of these sprints the hog ran into the water nippler for the pen. This nippler was positioned parallel to, but about 2 inches from the wall. The hog continued to run around the pen, but had sustained an obvious significant wound. I immediately called for (b)(6) to show him the wound and explain what I had observed. I informed him that I was going to issue a non-compliance due to construction of the pen causing injury to a hog. I placed USDA reject tag number B36022664 on the entrance to pen 43. He informed me that they would send that hog to the dead pit and I signed for the other 6 so they could go to the stick and be processed. The company then euthanized the 7 hogs following their electric wand stunning procedure. After the hogs were euthanized I investigated the wound and found that it was about a 2 inch long full thickness tear through the skin and I found about a 1 to 1.5 inch wound tract in the musculature of the front shoulder. As a temporary measure after the hogs were euthanized they had maintenance remove that nippler set up and install a single nipple that protruded perpendicular from the wall about 1.5 inches. I removed my reject tag at 13:55. For a permanent corrective measure they were going to add a shield to either side of it after 2nd shift.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M86M	Cargill Meat Solutions	PAI471 801581 5N-1	01/15/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.2(f)	<p>At approximately 1545 hours, while I was performing my truck unloading humane handling HAT task II, a heifer got stuck in between the north and middle loading dock. The company knocked the animal with a hand held knocker. The placement appeared to be correct, however the animal bellowed and was still conscious. The company immediately re-loaded the knocking gun and re-knocked the animal. After the second knock there were no visible signs of consciousness. The company then placed two security knocks in the animal. The knocking box was tagged with (USDA Retain Tag B26 147406) in order to evaluate the situation. (b)(6)</p> <p>(b)(6) provided me with the following preventive measures. The knocking gun will be tested every time the gun is used. It will be tested a minimum of two times prior to knocking the animal to ensure oil or water is out of the gun and it is in good working order before attempting to knock the animal. A second gun will be ready to use in case of any malfunction from the other gun. The employee knocking the animal must have read the knocking task procedure and be properly trained. The (b)(4) stunner will be tested every day before start of the shift to ensure it is in working order. A water proof box will be use for the (b)(4) stunner ammo to ensure it is dry and ready to be use when needed. The (b)(4) stunner will be cleaned oiled and repaired if needed after every shift. The knife room operator will document the cleaning and repair of the (b)(4) stunner daily. Employees in the Yards will be retrained about the proper steps to knock an animal. The tags were removed from the knock box at 1750 hours.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M245C+V2 45C	Tyson Fresh Meats, Inc.	ZRG442 202331 5N-1	02/15/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At establishment M245C, February 15, 2019, (b)(6) was conducting review and observation Humane Handling Task VIII, Stunning Effectiveness. While observing the stunning process (b)(6) observed from 12-15 feet forward of the knocking location so that he was facing the knocking platform and the animals' heads with an unobstructed view of the knocking procedures. At 6:32pm (b)(6) observed a conscious bovine enter the knocking restraint. An initial stunning attempt was performed by a (b)(6) (b)(6) using a hand-held, cartridge fired, captive bolt apparatus. Upon discharge the noise produced was muffled. The animal's head, ears, eyes, jaw, and other body parts indicated conscious control was present. There was no drooping, slumping, relaxing, or tremors that would indicate unconsciousness. The animal had conscious control and a nearby employee used a pneumatic captive bolt apparatus to deliver an effective stun. Upon the second stun the animal immediately became insensible. The head, ears, jaw, and body became flaccid. (b)(6) (b)(6) immediately approached (b)(6) and informed him that he just administered an ineffective stun. (b)(6) stated that there was a delay with the hand-held device he used, and this delay allowed the animal to jerk before the device discharged. He said his (b)(6) was already in the process of bringing him a different hand-held device to use. (b)(6) arrived quickly with the new device, and (b)(6) (b)(6) informed him that this event will be documented in a Noncompliance Report. Because immediate corrective actions were already being taken, (b)(6) did not stop the line during this event. Following this event, management held a meeting. (b)(6) informed (b)(6) of additional corrective actions and preventive measures that the company will be implementing.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M245L+P2 45L	Tyson Fresh Meats, Inc	LEI1916 010602 N-1	01/02/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category I – Adequate Measures for Inclement Weather At 0530 hours this morning while performing ante-mortem inspection, the following non-compliance was observed. As we began ante-mortem inspection I noted that there was ice in several of the pens and the animals were slipping slightly (no falls noted) at times when they crossed the icy patches. When we reached Pens 15 and 16, which is a double pen, I noted there was an animal in pen 15 which was down with its back legs splayed out to the sides. This animal was lying on a patch of ice and unable to rise. The animals in these pens were moved into the alleyway as there were no other pens available which were free of ice and the animals were to be slaughtered in approximately 15 minutes. This was at approximately 0555 hours, and I proceeded to the scale house to inform both (b)(6) and (b)(6) of the noncompliance and situation with the pens conditions. The animal which was down in pen 15 was given xylazine sedative and euthanized in a humane manner. As we continued ante-mortem inspection it was noted that there was ice in nearly every pen which contained cattle. At 0620 hours, upon concluding ante-mortem inspection I informed (b)(6) and (b)(6) that there were only five pens which did not contain ice and those were the only pens I would allow the establishment to use. These were pens 3, 4, 46, 50, and 51. The rest of the pens were rejected until such time as the establishment could bring them into compliance. At 1100 hours the establishment had salted and cleaned pens 7, 8, 1, 2, 5, 6, 9, and 10 enough to remove the ice and were able to begin using them. The establishment is continuing to clean and salt the rest of the pens to return them to a usable condition. This is a failure to meet the requirements of 9 CFR 313.1 (b).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M363	Verschoor Meats, Inc.	HCO54 120347 08N-1	03/08/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 0916 hours, while observing HATS Category VIII – Stunning Effectiveness, (b)(6) observed the following non-compliance: The stunning employee attempted to stun a market hog with a pneumatic captive bolt device. The first attempt was ineffective as the hog remained conscious. The hog remained standing, was tracking movement with his eyes and moving his head around the restrainer. The hog vocalized twice. There was a wound observed on the head of the hog approximately one inch above the half-way point between the eyes. The stunning employee immediately and effectively re-stunned the hog with the pneumatic captive bolt gun resulting in an unconscious hog. I verbally requested stunning discontinue and verbally discussed the observations with (b)(6).</p> <p>(b)(6). After (b)(6) discussed the situation with the knocker, he provided verbal preventative measures and I allowed stunning to resume.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M363	Verschoor Meats, Inc.	HCO54 120347 08N-2	03/08/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 1048 hours, while observing HATS Category VIII – Stunning Effectiveness, (b)(6) observed the following non-compliance: The stunning employee had effectively stunned one of two hogs in the restrainer. The first attempt to stun the second market hog with a pneumatic captive bolt device was ineffective as the hog remained conscious. The hog remained standing and was moving its head around in the restrainer trying to get away from the stunning employee. The hog was heard vocalizing after the first attempt with a small wound observed approximately one inch above the half-way point between the eyes but slightly to the right of center. The stunning employee immediately and effectively re-stunned the hog with the pneumatic captive bolt gun resulting in an unconscious hog. I verbally requested stunning discontinue and verbally discussed the non-compliance with (b)(6).</p> <p>(b)(6) After (b)(6) discussed the situation with the knocker, he provided verbal preventative measures and I allowed stunning to continue. This non-compliance is being associated with a previous non-compliance (NR # HCO5412034708N/1) from 0916 hours on March 8th, 2019 where the pneumatic captive bolt device was used ineffectively on a market hog and preventative measures were either not implemented or ineffective in preventing a similar non-compliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M889A+V889	J.F. O'Neill Packing Co. Inc.	DSC4506024505N-1	01/30/2019	04C02	Livestock Humane Handling	313.2	<p>IV – Ante-mortem inspection III – Water and feed availability Upon my arrival to the cattle pens on the morning of January 30th at approximately 0630, I observed the following noncompliance. The watering trough, which provides water for Pen 1 and Pen 2, was filled with solid ice, thereby leaving the cattle, approximately thirty head in these two pens, without access to water, contrary to 9 CFR 313.2(e). The water is provided through a pipe that hangs above the trough, but at some point since slaughter ended yesterday, that pipe had been knocked away so the water ran down the side of the pen fence instead of into the trough. This also left a frozen patch approximately four feet by three feet in size in the main alley which had to be removed before animals could be safely observed in motion for ante-mortem inspection. Corrective actions performed by the establishment included repositioning the pipe so it emptied into the trough, and bringing salt out to start melting the ice in the alley. I informed (b)(6) (b)(6) of the issues, and that I would be writing a noncompliance record.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M889A+V889	J.F. O'Neill Packing Co. Inc.	DSC3514020519N-1	02/19/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV Ante-mortem Inspection Category I Inclement Weather When I arrived at the cattle pens around 0615 on February 19th to start ante-mortem inspection, I noticed there were animals in the unroofed pen (7/8). As a few were in the alley leading up to the barn I tried to move them back to their pen, using my voice to encourage the animals to move away from me and back down the alley while I stood on the opposite side of the gate. Once the few had almost reached the pen, I realized that they were walking through slushy water. I shut the gate behind them so I could better see how far and deep the water went. At the deepest it might have been 8-10 inches, and some degree of water covered half the pens. The establishment only has 6 pens total, two of which (7/8 and 5/6) were affected by the water. The four pens in the barn contained animals from another lot, but in an effort to let some of the cattle in the flooded pens stand on dryer ground, half from 7/8 were moved to 5/6. At approximately 0800 a pen in the barn became free, therefore the cattle in pen 5/6 were moved upstairs. Establishment maintenance theorized that because of an accumulation of feedstuffs, manure, and ice over the past week that the drain was not working properly. With the constantly running water from the watering troughs overnight plus snow that had been in the pen, it overwhelmed the drainage system. This series of events has led to noncompliance with 9 CFR 313.1(b). I informed the establishment (b)(6) (b)(6) that I would be issuing a noncompliance record. I also placed a retain tag (B-45200512) on the alley gate leading to pens 5/6 and 7/8 to prevent their use until the accumulation of snow, ice, and mud can be removed.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M320M+V 320	Smithfield Fresh Meats Corp.	VWK10 150258 20N-1	02/20/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS TASK CATEGORY VIII STUNNING EFFECTIVENESS On 02/20/2019 at approximately 1225 hours while performing ante mortem inspection, I identified a hog in pen 8C by the gate that was nonambulatory with full body tremors, breathing with an open mouth, and vocalizing intermittently. The establishment employee accompanying me immediately entered the pen to protect the hog from the other hogs in the pen and obtained a captive bolt gun from another employee. He properly positioned the captive bolt gun on the animal's head, then his hand moved backwards as the captive bolt gun fired. The hog immediately vocalized and began bleeding from the right ear while continuing to blink, move its eyes, and attempt to lift its head. The employee immediately reloaded the captive bolt gun with a second charge and restunned the hog, which then did not exhibit any further signs of consciousness. Examination of the head revealed one hole in the center of the forehead and a second hole in the medial crus of the helix of the right ear. This is a noncompliance with 9 CFR 313.15(a)(1). I notified (b)(6) of the noncompliance.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2934	Star Packing Co., Inc.	LCA080 801462 4N-1	01/24/2019	04C02	Livestock Humane Handling	313.1	while performing ante mortem inspection I observed that there was a large area of flooring covered in a thick sheet of ice in the east side of the beef holding pen. This sheet of ice extended through a passing and into the lamb and goat holding pen also thick and covering a large area both iced-over areas were accessible to the animals in their respective pens. I observed animals slipping and unable to properly maintain traction or footing because of this and surrounding ice. The presence of the ice and lack of any additional provision for providing adequate footing for held animals is noncompliant with 9CFR 313.1(b). While observing the noncompliance I explained the problems on hand to (b)(6) and he began corrective actions right away. Because of this immediate action no reject/retain tags were applied. After reviewing past noncompliant reports over the last ninety days I have determined there is no repeated root cause.	CLOSED
M2995A+P 7022+V299 5	Town and Country Butcher Shop	ZHG511 102542 1N-1	02/21/2019	04C02	Livestock Humane Handling	313.2	Category III – At 0846, while performing ante-mortem inspection, the following non-compliance was found: pens N1 holding five hogs, N2 holding two hogs, and N3 holding one hog, were found to have no water available. Plant manager, John Poole, present during ante-mortem, was notified that a non-compliance record would be issued. He took immediate corrective actions by having a plant employee provide water in all the holding pens. Review of the Humane Handling Monitoring Record dated 2/21/19 had the “Water Present” category marked “Yes.” This is a failure of 9 CFR 313.2(e), which requires that water be available to livestock in all holding pens.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13081+P 13081+V13 081	Tri State Meats LLC DBA Special D Meats	DLJ091 103151 2N-1	03/12/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII Stunning Effectiveness: At approximately 0750 while performing a livestock humane handling task, I observed the following noncompliance: a new establishment employee attempted to stun a cow with a captive bolt, but was ineffective at producing immediate unconsciousness with a single shot; the animal remained standing after the first shot. A second employee immediately performed a corrective action by applying a second shot with a captive bolt that effectively stunned the animal. After the animal was slaughtered, I had the establishment employee skin the head to reveal two captive bolt penetration holes, one hole was approximately 1" to the left of the midline and one hole was on the midline. This noncompliance is failure of 9CFR 313.15(a)(1). Establishment manager, Jennifer Greenwood, was notified that a noncompliance record would be documented.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M3D	Swift Beef Company	MXE54 200138 10N-1	01/10/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII- Stunning Effectiveness; 9CFR313.15 On January 10, 2019 at approximately 1634 hours while verifying the effectiveness and adequacy of stunning effectiveness at Establishment M3D, JBS Swift, I (b)(6) observed the following non-compliance: I observed the stunner operator stun a steer with a hand held captive bolt device. Immediately after the first stun, I visually observed the steer was still conscious, eyes blinking, and moving. The employee in charge of stunning operations immediately reloaded the hand held stunner and applied a second stun, effectively rendering the animal unconscious. The first stun had been ineffective and caused injury to the animal. Regulatory control action was immediately taken by halting production at the knock box. I verbally notified the stunner operator to stop the stunning process. Establishment personnel were asked to contact management, (b)(6) and (b)(6) responded to my call for management. Regulatory control action was relinquished at approximately 1637 hours. Upon further investigation of the carcass head after the de-hide process (b)(6) and (b)(6) were able to confirm my findings as well. (b)(6) was immediately notified of my observation and further guidance. Establishment management was notified that a non-compliance record would be issued for this deficiency. Establishment M3D does operate on a Robust Systematic Approach program.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M86E	Cargill Meat Solutions Corporation	UHM36 090221 27N-1	02/27/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>Regulation: 313.15(a)(1) HATS Category VIII – Stunning Effectiveness At approximately 0740 hours on Wednesday, February 27, 2019, while performing ante-mortem inspection, I, (b)(6) observed the following non-egregious humane handling noncompliance involving the beef slaughter facility: A black heifer with white ear tag 319 from lot 2705 received an ineffective stun when the Jarvis air pressure captive bolt contacted the animal, but did not render her unconscious. The heifer's consciousness was apparent when she vocalized and moved her head around voluntarily. The knocker immediately took corrective action by administering another knock effectively. I informed the knocker that I needed him to call a Supervisor to relay the information about the ineffective stun. While waiting for a plant Supervisor, I called Dallas District Office and informed Dr. Dragoi, DDM, of the humane handling noncompliance. I continued to observe knocking until (b)(6) and (b)(6) arrived at 0755 hours. I communicated with them and (b)(6) until 0800 about the forthcoming humane handling NR for ineffective stun. During our meeting, the knocker told us the cow moved her head when he attempted the first knock. No similar noncompliance for stunning ineffectiveness has occurred within the last 6 months. The plant currently has an active Robust Systematic Approach to Humane Handling. 9 CFR section 313.15(a)(1) states: (a) Application of stunners, required effect; handling. (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</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							that they will be rendered unconscious with a minimum of excitement and discomfort.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M86E	Cargill Meat Solutions Corporation	UHM55 140355 22N-1	03/21/2019	04C02	Livestock Humane Handling	313.2	<p>Regulation: 313.2(d)(1) Category V – Suspect and Disabled On Thursday, March 21, 2019, at approximately 1220 hours at Est. M86E Cargill Meat Solutions, while performing antemortem inspection of beef cattle in pen 1, I, (b)(6), (b)(6) observed the following non-egregious humane handling noncompliance: I observed (b)(6) call for the Yards Supervisor when he noticed an ambulatory disabled steer with a non-weight bearing right hind limb in the adjacent pen. This steer slipped and lowered himself to the ground while (b)(6), (b)(6), and (b)(6) were trying to separate the disabled steer from the ambulatory animals, and lead him out the back gate of Pen 2 to the “US Suspect” pen. The steer got up, stumbled and lowered himself a few times before he splayed his limbs out, breathed heavily with exhaustion and remained sternal in the middle of the pen. (b)(6) and (b)(6) decided to have the other animals leave the pen in front of the sternal steer through the front gate. After opening the gate leading to the serpentine from outside pen 2, (b)(6) moved inside pen 2 and alongside the panel, attempting to move the cattle away from the disabled steer. However, his movement caused some cattle to move back deeper into the pen and step on the non-ambulatory steer. (b)(6) then immediately followed the cattle out of the pen and chased them down the alley past the nearest gate to prevent backtracking and further walking over the animal. After the non-ambulatory disabled animal was effectively euthanized, I conducted a meeting regarding my humane handling concerns with (b)(6), (b)(6), (b)(6), (b)(6), (b)(6), and (b)(6). I relayed the regulatory requirements to ensure that disabled livestock are</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>handled humanely, including while separating those unable to move from the ambulatory animals (9 CFR 313.2 (d)(1)). The plant responded that (b)(6) had no malintent, and rather attempted to execute safe separation of the non-ambulatory disabled animal in an expeditious manner. Additionally, it was discussed that the plant utilize more calm and thoughtful practices of their program using flight zones and points of balance to move cattle in the right direction to prevent stepping on disabled animals and overly excited moving. Plant management at the meeting were notified that this incident will be shared with the District Office and the District Veterinary Medical Specialists (DVMS) in case additional follow-up is recommended. After follow-up with the (b)(6) and (b)(6), were notified at 1053 hours on March 22, 2019 of the forthcoming NR for not separating a disabled animal effectively. No similar noncompliance for separating disabled animals has occurred within the last 6 months. The plant currently has an active Robust Systematic Approach to Humane Handling. 9 CFR section 313.2 states: (d)(1) Disabled animals and other animals unable to move shall be separated from normal ambulatory animals and placed in the covered pen provided for in 313.1(c).</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M337+V33 7	STX Beef Company	UNG19 130140 10N-1	01/10/2019	04C02	Livestock Humane Handling	313.2	Today January 10, 2018, my attention was called by (b)(6) that a dead cattle was on the driveway leading to the carousel area. True enough a dead cattle was dead on the spot at the second enclosure leading to the carousel. There was blood on the ground which came from the knocker hole from the head. The left horn had a fracture line indicating that the cattle hit the barrier gate and loss consciousness, then it was stunned. Based on the statements of the cowboys. They were driving the cattle when the dead cattle got super excited that it run very fast that it hit the barrier gate and loss consciousness. It had a broken left horn and probably a head concussion. This NR is being issued to document the incident but I don't consider this as an egregious incident because there was no intent to cause injury and its a freak accident due to the erratic behavior of the dead cattle.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7041B+P 7041+V704 1B	Beltex Corporation	UWH33 150210 06N-1	02/06/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII. Stunning Effectiveness; 9CFR313.15(a)1 On February 6, 2019, I CSI Prudencio Camacho performed humane handling task for establishment 07041B. At approximately 1240 hours, I observed an employee operating the knocking box use one of two captive bolts to stun a steer. The establishment was killing in the ritual method at the time. Some cattle with long horns were knocked with the captive bolt preventing the long horns from becoming tangled in the head restrainer. I observed the employee place the captive bolt gun flat on the forehead of the steer and fire. The knocking rode of the captive bolt did contact with enough force to penetrate the skull and the placement of the captive bolt was accurate but did not render the animal unconscious with one shot. The animal reacted to the captive bolt by jerking its head opposite direction of the employee's location. The steer didn't go down, it was standing on all four legs blinking and conscious. The second knock was immediate and effective in rendering the steer completely unconscious. It immediately dropped to the floor after the captive bolt was fired. The employee checked for eye reflex then proceeded to hoist the animal. I applied the USDA retain tag number B45199131 to carcass head number 366. I notified (b)(6) of the noncompliance and informed him that a noncompliance record would be issued. I asked establishment personnel to skin the forehead to observe the contact areas of the knocking rod. When skinned two holes on beef head number 366 were noted be placed on the center of forehead. Both shots broke and penetrated the skull. One shot was noticed to penetrate deeper in to the skull.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7041B+P 7041+V704 1B	Beltex Corporation	UWH06 15033S 28N-1	03/28/2019	04C02	Livestock Humane Handling	313.2	HATS category IV: Ante-mortem stress and discomfort; 9 CFR: 313.2 (a). Today at 10:20 am I, (b)(6) responded to excessive and abnormal vocalization from the knock box. I observed that a beef cow was trapped in the knock box with its head pressed down to the floor of the knock box by the metal bar that pushes animal to the front of the head restrainer. The beef cow was bellowing excessively and was breathing rapidly. At 10:26 am I tagged the knockbox with US Reject/Retained tag# B45199200. The beef cow remained like this until 10:32 am. This is a violation of the above cited regulation. I notified (b)(6) that a NR would be issued for this deficiency. At present, the establishment 70418 has a robust systematic humane handling program.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI151 001352 9N-1	01/29/2019	04C02	Livestock Humane Handling	313.1	<p>On 01/29/2019 at approximately 0940 while conducting antemortem inspection at the concrete alleyway on an adult bull and a juvenile bull, I encountered the following NR. The adult bull was continually head butting the juvenile bull, throwing him into the side of the fencing and gates, which resulted in the gate to the pig pen becoming jarred loose and the juvenile bull becoming tangled in the gate. The gate was completely lifted loose from the fence. There was not a plant employee present. I ran to get (b)(6), explained to him what was happening, and told him that I would be tagging the runway until the gate was fixed. (b)(6) and (b)(6) then worked on getting the bulls into the runway and separated. (b)(6) then came to determine what had happened and talked to Olen about fixing the gate and (b)(6) determined that the attachment needed to be welded back and said he would fix it immediately. I tagged the runway with US Rejected/Retained tag NO. B36297689 while (b)(6) was observing. This is in violation of 9CFR 313.1 regarding maintenance of the pens and runways. After (b)(6) welded the gate, I removed the US Reject tag and allowed the plant to continue using the runway.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI150 902301 2N-1	02/12/2019	04C02	Livestock Humane Handling	313.1	On 02/12/2019, at approximately 0750 hours, (b)(6) came to my office to inform me that while he was moving a steer up the alley, it tried to jump the gate and got its leg caught between the bars of the gate and was hanging upside down from the gate. He asked me to come evaluate the situation and let him know if he could shoot it there. I accompanied him to the area and saw a steer hanging upside down with one hind leg caught between the upper bars of the gate to pen 3. Both front feet were on the ground and it was able to walk, but the animal could not get its hind leg loose. I instructed (b)(6) to shoot the steer with the rifle which he did. When the animal went down, the weight of the body dislodged the caught leg from the gate. This is a noncompliance. Livestock pens, driveways and ramps shall be maintained in good repair and unnecessary openings where the head, feet or legs of an animal may be injured shall be repaired. I advised (b)(6) and (b)(6) of the incident and findings and told them I would be writing an NR.	OPEN
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI451 502432 1N-1	02/21/2019	04C02	Livestock Humane Handling	313.2	On 02/21 19 at approximately 1530 hours while conducting humane handling tasks, (b)(6) encountered the following NR: the hay that is piled outside the fence for the cattle to eat is eaten down and back so that the cattle can no longer reach it. This applies to cattle in pens 1, 2, and 3, cattle in the runway and cattle in the lower pens. This is in violation of 9CFR 313.2(e). Cattle held longer than 24 hours must have access to feed at all times. I notified Kelsey Lloyd, plant manager of my finding and told her I would be writing an NR.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI291 302142 8N-1	02/28/2019	04C02	Livestock Humane Handling	313.1	On 02/28/19 at approximately 1315 hours, I was in my office when a plant employee came in to inform me that a heifer had gotten her right hind foot caught between the bar and sheet metal on the fence of the runway to the knock box and was not able to get loose. The heifer was down and unable to get up. I instructed the employee to stun her with the captive bolt and cut the jugular vein to bleed her out, and issued a Z tag for a non-ambulatory animal. I informed the employee that I would be writing an NR for this incident. I then went to the office and informed (b)(6) about the incident and that I would be writing an NR for inhumane handling. 9CFR 313.1(a) states that pens and fences shall be maintained in good repair and that unnecessary openings where head feet or legs may be injured shall be repaired. This incident has the same root cause as the incident on 02/12/19 in which a steer that tried to jump the fence caught his leg between the bars and had to be stunned and bled out before he could be removed. I did not receive a reply to the previous NR (ABI 1509023012N).	OPEN
M9085+V9 085	Snapps Ferry Packing Company	QSF160 803342 5N-1	03/23/2019	04C02	Livestock Humane Handling	313.2	HAT Category III-Water and Feed Availability. At approximately 1:55 PM while performing an odd-hour inspection at Snapps Ferry Packing Co. in Afton, TN, (b)(6) observed that 4 sheep were segregated in the chute leading to the knock box and did not have access to water. There was a water trough in the pen, but the sheep could not access the trough due to a metal gate that was closed and latched. This is a noncompliance according to 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. Jeremy Southerland (Plant Owner) was notified of the noncompliance and corrective action was immediately taken by the plant to provide access to water.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M267	JBS Tolleson Inc.	ECD441 901561 4N-1	01/14/2019	04C02	Livestock Humane Handling	313.15(a)(2), 313.2	<p>HATs Category VIII Stunning Effectiveness On 01/14/19 as part of a Food Safety Assessment being performed at Est. M267 (b)(6)</p> <p>(b)(6) (b)(4)</p> <p>activities at the knock box area during a time when production had been halted on the kill floor to address a sanitation issue. At 0740 hrs as (b)(6) (b)(6) approached the knock box she observed three animals in the knock box area. Two knocked unconscious animals were on the belly band in line to exit the front of the knock box area. There was a third live animal entirely within the restrainer itself. Upon closer observation she noted that this live animal's front end was pressed up against the rear end of the knocked animal in front of it with its head forced over to the left side. This animal was stuck in place as it could not move forward due to the knocked animal in front of it and it could not move back because its hind end was already beyond the metal leg splitter at the rear of the belly band. (b)(6) stated that the animal appeared to be distressed and was breathing heavily. There were 3 establishment humane handling employees at the knock box during this time. None of them recognized nor took any actions regarding the distressed animal wedged into the knock box. Production was down for at least 20 minutes. It is not known whether this live animal was stuck in place in the knock box during this whole time. Upon recognizing the distressed stuck steer (b)(6) (b)(6) instructed the knock box employees to euthanize the animal which was performed with a hand held knocking gun without incident. That a live animal was allowed to get wedged in the knock box and be allowed to remain in that position where it was becoming obviously distressed for some period of time (that may have been as long as 20 minutes) represents non-compliance with 9 CFR 313.2(a) and 313.15(a)(2) which states that the driving of</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>animals to the stunning area shall be done with a minimum of excitement and discomfort to the animal. (b)(6) informed (b)(6) (b)(6) (b)(4) (b)(4) to document her findings. (b)(6) had accompanied (b)(6) to the knock box area though he was not in a position to observe the wedged-in animal.</p>	
M322+V322	Double J Meat Packing, Inc.	QOE0316011021N-1	01/21/2019	04C02	Livestock Humane Handling	313.2	<p>At approximately 0700 hours, January 21, 2019, (b)(6) was conducting Ante-Mortem Livestock Inspection per FSIS Directive 6100.1 and Livestock Humane Handling Verification, HATS category III, per FSIS Directive 6900.2. She observed six head of cattle in pen 9 with a frozen water trough. The cattle did not have access to water. (b)(6) informed (b)(6) (b)(6) of the situation. (b)(6) placed a blue barrel into the pen and filled it with water. (b)(6) notified (b)(6) that this would be documented by a noncompliance record. In addition to the below listed associated NR, a similar NR, QOE4010121118N, dated December 18, 2017, was also documented. This is a noncompliance with 9CFR 313.2 (e) and the establishment's Systematic Approach to Humane Handling. This NR is being associated with NR QOE4816122331N, dated 12/31/2018.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M322+V32 2	Double J Meat Packing, Inc.	QOE28 170303 21N-1	03/21/2019	04C02	Livestock Humane Handling	313.2	On March 21, 2019, at approximately 12:18 p.m. I (b)(6) was conducting Ante-Mortem Livestock Inspection and observed the following noncompliance. I observed two lambs in pen 7 with no access to water. There were 2 buckets in the pen with the Lambs both were bone dry as was the floor. I informed (b)(6) (b)(6) who immediately provided the lambs with water. I notified (b)(6) (b)(6) of the incident and verbally informed him that a noncompliance record would be issued. This is a noncompliance with 9CFR 313.2 (e) and Double J Meat Packing Systematic Approach to Humane Handling. This NR is being associated with NR QOE0316011021N, documented on 1/21/2019.	OPEN
M6004+P6 004+V6004	University of Nevada, Reno	QDA12 070334 07N-1	03/06/2019	04C02	Livestock Humane Handling	313.15(a)(2), 313.2	On 03/06/19 at approximately 1230 hours. I (b)(6) (b)(6) observed a farmer unloading lambs at the pens. I observed the farmer pulling the lambs from the truck which was about 3 foot from the ground. Then I observed him kicking the lamb to get it to go where he wanted it to go. I guess he saw me watching and he stopped kicking. I told Plant Manager Damon Ewasko of what I had observed. I made him aware that if this practice continues that I would have to take Regulatory control actions. He said that he would get with the farmer and talk to his people about this matter. 9 CFR 500.2(a)(4) Inhumane handling or slaughtering of livestock. 9 CFR 313.2(a) (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. This document serves as written notification that continued failure to meet regulatory requirements could lead to additional enforcement actions as specified in 9 CFR 500.4.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6454+P4 896+V6454	Elizabeth Locker Plant, Inc.	OAF591 602531 5N-1	02/15/2019	04C02	Livestock Humane Handling	313.2	Hats Category III – Water and Feed availability 313.2 At approximately 8:00AM during my ante mortem inspection I observed 4 beef animals in pen #2 and 2 beef animals in suspect pen. Both tubs contained approximately 1/4 tub of water so contaminated with fecal material it was unconsumable. I verbally notified plant owner Brian Hundley of the noncompliance. The animals were given access to consumable water before slaughtering began. An NR review for the past 90 days showed no similar non compliance	CLOSED
M301+V30 1	Yosemite Valley Beef Packing Co., Inc.	TOH171 103562 2N-1	03/22/2019	04C02	Livestock Humane Handling	313.2	On 3/22/2019, around 0700 hours, (b)(6) correlated with (b)(6) and Pen area employee and it was determined noncompliance with Livestock Humane Handling procedure HATS: Category III-Water and Feed Availability. The Pen area employee revealed that the cattle in pen # 5 (about 10 animals) arrived on the premise for over 24 hours and the cattle did not receive any feed while the water was available the entire period. Regulatory control action (RCA) as per 9CFR 500.2(a) (4) was taken and pen #5 was tagged by using U.S. Rejected tag # B41949B88. (b)(6) was notified about the RCA. Immediate corrective action was taken by making feed available to the animals and thus RCA was lifted around 0705. This is noncompliance with 9 CFR 313.2(e) and (b)(6) was verbally informed that a noncompliance report will be documented for failure to meet the above regulatory requirement.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M400	Los Banos Abattoir	ZJG221 302202 2N-1	02/20/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On February 20, 2019 at approximately 1600 hours, (b)(6) was walking by the dry landing area about to observe for stunning effectiveness, when she observed a cow down in the knock box with rhythmic breathing. (b)(6) (b)(6) walked outside to look inside the knock box and observed the cow naturally blinking and rhythmic breathing after the first stun, indicating the animal remained conscious after the first stunning blow. (b)(6) informed (b)(6) (b)(6) of her findings. (b)(6) (b)(6) informed the (b)(6) to restun the animal. The second stun was applied more than one minute after the first stun. After the second knock, the animal was still rhythmic breathing and made two quiet vocalizations. (b)(6) (b)(6) observed (b)(6) open the knock box door. The cow was showing nystagmus, but no blinking was observed. (b)(6) tested for a corneal reflex by touching the animal's eye and the animal did not blink. As the animal was showing signs of incomplete unconsciousness, (b)(6) (b)(6) instructed (b)(6) to knock for the third time, as neither he nor the supervisor were acting to do so despite the animal's signs of returning to consciousness. (b)(6) immediately rolled the cow into the dry landing area and (b)(6) administered a third knock, which effectively stunned the animal. (b)(6) immediately stopped production after making sure the animal was unconscious. (b)(6) notified (b)(6) (b)(6) that she was taking a regulatory control action and tagged the knock box with US Rejected tag number No. B45314990 in accordance with 9 CFR 313.50 (c), and that she would be contacting District office and (b)(6) (b)(6) (b)(6) to inform them of the issue. Failure to properly knock the animal in such a manner that produced immediate unconscious is a violation of 9 CFR 313.15(a)(1). As the animal could not be conclusively identified</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							as fully conscious after the second blow, the issue was deemed non-egregious noncompliance. (b)(6) (b)(6) and (b)(6) were informed of the noncompliance record and the knock box was released at 1723 hours.	
M4928+P4 928	Islamic Meat & Poultry Co.	DTD150 902122 6N-1	02/25/2019	04C02	Livestock Humane Handling	313.2	On 02/25/2019 at approximately 0830 hours while performing antemortem inspection (HATS Category IV, Ante-Mortem Inspection) in the establishment's holding pens, I inspected pen 12 that held 4 heavy calves. The pen had a metal trough that the establishment uses to provide water for animals in pen 12. The trough had no water, and there was no other immediate source of water for the 4 heavy calves in pen 12. The heavy calves were all standing and appeared to be in normal condition, with no appearance of being under stress or discomfort. I immediately notified (b)(6) about the lack of water in pen 12. Walid then immediately took corrective action and filled the trough with water. Walid stated that the animals were placed in the pen earlier that morning. The heavy calves in pen 12 did not have access to water at all times, which was a noncompliance with 9 CFR 313.2(e). (b)(6) was notified of the noncompliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4928+P4 928	Islamic Meat & Poultry Co.	DTD181 903311 3N-1	03/13/2019	04C02	Livestock Humane Handling	313.1	<p>On 3/13/2019 at approximately 1615 hours while performing a humane handling odd-hour inspection (HATS Category IV, Antemortem Inspection), I inspected the establishment's animals and holding pens, chutes, alleyways and unloading ramps. I observed the gate in the small ruminant staging pen (next to the chute next to the small ruminant facility doorway), there was a lose 4-foot by 8-foot plywood sheet. The left upper corner of the plywood could easily be pulled 12 inches or more away from the gate's metal framework. The lose plywood panel could cause an animal's head to become trapped between the metal frame of the gate and the lose plywood and demonstrated a lack of maintaining the facility in good repair. This was a noncompliance with Title 9 CFR 313.1(a). There were no animals in the staging pen, and no animals would be able to access this pen. I applied U.S. Reject tag B42126676 to the pen gate. I observed a 2x4 board, 8 feet long, on the floor of pen 6, near the far fence wall of the pen. The board had fallen off the lower part of the far fence wall of the pen and exposed the wire fence panel that had large enough openings within the wires to be a head entrapment hazard for lambs and goats. The lose board on the pen floor also demonstrated the establishments failure to maintain the pen in good repair. This was a noncompliance with Title 9 CFR 313.1(a). There were no animals in pen 6, and no animals would be able to access this pen. I applied U.S. Reject tag B42126677 to the pen gate. I observed Several lose pieces of plywood on the west side of pen 12, and a lose piece of plywood and 3-foot by 8-foot wire panel on the side of the pen, and partly resting in the water trough. The wire ends of the wire panel were sharp object hazards. The sharp wires, lose plywood, and lose wire panel also demonstrated a lack of maintaining the facility in good repair. This was a noncompliance with Title 9</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>CFR 313.1(a). There were no animals in pen 12, and no animals would be able to access this pen. I applied U.S. Reject tag B42126678 to the pen 12 gate. The concrete unloading ramp, used for unloading animals from taller trailers, had abundance of grass growing from accumulated dirt in the concrete ramp surface grooves. There was also a buildup of material resembling moss on the concrete surface. The green grass and dirt that filled up the grooves in the concrete surface, and moss covering a large area of the ramp walking surface, created a walking surface for animals that would not provide good footing, and would present a significant risk for animals slipping or falling if unloaded onto this ramp. This was a noncompliance with title 9 CFR 313.1(b). The accumulation of dirt and growth of grass on the ramp surface demonstrated the establishments failure to maintain the ramp in good condition/repair. This was a noncompliance with Title 9 CFR 313.1(a). I place U.S. Reject tag B42126679 to the entrance of this ramp. No animals were unloaded onto this ramp, and there were no animals that had access to the ramp.</p> <p>(b)(6)</p> <p>(b)(6), was notified of the noncompliance.</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4969+P4 969	J J Meat Co.	JCO151 902350 8N-1	02/08/2019	04C02	Livestock Humane Handling	313.15 (b)(1)(ii)	<p>HATS VIII: Stunning Effectiveness: On 2/8/19 at approximately 1437 hours, I observed multiple stun attempts when plant manager Javier Juarez Jr. was euthanizing a non-ambulatory veal calf in pen 1. Mr. Juarez applied the hand held captive bolt to the appropriate target and attempted to render the calf unconscious. The first three stun attempts repeatedly produced a "click" sound with no penetration (The pin did not fire). Mr. Juarez then stood up, took a closer look at the mechanics of device one and was able to fire off a penetrative stun in the air. Mr. Juarez then placed the same captive bolt stunner to the bob veal calf's head and produced yet another missed stun with only the "click" sound and no harm to the calf. It was the sixth attempt at which finally produced an effective penetrative knock from the hand held captive bolt at the appropriate target to produce an unconscious calf. After this many attempts with the same hand held captive bolt device, the establishment failed to meet regulatory requirement of 9 CFR 313.15b (ii), "equipment must be maintained in good repair".</p> <p>At approximately 1445 hours, (b)(6) and I reviewed the establishments Humane Handling Maintenance Records and found that the establishment failed to follow their humane handling program which states, "stunning instrument shall be maintained in good repair through a documented preventative maintenance program" as no record were recorded after 2/6/19.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M235+P235	Washington Beef, LLC	TQK1511014131N-1	01/30/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII Stunning Effectiveness On Wednesday January 30, 2019 at approximately 1315 hours I, (b)(6) observed the following noncompliance. I was observing stunning effectiveness with (b)(6). A black bovine presented on the cattle conveyor belt at the knock box. The first stunning attempt with the pneumatic captive bolt device did not render the animal unconscious. The animal did not vocalize but lifted its head vertically and to the left; its eyes were tracking; and it was breathing rapidly. The stun operator immediately applied a second stun with the backup hand-held captive bolt device. The second stun effectively rendered the animal unconscious. No regulatory control action was taken due to observation of immediate and effective corrective actions. I informed (b)(6) that a noncompliance record would be issued. There are no additional noncompliance records of the same root cause within the past 90 days.</p>	OPEN
M454+P4988+V454	Owyhee Meat Company	HKD0109014115N-1	01/15/2019	04C02	Livestock Humane Handling	313.2	<p>On January 15, 2019 at 0700 hrs. at the start of ante mortem inspection, I, (b)(6) observed the following noncompliance: All livestock water containers (plastic drums) in the animal holding pens were completely frozen. This is a violation of 9 CFR 313.2 (e) which states, "Animals shall have access to water in all holding pens....." Presentation of the 27 cattle in the pens for ante mortem inspection was not possible because the animals were seeking water. I notified (b)(6) at 0704 hrs. that I was suspending ante mortem inspection pending correction of the noncompliance. Water was delivered to all livestock water containers and animals were provided sufficient time drink. Ante mortem inspection was resumed at 0720 hrs. The start of slaughter operations was delayed until 0738 hrs. Down time - 38 minutes.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7722+P7 722+V7722	Jones Meat & Food Services, Inc.	SAN501 401471 5N-1	01/15/2019	04C02	Livestock Humane Handling	313.2	HATS Category III: Water and Feed Availability At approximately 1320 on 1-15-19 I, (b)(6) observed a solitary sheep in a temporary pen without access to water. This constitutes a noncompliance of 9 CFR 313.2(e) because animals shall have access to water at all times in all holding pens. (b)(6) was notified of the noncompliance. Establishment employees agreed to supply the sheep a bucket of water immediately and monitor for freezing of said water until the sheep could be moved to a more permanent pen. There are no noncompliances with which to associate this within the last 90 days.	CLOSED
M7722+P7 722+V7722	Jones Meat & Food Services, Inc.	SAN030 902170 7N-1	02/06/2019	04C02	Livestock Humane Handling	313.2	HATS Category III: Water and Feed Availability At approximately 1110 on 2-6-2019 I, (b)(6) observed 1 steer from (b)(6) and 2 steers from producer Black Food Sales in the pens. These cattle were observed in the pens on 2-5-2019 during verification of HATS Category I between 0830 and 0900. No evidence of feed being provided to the animals was observed and the establishment does not keep a log for when the animals were last fed. I informed (b)(6) (b)(6) that this is a noncompliance with 9 CFR 313.2(e), which requires animals to have access to appropriate feed if held for longer than 24 hours. No corrective actions were taken by the Establishment. This noncompliance is associated with NR SAN5014014715N/1	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M11033+P 11033	Waygood Custom Meat LLC	MAE23 100132 25N-1	01/25/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII Stunning Effectiveness On 01/25/2019 at approximately 0735 hours, (b)(6) directly observed the establishment stun a bovine. The initial stun was ineffective as the animal remained standing; eyes were tracking; the animal exhibited rhythmic breathing. There were no signs of distress or vocalization.</p> <p>(b)(6)</p> <p>immediately reloaded the captive bolt and applied the second stun. The second stun was effective, and the animal remained unconscious through exsanguination. USDA Reject tag #B 245297040 was applied to the knock box and the Denver District Office was contacted through supervisory channels. Upon review of the dressed head, the placement of the two knocks were approximately 2 ½ cm above the target zone and 1 to 2 cm off midline. The establishment is currently under a Humane Handling verification plan due to a similar incident.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M11033+P 11033	Waygood Custom Meat LLC	MAE41 140112 28N-1	01/28/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII Stunning Effectiveness On 01/28/2019 at approximately 0923 hours, (b)(6) directly observed the establishment stun a bovine. The initial stun with a captive bolt was ineffective as the animal dropped to the floor then stood up; eyes were not tracking but were blinking, and the animal exhibited rhythmic breathing. There were no signs of distress or vocalization. (b)(6) immediately retrieved a .22 magnum rifle and applied the second stun. The second stun was effective, and the animal remained unconscious through exsanguination. USDA Reject tag #B 24529738 was applied to the knock box and the Denver District Office was contacted through supervisory channels. Upon review of the dressed head, the placement of the two knocks were approximately 1 ½ cm above the target zone and ½ to 1 cm off midline. The establishment is currently under a Humane Handling verification plan due to a similar incident. CSI verbally notified (b)(6) and (b)(6) of the non-compliance.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M12445+P 12445	Kulana Foods, Ltd.	WYF05 170213 15N-1	02/13/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category VII Slips and Falls On Tuesday February 12, 2019 at approximately 0825 hours I, (b)(6), observed the following noncompliance. I was observing stunning effectiveness with (b)(6) and (b)(6). A bovine had laid down in the chute prior to entering the knock box. I observed this animal confined to the chute for approximately an hour, where the animal was lying down for the majority of the time. As an establishment employee was encouraging the bovine to rise. The bovine slipped and fell three times before it was able to gain its footing to proceed along the chute to the knock box. The animal did not appear to be injured. I informed Mr. Yagi, Owner, that a noncompliance record would be issued for slips and falls. Also, we discussed that the chute cannot be used as a default holding pen, as this animal did not have access to water the entire time it waited for an employee to finally move it to the knock box for slaughter. There are no additional noncompliance records of the same root cause within the past 90 days.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M12455+V 12455	Sanchez Slaughterhouse	SCG221 403291 9N-1	03/15/2019	04C02	Livestock Humane Handling	313.2	<p>Humane Handling: M12455 (Sanchez Slaughterhouse) HATS Category III - Water and Feed Availability On 03/15/2019, at approximately 1300 hours, I (b)(6) observed that livestock were present in the holding pens, being held for slaughter scheduled the next morning. I observed yellow buckets present in most of the holding pens, but all of the said buckets were knocked over. Additionally, I observed that 5 goats in one pen, and 1 mature cattle in another pen had no bucket for water. Therefore, I determined that no animal being held for slaughter had access to water. I instructed (b)(6) to contact establishment management to correct this situation, and to inform them of the non-compliance. Because establishment was able to provide immediate corrective action, no regulatory control action was taken. (b)(6) followed up the next day during the antemortem inspection and reported that all animals had access to water at that time. A review of the establishment's noncompliance history revealed no associated non-compliance within the past ninety days.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M791+P79 1+V791	Clemens Food Group, LLC	MXL39 080105 29N-1	01/28/2019	04C02	Livestock Humane Handling	313.2	<p>On January 28, 2019 (b)(6) and I, (b)(6) observed the following noncompliance: The establishment utilizes automated equipment to push hogs forward towards the carbon dioxide chamber. This equipment also acts as a gate to section off the alleyway leading to the carbon dioxide chamber. These metal gates rise above the hogs, and then return to the ground. While this occurs, handlers are present to keep the hogs moving towards the carbon dioxide chamber. We observed two hogs directly underneath a component of this equipment, and a handler did not move the hogs away as the gate came towards the ground. The bottom of the gate made direct contact with the head of the both pigs, including direct contact with the right eye of one hog. The gate did not stop after direct contact with the pigs, but continued towards the ground as both hogs jolted backwards away from the object. We then looked at another automated gate to the left of the after mentioned, and observed the gate contacting one hog on top of the head, with continued downward motion as the hog started shaking it's head and jolted backwards to remove itself from underneath. We were told by two establishment employees that the gates are pressure sensitive, however the gates did not stop upon direct contact with the three hogs. We notified barn (b)(6) of the observation and noncompliance with 313.2(a).</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton, Inc.	KID550 001581 5N-1	01/15/2019	04C02	Livestock Humane Handling	313.2	<p>On Monday 01/14/2019 at approximately 2340 hours I, (b)(6) was conducting Humane Handling (HH) Inspection at JBS, Est. NO.1311 M when I observed the following noncompliance. There was absolutely no water in Pens NO. 41- Pen NO. 68 (27 Pens) though each of these pens were filled with livestock. The temperature was approximately 27 degrees Fahrenheit. IPP immediately informed (b)(6) (b)(6) about my observation and brought him to see that all the pens specified were without water for the livestock. He began to perform Corrective Actions in my presence. Soon thereafter (b)(6) arrived and he informed IPP that there is no Heat Installation Tape attached to the pipes which convey water to the pens. The Heat Installation Tape assists in prohibiting freezing the pipes as per the current weather conditions. IPP remained in the Barn and at 01:00 am I saw water slowly begin to seep out of the pipe on which Chris was performing CA. IPP informed (b)(6) and (b)(6) that a noncompliance will be issued to the plant due to the violation of HATS CATEGORY III - Water and Feed Availability [9 CFR 313.2(e)] which requires that water be available to livestock in all holding pens. Mr. Ronald Mitchell Plant Manager, Barn (b)(6) and (b)(6) (b)(6) are being notified in writing about this noncompliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4025	Hoffer's Ligonier Valley Packing Inc.	EDO530 703261 9N-1	03/19/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On March 19, 2019, at approximately 0730 hours while performing humane handling verification activities with (b)(6), I observed the following. The Establishment moved a beef cow into the stunning area for stunning with a hand held captive bolt. The Stunner made the first stunning attempt with the captive bolt, hitting the head, however the cow remained standing. Blood was running from her nostrils. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which made the cow insensible. The stunner gave a third stun for security (this establishment routinely administers security stuns). The skull had 2 holes (the second and third stun were made at exact same location). The first hole was a little too rostral and entered the frontal sinus instead of the brain cavity. (b)(6) and (b)(6) were notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1). No corrective actions were made. A search of PHIS showed no recent similar noncompliances.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4465	Nicholas Meat LLC	KYM48 150131 24N-1	01/24/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category II Truck Unloading On Thursday, January 24, 2019 at approximately 1515 hours, (b)(6) was in the barn on the catwalk watching truck unloading. In the rear of the truck (the first area to be unloaded) were 2 Holstein dairy cows. One was laterally recumbent on its side with its head on the floor next to the other cow which was sternal recumbent (Its sternum was resting on the floor). The employees attempted to get the laterally recumbent cow to rise but were unable to. They then attempted to get the sternal cow to rise using the electric prod. It partially stood up and attempted to leave the truck over the head of the laterally recumbent cow at which point it became weak and could no longer support itself. This resulted in it lowering itself towards the floor directly over the head of the laterally recumbent cow and coming into contact with it. The barn employee immediately pushed the cow off the head of the laterally recumbent cow. They proceeded to get the handheld captive bolt gun and appropriately stunned the laterally recumbent cow and then the other cow. Elliott Keller, General Manger, was alerted to the situation and the non-compliance of 9 CFR 313.2 (a). No regulatory action was taken.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4999+P4 999	Pudliner Packing	CGN15 080135 11N-1	01/11/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category I – Adequate Measures for Inclement Weather On 1/11/19 at 0720 hours while making ante-mortem and humane handling observations in the barn area of the establishment (b)(6) observed the following noncompliance. Two dairy cows and a bob veal were observed in pens 1 and 2. The water in the barrel for animals in pen one and two was frozen. (b)(6) was notified and water was given to the animals. Upon my arrival at the facility all animals had access to water. The establishment's electric water heater for this barrel was not functioning at this time. (b)(6) and (b)(6) were notified of the noncompliance verbally. This is noncompliance with 9 CFR 313.2(e). A search of PHIS did not show any recent similar noncompliances.</p>	CLOSED
M4999+P4 999	Pudliner Packing	CGN01 080106 29N-1	01/28/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category I – Adequate Measures for Inclement Weather On 1/28/19 at 0720 hours while making ante-mortem and humane handling observations in the barn area of the establishment (b)(6) observed the following noncompliance. Seven dairy cows were observed in pens 1 and 2. The water in the barrel for animals in pen one and two was frozen. I (b)(6) verified this at 0725 hours. (b)(6) was notified and water was given to the animals. The establishment's electric water heater for this barrel was not being used at this time. (b)(6) was notified of the noncompliance verbally. This is noncompliance with 9 CFR 313.2(e). A search of PHIS showed one similar noncompliance issued 1/11/19 number CGN1508013511N.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4999+P4 999	Pudliner Packing	CGN09 080143 29N-1	01/29/2019	04C02	Livestock Humane Handling	313.2	HATS Category III Water and Feed Availability On 1/29/19 at 0738 hours while performing the review and observation component of the Humane Handling task the following noncompliance was observed. Seven cows were observed in pens one and two. Both barrels that were available to these animals were empty of water. US reject tag B37S30441 was placed on these pens. Establishment personnel then added water to the pen area and this control action was removed. Establishment personnel who were present at the time and (b)(6) were notified verbally. This is noncompliance with 9 CFR 313.2. A search of PHIS showed two recent similar noncompliances CGN1508013511N dated 1/11/19 and CGN0108010629N 1/28/19.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7857	Marcho Farms Inc.	OLG401 203572 8N-1	03/28/2019	04C02	Livestock Humane Handling	313.30(b)(3)	<p>HATS Category VIII- Stunning Effectiveness On 3/28/19 at 1302 hours, while I was performing Humane Handling tasks in the barn, I observed the following noncompliance. While I was standing on the left side of the runway towards the stunning area, I noticed one of the plant workers place the electrical stunning device on the head of a lamb to begin the process of stunning it. Located on the side of the electrical stunning device is a box that connected to it, this box has 3 different color lights which are yellow, red and blue. The yellow light shows that the power is on and the electrical gun is working, the red light shows that there is an electrical current taking place for stunning and the blue light is to let the shooter know that there was a stunning failure or that the stunning process had not been completed. At the moment he pulls the trigger to the electrical gun the red light went off showing there was an electrical charge that took place, then the blue light came on showing a stun failure, the lamb slightly jerked up but remained conscious at this time. The moment the shooter noticed that the stun was ineffective and the lamb was still conscious, he immediately took corrective action by stunning the lamb successfully with a handheld captive bolt. At this time, I informed Establishment Manager Herb Nicolo that this was a noncompliance of 9 CFR 313.30(b)(3). The establishment end up switching over to the Handheld captive bolt to finish stunning the rest of the lamb just as a precaution and upon my observation of this. I did not notice any further issues.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9381	Stephen G. Manieri	QTG500 903301 5N-1	03/15/2019	04C02	Livestock Humane Handling	313.2	On March 15, 2019, at about 0700 I was performing ante-mortem inspection. I observed a pen holding sheep and goats, that did not have readily accessible water. Mr. Manieri (Plant Owner/Manager) immediately instructed an employee to provide water to the animals. Mr. Manieri and Lorena Manieri were notified of the non-compliance with the Meat and Poultry Regulation 9 CFR 313.2.	CLOSED
M9400+P9 400	Cargill Meat Solutions	WIL260 601281 8N-1	01/17/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HAT Category VIII, Stunning Effectiveness On January 17, 2019 at approximately 1520 hours, while verifying HAT Category VIII, Stunning Effectiveness, at establishment M9400, I (b)(6) observed the following noncompliance. An establishment employee attempted to stun a mature dairy cow in the slow-cow pen using a handheld captive bolt device. The animal was restrained with a halter. The first stunning attempt contacted the animal, which was apparent by the animal wincing and an abrasion on its head, but the animal remained standing and was not rendered unconscious. A second stunning attempt was immediately placed, using a handheld captive bolt device, and rendered the animal unconscious as evident by lack of any signs of sensibility and the animal falling to the ground. The cow remained unconscious throughout shackling, sticking and bleeding. (b)(6) was notified of the noncompliance with 9CFR313.15(a)(1).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9442+P9 442	Groff Meats Inc.	UTC351 201430 7N-1	01/07/2019	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3)	<p>HATS Category VIII - Stunning Effectiveness On January 7, 2019, at approximately 1100 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 on the right side of the head, the hog fell to the right side and began immediately loudly vocalizing. 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).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9442+P9 442	Groff Meats Inc.	UTC231 303262 ON-1	03/20/2019	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3), 313.30(b)(2)	HATS Category VIII - Stunning Effectiveness On March 20, 2019, at approximately 0840 hours while performing humane handling verification activities at Establishment 9442, I, observed the following Noncompliance. A market hog was moved to the stun box for stunning. 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 on the right side of the head, the hog failed to fall and began immediately loudly vocalizing. The hog then became agitated and knocked the employee out of the way escaping onto the slaughter floor. The hog was eventually moved back toward the knock box and re-stunned rendering the hog insensible. No regulatory control action was taken, as the employees took appropriate corrective action given the circumstances. 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), 313.30(a)(3) and 313.30(b)(2).	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9442+P9 442	Groff Meats Inc.	UTC231 303262 ON-2	03/20/2019	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3), 313.30(b)(2)	HATS Category VIII - Stunning Effectiveness On March 20, 2019, at approximately 0921 hours while performing humane handling verification activities at Establishment 9442, I, observed the following Noncompliance. A market hog was moved to the stun box for stunning. 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 on the right side of the head, the hog failed to fall and began immediately loudly vocalizing. The hog then became agitated, moving around the knock box and vocalizing. No regulatory control action was taken as the stunner took corrective action by re-stunning the hog on the head with the stun device, which made the 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), 313.30(a)(3) and 313.30(b)(2).	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9457+P9 457+V9457	Rendulic Packing Company	EFH481 003342 6N-1	03/26/2019	04C02	Livestock Humane Handling	313.1, 313.2, 313.50	<p>HATS Categories IV-Ante-mortem Inspection (9 CFR 313.1 and 313.2) and VII-Slips and Falls (9 CFR 313.1 and 313.2). On 03/26/2019 at approximately 1030 hours at establishment #9457 (b)(6) notified me, (b)(6) of the following: (b)(6) (b)(6) was positioned in the upstairs holding pen area observing employee handling of a longhorn cattle from the alleyway to the knock chute and noticed that the cattle had it's left horn wedged between a gate and the right horn was under the opposite side railing. The long horn cattle was down and was unable to stand back up due to it being stuck between the gate and the railing. The floor supervisor moved the gate and prodded the animal 3 to 4 times and it stood up, within in a matter of 30 seconds the long horn cattle had once again become stuck, the right side horn was stuck on a old window cutout and the left side horn was stuck in the railing. The animal was down once again with a good portion of it's body weight suspended by the animals horns. FI White noticed a fresh cut/abrasion approximately 3 inches long and 1-2 inches wide on the animals left hind quarter. The floor supervisor once again came to help the animal to get unstuck and back to it's feet. The floor supervisor used an electric prod 3 to 4 times on animal with no luck. The floor supervisor proceeded to try and free the animal by hand at first, when this method failed to work the supervisor grabbed a metal hook and placed it around the cattle's left horn, he then pulled the horn upwards to free the animal. The cattle was freed, back on it's feet and then moved to the holding pen near the alleyway. The cattle was left to rest, given food and water. IPP were notified by the establishment that the cattle would be slaughtered the next day. Regulatory Control Action was applied by me, (b)(6) to the entrance of the alleyway with USDA Reject tag</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>#B-45200144 for further inspection as to what could have caused the scrape to the hide and prevent further injury to other cattle. No other livestock have passed through the alleyway after RCA was applied and will not until released by FSIS personnel. The alleyway appeared to be acceptable in regard to footing. According to (b)(6), the cattle appeared to be losing it's footing and falling due to it's horns getting stuck. On 3/27/2019 (b)(6) and I inspected the alleyway to knock chute for potential injury-causing conditions. Between (b)(6) and myself, we found approximately 12 bolts on the side of the alleyway that the cattle could have received the scrape to it's hide. (b)(6) and myself did not find the bolts to be sharp, and cannot definitively state that any of these could have caused the scrape. (b)(6) was present during my observation and she did take pictures of the bolts. I did notify (b)(6) that the RCA would remain in effect until acceptable corrective actions have been implemented. (b)(6) was contacted for instruction. Plant Manager Mehmet Gurakar and (b)(6) were notified of the above observations as well as this documentation. Copies of this Noncompliance Record will be furnished to both upon completion. A search of PHIS showed no similar noncompliances. This is Noncompliant with 9 CFR 313.1(a), 9CFR 313.2</p>	

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9457+P9 457+V9457	Rendulic Packing Company	EFH581 303592 7N-1	03/27/2019	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(1) (i), 313.16(b)(2)	<p>HATS Category: VIII Stunning Effectiveness At approximately 1045 hours on 3-27-19 FI Ron White contacted me, (b)(6) via cell phone (I was covering another establishment on the assignment), to notify me that he observed a missed stun at Rendulic Packing, Establishment #9457. Below is a narrative of what (b)(6) observed and heard. On Wednesday 3-27-19, Rendulic Packing Co.(Manager Mehmet Gurakar) attempted to stun a bovine, long-horn cattle with a rifle in the upstairs holding pen, located off of the slaughter floor. FI White was standing on the slaughter floor when he heard the first shot and then the animal vocalizing. The metal door between the slaughter floor and holding pen area was closed for firearm safety reasons. Due to (b)(6) height, he could look over the top of the metal door and observed the longhorn still standing upright. (b)(6) immediately fired a second shot which rendered the longhorn unconscious. Regulatory Control was not applied as this was the only livestock slaughtered on this date. (b)(6) was contacted for instruction. (b)(6) and (b)(6) were notified of the noncompliance and this documentation. They will be furnished copies of the Noncompliance Record upon completion. This is Noncompliant with 9 CFR 313.16 (a) (1), 313.16 (b) (1) (i), 313.16 (b) (2). A search in PHIS showed, that on 3-26-2019 a Humane Handling Noncompliance Record #EFH4810033426N was documented citing 9 CFR 313.1 (a), 313.2</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9548+P9 548	Wayne Nell & Sons Meats Inc.	ODJ491 102130 4N-1	02/04/2019	04C02	Livestock Humane Handling	313.2	At 1215 hrs during a directed HATS task the shallow water trough in between the pens was empty and there was no water for the pigs to access. The blue barrel with the nipple on it was frozen and non accessible to the pigs. This is non-compliant 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. There shall be sufficient room in the holding pen for animals held overnight to lie down. Establishment management was notified and corrective action was taken before slaughter was continued.	CLOSED
M20760	USA Pork Packers Inc	YKM11 160344 12N-1	03/12/2019	04C02	Livestock Humane Handling	313.30(a)(3), 313.30(a)(4)	Category VIII - Stunning Effectiveness 03/12/2019 1650 hours. On Tuesday March 12, 2019 approximately at 1650 hours when I was at the slaughter floor observing the stunning procedure I saw the following noncompliance: I saw the stunning employee stunning a market hog approximately 270 Lb. on the shackling table and after he applied the electric current on the hog head I noticed that the hog was not rendered unconscious by vocalizing loudly and breathing regularly, 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 head stun while the hog was on the shackling table which was effective and rendered the hog unconscious. I informed Wayne Kreisl Jr, plant manager with the noncompliance. The plant was not compliant with 9 CFR 313.30 (a)(1), 9 CFR 313.30 (a)(3), and 9 CFR 313.30 (a)(4)	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562	JBS Green Bay, Inc.	QSM33 070148 31N-1	01/30/2019	04C02	Livestock Humane Handling	313.1	<p>At approximately 12pm on Wednesday 1/30/19, (b)(4) was performing Ante-Mortem inspection, HATS Category IV and observed a noncompliance in HATS Category VII, Slips and Falls. A pen of steers was being moved from one pen to another via a drive alley. Several steers were slipping as they moved onto the drive alley and one steer slipped and fell completely down in a sternal position with his rear legs positioned behind him. He was able to get his legs back under himself and rise to continue with the group. (b)(6) informed (b)(6) (b)(6), that the flooring was slick and worn smooth and that no more cattle would be moved down the alley until the flooring was addressed. (b)(6) and several other barn employees placed 8-10 bags of lime on the drive alleys to improve the traction of the surface. (b)(6) also informed (b)(6) and (b)(6) of the noncompliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562	JBS Green Bay, Inc.	QSM57 080306 22N-1	03/16/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On March 16, 2019, at 2:14 pm while performing HATS Category VIII - Stunning Effectiveness, (b)(6) (b)(6) observed an establishment employee (knocker) using the pneumatic captive bolt stunning device to attempt to stun a steer. The steer was still conscious after the first stunning attempt as the steer moved its head away from the knocker and it was blinking, its nostrils were flaring and breathing. The first stun attempt did not immediately render the steer unconscious. The knocker immediately took the hand held captive bolt stunning device and successfully stunned the steer, resulting it unconsciousness.</p> <p>(b)(6) took a regulatory control action and tagged the restrainer with U.S. Reject tag # B-45157645 and verbally (b)(6) Gonzales of the non-compliance. (b)(6)</p> <p>(b)(4)</p> <p>two knock holes. The establishment had the head skinned and (b)(6) observed two knock holes present. After the establishment gave verbal corrective actions and preventative measures to (b)(6) (b)(6) released the restrainer and the establishment resumed production.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562M	JBS Plainwell, Inc.	CFO010 902291 9N-1	02/19/2019	04C02	Livestock Humane Handling	313.1	<p>HATS CATEGORY VII—SLIPS AND FALLS At 0853 hour on 2/19/2019 while verifying the humane handling of livestock, I observed Humane Slaughter of Livestock—Pens, Driveways, and Ramps noncompliance. While observing a group of approximately 6 dairy cows being moved to the crowder, which is at the entrance to the serpentine that leads to the stun restrainer, I observed two cows slip and one cow slip and fall. Two of the cows had one leg slip laterally about two to three inches on a patch of ice, just as they entered the crowder area. On the same patch of ice, a third cow went down on her front knees as both of her back legs slipped laterally to the point that her udder hit the floor. This cow immediately got back up. However, this finding illustrates noncompliance with 9 CFR 313.1 (b) because the floor of a driveway was not maintained to provide good footing to livestock. I immediately informed (b)(6) that I was taking a regulatory control action and stopping the further movement of cattle to the crowder, until measures were taken to improve the footing in the crowder area. I also immediately informed (b)(6) that I would be documenting my findings on a noncompliance record. Later, at approximately 0905 hour, I also informed (b)(6) (b)(6) that I would be documenting my findings on a noncompliance record. In response to the notification of my control action, (b)(6) immediately instructed establishment employees to sand the floor in the crowder area. By 0911 hour, the crowder area floor had been sanded and I informed (b)(6) that the crowder area was released from control action.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1816+V1 816	West Michigan Beef Co. LLC	TMB46 100155 09N-1	01/09/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS VIII On Wednesday, January 9, 2019 at approximately 1050 hours, the following noncompliance was observed for an ineffective stun while providing relief inspection for the CSI at the post-mortem inspection area. A muffled shot was heard from the knock box that caused (b)(6) (b)(6) to more closely observe the animal in the box and was able to visualize a still standing Holstein cow. (b)(6) stopped performing post-mortem inspection duties and went to further investigate at the knock box. While walking up to the knock box a second shot was fired by (b)(6) who was the employee stunning the animal in question. The second shot was more crisp in sound and the animal was heard to crash to the floor. Upon arriving to the knock box where the now unconscious animal's head could be observed at the restraint system, two holes were palpated in the forehead of the animal with one hole off-center. The holes were later confirmed on the head when it was skinned and the off-center hole appeared to be at a shallow angle into the skull of the animal. (b)(6) informed (b)(6) (b)(6) of the incident and also Mr. Don Vander Boon (Owner) of the incident and the forthcoming NR. The requirements of 9CFR 313.15(a)(1) were not met. No similar associated NRs have occurred within the past 90 days.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1816+V1 816	West Michigan Beef Co. LLC	TMB29 110346 22N-1	03/22/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS VIII At approximately 12:20PM, Friday, March 22nd, 2019, (b)(6) was observing truck unloading at the entrance of the barn. A truck which had unloaded its ambulatory cows approximately 30 minutes prior had backed up to the barn entrance again to unload a Holstein cow (ear tag # 2355) which was unable to get up the first time. It was thought giving the animal some time to rest would allow her to get back up later while other trucks unloaded. A couple attempts to get the cow up yielded no results so (b)(6) elected to shoot the animal. (b)(6) lined up the shot and discharged the captive bolt gun. (b)(6) could observe the cow still lying upright, head still held in the same upright and fixed position, and ears still up. (b)(6) reloaded the captive bolt gun, lined up and discharged a second shot immediately which caused the animal to fall onto her side. (b)(6) determined the second shot was effective in rendering the animal unconscious. Upon further investigation of the cow's head, (b)(6) observed 2 holes penetrating the animals skull with blood running out of both. (b)(6) informed (b)(6) of the forthcoming noncompliance. The requirements of 9CFR313.15(a)(1) were not met. A similar Noncompliance Record was recorded on January, 9th, 2019.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2444	Strauss Brands Inc.	VFG121 202411 5N-1	02/15/2019	04C02	Livestock Humane Handling	313.1, 313.2	<p>On 2/15/2019 from 0600 to 1130, while intermittently performing HATS Category II, (b)(6) noted lambs were reluctant to unload from trailers with two decks. The configuration of the unloading area of the barn is a "U" shaped space constructed of solid six foot tall, plywood walls beginning at the floor. The animals were reluctant to leave the trailer and enter the barn unless an establishment employee restrained an animal at the base of the "U." Upon attempting to unload the upper deck, the plant employees drove several animals down the ramp without having a lamb restrained at the base of the "U." Without a clear path to exit the unloading area, the lambs on the ramp turned around and tried to re-enter the trailer, causing the animals to crowd on top of each other. This created an impasse with the animals being driven to exit the trailer, thereby increasing stress and excitement to the lambs. No animals were injured. This situation is not compliant with 9 CFR 313.1(d) stating driveways shall minimize direction reversals nor with 313.2(a) stating that livestock shall be moved with a minimum of stress and excitement. (b)(6) and Plant Manager Wayne Bucholtz were informed of the noncompliance.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2444	Strauss Brands Inc.	VFG281 502532 2N-1	02/22/2019	04C02	Livestock Humane Handling	313.2, 313.30 (a)(2), 313.30(b)(2)	<p>At approximately 1317 hours while conducting a Livestock Humane Handling Verification task (HATS Category VIII – Stunning Effectiveness), (b)(6) was informed of the following noncompliance as observed by online Food (b)(6). A lamb escaped from the blood pit area onto the slaughter floor and was moving at greater than normal walking speed before it was stopped by the establishment at the mid-point of the skinning line. At this point on the line, the cranial half of the hide is still attached to the carcasses on the rail, so it was determined that no product was affected. This represents noncompliance with 9 CFR 313.2 and 313.30(a)(2) for undue stress and excitement during handling causing the lamb to move at greater than normal walking speeds and with 313.30(b)(2) for inappropriate restraint system design failing to prevent a lamb from escaping. The (b)(6) took a regulatory control action and stopped the line while the lamb was properly restrained and stunned using a handheld stunning device. (b)(6) released the regulatory control action after the establishment properly restrained the lamb and verified unconsciousness/insensibility before further sticking, bleeding, shackling, and hoisting of the lamb onto the skinning line. (b)(6) and (b)(6) stated that they would try to install a barrier between the blood pit and slaughter floor to prevent escape in the future as well as attempt to reconfigure the chute leading up to the knock box. Plant Manager Mr. Wayne Bucholtz was informed of the noncompliance.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10026	Hillsdale County Meats	RMN09 070328 27N-1	03/27/2019	04C02	Livestock Humane Handling	313.2	Humane Handling Category III, Water and Feed Availability, (9 CFR 313.2 (e)) On 03/27/19 while performing ante-mortem inspection at 0709 hours (Hours of Operation are 0700-1530), I observed that there wasn't access to the water container for the 2 steers in pen #1 (the lid was shut) I informed (b)(6) of the non-compliance and informed her that a NR would be issued for the non-compliance. (b)(6) immediately moved the cattle to another pen where water was accessible. Later (b)(6) tied up the lid in pen #1 so any livestock (beef) that would be placed in that pen would have access to water. No slaughter operations had begun at the time of the non-compliance observation. There have been no similar NR's issued within the past 90 days.	CLOSED
M10026	Hillsdale County Meats	RMN25 070309 28N-1	03/28/2019	04C02	Livestock Humane Handling	313.2	Humane Handling Category III, Water and Feed Availability, (9 CFR 313.2 (e)) On 03/28/19 while performing ante-mortem inspection procedures (Livestock pens, driveways and ramps at 0708 hours (Hours of Operation are 0700-1530), I observed that there wasn't access to the water container for the 3 steers in pen #1 (the lid was shut) and 2 steers in pen #4 (the lid was shut). (b)(6) immediately tied up the lids on the containers in both pens so the livestock had access too the water. As a permanent preventative measure (b)(6) removed both of the lids from the containers so that the livestock had full access to the water. I verified (b)(6) immediate and permanent corrective actions. After discussion with (b)(6) it was determined that the further preventative measure the plant had performed was acceptable and the pens were released for ante-mortem inspection. I informed her that a NR would be issued for the non-compliance.This NR links with NR RMN0907032827 dated 3/27/19.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10038+P 10038+V10 038	Scotts Hook & Cleaver Inc.	RSH441 102120 7N-1	02/07/2019	04C02	Livestock Humane Handling	313.2	<p>HATS CATEGORY III—WATER AND FEED AVAILABILITY At approximately 1100 hour on 2/7/2019, while verifying livestock access to water as part of a routine livestock humane handling verification task, I found Humane Slaughter of Livestock--Handling noncompliance. I observed 30 market hogs being held in pens 4 and 8 which had been combined into one large pen. In this combined pen there were two automated water delivery drinking systems. The first automated drinking system was designed for cattle. This cattle drinking system had fresh drinking water in it; however, the water holding basin was approximately 2.5 feet off the floor, above the standing height of the hogs. The hogs could not reach the water in the cattle drinking system. The second automated drinking system was designed for hogs. The water holding basin in this drinking system was about 6 inches off the floor and had a lid on it that hogs could lift to gain access to the water basin; however, the water in the drinking basin was frozen solid. There were no other available sources of drinking water in the combined pen holding the 30 market hogs. This finding illustrates noncompliance with 9 CFR 313.2 (e), because animals in a holding pen did not have access to water. I immediately notified (b)(6) of the above described finding. In response, Bill promptly moved the market hogs in pens 4 and 8 to holding pens with functional automated drinking systems. I then notified (b)(6) (b)(6) that the above finding would be documented on a noncompliance record.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10147+P 10147+V10 147	Countryside Quality Meats, L.L.C.	PVG461 201130 8N-1	01/07/2019	04C02	Livestock Humane Handling	313.2	Category III - Water and Feed Availability: On 01-07-2019 at 1430 I arrived at the establishment and went to perform a livestock humane handling task. I checked for the availability of water to the animals being held in three pens and one alleyway. There were two goats and three sheep being held in the alleyway leading to the knock box. As I walked around the alleyway I determined that there was no water provided for these 5 animals. At 1435 I informed (b)(6) (b)(6) of the failure to make water available to animals being held in the alleyway. At this time he stated that they had just arrived not too long ago, and began the process of getting water to these animals. At 1450 I returned to the barn and verified that the animals did have a water basin placed inside the pen. At 1500 I located the establishment manager Chelsea Wallen and informed her of the noncompliance with the humane handling regulations. The failure to assure water availability to the all animals at the facility represents noncompliance with 9CFR313.2 (e).	CLOSED
M10252	Berry & Sons Rababeh Isl Slau	ZEN250 901072 5N-1	01/25/2019	04C02	Livestock Humane Handling	313.1	HATS Category II - Truck Unloading On January 25, 2019 at approximately 0705 while conducting Ante-Mortem, I (b)(6) observed the following noncompliance. A lamb had jumped from a gap on the side of the unloading ramp, because the loading dock door became unsecured during unloading. The lamb jumped 3ft to the ground below; it did not appear injured and was able to walk normally. I took a regulatory control action by rejecting the unloading ramp with U.S. Reject Tag #B40497369. The animal in question was placed in the Suspect Pen for the SPHV to examine. I immediately informed (b)(6) (b)(6) of my findings and informed him of the establishment's failure to comply with 313.1(a).	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M15896+P 15896	Abbyland Pork Pack, Inc.	TUN031 302530 8N-1	02/08/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII Stunning Effectiveness On February 8th., at approximately 1220, I, (b)(6), was performing a Livestock Humane Handling verification task and witnessed a regulatory non-compliance with regulation 9 CFR 313.15(a)(1). The establishment employees had multiple pigs that had turned around in the knock box alleyway. The pigs that had turned around were stuck with pigs that were still running up the alleyway. The establishment barn supervisor was present and called an immediate stop to slaughter and animal movement so they could free the pigs that were stuck. There was no feasible way to remove the animals as there were starting to climb on one another. The supervisor then decided to stun the animals that were causing the impasse. There were roughly five pigs that were involved. This was performed with multiple captive bolts and very quickly from animal to animal as they would not kick each other. Upon the stunning of the last pig, the first stunning attempt was unsuccessful due to improper placement on the head. The supervisor had another captive bolt ready and immediately placed a successful stun to the animal. Then, the supervisor proceeded to place a security stun to the animal. The animal was not rendered unconscious on the first attempt verified by animal never lost footing, had eye tracking, vocalized, and tried to avoid the second stun. This is a non-compliance with 9 CFR 313.15(a)(1). I notified the barn supervisor and then plant manager, Mr. Pat Reis, that I would be issuing the non-compliance report.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M15896+P 15896	Abbyland Pork Pack, Inc.	TUN431 102141 8N-1	02/18/2019	04C02	Livestock Humane Handling		On 2-18-19 at approximately 0928 hours, I, (b)(6) was watching pigs unload from a trailer while performing HATS Category II-Truck Unloading. I noticed a noncompliance with HATS Category VII—Slips and Falls. A sow lost her footing with both front feet sliding to the side and her chin hit one of the metal strips on the floor. When she got up and continued down the ramp, I noticed a cut under her chin in the same area where her chin had hit the metal. The sow appeared to be walking fine after the incident. The establishment had separated her into the suspect pen for PHV to see the affected wound on her chin. When the ramp was looked at, there was an amount of loose straw on the floor from the unloading process that came out of the trailer and the metal bars were slippery when stepped on directly. The employee immediately cleaned all loose bedding off the ramp and had one of the bar replaced. Plant Manager Pat Reis was notified of the incident. This is a non compliance with USDA regulation 9CFR 313.1(b).	CLOSED
M20594+P 20594	Tooele Valley Meat	REG351 501233 0N-1	01/30/2019	04C02	Livestock Humane Handling	313.1	On 30JAN2019 at approximately 1435 hours at Tooele Valley Meats (M20594), (b)(6) observed the following noncompliance. While inspecting the establishments corral I observed barbwire approximately 12" in length in the north west pen rail that could harm or cause discomfort to livestock. Ed Roberts plant owner was informed and shown the noncompliance, U.S. Reject Tag B42069115 was placed on the establishments corral there will not be any receipt of livestock until noncompliance is corrected. The Establishment failed to comply with 9CFR 313.1 After reviewing the establishment history, no noncompliance can be associated at this time. Response: Ed Roberts immediately removed the barbwire. Ed Roberts also informed (b)(6) (b)(6) that the corrals will be updated in intervals workable with production during the summer.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21069	Premium Iowa Pork, LLC	CME02 160201 27N-1	02/27/2019	04C02	Livestock Humane Handling	313.2, 313.5	<p>At 12:47, while performing HATS category VI, Electric Prodding/Alternative Object Use, I observed the following noncompliance. Hogs were being moved in the Butina push alley and a group of 5-6 hogs were separated by a single dividing gate. The pre-dividing gate moved approximately 3 feet when one hog, with its hindquarters pressed against the gate, sat down. The hog was facing away from the gate in a dog-sitting position with its hindquarters on the ground and back side pressed against the gate. The gate continued to move forward, pushing the hog approximately 4-5 feet while the hindquarters remained on the ground. The hog did not vocalize. When the gate stopped moving, the hog stood up, appearing uninjured. I took a regulatory control action by asking the team member stop the Butina system. Before the system was stopped, the hogs walked into the Butina basket. I spoke with (b)(6) about my observations. He gave me a verbal preventative measure that he would observe the hogs moving in this area for the remainder of the day to assure that no down animals would be pushed by the gate. I then allowed operations to resume. This is in noncompliance with 9 CFR 313.2(d)(2) and 313.5(b)(2).</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M20855	Chenoa Locker, Inc.	SSH341 402591 4N-1	02/14/2019	04C02	Livestock Humane Handling	313.1	<p>On 02/14/19 at Chenoa Locker Plant, (b)(6) and (b)(6) did a walkthrough of the kill floor and holding pens. The following issues were found to be in noncompliance: The wall in the knock box near the lower right corner of the door has a protruding sharp metal edge. The lower metal panel of the knock box gate is rusting out and has sharp edges. In the back holding pen there is a bent and protruding piece of metal that is attached to the water trough. The door in the middle pen that leads to the inedible room is in general disrepair with protruding metal edges. The chute gate closest to the middle pen that leads to the knock box has a protruding sharp edge. These items are in direct violation of CFR 313.1(a) Livestock pens, driveways and ramps. 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. The following issue was also found to be in noncompliance: There is a loose crossbar on the unloading ramp as animals first enter the holding pens which could cause animals to slip and fall. This is in violation of CFR 313.1(b) Floors of livestock pens, ramps, and driveways shall be constructed and maintained so as to provide good footing for livestock. Plant owner has been notified of these non-compliances and this non-compliance report</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21723	H & M Butchering	MEM1509012302N-1	01/02/2019	04C02	Livestock Humane Handling	313.16(a)(1)	On 01/02/2019 while performing the Humane Handling Verification Task under HATS Category 8 at H&M Butchering, an ineffective initial shot was delivered with a 410 shotgun at 09:00 which did not render the animal insensible to pain. The heifer remained standing on all fours with lateral head movement. Immediate and effective corrective actions were administered with the same 410 shotgun which rendered the animal insensible to pain. The chute was rejected with tag number B16142650. The plant manager, Matthew Martin, was notified of the noncompliance.	CLOSED
M21595+P21595	Mayar's Halal Meat Processing	KPD4918021415N-1	02/12/2019	04C02	Livestock Humane Handling	313.1	While performing antimortem inspection of a group of cattle I (b)(6) noticed the following noncompliance. In the round pen with the cattle was a bent alleyway gate lying on the ground. This gate could have caused one of the cattle to trip or become entangled in and carousing injury. I immediately notified (b)(6) of the presence of the gate and of the noncompliance of 9 CFR 313.1. The gate was removed from the pen. (b)(6) later in the shift was notified also of the noncompliance.	CLOSED
M21595+P21595	Mayar's Halal Meat Processing	KPD1210033122N-1	03/21/2019	04C02	Livestock Humane Handling	313.2	At approximately 1310 hrs. after returning from the hour-long lunch break I (b)(6) found the following noncompliance. I the inside area just before the kill box several lamb and goats had been left without access to water. I notified (b)(6) of the establishments failure to meet the regulatory requirements of 9 CFR 313.2.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21799	Olson Meat Plant	ACL521 601122 5N-1	01/25/2019	04C02	Livestock Humane Handling	313.1	<p>At approximately 0825 hours while performing a routine ante mortem task I noticed the Suspect Pen located on the north part of Pen 3 had a metal rod approximately 5 inches long and ¼ of an inch thick was protruding out towards the animals. The metal rod presents a physical hazard that can easily wound or puncture any animal that is pushed up against it. (b)(6)</p> <p>(b)(6) was shown the rod. (b)(6)</p> <p>(b)(6) manually folded the rod upwards and away from the hogs as to prevent any injuries as a temporary fix. No hogs were injured. While on the same task at approximately 0835 IP noticed the divider in Pen 4 had jagged edges along the bottom. The divider is a steel plate that runs east to west of the pens and is approximately 4 feet tall. The bottom of the divider is about 5" off the ground and hogs can be seen laying up against the bottom of the divider. No hogs were injured. IP continued the rest of the task with no issues and informed (b)(6) of the forth coming noncompliance with 9CFR 313.1 at approximately 0845.</p>	CLOSED
M22095+P 22095+V22 095	Creston Valley Meats	QOI250 901281 7N-1	01/16/2019	04C02	Livestock Humane Handling	313.2	<p>HATS III: Water and Feed Availability. At 3:20 pm on 01/16/2019, one beef animal had been held in the pens at Creston Valley Meats for more than 24 hours without feed provided. The beef animal had been delivered before 2 pm the day prior, and there was no evidence of feed in the pens. No feed was provided at any time, but the animal had access to water for the entire time. I notified plant manager Ryan Beyler of this failure, and he immediately brought feed for the animal. No similar noncompliances have been recorded in the last 90 days.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M22095+P 22095+V22 095	Creston Valley Meats	QOI061 701371 8N-1	01/18/2019	04C02	Livestock Humane Handling	313.2	HATS III: Water and Feed. At 2:00 pm, 7S baby goats had been held since 11:00 am in the pens without access to water. The pens are equipped with automatic waterers, but they are too far off of the ground for the baby goats to reach. The goats did not appear abnormally weak, or ill. I notified plant owner Simon Caleb and plant manager Ryan Beyler of the noncompliance. The plant manager took immediate corrective actions and place a large tray with water on the floor of the pen for the goats to drink from.	CLOSED
M22095+P 22095+V22 095	Creston Valley Meats	QOI361 601502 8N-1	01/28/2019	04C02	Livestock Humane Handling	313.1	HATS VII: Slips and Falls: At 8:30 am I watched (b)(6) move lambs for antemortem inspection. There was a piece of wire fencing, approximately 2 foot x 3 foot, on the ground. A lamb was standing on the wire when (b)(6) picked it up, and when he pulled the fencing away, the lamb's feet were pulled out from underneath itself, and it fell to the ground on its side. I notified plant owner Simon Caleb of the noncompliance. A similar NR was recorded for a beef animal falling on 12/20/2018.	CLOSED
M22095+P 22095+V22 095	Creston Valley Meats	QOI221 503562 1N-1	03/20/2019	04C02	Livestock Humane Handling	313.2	HATS IV: Antemortem Handling At 12:10 pm on March 20, 2019, (b)(6) loaded a goat into the knocking chute by separating it from the herd and running after it. The goat ran away from him, and he continued to run after it, chasing it into the chute. The goat was unable to stop in time to keep from hitting the concrete wall at the end of the chute. This is noncompliant to 9CFR313.2(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 animals. Livestock shall not be forced to move faster than a normal walking speed." I informed plant manager Ryan Beyler of the forthcoming Noncompliance Record. No noncompliance records in the past 90 days are linked to this noncompliance.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M27300	LRN Processors, Inc.	MXN59 140320 08N-1	03/05/2019	04C02	Livestock Humane Handling	313.15 (b)(1)(i)	<p>On Tuesday, March 5, 2019, I, (b)(6) (b)(6) accompanied by (b)(6) (b)(6) while performing the Livestock Humane Handling task, HATS Category VIII Stunning Effectiveness task. At approximately 1250 hours we saw the following non-compliance. The plant employee in charge of the ante-mortem area decided to euthanized about five bob veal due to them being non-ambulatory. On the first bob veal the employee placed the stun gun in the proper place but when he hit the trigger the gun made a muffled sound and did not go off. The bob veal moved its head away from the gun, but the stun gun did not penetrate the skin. The employee opened the stun gun, to replace the ammunition, and tried a second time and the gun again made a muffled sound, but the animal was not stunned. The stun gun did not penetrate the skull, but made a muffled sound. The employee tried it a third time and this time the animal was rendered unconscious. The event did not occurred again after the establishment took corrective actions. I notified (b)(6) (b)(6) of the events that took place at 1250 and of the forthcoming non-compliance. (b)(6) (b)(6) informed me that employees are supposed to let their supervisor know if the stun guns stop working. She also expressed she would talk to the employee to make sure he understood the severity of the situation. As the establishment failed to keep the stun gun in proper working order this is a non-compliance with 9 CFR 313.15(b)(1)(i). No regulatory control action was taken because management took immediate action to prevent this event from re-occurring.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M27440	Valley Beef, Inc.	VEJ121 201161 1N-1	01/11/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>Category VIII Stunning Effectiveness At approximately 0925 on 1/11/2019, while performing a Livestock Humane Handling task, the following noncompliance was observed by (b)(6).</p> <p>(b)(6) A steer less than 30 months of age was held in the stun box. The stun operator used the captive bolt gun to attempt to stun the animal; discharging the gun but the animal remained standing. The loaded back-up captive bolt gun was then immediately used, but this stun was also ineffective as the animal remained alert and standing. The first captive bolt gun was then reloaded and discharged. This stun caused the animal to drop. When the animal was rolled out onto the floor it was determined to be insensible by both the stun operator and (b)(6). The stun operator did not require prompting from (b)(6) to restun the animal. The time between the first and third stuns was approximately 25 seconds. Upon examination of the skull, the first stun was applied on midline, penetrating the skull approximately 3 inches below the appropriate location (cross between the medial canthus and the horn buds). A second round scoring mark was seen to indent the skull approximately 2 inches to the left of the appropriate location, indicating the placement of the second stun. A third hole was in the appropriate location and penetrated the skull.</p> <p>(b)(6) was notified of the incident immediately after it occurred. Mr. Joe Jaques, Owner, was notified after clarification from the FLS that the stun box would be rejected until further notice and discussion with the Denver District Office. USDA Reject tag #B36797925 was applied to the stun box. The establishment follows a written robust systematic approach to humane handling and stunning. There are no associated noncompliance records of the same root cause within the past 90 days.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M27440	Valley Beef, Inc.	VEJ431 101571 8N-1	01/18/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>Category VIII Stunning Effectiveness At approximately 0920 on 1/18/2019, while performing a Livestock Humane Handling task, the following noncompliance was observed by (b)(6) (b)(6). A steer less than 30 months of age was held in the stun box. The steer was generally excitable and agitated and attempted to lunge out of the box at no fault of the operator. The stun operator used the captive bolt gun to attempt to stun the animal; discharging the gun but the animal remained standing. No vocalization was noted. The steer attempted to jump out of the stun box an additional two times, consistent with previous observations. The stun operator waited until the animal calmed down and the loaded back-up captive bolt gun was then used. This second stun caused the animal to drop, and when the animal was rolled out onto the floor it was determined to be insensible by both the stun operator and (b)(6). (b)(6) did not need to instruct the stun operator to stun the animal a second time. The time between the first and second stuns was approximately 30 seconds. Upon examination of the skull, the first stun penetrated the skull approximately 2 inches lateral to the appropriate location (cross between the medial canthus and the horn buds). The second stun penetrated the skull on midline at the appropriate location. (b)(6) (b)(6), and Mr. Joe Jaques, Owner, were verbally notified of the incident and the impending non-compliance record. The scenario was discussed and clarified with Dr. Reeder, Denver District DDM. The establishment follows a written robust systematic approach to humane handling and stunning. A similar event was documented in the NR VEJ1212011611N issued on 1/11/19 for a missed stun on a steer. Preventative and corrective measures were not sufficient to prevent reoccurrence.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M27467+P 27467+V27 467	A.J.'s Lena Maid Meats, Inc.	DQA21 110218 19N-1	02/19/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV-Ante-mortem Inspection On 2/14/2019 at approximately 0730 hours, I (b)(6) and (b)(6) conducted a Humane Handling task. We observed the following findings: in the hog pen (containing 6 hogs) a 4 inch drain cover had become dislodged from the drain which exposed a drain hole possibly if left uncorrected could cause an injury to a hog's leg. The (b)(6) (b)(6) was advised of situation and put the drain cover back on the drain. This is a noncompliance of 9 CFR 313.1(a). Upon further examination of the drain it is missing any way to retain the cover from coming off this must be repaired prior to the establishments next slaughter day.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21938+P 21938	EcoFriendly Foods	FYA501 402312 1N-1	02/21/2019	04C02	Livestock Humane Handling	313.1, 313.16(a)(1), 313.2	<p>On February 21, 2019 at approximately 10 AM while performing a humane handling audit with the (b)(6) the following non-compliances were identified/witnessed: During inspection of the pen system, HATS Category IV: Handling During Antemortem Inspection, (b)(6) and (b)(6) noticed the sharp, cut edges of a metal gate in the primary holding pen were protruding into the pen. Additionally, a screw on the ramp up to the knock box had backed out and was hanging into the alleyway. There were no signs of animal trauma (hair, blood, tissue) on either the edges of the metal gate or the screw at the time of inspection. During the stunning of the second goat, HATS Category VIII: Stunning Effectiveness, both (b)(6) and (b)(6) were off the kill floor in the office area of the plant. (b)(6) was present on the kill floor. After (b)(6) and (b)(6) heard an initial shot from the revolver, followed by a second shot, they entered the kill floor to see both of the last goats still standing in the knock box and the plant employee preparing the revolver for a third shot. The third shot rendered the goat insensible and he was pulled from the knock box and stuck on the floor. As the goat was being bled, the last remaining goat was able to walk out of the knock box (the side gate had not been dropped down) and the second employee, bleeding the stunned goat, saw the conscious goat free on the kill floor. The employee immediately grabbed for the goat's back legs and the goat's hind end fell on the floor (myotonic goats). The employee proceeded to drag the conscious goat by the hind legs briefly while trying to reach for horns to restrain the goat with (HATS Category 5: Handling of Suspect and Disabled). After the employee got ahold of the horns, he replaced the goat in the knock box and shut the side gate. A U.S. Reject tag # A1714447</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>was immediately placed on the knock box by IPP. After restraining the third and final goat back in the knock box, plant management found an intact, hollow point bullet from the revolver on the floor (shot #1) which was indicative of a missed stun. The head of the second goat was skinned out completely and a hole was present in an appropriate location to render unconsciousness in the front of the skull (shot #3). After attempting to skin between the two horns at the back of the skull, another bullet, partially expanded, was found lodged but not fully penetrating the skull (shot #2). After discussion with the (b)(6) the recommendation was to document all three non-compliances in an NR at this time. The U.S. Reject tag was removed by IPP. Plant management was notified both verbally and in writing of these non-compliances.</p>	

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M27499+P 27499	Wenneman Meat Company, Inc.	RKC321 101253 1N-1	01/31/2019	04C02	Livestock Humane Handling	313.1	HATS Category VII - Slips and Falls On January 31, 2019 animals were on-site for harvest at Wenneman's Meat Co, St. Libory, IL. There were 11 hogs in Pen 3 which passed ante-mortem inspection at 0630. Swine harvest was completed and the establishment notified inspection that cattle were in the pens and ready for cattle ante-mortem. There were 7 cattle in Pen 3 which passed ante-mortem at 0925. The floors had manure and water on them which created inadequate footing. Two of the animals slipped.	OPEN
M21265+P 21265+V21 265	Smucker's Meats	RYI2609 014831 N-1	01/30/2019	04C02	Livestock Humane Handling	313.2	At approximately 10:00 while doing a Humane Handling water check in the live pens the following noncompliance was observed: Frozen water was observed in the first two water bowls in the holding pens. Upon further investigation it was noticed that the two water lines were frozen and the cattle did not have access to fresh water. The rest of the water bowls in the holding pens did have fresh water as the lines were not frozen for those bowls. The temperature outside was below freezing. The plant is not compiling with 9CFR313.2(e) which states that animals shall have access to water in ALL holding pens. (b)(6) (b)(6) was informed of the noncompliance and immediately moved the animals to pens where they would have access to water.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31647+P 31647+V31 647	Theurers Custom Meat Inc	BQH27 160253 22N-1	02/22/2019	04C02	Livestock Humane Handling	313.2	Category III Water and Feed Availability On February 22, 2019 at approximately 0650 hours, I, (b)(6) observed frozen water tanks in pens 1, 2 and 3. Water was not available to 26 head of cattle split among the three pens. This is in violation of 9 CFR 313.2(e) which states, animals shall have access to water in all holding pens. The designated plant supervisor, Trevor Theurer, was notified of the noncompliance at the time of the observation. The immediate corrective action was to break the ice and add water to the tank to provide immediate accessibility. Plant owner, Rick Theurer, was notified in writing with the issuance of this noncompliance record.	CLOSED
M33845+V 33845	Moonlight Meat Processing Inc	PPQ250 703470 6N-1	03/06/2019	04C02	Livestock Humane Handling	313.16(a)(1)	On 03/06/2019 while performing the Humane Handling Verification Task under HATS Category 8 at Moonlight Meat Processing, an ineffective initial shot was delivered with a 410 shotgun at 07:37 which did not render the animal insensible to pain. The hog was vocalizing after the first shot was administered. (b)(6) and (b)(6) (b)(6) witnessed the hog vocalizing and supporting itself on its forelimbs. (b)(6) and (b)(6) then returned to a protected area around the side of the building. Immediate and effective corrective actions were administered with the same 410 shotgun which rendered the animal insensible to pain. The employee stated that the hog turned its head laterally while discharging the first shot which was above the right eye. The chute was rejected with tag number B31989095. The plant owner, Anne Bays, was notified by phone.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M32042+P 32042+V32 042	Brushy Prairie Packing, Inc.	JCP221 101242 4N-1	01/24/2019	04C02	Livestock Humane Handling	313.2	<p>On Thursday, January 24, 2019, at approximately 1130 hours, while I was performing the humane handling task and verifying HATS Category III of two groups of twenty (20) and three (3) Market hogs at the livestock receiving area inside two of the holding pens, I observed the first group of twenty (20) market hogs without access to water. There was a waterer full of frozen water in the first holding pen and therefore there was no water available to this group of 20 market hogs. I observed some of the market hogs trying to drink but they were unable to do so due to the frozen status of the top layer of the water inside the waterer in the first holding pen. I asked (b)(6) (b)(6) to accompany me to verify the status of the water in the first holding pen. (b)(6) verified that the top layer of the water was frozen solid. Based on my observation, I determined that there was no other source of water available in the first holding pen and therefore this group of market hogs had no access to water. I immediately notified Mr. Evan Gunthorp (Plant Manager)) of the noncompliance. Mr. E. Gunthorp took immediate corrective action and made the water available to this group of market hogs by breaking the ice apart to allow access to the water and pigs were observed drinking. In addition, the waterers will be checked periodically today to ensure that any remaining ice pieces in the waters do not refreeze or form a layer atop the water. This noncompliance is in violation of Federal meat and poultry regulation 9 CFR 313.2(e) "Animals shall have access to water in all holding pens.... etc."</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M33971+V 33971	McNees Meats and Wholesale LLC	LWA21 100229 12N-1	02/12/2019	04C02	Livestock Humane Handling	313.2	<p>HAT Category III -- Water and Feed Availability</p> <p>On 2/12/2019 around 620 hours (b)(6) observed the following non-compliant condition during ante-mortem inspection: 1. Pen #6 holding 2 hogs did not have access to water. Specifically, the water container was empty on its side and one hog was observed chewing the plastic wall of the container. (b)(6) (b)(6) was notified of the observation and he acted to refill the container with water. (b)(6) (b)(6) observed one hog attempt to drink from the container however could not reach the surface of the water at which point the hog chewed on the plastic wall of the container in a manner to tip the container over spilling the water out of the container. Both hogs were observed to drink accessible water as it flowed from the container to the floor until the water flowed out of the pen area. (b)(6) was notified a second time of the observation and he again he filled the container. (b)(6) observed again one hog attempt to drink from the container however could not reach the surface of the water at which point the hog chewed on the plastic wall of the container in a manner to tip the container over spilling the water out of the container. Both hogs were observed to drink accessible water as it flowed from the container to the floor until the water flowed out of the pen area. (b)(6) was notified a third time of the new observation and was asked to find a different container with lower side walls. (b)(6) provided a different container with lower side walls and filled it with water. Both hogs were observed to drink from the container without tipping over the container. 2. Pen #7 holding 12 hogs did not have access to water. Specifically, the water container was empty with several hogs standing next to the container and one hog with its head in the container. (b)(6) was notified of the observation and was asked to refill the container. Once refilled several hogs were observed to drink</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							water from the container. Mr. McNees (owner) was notified of the events observed. Along with the corrective actions taken and the basis of non-compliance. Mr. McNees was verbally notified a record of non-compliance would be issued today to document the non-compliant observations. The regulatory requirements of 9 CFR 313.2(e) were not met. A regulatory control was not deemed necessary as the immediate corrective actions corrected the non-compliant concern. A similar non-compliance is noted as being documented 12/3/2018 LWA5410124503N /1. The issuance of this record of non-compliance establishes a link trend of non-compliance with a same root cause. You are here by advised of your rights to appeal these decisions.	
M33971+V 33971	McNees Meats and Wholesale LLC	LWA26 120304 25N-1	03/25/2019	04C02	Livestock Humane Handling	313.2	HAT Category III – Water and Feed Availability At approximately 1215 hours on Monday, March 25, 2019, I (b)(6) was in the USDA office. I kept hearing a noise coming from the pen area. When I went to the barn, there were 6 pigs in a pen, with no access to water. The noise was from one of the pigs constantly flipping over the empty water container. I notified Ernie McNees (Owner) and asked him to come to the barn. He was finishing up on the kill floor and said he couldn't leave at that moment, but he instructed a plant employee to provide water to the pigs. The employee immediately provided water, therefore no US Rejected tag was used. The above noncompliance is in violation of 9 CFR 313.2(e). I informed Mr. McNees that a noncompliance report would be issued. A similar noncompliance report was issued on February 12, 2019 (this has not yet been addressed by the establishment). This document serves as written notification that failure to comply with regulatory requirements could result in additional regulatory action.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M33927+P 33927+V33 927	Nelson's Meat Processing, LLC	BUX501 301001 1N-1	01/11/2019	04C02	Livestock Humane Handling	313.16(a)(1)	<p>While performing slaughter inspection and verification of Livestock Humane Handling, HATS Category VIII (Stunning Effectiveness), at the kill floor at 1330 HRS on 1/11/19, I (b)(6) observed the following Humane Handling non-compliance. One of the kill floor employees was shooting a sow using a rifle. After shooting the animal once, the animal remained standing and conscious. No vocalization or sign of distress was observed. The second employee at the kill floor handed the second rifle immediately to the first employee and the first employee shot the animal a second time. The rifle shot was effective and the animal was rendered completely unconscious. This was the last animal to be slaughtered on this day. I proceeded and notified (b)(6) of the non-compliance and she notified (b)(6). CFR313.16(a)(1) 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 before they are shackled, hoisted, thrown, cast, or cut. The animal shall be shot in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort." The establishment failed to meet the regulation stated above.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34114	E. R. Boliantz Co. Inc.	DVU04 120348 29N-1	03/29/2019	04C02	Livestock Humane Handling	313.2	On March 29, 2019 at approximately 0530 while performing Odd Hour Inspection and verifying HATS category III Water and Feed Availability, (b)(6) observed the following noncompliance. Inside the barn, Pen 5 was housing two cattle, and there was no water pan available to the cattle. This is noncompliant as observed with 9 CFR 313.2(e) that states "Animals shall have access to water in all holding pens...". No barn employees were present at the time of this inspection. (b)(6) promptly notified plant manager James Harris of the noncompliance at the start of regular operation hours that same day, and water was then provided to the animals by the plant employees. (b)(6) verified no other similar humane handling noncompliance records have been documented recently.	OPEN
M34360+P 34360	House of Halal Meat, Inc	VUA581 301240 3N-1	01/03/2019	04C02	Livestock Humane Handling	313.1	On Thursday, January 3, 2019 at approximately 10:00 A.M while performing a routine Humane handling Task, I, William White observed the following non-compliance: A) Live stock locked in holding pens that were filthy and the pens had not been cleaned in some time. The owner had been advised several times about the condition of the pens, but no corrective action was taken. The dirty pens were placed under regulatory control. (b)(6) was notified of the non-compliance, he therefore had workers to clean and restore the pens to an acceptable condition. This is a notification to let you know the Plant had failed to comply with a required federal regulation. Further regulatory actions may be forth coming in the absence of corrective actgions.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34449+P 34449+V34 449	Texas Natural Meats	NMV54 070326 26N-1	03/26/2019	04C02	Livestock Humane Handling	313.2	HATS Category III – Water and Feed Availability At approximately 0700 hours while performing ante mortem activities and prior to the start of the kill the following non compliance was observed. On the pen located next to the kill floor where the scalding tank is located, there was a black bucket with no water inside the pen with approximate 50 hogs from the day before. I immediately informed (b)(6) of the non compliance due to no water available at time of my observations. This is non-compliant with 9 CFR 313.2(e), which states animals shall have access to water in all holding pens.	CLOSED
M39968+P 39968	Donald's Meat Processing, LLC	PIF3608 022812 N-1	02/12/2019	04C02	Livestock Humane Handling	313.2	At approximately 9:00am while waiting for 3 hogs to be delivered for slaughter, (b)(6) and I discovered the hogs had been dropped off the night before and were left contained on the ramp leading to the holding pens. There was no water available to them. This is a Non-Compliance under 9 CFR 313.2(e) feed and water availability. I notified Rosalea Potter via text message immediately, and in writing with this Non-Compliance report. No tags were applied. When discovered the hogs were immediately brought in and given water.	CLOSED
M34103+P 34103+V34 103	Gentle Harvest	FDV501 301350 3N-1	01/03/2019	04C02	Livestock Humane Handling	313.2	While verifying HATS category 3 (water and feed availability), at approximately 1100 hours, the following non-compliance was observed; 8 swine were found being held on a livestock trailer with no access to water. (b)(6) was notified of this non-compliance and immediate action was taken, moving the swine from the trailer to an interior pen with water. Failing to provide livestock with access to water at all times is a violation of 9CFR 313.2(e). Manager Tommy Albright was notified of this non-compliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M40169	Salazar Natural Meats, Inc.	NHK36 170257 27N-1	02/27/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category III Water and Feed Availability On February 27, 2019 at approximately 12:30 PM, while walking past the holding pens I, (b)(6) observed the following noncompliance in the holding pen area of the establishment: Two goats in the half circle holding pen with no access to water. The water in the container in the half circle holding pen was completely frozen. This is a noncompliance with 9 CFR 313.2(e) which requires animals in the pen to have access to water at all times. The establishment owner, Lucas Salazar, was notified of the noncompliance and was asked to supply water to the animal. At approximately 1 PM establishment owner, Lucas Salazar, removed the ice from the water container and filled it with water. No tag was applied. A similar noncompliance was documented on NR# NHK0917094907N, dated on September 6, 2018 in which water was not made available to the livestock in the holding pen. No tag was issued at that time. CA: Removed ice and refilled with water PM:</p>	OPEN
M44149+P 44149	Chickasha Meat Company, LLC	VTL131 002001 2N-1	02/12/2019	04C02	Livestock Humane Handling	313.1	<p>On Tuesday, February 12th at approximately 7:55a.m. while conducting ante-mortem livestock inspection in the livestock holding pens, a non-compliance was observed. The alley-way leading into the knocking box had a piece of metal hanging down into the aisle. The piece was approximately one foot long, by one-half foot tall. It was a small piece running along-side the bottom rail of the alley way. This could be a potential hazard to animals that are being loaded into the knocking box, or an employee. I immediately notified kill-floor supervisor Albert Buitenhuis of the non-compliance. Buitenhuis addressed the issue with the maintenance employee right away. I allowed operations to resume, as no animals were present or being moved into the knocking box at the time. No product was affected. Failure to comply may result in further regulatory action.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M901+P901+V901	Eklund Processing Inc.	BUU5909020925N-1	02/25/2019	04C02	Livestock Humane Handling	313.2	CATEGORY III- Water and Feed Availability: 9 CFR 313.2(e) On February 25, 2019, at approximately 10:50 am, I observed that a beef in the back pen had frozen water. I observed the beef in the front pen had frozen water. I observed the pig in the back pen had frozen water. I observed the lamb in the pen had no water at all. The middle pen with 2 beef had water and the middle pen with 12 pigs had water. Employee immediately put fresh water in the four pens. I notified (b)(6) was informed of the non compliance with 9 CFR 313.2(e). (b)(6) will be notified in writing.	OPEN
M38552+P38552	B&M Processing	HJY0311031305N-1	03/05/2019	04C02	Livestock Humane Handling	313.2	At approximately 9:30, a customer of B&M came to drop off 4 sheep and 1 hog for slaughter. Immediately, I saw the owner of the animals fill up a bucket of water for the animals to have access to. A few minutes passed and (b)(6) (b)(6) and I went to conduct ante-mortem inspection on both the 4 sheep and 1 hog. (b)(6) (b)(6) noticed that one compartment of the trailer containing the sheep had water but the other section with the hog did not. I immediately informed the Plant manager, Mitchell Sanford, that the hog in the back of the trailer did not have access to the water and he proceeded to fill up a bucket of water for the hog. I informed him that this is a violation of 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.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44779	Faulkner Meats	VMV37 120125 08N-1	01/08/2019	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(1) (iii)	<p>January 8, 2019 HATS category VIII: Stunning effectiveness The following observation was made by the SVMO at approximately 1230 hrs. EST while at Faulkner Meats (M44779), Taylorsville KY: A beef bovine was placed in the knock box in the preparation for ritual slaughter; the establishment renders bovines insensible via gunshot prior to the making of the ritual cut. This particular animal was noted making repeated circling motions in the knock box; a head restraint is not routinely used to limit free movements in the knock box, rather the establishment waits until the animal is in position to make a shot. After several minutes of circling, the animal stopped and the owner of the establishment, Mitchell Warren, fired the rifle. The bovine bellowed, maintained a conscious righting reflex, and resumed circling in the knock box. Blood was observed trickling down the animal's forehead; blood was observed trickling from the nares. (b)(6)</p> <p>(b)(6) fired the rifle a second time, which did render the animal insensible. U.S. Rejected tag #B19963413 was placed upon the knock box and the Jackson District Office was contacted for further guidance. Title 9 CFR 313.16 (a)(1) states "(T)he 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 before it is shackled, hoisted, thrown, cast, or cut. The animal shall be shot in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort." Title 9 CFR 313.16 (b)(1)(iii) states "(T)he provisions contained in §313.15(b)(1)(iii) with respect to the stunning area also apply to the shooting area." The regulation cited specifically states "(T)he stunning area shall be so designed and constructed as to limit the free movements of animals sufficiently to allow the operator to locate the stunning blow with a high degree of accuracy.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							All chutes, alleys, gates and restraining mechanisms between and including holding pens and stunning areas shall be free from pain-producing features such as exposed bolt ends, loose boards, splintered or broken planking, and protruding sharp metal of any kind. There shall be no unnecessary holes or other openings where feet or legs of animals may be injured. Overhead drop gates shall be suitably covered on the bottom edge to prevent injury on contact with animals. Roughened or cleated cement shall be used as flooring in chutes leading to stunning areas to reduce falls of animals. Chutes, alleys, and stunning areas shall be so designed that they will comfortably accommodate the kinds of animals to be stunned."	
M44779	Faulkner Meats	VMV14 120343 12N-1	03/12/2019	04C02	Livestock Humane Handling	313.2	HATS Category III: Water and feed availability Faulkner Meats (M44779) Taylorsville, KY engaged in federally inspected slaughter activities this day. The SVMO made the following observation while performing the HATS task: At approximately 1130 hrs. EDT pen #2 in the barn holding 3 goats and 17 lambs was found to be without access to water; no visible means for providing water to the animals was observed. The animals were presented for antemortem inspection at approximately 1011 hrs. EDT. This non-compliance was brought to the attention of (b)(6) who was likewise informed of the forthcoming non-compliance record. This continues a recent trend in humane handling issues.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44791	Doublebrook Farm LLC	VUF161 002400 8N-1	02/08/2019	04C02	Livestock Humane Handling	313.2(f)	<p>At 8:05 AM on February 8, 2019, I, (b)(6), and the (b)(6) were at Est. 44791 – Doublebrook Farms, conducting a Humane Handling Review and Observation task when we observed the following noncompliance on the kill floor. The initial stunning failed to result in the lamb becoming unconscious, and a second stun by captive bolt was required. It is apparent now that the first impact did not penetrate through the skull or even the skin, and that although the animal did go down to the floor immediately, it immediately recovered and never lost consciousness. Once it was apparent to me that the lamb was not unconscious, and that the staff was not yet aware, I let them know. An employee took immediate action to quickly reload the captive bolt and fire it successfully causing the lamb to lose consciousness, that it did not recover from. (b)(6) and I agreed that because the animal did not lose consciousness with the first attempt, and the second firing was successful, that this was not an egregious violation. The facility has a robust Humane Handling Plan in effect.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44801+P 44801	Halal Transaction of USA, LLC.	XJW121 002462 1N-1	02/21/2019	04C02	Livestock Humane Handling	313.1	<p>During a Humane Handling Verification visit on February 20, 2019 while walking through the animal holding area around 9 am it was observed that in the largest holding pen (the establishment calls it "Big room") a goat got its head stuck between the rails of the wooden feed box because horns were caught on the rails. The goat was not able to remove its head from between the rails. The employee in charge of moving animals to slaughter immediately went over and released the goat. The animal was not injured. The feed box is kept in good repair however the opening was big enough so that the goat could stick its head between the feed box rails. The establishment's manager, Yosuf Sulaiman, and (b)(6) (b)(6) were notified. The manager said that cameras are used to monitor livestock holding pens and showed us how they can be viewed on his cell phone. However, in this case they didn't see the goat get its head stuck in the feed box. 9 CFR 313.1(a) requires that livestock pens, driveways, and ramps are free from unnecessary openings where animal head, feet, or leg may be injured.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44910+P 44910+V44 910	Abattoir Associates Inc.	JCH421 202452 7N-1	02/27/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On February 27, 2019, at approximately 1245 hours while performing humane handling verification activities at Establishment 44910, the Slaughter inspector observed and reported the following Noncompliance. The Establishment moved an Angus beef steer into the stun box for stunning with a hand-held captive bolt. The steer was standing freely in the stun box. As the Stunner made the first stunning attempt with the captive bolt, the steer moved its head. The stunning attempt hit the head as evidenced by both the steer's sudden movement away from the stunner and a spot on the head where the captive bolt hit, but the steer remained standing. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which rendered the steer insensible. Mr. John 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
M44932+P 44932+V44 932	BelCampo Butchery	THC061 301230 2N-1	01/02/2019	04C02	Livestock Humane Handling	313.2	At approximately 05:55, I (b)(6) while performing ante-mortem. Noticed that although water was available in the troughs, approximately half an inch of ice had accumulated on the surface making it impossible for the lambs to drink. Siting regulation 313.2 specifically (e), "...animals must have available water at all times." It is necessary for the establishment to adapt it's facilities and handling practices to inclement weather, ensuring humane handling of animals.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45200+V 45200	Makaweli Meat Company	FUS481 102511 5N-1	02/15/2019	04C02	Livestock Humane Handling	313.2	HATS Category III Water and Feed Availability On Thursday February 14, 2019 at approximately 0545 hours I, (b)(6), observed the following noncompliance. I was performing a routine humane handling visit in the company of (b)(6). Two cattle were being held in the southwest holding pen without access to water. I informed slaughter personnel who immediately retrieved and placed a water barrel in the pen and then proceeded to fill it with water. No regulatory control action was taken due to observation of immediate and effective corrective actions. I informed (b)(6) that a noncompliance record (NR) would be issued. This noncompliance is being associated with NR# 1617115921N/1 issued on 11/21/2018 for same root cause.	CLOSED
M46707+P 46707	Hartland Abattoir Corp	FMZ31 070151 16N-1	01/16/2019	04C02	Livestock Humane Handling	313.15(a)(1)	Livestock Humane Handling Category VIII - Stunning Effectiveness At approximately 08:30 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#	Date	Task	TaskName	Regs	Description	Status
M8+V8	Iowa Premium, LLC	VSH180 802460 8N-1	02/07/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	<p>On February 07, 2019 at approximately 2:15 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 hand-held captive bolt device and attempt to stun the forehead of a steer in the restrainer. The hand-held 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 1cm in diameter. The projectile then stuck in the wound until the animal pulled away and the projectile released. The animal was not rendered unconscious. The animal remained conscious and was still standing, breathing, and evading further contact with the knocker. The stunning employee immediately used a backup hand held captive bolt device to administer a second stun and rendered the animal unconscious. I took a regulatory action and verbally stopped any further knocking. I then informed (b)(6) of the noncompliance and after immediate verbal corrective actions and preventative 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.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46822+P 46822	M. L. Mitchell & Son Meat Processing	VCN480 501441 6N-1	01/15/2019	04C02	Livestock Humane Handling	313.16(a)(1)	At approximately 10:28AM on 01/15/201 at M.L. Mitchell and Son (TA46822). While performing the HATS category 8, stunning effectiveness, the stunner using a captive bolt (.25R – 6.3mm R caliber with the 6.0 grain cartridge) and the following non-compliance was observed. The stunner, using a captive bolt on the 4th cow of the day, the cow was stunned but not rendered unconscious (the cow did not vocalize or collapse, the head stayed looking forward). The backup stunner immediately used the 223 rifle which was successful at rendering the animal unconscious. Regulatory control was taken on the Knock box with U.S. Rejected tag # 834398167. The IIC had the head skinned to inspect the captive bolt knock hole and the 223 rifle shot and the knock was placed in correct spot but did not penetrate far enough to render the animal unconscious. The 223 rifle shot was below knock hole and did render the animal unconscious. A similar failure to render an animal unconscious was documented on 09/26/2018, in non- compliance record of VCN4412093326N. 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 written corrective actions prior to the U.S. Rejected tag # 834398167 being removed.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45358+P 45358	Countrystyle Meats	HFJ011 503561 3N-1	03/13/2019	04C02	Livestock Humane Handling	313.2	On March 13, 2019 at approximately 0940 hour, while performing HATS category (III) verifications, I observed 1 beef in pen # 4 that shared a water trough with pen #5 containing 3 hogs. These animals were on-site for custom exempt slaughter and processing. The common water trough was found to be empty and failed to provide water, a regulatory requirement. I observed Pen #1 to contain 5 beef for FSIS inspection and slaughter. Pen #1 had a red, cattle gate that further divided the pen and the animals into two groups. The group that contained 3 beef had free access to water. The group that contained two beef did not have water availability. Regulation 9 CFR 313.2(e) requires livestock to have access to water in all holding pens. I notified plant owner, Mr. Kenneth Yoder of my observations, and I verbally notified him that a humane handling noncompliance would be issued. Corrective actions were initiated to remove the red cattle gate so that all animals had access to the water in pen #1 and to provide fresh water to all animals on the official premise.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP540 901433 1N-1	01/30/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	<p>On 1/30/2019 at approximately 0820 hours, I, (b)(6), while performing HATS category VIII, stunning effectiveness for the Livestock Humane Handling, observed the following. A young beef steer required a second stun with a handheld captive bolt device to properly stun the animal, after the first knock didn't produce unconsciousness. After the first stun, the steer went down in the knock box for a few seconds, then began flailing its legs and head, before standing up again in the knock box and eye tracking. The animal was fractious and moving around the knock box which made it difficult for the stunner to immediately administer a second stun. The animal began vocalizing in the approximately 30 seconds it took the employee to administer a 2nd, effective stun to the animal. The animal was not immediately re-stunned because it was difficult for the employee to get an effective shot, as the animal was rapidly moving around the knock box with unpredictable abrupt head movements. A backup device was loaded and readily available for the 2nd attempt. I notified (b)(6) of the situation, and tagged the knock box with US Reject tag No. B38991957 in accordance with 9 CFR 313.50 (c). Upon inspection of the skinned head, there were two knock holes, one at the top of the sagittal crest of the skull (1st ineffective stun), and one from the poll position (2nd effective stun). Concerns with stunning effectiveness were previously discussed with the establishment on 10/16/18, 12/19/18, and 12/24/18. As the establishment failed to produce immediate unconsciousness with the first stunning blow, and the stunning area was not constructed to limit the free movement of smaller animals to ensure stunning accuracy, violations of 313.15(a)(1) and 313.15(b)(iii) exist.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19290+P 19290+V19 290	Working H Meats, LLC	NAW40 130132 04N-1	01/03/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category III -Water and Feed Availability</p> <p>On January 3, 2019, at 0818 hours, while performing livestock humane handling, I found a market swine standing on top of unleveled soiled bedding with no access to water. Previously the barn had been cleaned, and all the soiled bedding had been placed at the end of the corral in an unused pen. I went and found employees, and they followed me to the pen. I then asked them to explain this to me. They stated that they left the corral unlocked because someone was dropping off a swine after hours. They were unaware that the swine was in that pen without access to water. I stated that this was a noncompliance because there was no water. They immediately moved the swine into another pen. There was no manager on site at the time. When (b)(6) arrived at the establishment at approximately 0848 hours, he was notified of the above findings.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45422+V 45422	Messina Meats	BEJ321 401300 9N-1	01/09/2019	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3)	<p>On 01/09/19, at approximately 1045 hours, while performing a humane handling task, I observed (b)(6), take the electrical stunning wand and place it to the head, approximately behind the ears of the 2nd lamb stunned for the production day. The lamb went down in the knock box and (b)(6) removed the electrical wand from the lamb. (b)(6) opened the side door of the knock box and pulled the animal into the blood pit area. Once the animal was in the blood pit area, the animal was visibly conscious. The lamb was rhythmically breathing, and definitively blinked approximately 2-3 times. (b)(6) immediately recognized the signs of consciousness and reached for the captive bolt. He fired a single blow to the lamb's head. The animal was rendered unconscious at this time (approximately 2-4 seconds after the initial mis-stun). I informed (b)(6) of the noncompliance at approximately 1046 hours. Additionally, I notified Mr. Nunzio Femino, Plant Manager, at approximately 1052 hours. The findings of this observation were regulatory noncompliance with 9 CFR 313.30(a)(1) and 9 CFR 313.30(a)(3) due to failing to render the animal unconscious immediately with the initial application of the electrical stunning wand. This Noncompliance Record (NR) is associated with NR#BEJ5417123510N-1 (dated 12/10/18) for a similar root cause. Failure to comply with regulatory requirement(s) may result in additional regulatory or administrative actions as described in 9 CFR 500.4.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45422+V 45422	Messina Meats	BEJ101 502031 3N-1	02/13/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS VIII: Stunning Effectiveness On 02/13/19, at approximately 1015 hours, I, (b)(6) observed (b)(6) apply the penetrating captive bolt device to the forehead of an angus heifer in the cattle knock box with the head caught in the head restraint device. I was standing on the left side of the animal between the left elbow and mid-ribcage, from the observational area besides the knock box. The animal was moving its head slightly, and when the employee applied the captive bolt, the bolt discharged, but the animal did not go down in the chute. The top line of the animal remained approximately parallel with the ground and did not go down as expected. Both hind and front legs were not collapsed and appeared to be straight. The captive bolt after being discharged remained lodged in the forehead of the animal. The bolt was physically stuck in the head for approximately 5-6 seconds as (b)(6) attempted to dislodge the captive bolt. Upon removal of the captive bolt, the animal vocalized with a sound most consistent with a low bellow; the animal was still standing. (b)(6) touched the standing animal's left eyeball with his finger and then immediately administered a secondary blow from the back-up captive bolt device into the forehead, just above the original captive bolt "knock hole." The animal then went down in the knock box and was rendered unconscious at this time. The head restraint was released, and the chute door opened for the animal to access the Kill Floor. The animal was then hoisted and then stuck. In accordance with 313.50 a regulatory control action with U.S. Rejected tag #B43368770 was issued to the cattle knock box. I immediately informed (b)(6) of the tag issuance and notified him I would be contacting my supervisor. Additionally, I notified Mr. Nunzio Femino, Plant Manager, at approximately 1029 hours of the application of the tag and informed him I was</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							awaiting guidance from my superiors. Failure of the establishment to render an animal unconscious with a single blow is a violation of 9CFR 313.15(a)(1)	
M45471+P 45471	New Angus, LLC	VUE581 602592 8N-1	02/28/2019	04C02	Livestock Humane Handling	313.1	At 1200 hours while doing Ante Mortem inspection of pen 11, IPP noticed 3 animals fall to the floor and several more slips in the area of pen 23 and alleys. The establishment employees were adding corn stalk bedding but it was not sufficient to maintain good footing for livestock. Upon further investigation, IPP found that there was build up of mud and debris covering the waffling in the concrete leaving a hard slippery surface. There were other random occurrences of cattle slipping and falling this day. (b)(6) (b)(6) and (b)(6) were notified of the Non-Compliance with 9CFR313.1(b)	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M51187	Pataskala Meats	PPH301 203080 6N-1	03/05/2019	04C02	Livestock Humane Handling	313.2	<p>On March 5, 2019 at 1015 hours the following non-compliance was observed. I entered the barn area of the establishment livestock holding pens. Within the pens there were four pens that contained animals. Within the smaller pens, there was a pen that contained two swine. Within the pen there was not access to water. The pen did not contain any type of container for holding water. I immediately notified plant manager, Jarrod McKinley, and he had an establishment employee place water within the pen. I inquired as to how long the swine had been in the pen and employees stated the swine animals were not in the barn/pens when the employee checked on water and food earlier today. There was not any record of animal receiving available at the time. This is non-compliant 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." Within the establishment's Small Animal HACCP slaughter plan, at step 1A labeled as "Receive and Hold Pork, Lamb/Sheep and Goats" it is listed as a justification for hazards not likely to occur as "Plant oversees the offloading of animals". The above non-compliance observed, would also suggest this justification cannot be supported. This is non-compliant with 9 CFR 417.5(a)(1).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45572+P 45572	Ozark Meats Inc	LJF3814 022528 N-1	02/28/2019	04C02	Livestock Humane Handling	313.2	On this date at approximately 0705 hh. while reviewing humane handling verification in the outside livestock pens, the following deficiency was observed. The holding pens had seven Angus mix steers total with no dissemination as to pen assignment. The seven steers were the final livestock from a herd consisting of sixteen animals. The animals arrived at this establishment on Tuesday afternoon February 26/2019 approximately 1530 hh. I observed the animals had ample water for the number being held; however, there was no feed available for the animals. I observed two empty feed tubs in the holding pens. I immediately addressed my concern to (b)(6). (b)(6) stated he had fed the livestock the previous night prior to leaving for the evening. The establishment is in violation of 9 CFR 313.2(e) which states: Animals will have access to water in all holding pens and, if held longer than 24 hours, access to feed. (b)(6) was notified on the noncompliance	CLOSED
M45607	Trackside Butcher Shoppe	TNJ471 101231 5N-1	01/15/2019	04C02	Livestock Humane Handling	313.15(a)(1)	January 15, 2019 HATS category VIII: Stunning effectiveness A market swine was placed in the knock box at Trackside Butcher Shoppe (M45607) Campbellsburg, KY at approximately 1045 hrs. EST. Plant personnel discharged the captive bolt device after placing it on the forehead of the animal; the animal vocalized and displayed a conscious righting reflex and conscious eye tracking (it remained standing and moving in the knock box). The captive bolt device was placed on the forehead of the animal a second time and discharged; the second shot did render the animal insensible. Co-owner Chris Wright was informed of the observed non-compliance.	OPEN

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48121	Haines Farming and Meat Processing LLC	LZJ3408 033812 N-1	03/12/2019	04C02	Livestock Humane Handling	313.15(a)(1)	On March 12, 2019 at approximately 8:45am while performing humane handling verification activities with (b)(6) we observed the following noncompliance. The plant owner moved a cow with 3 inch horns in the stun box for stunning with a captive bolt. While the owner was positioning the captive bolt, the cow moved her head and pushed the captive bolt up to his finger which fired the bolt. The captive bolt fired and hit the heifer up above the eye. The cow remained standing, without vocalization or thrashing, and was alert. Blood was dripping from her nose. The plant owner took immediate action and reloaded the captive bolt. Since the cow was not moving around a lot, he was able to quickly fire the second shot which rendered her unconscious. Examination of the skull revealed two holes in the frontal bones. This observation confirmed that the first stunning attempt did not affect immediate unconsciousness. Regulatory control action was applied to the stun box (Reject tag # B42002579) by (b)(6), but was removed at 9:15 am because the incident was determined to not be egregious. This is Noncompliant with 9 CFR 313.16(a)(1)	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45649	Homestead Springs	ZSR441 103492 2N-1	03/21/2019	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3)	<p>On March 21, 2019 at approximately 0830 while performing the Livestock Humane Handling task and verifying HATS category VIII Stunning Effectiveness during regular production, (b)(6) observed the following noncompliance. A pig was driven from the holding pen into the knock box at a walking pace and with minimal excitement using a pig sorting panel. A new establishment employee closed the gate to the knock box after the pig had entered. A separate employee used a hose to wet the pig. The new employee placed the electrical stunner on the pigs' head, then started to deliver the electric shock. After the initial deliverance of the electric shock, the pig vocalized, jumped backwards, and was still ambulatory. The plant manager Chris Nommay immediately recognized the situation and stepped in to assist the new employee, where they quickly applied a second, and effective, stun to the pig. (b)(6) stopped slaughter, verbally notified the plant manager of the noncompliance, and asked the plant manager what happened. The plant manager told (b)(6) (b)(6) the new employee placed the electric stunner too far caudally on the pigs' head when he delivered the electric shock, therefore, rendering the stunning attempt ineffective. This is noncompliant as observed with 9 CFR 313.30(a)(1) that states "The electric current shall be administered so as to produce, at minimum, surgical anesthesia, i.e., a state where the animal feels no painful sensation..." and "...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." This is also noncompliant with 9 CFR 313.30(a)(3) that states "The quality and location of the electrical shock shall be such as to produce immediate insensibility to pain in the exposed animal." The plant manager proposed immediately removing the employee from any</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							further stunning that production day, retraining the employee, and having the employee watch educational videos about how to properly stun livestock. (b)(6) accepted their immediate corrective actions and let them resume production. (b)(6) verified no other humane handling noncompliance records have been documented at this time.	
M45856+V 45856	Prime Pork LLC	ODB19 160115 02N-1	01/02/2019	04C02	Livestock Humane Handling	313.2	HATS Category III. At approximately 1040 hours while following up on a HATS task (Category III) started earlier this morning, I was reviewing the feeding log dated 1-1-2019 and noticed that the hogs in the barns had been feed at 750 hours on 1-1-2019. I noticed that pen 7 (tattoo 4047) had not been killed yet and there was no visible feed in the pen. Pen 21 (tattoo 404X) and pen 22 (tattoo 4046) were in the process of being killed, and there was approximately 25% of the hogs remaining to be killed in both pens, and there was no visible feed in the pens. Pen 7, 21, and 22 was held longer than 24 hours and not given access to feed and (b)(6), (b)(6), and (b)(6) were notified of this noncompliance. Yards personnel immediately provided 50# of feed to the pen 7 of pigs as they were not slated to be slaughtered until later. Not providing animals with feed if held longer than 24 hours in a noncompliance with 9CFR 313.2(e).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45948	Ida-Beef LLC	AKL261 301171 4N-1	01/14/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category III: Water and Feed Availability</p> <p>Today, January 14, 2019, at approximately 0732 hours while preparing to perform livestock ante-mortem inspection on Holstein dairy cows presented for inspection, (b)(6) observed the following non-compliance with humane handling regulatory requirements. Pen #1 contained 11 Holstein dairy cows. Upon observing a white and a blue plastic (half-barrel) container utilized for providing water to the cattle in the pens, (b)(6) did not observe any water in these containers. Inspection observed all the water containers in the remaining pens. Pen #4 held 10 head of dairy cows. There were two blue water containers in this pen. One of the containers was half filled with solid ice and the second blue pen was dry. Inspection observed Pen #8 which contained approximately 25 head of Holstein dairy cows. There were 7 plastic water containers total in this pen. 5 white containers and 2 blue containers. All the containers were dry and did not have any water in them. At this time, Inspection informed (b)(6) that the failure to provide water to all cattle at all times represented regulatory non-compliance and an NR would be issued to the firm. At approximately 0750 hours, the plant notified Inspection that the water containers in all the pens were full and the cattle were ready for ante-mortem inspection. (b)(6) verified that all the water containers in all the pens did contain water and observed several cows drinking from the freshly filled containers in Pen #7. The plant's Animal Handling Plan states: "All cattle will have access to water in the hold pens." A review of plant NR history demonstrated that a similar NR had been issued in the last 60 days. NR AKL2909124805 N/ 1 was issued on 12/04/2018. The firm's preventative measures given to Inspection did not prevent reoccurrence.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45948	Ida-Beef LLC	AKL440 903500 8N-1	03/07/2019	04C02	Livestock Humane Handling	313.50	On Wednesday March 6, 2019 at approximately 1830 hours the CSI was directed by the SPHV to apply a U.S. Rejected Tag on the knocking box at Ida-Beef. (b)(6) was informed of the action taken by the CSI. The next day March 7, 2019 at approximately 0730 hours the CSI was informed by the SPHV to remove U.S. Rejected Tag from the knocking box. The U.S. Rejected Tag was not where it was applied, nor it couldn't be found by the CSI or (b)(6). The CSI informed (b)(6) a noncompliance would be documented under CFR 313.50. This noncompliance will not be linked.	CLOSED
M45948	Ida-Beef LLC	AKL441 103110 7N-1	03/07/2019	04C02	Livestock Humane Handling	313.1	On Wednesday March 6, 2019 at approximately 1820 hours, I, (b)(6) observed the following noncompliance. Establishment management asked me to accompany them outside to evaluate a cow that was stuck in a gate in their chute. I observed the animal laying down at the gate. The animal's neck was between the wall and a gate and her head was on the other side, but she did not appear distressed. It was approximately a 6inch gap between the gate and the wall. I recommended the establishment stun the animal where she lay. The animal was effectively rendered unconscious. This is a noncompliance with 9 CFR 313.1(a). There are no additional noncompliance records of the same root cause within the past 90 days.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M51283	Dean & Peeler Meatworks LLC	YWH08 150258 14N-1	02/14/2019	04C02	Livestock Humane Handling	313.15(a)(3)	<p>Today 02/14/2019 at approximately 1100 hours, I (b)(6) was observing establishment employees driving, knocking, sticking and bleeding, and cutting some cattle being slaughtered today. At this time, I observed (b)(6) use the captive bolt stunner to knock a heifer. I observed what appeared to be a good knock; the heifer immediately went down and appeared to be unconscious. I observed (b)(6) check the animal, at which time it was observed that she vocalized twice and was not completely unconscious. She had given no other signs of consciousness. (b)(6) immediately retrieved the captive bolt stunner and knocked her a second time, rendering an effective stunning. This does not meet, at a minimum, the requirements of 9 CFR 313.15(a)(3). I verified that the heifer was unconscious. I do not believe this to be an egregious violation due to the fact that the initial knock at first appeared to be effective, and once the establishment employee realized that the heifer was still conscious, he immediately administered a second knock, which was effective. I immediately notified Co-owner Dustin Dean and (b)(6) of the situation and that a Humane Handling NR would be issued. They stated that they would conduct additional training with employees responsible for knocking animals, to ensure that they will administer effective stunning knocks. Due to the establishment's immediate response to the situation, no RCA was taken.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46070+P 46070	Marble City Meats LLC	KLE131 501232 4N-1	01/24/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	On 1-24-19 at 2:45PM I (b)(6) While observing slaughter operations at Marble City Farmstead and on the last animal a Miss-Stun occurred with the captive bolt. (There was no back up weapon on kill floor due to prior employee quitting and taking his gun with him.) The employee then went to the house about 100ft away and got a gun and after several minutes successfully put the animal down. I notified (b)(6) and (b)(6) of the incident. I am applying a tag to the Knocking box # B45-308580. The Plant Owner Matthew Lawrence has also been notified.	CLOSED
M46081+P 46081	Foster's Meat	WLD48 110240 08N-1	02/08/2019	04C02	Livestock Humane Handling	313.16(a)(1)	On this day at establishment 46081 red meat slaughter took place at establishment 46081 in Duncan, SC. Included among the animals for slaughter was a relatively large Black Angus heifer. I was not present on the kill floor at the time the animal was rendered unconscious, but present in a remote section of the facility. The first effort to stun the animal (gunshot) took place at approximately 1032 hours, which is when I first heard a gunshot. I then heard at least two more shots, which took place within seconds of the first. The animal was not immediately rendered unconscious. The subsequent shots were employed as immediate corrective action to achieve a successful stun. Post mortem examination of the animal's head showed five (5) entry points in the skull. This scenario represents noncompliance with applicable regulation(s), cited in block six of this report, which serves as notice and record of such. I discussed this matter with plant owner/operator Jennifer McAbee on this day. Continued failure to achieve and maintain compliance can result in additional regulatory/administrative action(s). The method to appeal an inspection program personnel (IPP) decision as it relates to compliance is outlined in 9 CFR 306.5 and 381.35.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46081+P 46081	Foster's Meat	WLD23 090235 21N-1	02/21/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.16(a)(1)	<p>On this day red meat slaughter took place at establishment 46081 in Duncan, SC. At the time this report was written, a total of one (1) bovine (a large Black Angus steer) had been presented for inspection and no other animals were on the premises. At around 0730 hours the animal was placed in the knocking area and slaughter activity began. The first effort to stun the animal (handheld captive bolt stunner) took place at approximately 0755 hours and was unsuccessful in achieving unconsciousness, required by 9CFR 313.15(a). Based on later observation (examination of the skull) it became apparent that the apparatus misfired. During a subsequent application, it activated but failed to achieve unconsciousness. An establishment associate employed an immediate corrective action (gunshot), which also failed to achieve unconsciousness as required by 9CFR 313.16(a). A subsequent gunshot was necessary to render the animal completely unconscious. Post mortem inspection of the animal's skull revealed two entry points. This scenario represents noncompliance with applicable regulation(s), cited in block six of this report, which serves as notice and record of such. I discussed this matter with plant owner/operator Jennifer McAbee on this day. A similar occurrence took place on 2/8/2019, at which time obtaining/using a different firearm was discussed. Continued failure to achieve and maintain compliance can result in additional regulatory/administrative action(s). The method to appeal an inspection program personnel (IPP) decision as it relates to compliance is outlined in 9 CFR 306.5 and 381.35.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46081+P 46081	Foster's Meat	WLD57 110224 27N-1	02/27/2019	04C02	Livestock Humane Handling	313.2	<p>On the morning of 2/27/19 at establishment 46081 in Duncan, South Carolina, live hogs, staged for slaughter this same day, were being held in the pens. On this day, (b)(6)</p> <p>(b)(6) made a routine visit to the establishment in the interest of verifying the plant's compliance with the Humane Handling requirements set forth in 9 CFR 313. At about 0925 hours, it was observed that one corner pen, the farthest from the knocking box entrance and to the right, was in use to harbor a single hog. The trough normally used for water was dry, and as such the animal did not have access to water. 9 CFR 313.2(e) requires that "Animals shall have access to water in all holding pens...". This matter was discussed with plant owner/operator Jennifer McAbee at approximately 0945 hours. Upon my return to the live pen area, the hog had been moved and two live bovines were present in the pen. Water had been added to the trough. This report serves as notice and record of the failure to meet the applicable regulatory requirement(s) cited in block six. Noncompliance with Humane Handling regulations has recently been cited on dates 2/8/19 and 2/21/19 (records referenced in block 6a of this document). Continued failure to meet regulatory requirements can lead to regulatory/administrative action. The methods of appealing Inspection Program Personnel decisions are outlined in 9CFR 306.5 and 381.35.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46081+P 46081	Foster's Meat	WLD08 130327 01N-1	03/01/2019	04C02	Livestock Humane Handling	313.16(a)(1)	<p>On the date of March 1st, 2019 at establishment 46081 in Duncan, South Carolina, I performed the USDA, FSIS Livestock Humane Slaughter task. At approximately 1050 hours, an establishment employee used a .22 Magnum rifle to stun a Black Angus Bovine. The first shot employed was not entirely effective in rendering the animal fully unconscious. It remained upright. Establishment personnel took immediate and effective corrective action by employing a second shot, which rendered the animal unconscious. Post mortem examination of the animal's head revealed two entry points (bullet holes). The next attempted stun on the next animal took place at 1305 hours and again, a .22 Magnum rifle was used to stun a bovine. The first shot was not entirely effective in rendering the animal unconscious, and it remained upright. Establishment personnel took immediate and effective corrective action by employing a second shot, which rendered the animal unconscious. Post mortem examination of the animal's head revealed two entry points (bullet holes). The matter was discussed with owner/operator Jennifer McAbee on this day. This scenario represents noncompliance with applicable regulation(s) cited in block six of this report, which serves as notice and record of such. Noncompliance with Humane Handling regulations has recently been cited on dates 2/8/19, 2/21/29, and 2/27/19 (records referenced in block 6a of this document). Continued failure can result in additional regulatory or administrative action(s). The method to appeal an Inspection Program Personnel (IPP) decision is described in 9 CFR 306.5 and 381.35.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46081+P 46081	Foster's Meat	WLD07 100324 08N-1	03/08/2019	04C02	Livestock Humane Handling	313.16(a)(1)	<p>On the morning of 3/8/19, red meat slaughter took place at establishment 46081. As such, I sought to verify compliance with the FSIS Humane Slaughter regulations, including "Category VIII-Stunning Effectiveness", as it is described in the applicable FSIS Directive (6900.2 Rev. 2 dated 8/15/11). At approximately 1003 hours a mature bovine heifer was placed into the knocking box. The first attempt to stun the animal was applied with a .22 rifle but was ineffective, as the animal remained upright and conscious. Approximately 8-10 seconds passed as the establishment employee took corrective action by changing guns (to a 9mm pistol) and applied a second shot. Subsequently, the animal fell to the ground unconscious, and remained as such throughout the next steps of shackling, hoisting, sticking, and bleeding. 9CFR 316.16(a)(1) requires that "The firearms shall be employed in the delivery of a bullet...into the animal...so as to produce immediate unconsciousness in the animal by a single shot...". In this case the establishment failed to meet that regulatory requirement. This report serves as notice and record of such. Owner/Operator Jennifer McAbee was present at the time and the issue was discussed with her. Planned action was described verbally, which was to use the 9mm pistol from this point forward to stun. Noncompliance with Humane Handling regulations has recently been cited on dates 2/8/19, 2/21/19, 2/27/19, and 3/1/19 (records referenced in this document). Continued failure can result in additional regulatory or administrative action(s). The method to appeal an Inspection Program Personnel (IPP) decision as it relates to compliance is described in 9CFR 306.5 and 381.35.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48260	Walhalla Valley Smokehouse & Market, LLC	YSX180 902442 0N-1	02/20/2019	04C02	Livestock Humane Handling	313.2	HATS Category III- (Water and Feed Availability) At approximately 0835 hours while conducting an ante-mortem humane handling inspection of the holding pens at Walhalla Valley, I, (b)(6) Thomason, observed that in pen 3 there was no water available to the animals (cattle). IAW 9 CFR 313.2(e) water must be available to livestock in all holding pens. I contacted Plant Manager, Kurt Morrill and informed him of the noncompliance. Mr. Morrill replaced the broken water bucket in pen 3 with a new one and filled it with water. This noncompliance represents a failure of the plant to demonstrate that it is implementing a robust humane handling program. Further noncompliance may result in regulatory control action.	CLOSED
M46139+V 46139	Cypress Valley Meat Company 1, LLC	UIV330 901443 1N-1	01/31/2019	04C02	Livestock Humane Handling	313.2	On 1/31/2019 at approximately 0812 while performing the Livestock Humane Handling task using the Review and Observation component under HATS Category II - Water and Feed Availability, the following noncompliance was observed: The water troughs that contained water in each pen had a frozen crust of ice preventing access to water for the livestock, outside temperatures at 20 degrees Fahrenheit this morning; there were three beef in pen three and one beef in pen four. Additionally, there were two swine in pen five and their water trough was empty and dry. I requested that (b)(6) (b)(6) address the issue and he found that even the hoses outside were frozen. Measures were taken to unfreeze the hose and the animals were provided water. (b)(6) (b)(6) was informed of this noncompliance at the time of the findings and Mr. Chris Shaw, Plant Manager was verbally notified upon his arrival. A review of records revealed no recent noncompliance's to be associated with this NR.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46139+V 46139	Cypress Valley Meat Company 1, LLC	UIV150 902032 ON-1	02/20/2019	04C02	Livestock Humane Handling	313.16(a)(1)	On 2/20/2019 at approximately 0840 hours while performing a Routine Livestock Humane Handling Verification task under the HATS Category VIII Stunning Effectiveness utilizing the Review and Observation component the following noncompliance was observed: An old cow was placed in the knocking box and stunned with a .410 ga shotgun slug. The cow dropped to her knees and her head remained upright, the employee was observing for signs of consciousness and immediately recognized the animal had not been rendered adequately unconscious. He reloaded the gun as the animal got back to her feet. The animal was able to regain a full standing position and was holding her head up high in the air. This made it more difficult for the employee to find a position to be able to apply an additional stun, he had to climb upon the catwalk and back down as she moved her head. He was then able to apply a successful second stun. There were no vocalizations by the animal during the incident. Mr. Chris Shaw, Plant Manager, was present during the stunning and was verbally notified of the noncompliance. A review of records reveals there are no recent similar noncompliances to be associated with this NR.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46139+V 46139	Cypress Valley Meat Company 1, LLC	UIV201 502512 5N-1	02/25/2019	04C02	Livestock Humane Handling	313.15(a)(1)	On 2/25/19 at approximately 1420 hours while performing a Routine Livestock Humane Handling Task under HATS Category VIII Stunning Effectiveness, utilizing the Review and Observation component, the following noncompliance was observed: A market class swine was driven into the knocking box and a captive bolt gun was used to stun the animal. The gun fired, and the swine vocalized loudly but did not fall. The animal was still on its feet, unsteady and had blood coming from his nose. The employee immediately reloaded the captive bolt gun, but the animal was moving its head and the employee was unable to apply a second stun. The employee reached for the electrical stunning equipment and applied an electrical stun that appeared to be effective. Mr. Chris Shaw, Plant Manager was verbally notified of this noncompliance.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46139+V 46139	Cypress Valley Meat Company 1, LLC	UIV290 803320 5N-1	03/05/2019	04C02	Livestock Humane Handling	313.1, 313.2	<p>On 3/4/2019 at approximately 0630 hours while performing an Odd Hour Inspection for Livestock Humane Handling using the Review and Observation component under HATS Categories I and II - Adequate Measures for Inclement Weather and Water and Feed Availability respectively, the following noncompliance was observed: Two large hogs were secured in Pen 2 and three small beef were in Pen 3. Both pens had water in their water troughs, but the water appeared frozen; outside temperature was at 20 degrees Fahrenheit at this time. A small, approximately one-inch diameter, square metal tubing was noted near the pens and used to test the ice. The water in Pen 3 easily sloshed about and was accessible, but the surface in Pen 2 chipped away and revealed the water was covered with a solid sheet of ice and did not break with this prodding. The swine in this pen did not have access to water. I also observed in Pen 4 that a section of floor grating, flat metal of approximately eight inch squares, was bent and standing upright from two corners, approximately 6-8 inches high. The nature of the grating could easily allow an animal's feet to be caught underneath and cause tripping, falling and/or injury to any animals placed therein; therefore, I placed US Reject Tag # B42001439 on Pen 4. Upon entering the facility, I saw (b)(6) (b)(6), and he was verbally notified of these noncompliance's. (b)(6) took immediate corrective actions to break up the ice in Pen 2 and then proceeded to remove the piece of grating that was sticking up. At approximately 0710 hours I verified removal of the grating and removed the US Reject tag. A review of records revealed a similar noncompliance was documented on 1/31/2019 in NR# UIV3309014431N/1; corrective actions for that noncompliance were either inadequate or not effectively implemented. No management officials were on duty to be immediately notified</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							of this noncompliance but (b)(6), or (b)(6) (b)(6) will be verbally notified and provided this noncompliance upon their arrival.	
M46170+P 46170+V46 170	Quapaw Food Services Authority	IMQ561 403452 ON-1	03/20/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII Stunning Effectiveness – 9 CFR 313.15(a)(1) On 03/20/2019, at 0918 hours, I, (b)(6) was performing a routine verification of stunning effectiveness of cattle on the harvest floor. I observed the employee attempt to stun the sixth steer of the day using a hand-held captive bolt. I observed the employee administer the stun and I observed the stun was not effective in rendering the steer unconscious as the animal did not go down, continued to have a blink reflex and had eye tracking of movement. At the same time the employee that administered the stun also recognized the knock was ineffective and immediately, without prompting, administered a second stun with a backup captive bolt, which did render the steer unconscious. The backup captive bolt stunner was located at the stunning station and was pre-loaded. After the steer was unconscious, I palpated his forehead and noted there were two depressions in the skull where the bolt entered the skull. I verbally informed Mr. Wade Payne, plant manager, I would issue a noncompliance record for this ineffective stun. His immediate actions were to discuss with the employee the importance of captive bolt placement and to ensure the captive bolt was in contact with the animal's skull before discharge. Mr. Payne also directed the employee to use a gunshot on the remaining animals >30 months. A review of previous noncompliance records does not indicate a developing trend.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46172+P 46172+V46 172	JM Watkins, LLC	IGT431 301421 5N-1	01/15/2019	04C02	Livestock Humane Handling	313.16(a)(1)	On 1/15/19, at approximately 1200 hours, I, (b)(6) was performing a Humane Handling Category VIII (Stunning Effectiveness) Task. An establishment employee attempted a head stun on a beef cow in the restrainer by discharging the rifle on the forehead area of the beef cow. After the rifle was discharged, it appeared to have no effect on the animal, as the beef cow remained standing calmly, did not vocalize, and lifted her head to the top of the restrainer. The establishment employee immediately reloaded the rifle and applied an effective stun, rendering the animal unconscious. I tagged the restrainer with U.S. Reject tag NO. B38122843. During post mortem inspection, I viewed the skull and observed two holes had penetrated the forehead area of the skull, the first hole located one inch above the eye line and the second hole located two inches above the first hole towards the pole. This is a noncompliance with 9 CFR 313.16(a)(1). I informed Establishment Owner, Brandon Clare, of the noncompliance and issuance of the noncompliance record.	CLOSED
M46240	Light Hill Meats	MKE24 100339 26N-1	03/26/2019	04C02	Livestock Humane Handling	313.15(a)(1)	At 7:41 this am, while performing slaughter verification activities, the first animal of the slaughter, a beef, was placed in the stun chute. A captive bolt was used to stun the animal. However, the stun was ineffective as the stunning blow failed to produce immediate unconsciousness as required by 9 CFR 313.15. The animal bellowed and did not fall. The eyes were still alert and tracking. The animal showed no signs of insensibility. An immediate and effective second stun was administered rendering the animal unconscious. A regulatory compliance action was taken by placing US Rejected tag B37373555 on the stun chute. This failure to produce immediate unconsciousness with the first stunning blow is in noncompliance with 9 CFR 313.15.	OPEN

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46269	CMR Processing LLC	OBU35 130226 11N-1	02/11/2019	04C02	Livestock Humane Handling	313.15(b)(1) (iii), 313.16 (b)(1)(ii), 313.16(a)(1), 313.16(a)(3), 313.16(b)(1) (i), 313.16(b)(1) (iii), 313.16(b)(2)	At 0836 hours on 02/11/2019, (b)(6) observed the following noncompliance at the slaughter floor knock-box: Owner of CMR Processing M46269 Mr. Brad Reynolds attempted to render a 425-pound live hog unconscious using a .22 caliber bolt-action rifle loaded with a magnum shell on the first round. Mr. Reynolds was unsuccessful on the first attempt and immediately rendered a second round to the hog in which rendered the animal unconscious. Mr. Reynolds stated "I shot a little low, but we will look at it closer" referring to the post-mortem disposition. M46269 utilizes a squeeze livestock gate to limit the movements of aforementioned hogs' body. Inspection Program Personnel (IPP) communicated to Mr. Reynolds that the observations made would be documented on a noncompliance record.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44176B	Stittsworth MSU, LLC	ACZ360 901330 8N-1	01/07/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 0900 hours today while performing a HATS Category VIII (Stunning Effectiveness) activity, I observed the establishment owner attempt to stun an animal (approximately 1000 lb. dressed weight Black Angus steer) with a captive bolt device. The captive bolt device made contact with the animals head and fired. The animal did not falter, fall, vocalize, or appear overtly excited or distressed. I did not observe an obvious wound or blood at that time (the forehead of the animal had a large amount of hair on it). The owner then immediately placed a shot into the forehead of the animal with the .22 caliber back up handgun present. Upon the placed gunshot, the animal immediately fell to the floor of the knocking box/chute. The animal was insensible at this time (no ocular focusing or following of movement, no righting reflex, limp tail and tongue, and no blink reflex was noted). I informed the owner that no further knocking could occur and that I would be contacting the Des Moines District Office (DMDO) for further direction. After head inspection was complete, the establishment removed the skin from the steer's forehead. When observing the skinned head, the captive bolt penetration was noted to be close to the center of a line drawn between the eyes of the animal. The bullet hole was observed to be located near the intersection of lines drawn between the corners for the eyes and top edge of the ears. After discussion with the DMDO and (b)(6) Holmquist, Mr. Stittsworth (establishment owner) was informed of the forthcoming non-compliance record. Mr. Stittsworth verbally proffered corrective actions in regards to the non-compliance and slaughter was allowed to resume.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44176B	Stittsworth MSU, LLC	ACZ571 001531 4N-1	01/11/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 1215 hours on 01/11/2019 while performing a HATS Category VIII (Stunning Effectiveness) activity, I observed an establishment employee attempt to stun an animal (approximately 1000 lb. dressed weight Black Angus steer) with a penetrating captive bolt device. The captive bolt device made contact with the animal's head and fired. The animal did not falter, fall, vocalize, or appear overtly excited or distressed. The penetrating bolt of the captive bolt device did not fully retract into the instrument (after firing) and the person stunning needed to lift it off the animal's head (the bolt was still partially in the skull). The establishment employee then immediately placed a shot into the forehead of the animal with the .40 caliber back-up handgun present. Upon the placed gunshot, the animal immediately fell to the floor of the knocking box/chute. The animal was insensible at this time (no ocular focusing or following of movement, no righting reflex, limp tail and tongue, and no blink reflex was noted). I informed the responsible employee that no further knocking could occur and that I would be contacting the Des Moines District Office (DMDO) for further direction. After head inspection was complete, the establishment removed the skin from the steer's forehead. When observing the skinned head, the captive bolt penetration wound was noted to be in the center of intersecting lines between the inside corners of the eyes and the top edges of where the contralateral ear met the skull. It was also noted that the penetrating captive bolt hole was part of a same hole as left by the firearm bullet penetration. The captive bolt hole was smaller and part of the right edge (when looking at a frontal view of the head) of the bullet entry wound. After discussion with the DMDO and (b)(6) (b)(6) was informed of the forthcoming noncompliance record. The</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							employee then verbally proffered corrective actions in regards to the non-compliance and slaughter was allowed to resume.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44176B	Stittsworth MSU, LLC	ACZ291 401561 4N-1	01/14/2019	04C02	Livestock Humane Handling	313.16(a)(1)	<p>At approximately 1200 hours today while performing a HATS Category VIII (Stunning Effectiveness) activity, I observed an establishment employee attempt to stun an animal (approximately 1000 lb. dressed weight Black Angus) with a .40 caliber handgun. The first shot fired (into the forehead of the animal) did not effectively stun the animal. The animal did not falter, fall, or vocalize, but did move its head (the head was not restrained in the knocking box/chute). A second shot was immediately fired into the animal's forehead. The second shot had the same effect as the first. A third shot was then immediately placed from the .40 caliber handgun into the animal's forehead. Upon the third gunshot, the animal immediately fell to the floor of the knocking box/chute. The animal was insensible at this time (no ocular focusing or following of movement, no righting reflex, limp tail and tongue, and no blink reflex was noted). I informed the responsible employee that no further knocking could occur and that I would be contacting the Des Moines District Office (DMDO) for further direction. After head inspection was complete, the establishment removed the skin from the animal's forehead. When observing the skinned head, there were 2 bullet holes noted very close together but approximately 1.5 inches below the center of intersecting lines drawn between the inside corners of the eyes and the top edges of where the contralateral ears meet the head. There was a third bullet hole that was observed to be very close to the center (approximately 1/2 inch) of where the aforementioned intersecting lines would cross. After discussion with the DMDO and (b)(6) Holmquist, the responsible establishment employee (and then the owner) was informed of the forthcoming noncompliance record. A rejected tag (841501240) was placed on the knocking</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							box/chute (until corrective actions could be proffered and reviewed by the DMDO).	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44176B	Stittsworth MSU, LLC	ACZ020 703060 7N-1	03/05/2019	04C02	Livestock Humane Handling		<p>At approximately 1415 hours today while performing a HATS Category VIII (Stunning Effectiveness) activity, I observed an establishment employee (an employee new to the MSU facility and the first time they had performed stunning at the MSU) attempt to stun an animal (approximately 1000 lb. dressed weight Black Angus steer) with a 30-30 caliber rifle. The first shot fired (into the forehead of the animal) did not effectively stun the animal. The animal did not falter or fall, but did lower its head and then raise it and move it about the chute (the head was not restrained in the knocking box/chute). A second shot (from the 30-30 caliber rifle) was immediately fired into the animal's forehead. Upon the second gunshot, the animal immediately fell to the floor of the knocking box/chute. The animal was insensible at this time (no ocular focusing or following of movement, no righting reflex, limp tail and tongue, and no blink reflex was noted). I informed the establishment owner (Mychal Stittsworth, who was present) that no further knocking could occur (although it was the last animal to be slaughtered for the day) and that I would be contacting (b)(6) (b)(6), for further direction. After the animal was effectively stunned and bled out, the head was examined. There were 2 bullet holes in the forehead of the animal. The one bullet hole was observed to be approximately 1.5 inches below the intersection of lines drawn between the eyes and the tops of the contralateral ears on the skull. The other bullet hole was observed to be in the center of where these lines would intersect on the head. After discussion with (b)(6) and (b)(6) (b)(6), (b)(6) was informed of the forthcoming noncompliance record. A rejected tag (B41501241) was placed on the knocking box/chute (until corrective actions could be proffered and reviewed by the DVMS). This</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-258

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							non-compliance record (NR) is being associated with NR ACZ2914015614 (dated 01/14/2019) in which the first and second shots from a .40 caliber pistol (used for stunning) did not render an animal insensible (the third shot did).	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44176B	Stittsworth MSU, LLC	ACZ020 703060 7N-2	03/05/2019	04C02	Livestock Humane Handling	313.16(a)(1)	<p>At approximately 1415 hours today while performing a HATS Category VIII (Stunning Effectiveness) activity, I observed an establishment employee (an employee new to the MSU facility and the first time they had performed stunning at the MSU) attempt to stun an animal (approximately 1000 lb. dressed weight Black Angus steer) with a 30-30 caliber rifle. The first shot fired (into the forehead of the animal) did not effectively stun the animal and it remained conscious. The animal did not falter or fall, but did lower its head, then raise it and move it about the chute (the head was not restrained in the knocking box/chute). A second shot was immediately fired (from the 30-30 caliber rifle) into the animal's forehead. Upon the second gunshot, the animal immediately fell to the floor of the knocking box/chute and was confirmed to be insensible (unconscious). I informed the establishment owner (Mychal Stittsworth, who was present) that no further knocking could occur (although it was the last animal to be slaughtered for the day) and that I would be contacting (b)(6) for further direction. After the animal was effectively stunned and bled out, the head was examined. There were 2 bullet holes in the forehead of the animal. The one bullet hole was observed to be approximately 1.5 inches below the intersection of lines drawn between the eyes and the tops of the contralateral ears on the skull. The other bullet hole was observed to be in the center of where these lines would intersect on the head. After discussion with (b)(6) and (b)(6), (b)(6) was informed of the forthcoming noncompliance record. A rejected tag (B41501241) was placed on the knocking box/chute, until written corrective actions could be proffered and reviewed. This non-compliance record (NR) is being associated with NR ACZ2914015614 (dated 01/14/2019) in which the first and second shots from a .40 caliber</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							pistol (used for stunning) did not render an animal insensible (the third shot did). The corrective actions of NR AC22914015614N were either not implemented or ineffective in preventing the non-compliance from recurring.	

Table: MOIs in Response to FOIA2019-418

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M21898	Farmers Union Industries, LLC	OXG36150 41919G	19APR2019	04C02	Livestock Humane Handling	Finalized	<p>On 4/17/2019, at approximately 0630, I observed antemortem handling of hogs during antemortem inspection. The establishment's barn employees were attempting to move a full pen of hogs for antemortem inspection. The hogs were laying in the pen with very little extra room available. The establishment employees used rattle paddles to wake and move the hogs at one end of the pen. The hogs were then driven toward the other end of the pen, over those hogs that were still laying down. Given the high number of lame, ill, injured, and down hogs, it is not possible to know if the hogs laying down are non-ambulatory disabled. Many of the hogs require additional time to rise or need physical assistance. 9 CFR 313.2(a) states that driving of livestock...shall be done with a minimum of excitement and discomfort to the animals. Additionally, 9 CFR 313.2(d)(1) states that disabled animals and other animals unable to move shall be separated from normal ambulatory animals. My concerns with driving hogs in such a way as to allow them to be stepped on was discussed with (b) (6) and the barn employees. We discussed ways that this problem could be prevented, including moving hogs to another pen for antemortem inspection, moving hogs by remaining outside the pens and reaching over the walls with the paddles, or decreasing stocking density. The long, narrow pens that are stocked to the maximum number do not allow the hogs to move away from the employees in a normal flocking motion. The lack of separation of lame hogs from the rest of the groups contributes to the handling issues. I had fewer concerns at subsequent antemortem inspections on 4/17/2019 as the employees used the new techniques to move the hogs. On 4/18/2019, at approximately 1300, I again observed antemortem handling of hogs during antemortem inspection. While the barn</p>

Table: MOIs in Response to FOIA2019-418

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>employees were reaching over the walls from an adjacent pen to move the hogs, they were still moving them in a way that forced the hogs to walk over each other to avoid the employees and resulting in all the hogs piled at one end of the pen. I again discussed my concerns with (b) (6) and later with (b) (6). I reiterated the necessity to protect the hogs that are disabled from potentially being trampled or crushed. (b) (6) stated that he would discuss the issue with the facility manager to develop solutions. Antemortem handling improved on 4/19/2019, with the barn employees moving hogs to adjacent pens for antemortem inspection. (b) (6) stated that he informed establishment management of the humane handling concerns. Additionally, at 1530, while walking back from antemortem inspection with (b) (6), I observed an employee use and electric prod on a hog in the chute to the stunning conveyor at least five times in succession. I told (b) (6) and the employee that it was unacceptable to repeatedly use an electric prod on a hog. 9 CFR 313.2(b) states that electric prods shall be used as little as possible in order to minimize excitement and injury.</p>

Table: MOIs in Response to FOIA2019-418

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M2460	Cimpl's, Inc.	PMB38070 65325G	25JUN2019	04C02	Livestock Humane Handling	Finalized	On June 19, (b) (6) and I (b) (6) were performing a walk-through of the barn when we found the following maintenance concerns: 1. Gates to pens 15 and 16 had rusted piping, no sharp edges noticed. 2. The gate separating pen 3 and 6 had rusted and broken piping. 3. The concrete footing for a support beam between pens 13 and 15 had much of the concrete missing. 4. Bent piping on the gate the separates the front and back of pen 14. 5. Broken welds on the crowd gate to the circle tub. No sharp objects were noticed.
15	M27440	Valley Beef, Inc.	VEJ591404 3425G	25APR2019	04C02	Livestock Humane Handling	Finalized	At 1050 on April 15, 2019, (b) (6) performed ante-mortem on a small lot of cattle from the overhead catwalk at M27440. A Holstein cow, backtag #4741, that had been previously reviewed earlier in the day, was the only cow waiting in the raceway leading to the stun box. There was fresh blood on the floor and along the one solid wall of the raceway, as well as on the cow's tail, hindlimbs, and udder. The cow's tail was fractured with exposed bone. (b) (6) performed the ante-mortem assessment on the lot this cow arrived in at 0840 on April 25, 2019. (b) (6) does not recall this cow with an injury to its tail nor that this cow was bleeding. The cause of the injury could not be determined, and the animal was slaughtered and processed per normal procedures. The operator must ensure facilities are maintained in good repair and are free of objects which may cause injury or pain to the animals. Handling of livestock, from receipt through slaughter, must be done with a minimum of excitement and discomfort.

Table: MOIs in Response to FOIA2019-418

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
35	M320M	Smithfield Fresh Meats Corp.	VWK48080 61806G	06JUN2019	04C02	Livestock Humane Handling	Finalized	<p>A meeting was held to discuss the ante mortem procedures at establishment 320M, Smithfield Foods, on May 23, 2018 at 12:30 pm. The following people were in attendance: Smithfield Tim Messman, Plant General Manager (b) (6)</p> <p>[REDACTED]</p> <p>Through collaboration and discussion, the following guidance document was produced: ANTE MORTEM INSPECTION PROCEDURES for 320M MILAN, MISSOURI 05/23/2019 All ante-mortem inspections procedures will be conducted in accordance with FSIS Directive 6100.1 Rev 2, "Ante-Mortem Livestock Inspection." Pre-shift antemortem inspector will begin donning at 0530 hours. A plant employee will accompany the inspector on antemortem inspection to ensure all animals can be observed at rest and 10 % in motion. Antemortem inspection may be performed in pens 1-12 A, 1-12 B, 13, 14 B, 1-12 C, 1-12 D, Hall B, and Hall C. Inspectors should perform antemortem in designated pens only, not 'alleyways' or 'walkways'. Inspectors are not to enter areas with animals in them, or traffic through areas where animals are being driven. The establishment should provide safe access to all pens needing inspection so that 100% of animals can be observed at rest and 10% in motion. This is in accordance with FSIS Directive 6100.1 Rev. 2 Section V. Any animals placed into the Recovery Pen are intended for veterinary disposition only and cannot be inspected and passed by any other FSIS personnel. Once animals are presented for inspection they are no longer eligible for resale. Any animals intended to be "resales" should be segregated prior to</p>

Table: MOIs in Response to FOIA2019-418

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								inspection, in accordance with FSIS Directive 6100.1 Rev 2 Section XI. Once animals have passed ante mortem inspection and the pen card has been signed, the establishment is responsible for maintaining identity in accordance with FSIS Directive 6100.1 Rev. 2 Sections VI and VII. Either a tattoo (lot) number or a pen number may be used to maintain identity. If previously inspected and passed animals need to be moved to a new pen and they do not have a tattoo, the establishment has two options. a.The animals may be presented for reinspection in the new pen. b.The establishment may notify the offline inspector and present the already signed pen card with both the old pen number and the new pen number to be initialed by the inspector prior to moving the animals from the pen. These procedures and guidance are intended for normal operations with a focus on a safe and orderly process. They may be subject to modification on an as-needed basis due to extenuating circumstances, such as severe weather or humane handling concerns.

Table: MOIs in Response to FOIA2019-418

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M34384	Elkton Locker and Grocery, Inc.	TLN360806 2219G	19JUN2019	04C02	Livestock Humane Handling	Finalized	On Monday, June 17th, during a DVMS follow-up verification visit, irregular post-stun movements were observed on the third sheep. The movements included movements of the chest and abdominal wall that were suggestive of rhythmic respiratory efforts and head and neck movements that mimicked a righting reflex. There was not a progression of signs signaling an imminent return to consciousness. A review of all four sheep heads revealed a consistent projectile path the only barely impacted the very front of the brain and in the case of the third sheep, the projectile path missed the brain by approximately 1 cm. The head catch in the knocking chute causes the head of sheep to be held in a very acute angle with the plane of the poll to nose being almost vertical. Consequently, the rifle needs to be held an at upward angle in a confined area. Based on these findings, FSIS IPP suggest continued ongoing review of split heads to monitor projectile paths so any changes in stunning technique or ammunition that may cause altered penetration can be identified and addressed.

Table: MOIs in Response to FOIA2019-418

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
05	M400	Los Banos Abattoir	ZIG291805 2010G	10MAY2019	04C02	Livestock Humane Handling	Finalized	<p>Food Safety and Inspection Service Albany District 800 Buchanan St. Albany, CA 94710 Phone: (510) 769-5712 Fax: (510) 337-5081 To: (b) (6) From: (b) (6) Location: HACCP Office Date: May 10, 2019 Subject: Humane Handling MOI On Thursday, May 9, 2019 at approximately 10:05, (b) (6) informed (b) (6) about 2 heads that were stunned multiple times. She informed (b) (6) of her hearing 2 stuns while on the kill floor and other plant employees crowding around near the dry landing area. (b) (6) observe the first head had one stun between both eyes (normal location) and one stun at the nuchal crest. The second head had two stuns between both eyes (normal location) and 2 stuns at the left side of the frontal bone. The stunner informed (b) (6) that the cows were wild. (b) (6) suggested to (b) (6), to have the stunner wait until the cows calm down before applying the stun. Therefore, the first stun can be efficient. Since (b) (6) was not aware of any evidence of egregious behavior, a noncompliance was not observed. However, these scenarios raise a concern due to the frequency of cows having multiple stuns present in the skull. (b) (6) will continue to observe this issue to verify regulations are met. Respectfully, (b) (6) Alameda District, OFO, FSIS, USDA Plant management response: The two cows were beef cows and were excited at the knock box. (b) (6) informed the stunner to wait until cows have calmed down before stunning. M400 management will have a discussion with the stunner on how to efficiently stun a beef, steer or any excited cows in the knock box.</p>

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80	M4271	GREISE BROTHERS PACKING INC.	CZF470704 5905G	05APR2019	04C02	Livestock Humane Handling	Finalized	<p>At approximately 0945 hours, two employees were in the process of a ritual slaughter on a dairy heifer. I was standing about 20 feet from the kill chute, finishing up inspecting the liver on another carcass. They had the heifer in the chute and had made the ritual cut. The chute opened, and the heifer was standing up and started out of the gate onto the area where the animals bleed out. It continued to walk outside the area on the left side of the slaughter floor, ran into the sink and continued toward where I was standing. It was coming right toward me, so I went into the cooler and went and got Frank Greise, plant owner to assist since there was only one guy on the floor at the time. The others were still in the upper area on the walkway above the kill chute. I came down to office and called (b) (6). When I returned the heifer was on the right side of the chute outside of the bleed area where to my observation, the animal had finished bleeding out. It looked like the neck was cut more than it had been initially. I questioned the floor employee about why the heifer got out. His response was the younger guy opened the chute too soon. I then asked if there was a second cut performed after the heifer came out, and he said yes. As I was explaining the reason for my regulatory control action to Mr. Greise, the floor employee then stated there was no second cut to myself and Mr. Greise. I applied US Reject tag #B23888277 to the kill chute at 1000 hours.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M44779	Faulkner Meats	VMV09130 51022G	22MAY2019	04C02	Livestock Humane Handling	Finalized	<p>Faulkner Meats (M44779) Taylorsville, KY holds animals on the premises which the establishment considers to be custom exempt until they are declared for federal inspection. While the establishment did engage in federally inspected slaughter activities this day, the following observations involving the custom exempt animals were made by the SVMO at approximately 1330 hrs. EDT:</p> <ul style="list-style-type: none"> · A large boar (greater than 500 lb.) was observed without access to water. The bottom portion of the plastic drum being used as a water trough was empty; the automatic waterer in the back corner of the pen was observed crushed against the wall. · A large pen holding lambs and sheep ranging in size from roughly 40 lbs. to 200 lbs. was observed with feces covered flooring; the bedding component was minimal and mostly wet; puddling was observed (urine?) in one area of the pen; pelts on the majority of the animals was contaminated with fecal; one lamb was observed in a moribund state; one small automatic waterer (1-2 gallon bowl capacity?) was functional and insufficient for the volume of animals (number too numerous to count) in the pen in the SVMO's opinion. A second small automatic waterer in another section of the pen contained no water (functional?). <p>The establishment is once again reminded that the FMIA (Federal Meat Inspection Act) and the HMSA (Humane Methods of Slaughter Act) applies to custom exempt livestock per USDA FSIS Directive 5930.1 revision 4.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M44779	Faulkner Meats	VMV52080 62228G	28JUN2019	04C02	Livestock Humane Handling	Finalized	<p>June 27, 2019 Faulkner Meats (M44779) Taylorsville, KY performed USDA inspected slaughter this day. The SVMO observed the following conditions at approximately 1445 hrs. EDT in the holding pens: 1. A pen housing two mature boars was found with the automatic water bowl in a non-functional position (it was torn from the wall in a vertical rather than horizontal position) and no visible means for water access. There was the bottom portion of a drum with waste products being used for food, but no water in the pen. 2. The pen just outside the back door was in the process of being cleaned; sheep (too numerous to count) and a calf were crowded into another pen; the automatic water bowl was dry (functional?) and no means for water access observed. The floor had soupy manure and minimal manure-soaked bedding. The CSI was unable to relay how long these animals may have been in this pen. The above animals are considered custom exempt by the establishment until they may be declared for federal inspection. The establishment is once again reminded that the FMIA (Federal Meat Inspection Act) and the HMSA (Humane Methods of Slaughter Act) applies to custom exempt animals per FSIS USDA Directive 5930.1 revision 4. This continues a trend in humane handling issues for the establishment; a MOI dated May 22, 2019 documents a similar observation.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M44911	Kinikin Processing	PNQ05140 54106G	06MAY2019	04C02	Livestock Humane Handling	Finalized	<p>Memorandum of Interview Humane Handling Establishment #44911 Date: 5/6/2019 Time: 0810 FSIS (b) (6) At approximately 0810 on 5/6/2019, while stepping off the slaughter floor for the stunning of a large sow, I, (b) (6) heard one shot and a squeal from the sow. I opened the door and the sow was still standing but it was not vocalizing. (b) (6) left the slaughter floor and proceeded to the office to retrieve a larger round of ammunition. (b) (6) returned and readied the 357-caliber round in the firearm, giving me a warning of fire-in-the hole. I immediately stepped off the kill floor and (b) (6) applied a second stunning attempt which effectively rendered the animal insensible. I talked to (b) (6) about what had happened. He stated that he had started to knock the sow with a 22 Mag rifle but had decided it may not be large enough so decided to go with a 38-caliber bullet for a more effective stun, but after firing the 38-caliber round it was evident that the 38-caliber round was insufficient, so he obtained the 357-caliber round. One large hole was observed in the skull of the sow. Knocking box was tagged with US Rejected B 11002921.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M45948	Ida-Beef LLC	AKL330904 3412G	12APR2019	04C02	Livestock Humane Handling	Finalized	<p>On April 8th, 2019, at approximately 12:15 PM, (b) (6) observed the following occurrence while performing HATS task IV Handling During Ante Mortem Inspection. Out of a pen of six dairy cows, one cow was lying down and did not get up when approached and touched with the employee's hand. After a few minutes, the employee left and returned with the electric prod. He touched the prod to the fence twice to make noise and then used the prod to shock the cow once. The cow did rise with some difficulty, as it had trouble getting its forelimbs under to stand. Once standing, the cow was visibly weak and was trembling in its hind legs. All the cattle in the pen were then moved into the tub leading to the chute, where the cattle did not have access to water, at approximately 12:30 PM behind the remaining cows in the previous group. The establishment employees then went to lunch.</p> <p>(b) (6) noted the number of cows in the tub at approximately 12:35 PM; the weakened cow was at the back of the group. (b) (6) then checked on the cows in the tub again at 1:25 PM. There were still two of the six ante-mortemed cows in the alley, and one was the weakened cow. The weakened cow went down right before the door to the knocking box, but was able to rise and was then knocked in the knocking box. There is no access to water in the tub or the alley, and the last cow was in the tub and alley for about one hour. (b) (6) did not observe if the prod was used on the cow a second time. I discussed with establishment management my concerns of using a prod to make a weakened cow rise, only to make her wait for an hour to be knocked, as well as the establishment using the tub and alleyway as a holding pen and not providing access to water. I emphasized that the cattle were left in the tub over break, extending the time for the cows in general and the weakened cow in</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								particular. Establishment management agreed that weakened cows would be moved straight into the knock box, and they would break the cattle into smaller groups in order to keep them moving. No cows would be left in the tub and alleyway over break in order to provide access to water.
15	M45948	Ida-Beef LLC	AKL271505 5729G	29MAY2019	04C02	Livestock Humane Handling	Finalized	At approximately 0819 hours I, (b) (6), was called to verify stunning of a non-ambulatory dairy cow in the holding pens. I proceeded to the holding pens to verify. I observed the stun operator and the quality assurance monitor were inside the pen with the non-ambulatory dairy cow. I observed the stun operator holding the primary hand-held captive bolt (HHCB) device and the quality assurance monitor holding a back-up HHCB device. The stun operator applied the first stun attempt to the non-ambulatory dairy cow. I observed the rod of the primary HHCB contact the cow's skull. I observed a dark gray spot with hair sticking out on the cow's skull. I observed the cow was on its sternum with its legs underneath it when the first stunning attempt was applied. Following the first stunning attempt, the cow remained conscious with eyes wide open and blinking, ears erect and started to crawl away. The cow did not vocalize. I observed the stun operator reload the primary HHCB by unscrewing the gun, removing the shell and the quality assurance monitor placed a new shell in the gun, then the stun operator screwed the HHCB device back together. The stun operator applied a second stun attempt, which rendered the cow unconscious. I observed the stun operator retrieve the back-up HHCB device from the quality assurance monitor and apply a security stun to the pole of the cow. I placed U.S. Retain Tag #B45142233 to the stun box. (b) (6) verified three stun holes had penetrated the cow's skull."

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M46297	Lockhart Meat Company	CPO56090 52014G	14MAY2019	04C02	Livestock Humane Handling	Finalized	<p>HATS Category: VIII (Stunning Effectiveness) At approximately 10:00 am today while performing a routine Humane Handling Category VIII task at Lockhart's (M46297), I (b) (6) observed (b) (6) walked up to the head restraint with a hand-held captive bolt device to stun a steer in the chute. After the first stun attempt, the animal remained standing and conscious, with no evident wound or blood (b) (6) immediately applied a second stun to the steer, with the backup hand-held captive bolt device. The animal by this time was vocalizing loudly and still standing. (b) (6) stunned the animal for a third time which rendered the animal unconscious. (b) (6) followed up with a safety knock. This was the last animal offered for slaughter for the day. I placed a U.S. Rejected Tag (# B-45 316510) on the entrance to the stunning area. Upon review of the steer skull, there were 4 holes in the skull of the animal. I learned the establishment had just received a new tin of orange .25 caliber 3.5 grain charges for the hand-held captive bolt device. The establishment has decided to stop using those charges and will purchase some new charges. The Establishment operates under a Robust Systematic approach of Humane Handling.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M48144	Abe's Kosher Meats LLC	CFR180905 2817G	17MAY2019	04C02	Livestock Humane Handling	Finalized	<p>On May 16, 2019 at approximately 12:36 pm, I, (b) (6), went outside to perform ante-mortem and observe stunning effectiveness. As I walked outside I saw a driver unloading more cows. As I came around the corner of the corrals, I observed the driver raise a shovel over his shoulder and bring it down and hit a cow in the head. I observed the driver give the shovel to a yard person. After the driver hit the cow, the cow ran out pf the trailer and the driver closed his trailer door. I verbally notified (b) (6) of the occurrence, and then notified (b) (6) via phone. I then tagged the stunning box at approximately 12:45 PM with US Reject tag B37602817.</p>
15	M48144	Abe's Kosher Meats LLC	CFR451606 0613G	13JUN2019	04C02	Livestock Humane Handling	Finalized	<p>On June 12th, 2019 at approximately 1:45 pm, I (b) (6) stepped outside into the pen area to perform a routine water availability check when I observed a calf laying on its left side in the alleyway to the stunning area with its legs sticking out from under the metal wall. I lifted the cover on the side of the alleyway to find that the calf had its head stuck in between its back and the alley wall and facing the opposite direction of its feet. It was laying passively. I immediately notified (b) (6) of the calf's condition, and he was able to place the calf's head back in a forward-facing position. However, the calf was still unable to respond normally to stimuli, sit up, or stand. I instructed the employees to go ahead and stun the calf, as she was now non-ambulatory. She was rendered immediately unconscious on the first stunning attempt and moved out of the alleyway. I spoke with (b) (6) about the incident, who offered to make the alleyway narrower if possible to prevent calves from getting their feet under the gap between the wall and the concrete floor.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M562	JBS Green Bay, Inc.	QSM08150 44023G	23APR2019	04C02	Livestock Humane Handling	Finalized	<p>A meeting occurred at JBS Green Bay on April 23, 2019 at approximately 1:45 pm – during (b) (6) routine Humane Handling audit exit meeting. This is to document the incidence of prodding observed by (b) (6) on April 23, 2019 at approximately 9:40 am (b) (6) was observing Humane Handling with (b) (6) in the establishment's chute leading into the restrainer. (b) (6) observed the associate at the entrance to the restrainer use a hand-held electric prod (HHEP) on 3 animals in separate events within 8 minutes. The third animal was prodded twice with the HHEP to move it from 5 feet before the entrance to the restrainer to the entrance of the restrainer. The animal balked again at the entrance to the restrainer. The associate was then again used the HHEP on the animal another 3 times with the animal vocalizing and kicking with its rear legs. The animal directly behind the prodded animal was far enough behind the first animal it did not get hit with the front animal's rear feet as it kicked. A Quality Assurance associate was present and shouted "Hey!" to the responsible associate after the first 2 animals had the HHEP applied. The QA associate took no action during the prodding of the third animal and (b) (6) intervened by alerting (b) (6) who then took control of the situation by stopping the associate from using the HHEP on the balking animal. The establishment is reminded that per 9 CFR 313.2 "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" and "Electric prods, canvas slappers or other implements employed to drive animals shall be used as little as possible in order to minimize excitement and injury. Any use of such implements which, in the</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								opinion of the inspector, is excessive, is prohibited.” And 9 CFR 313.15 “The driving of the animals to the stunning area shall be done with a minimum of excitement and discomfort to the animals. Delivery of calm animals to the stunning areas is essential since accurate placement of stunning equipment is difficult on nervous or injured animals.”

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M562	JBS Green Bay, Inc.	QSM57060 42126G	26APR2019	04C02	Livestock Humane Handling	Finalized	<p>At approximately 11:05am on April 5th, 2019 (b) (6) entered the push gate area of the chute and heard cattle vocalizing inside the chute. As they entered the chute, they observed an establishment employee using the hand-held electric prod on steers. The first steer was already vocalizing and the employee was observed to continue to prod the steer 2 times. The animal moved forward about foot and then the employee immediately started prodding the second animal 3-4 times rapidly without giving it a chance to move forward after the first prod. This animal also vocalized and kicked then moved forward about a foot. The prod was used at the tail head on both steers. As soon as the employee saw (b) (6) approaching, he stopped prodding and walked the prod up to its normal place near the entrance to the restrainer. The production line had not been started, there were no holes in the line and the animals had minimal space to move forward in the chute. The establishment is reminded that per 9 CFR 313.2 "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" and "Electric prods, canvas slappers or other implements employed to drive animals shall be used as little as possible in order to minimize excitement and injury. Any use of such implements which, in the opinion of the inspector, is excessive, is prohibited." And 9 CFR 313.15 "The driving of the animals to the stunning area shall be done with a minimum of excitement and discomfort to the animals. Delivery of calm animals to the stunning areas is essential since accurate placement of stunning equipment is difficult on nervous or injured animals."</p>

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25	M562	JBS Green Bay, Inc.	QSM56110 51502G	02MAY2019	04C02	Livestock Humane Handling	Finalized	<p>On May 1st, 2019, (b) (6) met with establishment management regarding the recent concerns with prod usage documented in HH MOIs on 4/23/19 and 4/25/19. Establishment personnel present included (b) (6).</p> <p>The employees involved in those incidents were retrained and FSIS personnel needed to understand the establishment's expectations for employee electric prod usage going forward. The following is a summary of the establishment's plan for prod usage and training (to be completed with all barn employees in the next 2 days). All management has been trained on these expectations.</p> <ul style="list-style-type: none"> The establishment stated they follow NAMI guidelines for prod usage which involves using no implements (point of balance), rattle paddles, air prod and then the electric hand-held prod if necessary. The electric prod will be used 3 times if necessary and then the animal will be allowed a rest period if they do not move into the restrainer. Another 3 prods will be applied, if necessary, in attempt to move the animal into the restrainer. If animals vocalize at any point, the animal will be allowed to rest and one more attempt may be made. If the animal vocalizes again, the animal will be euthanized and plant condemned. Depending on the gap in the line, the establishment may decide to euthanize and plant-condemn animals that do not enter the restrainer at any time.

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25	M562	JBS Green Bay, Inc.	QSM28070 53222G	22MAY2019	04C02	Livestock Humane Handling	Open	<p>This MOI is to document events occurring on 5-20-19 and 5-21-19, observed by (b) (6). On 5-20-19, the establishment was forced to take an afternoon break about 1:05 pm due to the fact that a large cow was lodged in the chute. The live weight of this cow was 2770 pounds. The facilities and equipment an establishment utilizes need to be able to manage the size and type of cattle the establishment intends to harvest. On 5-21-19, (b) (6) was observing Humane Handling activities, Category VI – Electric Prod/Alternative Object Use; Category VIII – Stunning Effectiveness; and Category IX – Conscious Animals on the Rail in the establishment's chute leading to the knock box and in the knock box area. (b) (6) arrived in the chute at approximately 11:20 am for about 5 minutes. During that time (b) (6) observed a barn associate take the air prod and place it continuously at the hips of a cow that was 3 animals back from the cow that was stopped in the chute. The animal in the chute that was being prodded had no where to go. (b) (6) stopped the activity by telling the barn associate to stop prodding the animal as it had no where to go. The barn associate then put the air prod down and left the area temporarily and came back with a rattle paddle. (b) (6) then proceeded to the knock box to continue Humane Handling activities. (b) (6) was leaving the knocking area about 11:35 am and noticed the head of a cow sitting on the steps leading up to the blood pit with no identification. (b) (6) asked the associates in the area about the head and (b) (6) approached the area. (b) (6) explained the head was from a cow that had gotten stuck in the restrainer. The rest of the carcass associated with the head was on the production line in the blood pit area. (b) (6) placed retain tag B 45157700 on the head and asked to speak to</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>(b) (6)</p> <p>(b) (6) arrived at the knocking area and asked (b) (6) about the head with no identification. (b) (6) explained to (b) (6) the head was from a smaller animal that had gotten stuck in the restrainer with another larger animal lodged on top of it. Both animals were rendered unconscious and the chain was utilized to pull the carcasses from the restrainer. The smaller animal was removed first, and with the force needed to move it out of its lodged position, the head was pulled off with the chain. (b) (6) asked what the intention of the establishment was to present the head with no identification to USDA for inspection. (b) (6) stated it would be presented at the USDA PHV Disposition station. (b) (6) instructed offline USDA personnel to ensure the carcass of the smaller animal (the one with the head still in the restrainer area) was USDA retained by online personnel. (b) (6) asked why FSIS was not notified of the occurrence of the animals getting stuck in the restrainer and the head of the smaller animal being removed with the chain. Upon Post mortem inspection by (b) (6), the following perimortem injuries were noted about Carcass 210918 (the carcass of the smaller animal with the head removed):</p> <ul style="list-style-type: none"> o Significant bruising in the intercostal muscles from the level of T1 to T 12 o Bilateral rib fractures from T3 to T6 o Bruising visible on the exterior surface of the carcass over the ribs o Torn musculature at the cervical area and significant bruising at the neck o Hematomas around the heart and in the lungs <p>The establishment is reminded that they are responsible for maintaining the identification of every carcass and all its parts until final inspection has been completed; presenting all parts of every</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								animal for USDA inspection; and having adequate facilities to manage the types of animals they intend to harvest.
80	M6590	Randolph Packing Co., Inc.	YBB591304 4426G	26APR2019	04C02	Livestock Humane Handling	Finalized	<p>Date/Time: 04/26/2019 at approximately 11:45am Location: USDA office of M-6590 Attendees: (b) (6); Homero Ribera, Plant Superintendent; (b) (6)</p> <p>The purpose of this memorandum of Interview (MOI) is to document a discussion with Randolph Packing Co. establishment management on April 26, 2019. At approximately 11:35am this morning, I was performing a humane handling verification task in the knock box area. I looked out the window to observe the cattle driver. One cow was driven into the area immediately before the knock box. Another cow also attempted to also enter this area. The employee used the gate to try to prevent this without excessive force, but the second cow's head entered this area. I saw the employee use an electrical prod on the right cheek of this animal. From the placement of the employee's hand on the equipment, it did not appear that he placed his finger on the activation button. I did not observe any reaction from the animal that would indicate the animal was driven with excessive excitement or discomfort. However, I discussed with management that this may not be the best practice to get into the habit of. I reiterated that use of an activated electrical prod on the sensitive regions of the animal, including the face, genital or anal area, or driving animals with excessive excitement or discomfort would constitute regulatory noncompliance. Mr. Ribera stated that he would discuss the matter with the employee. The information provided in this MOI includes all the topics discussed during the meeting.</p>

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50	M6785	Bob Evans Farms Inc.	NRL191104 1212G	12APR2019	04C02	Livestock Humane Handling	Finalized	<p>On 4/10/2019 at approximately , I, (b) (6) was performing antemortem in the barn and observed the following situation. While observing the sows move I heard a sow vocalizing very loudly from the old scale area. After I noticed that the squealing did not stop after about 20 seconds I quickly walked back into the old scale area. By this time 40minutes had elapsed and the sow was still vocalizing and appeared to be in distress. When I arrived in the old scale area I observed 6 sows in the shorter of the two lined area right before the ramp to load the chute. The sow that was vocalizing was one of the 6 sows and her head, shoulders and front legs were wedged underneath and pinned down by the sow in from of her and directly behind the pinned sow were 2 sows that were pinned shoulder to shoulder in between 2 poles. This is normally a single file area for the sows. the sows were pinned in this area and were not able move into more comfortable positions on their own. While I made this observation about 1 minute elapsed. At that time a plant employee finally came down to open the gait to allow the above mentioned sows up into the chute. No other plant employees came to check on what was causing the discomfort and vocalization for an extended amount of time. CFR 9 Regulation 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 MOI is to remind the establishment that they are to drive the livestock in a manner that decreases excitement and discomfort and that they are to be aware and react in a timely fashion when they notice that a sow may be in distress.</p>

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50	M6785	Bob Evans Farms Inc.	NRL120804 1429G	29APR2019	04C02	Livestock Humane Handling	Finalized	<p>On Wednesday 4/24/2019 at approximately 2 pm while performing the Livestock Humane Handling task, I, (b) (6) observed the following situation. I observed the truck driver unloading the sows off the trailer into the barn. During the entire 10 minutes that I observed him unload the sows he was carrying a hot shot (electric prod) and occasionally touching moving sows with it. I noticed that some of the sows vocalized and picked up their walking pace once they were touched with the hot shot. I never noticed the truck driver put the hot shot down. Once all the sows were unloaded I then asked the truck driver if he used electricity on every sow every time he touched them with the end of the hot shot. He said no and that his trigger finger was only resting on the trigger. I then informed the (b) (6) of my observation and told him that I had no proof that the truck driver was not shocking the sows every time he touched the sows with the hot shot. I also informed him that I believed that the truck driver used the hot shot excessively. (b) (6) then informed me that he would be getting in touch with the truck driver. He also informed me of Bob Evans' protocol when it comes to truck drivers using the electric hot shot. Bob Evans' protocol is that the truck drivers are not to hold a hot shot while unloading sows at all unless the establishment gives them permission to do so. 9CFR 313.2 Handling of livestock (b) Electric prods, canvas slappers, or other implements employed to drive animals shall be used as little as possible in order to minimize excitement and injury. Any use of such implements which in the opinion of the inspector, is excessive, is prohibited.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M717	Smithfield Fresh Meats Corp.	TAE471606 2025G	25JUN2019	04C02	Livestock Humane Handling	Finalized	During AM witnessed employee dragging dead pig from the blood pit over the wall of the downer pen and fall onto the floor. Live downer pigs were in pen but none were hit during this incident. Notified (b) (6) employees are not to do this when live pigs are in the pen or near vicinity. (b) (6) said he would talk to them.
90	M7356	Harmon Brothers Meats, Inc.	IJK5208043 526G	26APR2019	04C02	Livestock Humane Handling	Finalized	Harmon Bros. Meats (M7356) Warsaw, KY has been on suspension of Federally Inspected slaughter activity since October 2018. While performing a routine visit to the establishment, the SVMO observed at approximately 1030 hrs. EDT the following: · A holding pen with goats and lambs was found to have a dead goat and water of questionable drinking quality; the water was brown with fecal material present. Another dead goat was observed outside of the rendering storage room. · An adjacent holding pen with goats and lambs was densely populated, most of the floor covered with liquid feces and no indication of having bedding added to it, and water of even more questionable drinking quality—browner than the other. How long the animals had been in the pen was unknown to the SVMO, but all animals had hair coats/wool coated in dried manure. The establishment is reminded the Federal Meat Inspection Act (FMIA) and the Humane Methods of Slaughter Act (HMSA) applies to custom exempt operations. The establishment has a history of similar observations.

Table: MOIs in Response to FOIA2019-418

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M7356	Harmon Brothers Meats, Inc.	IJK3010055 729G	29MAY2019	04C02	Livestock Humane Handling	Finalized	Harmon Bros. Meats (M7356) Warsaw, KY has been on suspension of federally inspected slaughter since October 2018. While verifying conditions at the establishment, the SVMO observed a holding pen in the barn containing custom exempt goats and lambs. At approximately 1100 hrs. EDT the following was noted: · The floor was covered in fecal material, most of which was soupy in consistency; puddling of liquid fecal in multiple areas of the pen was present. No indication of bedding being in the pen. · The whole corn present in the feed troughs was covered in fecal material. · Water available was brown. The above observations were brought to the attention of establishment owner Mr. Dave Harmon, who likewise was informed of the forthcoming documentation. The establishment is once again reminded that per FSIS USDA Directive 5930.1 revision 4, the Federal Meat Inspection Act (FMIA) and the Humane Methods of Slaughter Act (HMSA) applies to custom exempt livestock. This continues a recent trend in humane handling issues related to custom exempt animals.
90	M8078	Boone's Abattoir, Inc.	APM14070 63713G	13JUN2019	04C02	Livestock Humane Handling	Finalized	Livestock pen had no water available to animals this morning. Water was running but all the hoses going to troughs were displaced not allowing water to fill the troughs, all the water was going on floor instead.

Table: MOIs in Response to FOIA2019-418

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M85B	Swift Pork Company	GYM15160 64004G	04JUN2019	04C02	Livestock Humane Handling	Finalized	At approximately 8:20am while exiting the scale house with pen cards I observed a livestock employee attempting to close a gate. He paddled a hog that seemed to be having some difficulty with it's hind legs and wasn't moving very well. It didn't rise to the level of inhumane handling, but I did believe he should have noticed this hog was in distress and ceased using the paddle to try to drive the animal. I alerted (b) (6) and asked her to review the video as I don't think it was overly aggressive, but should result in review especially since this employee has a gold hat training with him. (b) (6) directly addressed the event with the employee before I left the barn and agreed to review the video and follow up as necessary.

Table: MOIs in Response to FOIA2019-418

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	M85B	Swift Pork Company	GYM04020 60707G	07JUN2019	04C02	Livestock Humane Handling	Open	<p>On June 7, 2019 at approximately 00:25, while I was performing antemortem inspection duties in the barn, I passed through the alley adjacent to row 21-25 as a front-end employee was moving hogs to the kill alley from the row. The employee was opening the gate nearest the side alley I was in, swinging it from the middle alley toward the back of the pen. He unlatched the gate and pushed it to open, letting go of the gate, and allowed it to swing back toward the wall under its own momentum. A hog was standing behind the gate nearer the wall and facing toward the gate. The gate swung unimpeded until it struck the hog in the left side of the face and head. The hog jumped and squealed as the gate hit it. The front-end employee had turned and was opening the gate on the opposite side of the pen when I looked back to him. At approximately 00:29, I located (b) (6) and informed him of what I had observed. He said he would speak to the employee and investigate further. At 00:40, I notified (b) (6) that I would be writing an MOI detailing what I had seen and documenting that I had spoken to him. He requested that I speak with (b) (6). (b) (6) was contacted, and once he arrived I explained what I had seen to him. He said that he understood that was not the way gates should be opened and said he would review the video and take appropriate actions. I informed him that I planned to write an MOI about this incident. At approximately 00:52, (b) (6) also asked me details of the incident and stated that they would closely review the video and would retrain front-end employees to handle gates properly.</p>

Table: MOIs in Response to FOIA2019-418

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M86R	Cargill Meat Solutions	EHN35170 61007G	07JUN2019	04C02	Livestock Humane Handling	Finalized	<p>On Monday 6/3/19 at approximately 1830 hours while conducting humane handling verification inspection under HATS category VIII: Stunning Effectiveness at the knocking area, I(b) (6) observed the following events. A stun was applied with a pneumatic captive bolt to a market beef in the knock box. The animal appeared unconscious – the animal's head dropped and the body went lax. The knocker released the animal from the knocking area and the stunned animal was pulled forward on the belly conveyor out of the knock box and dropped onto the shackle table. After it landed on the shackling belt the animal reflexively rolled from its right side to a sternal position and the eyes were starting to blink, but the animal did not react to its surroundings, did not demonstrate controlled movements, and was not vocalizing. The knocker called down to the shackler to knock the animal. The shackler immediately retrieved the back-up handheld knocking gun and applied a security knock. The animal fell on its right side with tongue out and eyes unresponsive. The shackler then attempted to apply a second security knock to the visibly insensible animal. The handheld captive bolt misfired twice, but worked on the third attempt and a second security knock was applied. The animal remained insensible throughout the security knock attempts. This raises a concern that the device was not functioning reliably, which could become a noncompliance with 9 CFR 313.15(b)(1)(ii). After reviewing the situation with Dr. Jessica VanHook, DDM, we determined that this constitutes a potential vulnerability within your humane handling system. This information was discussed with (b) (6) at 1415 on June 7th, 2019.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
05	M934	Charlie DiMaria & Sons	VMH57150 62504G	04JUN2019	04C02	Livestock Humane Handling	Finalized	<p>Meeting with Plant management (b) (6) and (b) (6). Items discussed:</p> <ol style="list-style-type: none"> 1. Water access in pens: Some pens have water troughs that have the water valves turned off and there is very low levels of water for the cows. The troughs have not been flushed regularly and some have a green discoloration present. Plant stated they will work with the pen employees to help fix this issue. 2. Pens have a buildup of manure: Some pens (furthest from water hose) have excessive manure and this will attract flies and could lead to slips and falls. The large piles of manure have been removed but continued maintenance is required. 3. Feed for the cattle is required every 24 hrs while they are here. The plant has been using small amounts of hay for the large amount of cattle present. (b) (6) noted about 4 bales of hay given daily this last Saturday for the approximate 180 cattle. Today (6/4/19) the plant has dispensed about 8 - 10 bales for the same amount of cows. This seems a more reasonable amount. (b) (6) stated they will be going to pellets (on order) so they can keep track of how many bags are used per pen. 4. We also discussed the weekly meeting and determined that we work together to determine a time that works for both of us.

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M332	FPL Food	ACA320 504022 6N-1	04/26/2019	04C02	Livestock Humane Handling	313.15(a)(2)	<p>HATS Category IV- Handling during antemortem; 9CFR313.15(a)(2) At approximately 10 am on 4/24/2019, on-line inspectors were performing postmortem inspection on the slaughter floor at Establishment #332M, FPL Food . They heard a loud noise and yelling from the skinning line. A cow was seen loose on the slaughter floor by in plant personnel. Inspectors turned around to see an adult black angus cow run in to the slaughter floor. All inspectors then yelled to each other and jumped on the viscera table. The cow came from the knock box area and ran through the kill floor, turned around and went out the way it came and returned to a holding pen. During this time the cow was agitated, overly excited, slipping on the floor, exposed to numerous sharp objects on equipment and employees knives, and ran into carcasses hanging on the line. The cow did not appear injured. (b) (6) was notified of this noncompliance. Immediate corrective actions were taken by the establishment and the animal was returned to a holding pen. This is noncompliance with 9 CFR 313.15(a)2: The driving of the animals to the stunning area shall be done with a minimum of excitement and discomfort to the animals.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M332	FPL Food	ACA141 204472 6N-1	04/26/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category IV : Handling during Ante-Mortem Inspection; 9CFR 313.2 (a) & (b) At approximately 10:55 AM while performing Ante-Mortem Inspection, I, (b) (6), observed the following noncompliance at Establishment 332 FPL Food. An FPL employee was driving a pen of cattle toward The Wall holding pens. He was walking behind the last two cows which were walking at normal walking speed. He proceeded to prod both cows on the rump with the electric prod. He forced them to move faster and caused them excitement and discomfort. He excessively used the hot shot which is prohibited. 9CFR 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. 9CFR 313.2 (b) Electric prods, canvass slappers, or other implements employed to drive animals shall be used as little as possible in order to minimize excitement and injury. Any such use of such implements, which in the opinion of the inspector, is excessive, is prohibited. (b) (6), was notified of this noncompliance. A regulatory control action was not taken. Corrective actions to prevent recurrence were verbally given to me by plant management.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M482	St. Croix Abattoir	NAA25 120442 08N-1	04/02/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	On April 2, 2019, at approximately 10:20a.m., the firm attempted to knock the first bovine of the day with the 5 inch captive bolt device. The knocking employee administered the first knock, which was ineffective due to being too high (up on the poll.) The establishment employee immediately obtained the back-up 5 inch captive bolt device and applied a second knock, which was effective in rendering the animal unconscious. (b) (6) observed the events and notified (b) (6) that a NR would be issued. In addition, (b) (6) was visiting the establishment to conduct his Humane Handling review and observed the placement of the two knocks on the skinned skull.	CLOSED
M6682+P6 682	Ganaderos Alvarado, Inc.	HCA341 405382 1N-1	05/21/2019	04C02	Livestock Humane Handling	313.1	Today at 14:00 hrs. while performing a routing ante mortem inspection at facilities, I observed at pen driveways, a piece of metal detached from the pipe protruding to the area, which can cause an injury or pain to the animals also, an opening space where the feed may be injured. The area was rejected (No. B43741946) immediately until it was fixed.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6590	Randolph Packing Co., Inc.	YBB461 104323 ON-1	04/30/2019	04C02	Livestock Humane Handling	313.1	<p>At 10:50am on April 30, 2019, the following humane handling noncompliance was observed in the big barn at Randolph Packing Co. in Asheboro, NC. (b) (6)</p> <p>(b) (6), observed a truck driver unloading cattle at the unloading dock. There was no establishment employee present. Cattle were unloading calmly, although the smooth surface caused several to slip and fall. Two animals slipped and then two fell to the ground (b) (6)</p> <p>(b) (6) asked the driver to add sand to the ground. More animals continued unloading and two more fell. At that point, unloading was stopped, and sand was added. The remaining cows were unloaded without incident (b) (6)</p> <p>(b) (6) notified plant manager Greg Dronen of the noncompliance. The establishment did not meet regulatory requirement of 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..."</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10757	Select Meats, Inc.	IMB221 506470 4N-1	06/04/2019	04C02	Livestock Humane Handling	313.1	<p>While performing HATS category IV (Handling during Ante-mortem Inspection) inspection at Select Meats TA-10757 on 06/06/2019 at approximately 8:10 a.m., the following noncompliance was observed: I observed the dividing fence with a T end section with a missing part on the bottom rail with a sharp flange exposed. There was also a flat metal plate used on the driveway heading to the knock box. This metal plate has two sections with sharp flanges ranging approximately 4 inches in length. These areas of the livestock pen have not been maintained in good repair to prevent sharp or protruding objects. 9 CFR 313.1(a) states: "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." (b) (6)</p> <p>(b) (6), was verbally notified of this noncompliance and no tag was applied, because no animals at the time of inspection appeared with injuries from the areas listed above (b) (6)</p> <p>(b) (6) was cited with the failure to comply with 9 CFR 313.1 and this serves as a written notification of humane handling noncompliance.</p>	CLOSED
M20129	Custom Quality Packers, LLC	PHA521 206151 7N-1	06/17/2019	04C02	Livestock Humane Handling	313.1	<p>At approximately 12:00 pm on Monday, June 17, 2019, the following noncompliance was observed: The wooden unloading ramp has a hole (approximately 2"x12"; on the left) that also has some splintering wood pieces protruding. Also, the ramp has several other areas that are beginning to splinter on the inside and outside. No regulatory control action was taken because animals were not observed to be injured.</p> <p>(b) (6) was notified of the noncompliance and of the failure to meet regulatory requirement 313.1.</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5913+P5 913	Pasha Halal Poultry	BIM491 004442 9N-1	04/29/2019	04C02	Livestock Humane Handling	313.2	<p>Approx. 800am while performing slaughter activities at Est. 5193 Pasha Poultry there was a break in the line and (b) (6) who was visiting doing a Humane Handling observation decided to take the opportunity to go to the holding pens and he observed the following non- compliance. No water was in the pens for the animal's to drink and the 2nd pen that had water it was not an sufficient amount and not assessable for all animals to get to it that were being held (5 goats 5 sheep and 2 beef) he immediately notified me and I in turned notified Mehmet(owner) of the findings. This is a failure to comply with 9 CFR 313.2 Handling of livestock After being notified Mr.. Mehmet immediately went and made sure that the animals had fresh water to drink This serves as a written notification of the plant failue to comply with regulatory requirements could result in additional regulatory or administration action.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17776	Trenton Halal Packing Company	BBE141 206161 3N-1	06/13/2019	04C02	Livestock Humane Handling	313.1, 313.2	<p>Today, June 13, 2019 at 12:10 I proceeded to the holding pen to check on the animals and their conditions and observed the following deviation to the 9CFR. Earlier in the day, at about 11:30 the last of the previous load's lambs and goats were slaughtered, leaving behind one, Holstein calf that was moved into a small holding pen on the side at that time. At 12:10 The establishment was on its lunch break, no slaughtering was taking place, and there was no one in the holding pen room when I made this observation. It was at 12:10 that I observed the calf in the pen had no water, and no bucket. I immediately found the (b) (6) , and notified him of this violation and the NR the plant will be receiving for it. He proceeded back to the pen to personally provide the calf with water. The lack of water in this case is a specific violation of the following regulation: 313.5 (e) Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed.</p>	OPEN
M17778	E.N.A. Meat Packing Inc.	NNF54 070444 17N-1	04/17/2019	04C02	Livestock Humane Handling	313.1	<p>At approximately 0830 hours, while performing a visual inspection of the barn and pen area (HATS Category III) (b) (6) observed that one of the pens was overcrowded with beef, preventing them from reaching the water bucket, which also did not have any water in it. The pen next to it only contained one cow, which also did not have any water in their bucket. This is a noncompliance with 9 CFR 313.2(e). Mr. Stephen Moneuse, Plant Manager, was notified of and observed the noncompliance. Cattle were moved from the pen into the adjoining alley that leads to the knock box to reduce numbers and water was refilled for both pens.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5300	Rhode Island Beef & Veal Inc.	VEL160 906250 4N-1	06/04/2019	04C02	Livestock Humane Handling	313.2	HATS Category IV - Ante-mortem Inspection While performing a walkthrough of the facilities with DVMS the following observations were made. There were several sharp pieces of metal sticking into the outdoor pen off remesh panels used to reinforce the sides of the pen. There is also rolled sheet metal off one of the sides of the pen, rusted, corroded, and protutruding into the pen. The animals unloaded into this pen may injure themselves on these metal pieces as they move around the pen. In one of the indoor pens, there is an open, uncovered drain, approximately 8 inches in diameter and 8 inches deep before an elbow bends further down, in the middle of the pen that an animal could injure their leg in. The establishment has failed to comply with 9 CFR 313.1(a). The evisceration supervisor was notified of the noncompliance.	CLOSED
M5998	Bristol Beef	FUL121 206301 2N-1	06/12/2019	04C02	Livestock Humane Handling	313.16(a)(1)	HATS CATEGORY VII Stunning Effectiveness (9CFR 313.16) Today June 12, 2019 at approximately 1250 hours I observed the following humane handling noncompliance: Establishment manager William DeMartino was attempting to stun a large steer in the knock pen. William's first shot was unsuccessful with a 22. Rifle as the animal stayed standing conscious. The animal did not vocalize at this point. Approximately 15 seconds later, William fired a second shot using the same rifle stunning the animal unconscious. No regulatory control action was taken as this was not an example of egregious humane handling. I informed establishment manager William DeMartino of this noncompliance.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9825+V9 825	Sanford Butcher Shop	PPB570 706432 4N-1	06/24/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII (Stunning Effectiveness) (9 CFR 313.15(a)(1)) While conducting a routine Livestock Humane Handling task at approximately 830 on Monday, June 24 '19, I observed Mr. Carl Chasse, plant owner, lead a market swine into the stunning box. He then closed the sliding door between the slaughter floor and the stunning box, and I stepped back to a safe location. After Mr. Chasse had first applied the captive bolt stunner to the pig, I heard a loud squeal, and then, immediately afterward, a second discharge. After opening the door to the kill box, I saw that the pig had fallen to the floor, had stopped breathing, and was fully unconscious. The pig remained unconscious after it was hoisted and bled. Once the pig had been dehaired, I examined it and found two entry wounds in the forehead. I immediately notified Mr. Chasse of the noncompliance with 9 CFR 313.15(a)(1). No associations were found with any other noncompliance records issued within the last ninety days at the establishment.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M20321+V 20321	Luce's Maine Grown Meats	NKI081 205232 ON-1	05/20/2019	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(1) (iii)	<p>HATS Category VIII (Stunning Effectiveness) - 9 CFR 313.16(a)(1) At approximately 10:15am, on Monday, May 20, 2019, a Black Angus Heifer was led into the knock box and was ready to be stunned. Mr. Arnold Luce, Plant Owner, then raised a 20-gauge shotgun and fired a shot at the heifer; however, the initial attempt to stun the animal was not successful. Mr. Luce recognized that the animal had not been successfully rendered unconscious and quickly reloaded his firearm. The heifer's head was in an upright position and fully conscious. I observed the tracking and blinking of eyes. Mr. Luce fired a second shot, which immediately rendered the animal unconscious. The animal remained unconscious after it was hoisted and bled. During head inspection, (b) (6) and I observed two separate and distinct wounds from the shotgun that were approximately 2 inches apart from one another. There is also noncompliance with 313.15(b)(1)(iii) because the stunning area is not designed/constructed to limit the free movements of animals sufficiently to allow the operator to locate the stunning blow with a high degree of accuracy. There is enough room in the knock box for cattle to move in such a way that stunning becomes difficult and imprecise for trained establishment employees. I verbally issued a noncompliance to Mr. Luce pending my written report. A 90-day review of NRs in PHIS showed a noncompliance of similar cause was documented on 2/25/2019 (NR# NKI1210024425N). The current verification findings of noncompliance indicate corrective actions were not implemented or ineffective to prevent recurrence.</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M372	Pioneer Packing Company, Inc.	REK150 504190 5N-1	04/05/2019	04C02	Livestock Humane Handling	313.2(f), 313.30(a)(1), 313.30(a)(3)	HATS Category VIII- Stunning Effectiveness On 04/04/2019 at approximately 0953 hours while verifying stunning effectiveness at the establishment's knock box as part of a humane handling audit, (b) (6), observed the following noncompliance. As the stunning operator prepared to place the head/heart electrical stunning wand on a sow that was free standing in the knock box, the sow attempted to jump out of the box, managing to get her forelimbs on top of the side ledge. The wand was placed on the sow while she was in this posture, and when the wand was activated, the sow became rigid and vocalized loudly. The stunning operator quickly repositioned the wand, and the sow stopped vocalizing and was rendered insensible. (b) (6) informed Mr. Brian Contris, Owner, who was standing next to her at the time, that the incident was noncompliant. The establishment failed to comply with the regulatory requirements prescribed in 9 CFR 313.2(f), 313.30(a)(1), and 313.30(a)(3).	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M818+V818	J.H. Routh Packing Co.	FYC480406001ON-1	06/10/2019	04C02	Livestock Humane Handling	313.2	<p>On the morning of June 10th at 5:00 am (b) (6) observed a non-compliance while a truck was being unloaded. The driver of the truck was unloading the belly and squealing could be heard, when the last hog went up the ramp it was observed that there was a downer at the bottom of the ramp that had been trampled, without any attempt to notify barn personnel or to remove it from harm. (b) (6), was notified of the observation. (b) (6) stated that she would speak to the driver. This is a non-compliance of 9 CFR 313.2</p> <p>Establishment personnel are required to meet the regulatory requirements for humane handling and slaughter from the time livestock arrive at the establishment until they are killed. This includes handling associated with livestock trailers. Once a vehicle has entered the official establishment premises, it is considered part of the premises and is subject. Truck unloading must be done in a manner that allows animals to be unloaded without injury. This includes proper positioning of the trucks, movement of animals while on the trucks, and the movement of animals off the trucks into the holding pens.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M818+V81 8	J.H. Routh Packing Co.	FYC571 006121 8N-1	06/18/2019	04C02	Livestock Humane Handling	313.2	<p>At approximately, 0630 hours on Tuesday June 18, 2109, (b) (6) witnessed pigs being driven over dead animals in the process of truck unloading. The driver had already unloaded 6 deads from the truck and was continuing to unload the remainder of the animals. (b) (6), boarded the truck to assist. (b) (6) witnessed live pigs being driven over 2 dead pigs in the area. (b) (6) had called for (b) (6), to bring the sort board. (b) (6) boarded the truck and the three continued to unload pigs around and over the dead pigs. Instead of removing the deads prior to unloading the next pen, the next pen was driven over the 2 deads in the same manner. The dog house ramp was then deployed and placed on top of those 2 dead pigs and not on the floor of the pen. Pigs leaving the dog house were forced to jump off the ramp to exit. At that time, (b) (6) suspended the unloading process, stated that this was a non-compliance and the fact that a similar issue was just recently discussed in an NR and in JHR training. One dead was removed prior to (b) (6) asking (b) (6) to page (b) (6). When a timely response was not realized, (b) (6) suspended the kill until a supervisor arrived at the scene. After discussing the incident with (b) (6) reinitiated the kill and asked for the other dead to be removed before any more pigs were unloaded. The remainder of the truck was unloaded without incident. There were 10 bloated deads on in total on truck and another was euthanized in a pen following unloading. The driver also stated that the #10 dead was a splay that the producer insisted the driver load. The driver stated that he didn't expect that one to make it any how. § 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</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							done with a minimum of excitement and discomfort to the animals. Livestock shall not be forced to move faster than a normal walking speed. Additionally, NR FYC4804060010N was recently presented to JHR regarding a similar incident which was appealed by the plant supported by the establishment's Humane Handling Program and Driver Training. A barn employee training session was also recently presented within the past 30 days. It was apparent this morning that the process and training needs to be re-evaluated as the actions witnessed are unacceptable.	
M818+V818	J.H. Routh Packing Co.	FYC4308062627N-1	06/27/2019	04C02	Livestock Humane Handling	313.2	At approximately 6:45 am while performing the ante mortem Task (b) (6) witnessed the following: 18 dead pigs were discovered in a pen with other live pigs. Those pigs had been dead from a few to many hours (extremely bloated and green). Two other pigs were euthanized in this pen to prevent ongoing suffering from suspected heat stress as evidenced by labored breathing and inability to rise. The pen appeared to be overcrowded, as dead pigs were literally discovered beneath the live animals, which prevented others from gaining access to the waterer. The pigs in this pen appeared to be extremely thirsty as evidenced by the fact that many were "sucking-down" water when able to access the waterer as the pen was emptied of live animals. In reference to verification of the animal handling task (b) (6) found these observations to represent a non-compliance with 9 CFR 313.2(e). 9 CFR 312(e) Animals shall have access to water in all 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

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1664+P1 9846+V166 4	Kah and Company Incorporated	NPN39 070427 04N-1	04/03/2019	04C02	Livestock Humane Handling	313.1	<p>On 04/03/2019 at approximately 1400 hours, (b) (6), and (b) (6), were evaluating establishments compliance with the HATS category IV, AM inspection, and we observed the following: 1. (b) (6) and myself noted while observing the livestock holding pen area there is numerous sharp pointed areas, and rusted areas that have become very sharp and jagged, these areas could cause injury to the animals. (b) (6) and I talked with the owner, Kris Kah, and made him aware of the violations we had found and that a noncompliance will be issued at the establishment. Kris Kah stated the establishment does have all new railing and gates for the holding pens that will be put in place. (b) (6) stated that was fine, but the areas found needs to be corrected immediately so no livestock is in harms way. IPP issued US REJECTED tag # B26 498524 and I have walked through the area with Kris and (b) (6) and showed them the numerous areas affected. This does represent noncompliance with 9CFR 313.1(a).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1664+P1 9846+V166 4	Kah and Company Incorporated	NPN44 080609 13N-1	06/12/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	<p>On June 12, 2019 at approximately 0805 hours while verifying HATS category VIII- Stunning Effectiveness of cattle at Est. M1664, Kah Meats, Inc. Inspector Abbott observed the following noncompliance: -At approximately 0810 hours, a steer of average size was brought to the knock box for stunning. The captive bolt operator had difficulty moving the animal from the pen to the knock box, the animal was overly anxious and jumpy. After entering the knock box, the animal was still anxious and trying to move about in the knock box. The operator did not use the head catch on this animal, and the animal was still moving around as the captive bolt was deployed. This stunning attempt failed to render the animal insensible. The animal remained standing, vocalized loudly three times, and was jumping and kicking. After the failed stunning attempt, the captive bolt operator had difficulty moving the animal into the head catch. After the animal was placed in the head catch, the operator retrieved the back-up captive bolt stunner. The operator's second attempt at stunning was successful at rendering the animal unconscious. The skull was examined by (b) (6) [REDACTED], and it was noted that both attempts at stunning made contact with the animal's skull. Both captive bolt stun entries were approximately two inches higher than the middle of the forehead. Owners/Operators Kris and Jane Kah were notified about this humane handling noncompliance. These observations are noncompliant with 9 CFR 313.15(a)(1) and 9 CFR 313.15(b)(1)iii.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF331 004242 3N-1	04/22/2019	04C02	Livestock Humane Handling	313.1	On April 22, 2019, I (b) (6) was performing the Humane handling task. I observed in the barn area the old scale that is used as an aisle to move animals from one pen to the other had an old board laying on top of a 2x2 foot area which was about a 1-foot deep hole. The board that was placed on top was not stable and easily moved when walking over it. It also did not cover the dimension of the hole. At both ends of the chute, the chains were not locked, allowing animals to enter. A regulatory control action was taken, and a US rejected tag was placed on the chute at approximately 1400 hours, tag number B23888305. I notified Frank Greise, plant owner, of the noncompliance. My above findings are considered a non-compliance with the following regulation: 9 CFR 313.1: Livestock pens, driveways and ramps.	CLOSED
M6526	Blue Ridge Meats of Front Royal	QEM32 090517 22N-1	05/22/2019	04C02	Livestock Humane Handling	313.2	While performing Hats category III (water and feed availability) verification at approximately 0900 hours, IIC observed the following non-compliance; Pen #5 inside the building had 3 hogs in it. The hogs had no water. There was a five gallon bucket provided for water which was laying on its side. (b) (6) was notified of this non-compliance and immediately went to the pen and provided water for the hogs. At approximately 1000 hours, IIC checked the pens again and all animals had water. The above cited observation demonstrates the establishment's failure to comply with 9CFR 313.2	CLOSED
M7415+P7 415+V7415	HOFFMAN'S QUALITY MEATS	YUN070 904083 0N-1	04/30/2019	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 0730 hours while performing a HSA, (b) (6), observed an ineffective stun applied to a beef. The animal remained calm and a second effective stun was immediately applied. After the head skinned, two holes were observed. Mr. Gene Rhodes, plant manager, was notified of the establishment's failure to meet 9CFR regulations.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7415+P7 415+V7415	HOFFMAN'S QUALITY MEATS	YUN450 706061 8N-1	06/18/2019	04C02	Livestock Humane Handling	313.1, 313.2	At approximately 0825 hours while performing a humane handling verification task I observed six cattle in pen #1 (located in livestock barn). The cattle did not have any access to water and as I watched one of the cattle stepped into the open drain (drain cover was laying beside drain.). Immediate corrective action was taken by (b) (6), Cattle were relocated to another pen with water and drain cover in place. Mr. Rhodes (plant manager) was notified of this non-compliance. Through the issuance of this non-compliance record the management of Hoffman Meats (est. 7415) is being notified that the establishment has failed to comply with the regulatory requirements of 9 CFR 313.1, and 9 CFR 313.2.	CLOSED
M8892+P8 892+V8892	Haass' Family Butcher Shop, Inc.	CVJ431 006090 4N-1	06/03/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	At approximately 1:40pm on 6/3/2019, I (b) (6), at M8892 Haass Family Butcher Shop observed the following non-compliance; a bovine heifer in an excited state, was not effectively rendered unconscious on the first knock. There was a repeatable menace response and rhythmic breathing noted. (b) (6) immediately and effectively delivered the second knock which successfully rendered the animal unconscious. The animal remained unconscious after the second knock through hoisting and sticking. The establishment failed to meet the regulations in 9 CFR 313.15(a)(1) and 313.15(a)(3) under HATS category VIII stunning effectiveness. (b) (6) was notified of this non-egregious humane handling noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10835+P 10835+V10 835	Sudlersville Frozen Meat Locker	YRB311 206340 5N-1	06/05/2019	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(2)	<p>Today, June 05, 2019 at approximately 0903 hours while verifying compliance with humane animal treatment category VIII, stunning effectiveness, the following noncompliance was observed. I observed an establishment employee attempting to discharge a firearm into the center of the forehead of a steer within the knocking area. Prior to the shot the steer was vocalizing and appeared anxious within the knocking pen. Upon trying to aim at the steer, the steers head abruptly moved causing an inadequate off-centered strike to the head, therefore not administering a stunning method that is rapid and effective in producing immediate unconsciousness to the animal. The establishment employee immediately fired a second shot that was effective in rendering the animal unconscious. I immediately notified (b) (6) and Mr. Dwayne Nickerson, plant owner of the noncompliance and the failure to meet the regulatory requirements of 9 CFR 313.16 (a) (1) and 313.16 (a) (2). I also informed (b) (6) that I would need sufficient immediate preventative measures to ensure that the incident would not occur again. (b) (6) verbally stated that he would have the employee wait to allow time for the animal to calm down before taking a shot. Mr. Nickerson added that he would immediately switch to a more experienced kill person. After agreeing to the proposed measures, I observed the rest of the day's cattle slaughter to ensure regulatory compliance and no further incidences occurred. Mr. Dwayne Nickerson, plant owner, was verbally notified and through this noncompliance report of the establishments failure to meet the regulatory requirements of 9 CFR Section 313.16 (a) (1) and 313.16 (a) (2) and that continued failure to meet the regulatory requirements could result in additional regulatory or administrative action as described in 9 CFR 500.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH420 006122 2N-1	06/22/2019	04C02	Livestock Humane Handling	313.2, 313.5	<p>HATS category VI On June 21, 2019, the following noncompliance was observed by (b) (6) [REDACTED]. While confirming the number of dead hogs to be tagged, (b) (6) [REDACTED] noticed that the establishment was nearly to their last pen. She then noticed that the sounds coming from the hogs on the other end of the barn were louder than the usual sound of hogs in a mostly empty barn. More than 50 hogs were in the alley leading to the guillotine doors. The gates from the south end of pen 8 to the north end of pen 3 were open. (b) (6) [REDACTED] moved closer and saw the hogs in the alley were running back and forth along the entire area and bumping into each other. The Tyson team member at pen 3, was opening and closing that gate to get the correct number of hogs into the smaller runs right in front of the guillotine doors. When a small group was separated out in front of pen 3, they could be observed breathing heavily with mouths open, with wide eyes, and bunching up in the corner. At the south end of pen 8, there was a downer which was moved from the drive alley to pen 7 to be shot. The gates to the drive alley were left open during that time. The hogs in the alley kept a distance from the team members and the downed hogs. (b) (6) [REDACTED] looked around and found no supervision in the barn. She walked to the scaling office and asked (b) (6) [REDACTED] to come out to the drive alley (b) (6) [REDACTED] explained her concerns for the handling of such a large group of hogs to (b) (6) [REDACTED] as they walked back out to the drive alley. During this time, the downer hog was shot and picked up by a skid steer. Once the downer hog was moved, the gate to pen 8 was opened again, and more hogs were driven into the drive alley. At the same time, the guillotine doors were raised, and rattle cans used to move hogs into the CO2 room. The new group of hogs, running out of pen 8 toward pen 3, created a wave with hogs closer</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>to pen 3 running toward pen 8. These hogs met at the middle and crashed into each other. There were hogs on top of other hogs and loud vocalization. At that time, (b) (6) noted a Tyson team lead come out from the CO2 room and informed him of the noncompliance. She requested (b) (6). She notified (b) (6) verbally of the noncompliance. This is written notice of noncompliance of 9 CFR 313.2(a) and 9 CFR 313.5(a)2. The gates between pens 7, 6, 5, and 4 were closed, and smaller groups of hogs were moved to the guillotine doors for the rest of the last pen. Further corrective actions will be noted in the response to this noncompliance.</p>	
M788	Aurora Packing Company, Inc.	GLK0816055610N-1	05/10/2019	04C02	Livestock Humane Handling	313.2	<p>I, (b) (6) performed ante-mortem inspection on Wednesday May 8th at 5:45AM. I noticed that the pen # 15 was very crowded. Many of the cattle were standing with their heads on top of the other cattle, because they didn't have enough room to stand. These cattle were kept overnight in this pen. Due to this overcrowding, they would have hard time to reach water troughs. Two or three cattle were sitting in one corner of the pen. The cattle in rest of this pen had barely enough room to stand. There was not enough room for rest of the cattle to lay down and take rest. It may not be possible for rest of the cattle to move near the two water troughs for drinking water. The following regulation was violated; According to the 9 CFR 313.3(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". I showed this overcrowded pen to (b) (6), who is the (b) (6). He moved some of the cattle in another pen. He said that he would put lesser number of cattle in the pen # 15 in the future.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6775+V6 775	Calihan Pork Processors	EZI0308 053802 N-1	05/02/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category III- Water and Feed Availability</p> <p>On May 2nd, 2019 at approximately 0530 while I, (b) (6), was performing ante-mortem inspection, I observed 3 pens of hogs that had pen cards signed the previous day (May 1st, 2019) at 0545 hours, with a yard time of 0545 as well. A small amount of feed was observed in pen 922 which held 9 boars. No feed was observed in pens 808 and 829 which held a combined 97 sows, and several sows were “balking” at the front of the pens while being inspected. All pens were observed to have water. I immediately inquired with the barn employees about if the animals had been fed overnight, and was informed that only pen 922 had been fed the previous night. During this time establishment employees began moving the hogs from pens 19, 922, and 924 toward the kill alley to begin slaughter operations. At approximately 0610, I located (b) (6), and explained my findings and that the two pens of hogs had been held for more than 24 hours without feed. And, these pens would not be slaughtered first thing this morning as approximately 60 hogs had already been moved to the kill alley to be slaughtered. After discussion with his employees and management, (b) (6) informed me that the employees had been instructed the previous afternoon to feed any hogs that had been unloaded and penned the previous morning. However, the two pens I had brought to their attention had been missed by the employee. I informed him that a non-compliance would be documented and reminded him that this topic had previously been discussed at an establishment meeting and documented in an MOI (#EX15712041605E), dated April 4th, 2019. The establishment’s immediate corrective actions were to move up the slaughter of the two pens of sows, and to provide feed to those pens with hogs signed for the previous morning that were unlikely to be slaughtered within 24 hours. The</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							establishment was in noncompliance with 9CFR 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."	
M20263	Halal Farms U.S.A. Inc.	MWN2 110043 804N-1	04/04/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category 2 – Truck Unloading At approximately 0640 I went outside to watch a livestock trailer be unloaded and I observed the following noncompliance. I exited the building on the west side. When I stepped outside, I observed a brown goat running across the parking lot heading south towards Badger St. I immediately went and informed both (b) (6) . (b) (6) took a few employees out to try and corral the goat. For approximately an hour the staff tried looking for the goat. Once (b) (6) finished unloading the trailer, he then helped look for the goat. The goat was last seen heading west and is still running and loose. I inspected the unloading dock area. The support post on the farthest north side has been broken away from its footings and snapped in two. This is in immediate need of repair. There are no sharp or jagged edges that can harm any livestock. The post has been moved back about 4 to 5 inches which creates a space for livestock to crawl through when trailers are being unloaded. I informed (b) (6) that an NR would be forthcoming. Your Establishment has failed to comply with Regulation 9CFR 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.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M20411+V 20411	Woodland Bison, Inc.	AQG13 100623 11N-1	06/11/2019	04C02	Livestock Humane Handling	313.16(a)(1)	At approximately 10:50 am on 11 June 2019, I observed a plant employee fail to render a steer unconscious with the first gunshot attempt. He immediately reloaded the firearm and rendered the steer unconscious on the second attempt. The steer was later shackled and butchered without further incident. I immediately notified (b) (6) at M20411, and explained to her that I would be documenting a non-compliance record. These observations were made while performing HATS category VIII and are noncompliant with 9 CFR 313.16(a)(1). HATS - Category VIII-Stunning Effectiveness (Humane Handling Activity Tracking System), is the task that verifies that the establishment is appropriately and effectively stunning animals to produce immediate unconsciousness before the animal is shackled, hoisted thrown, or stuck.	OPEN
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ550 104352 8N-1	04/27/2019	04C02	Livestock Humane Handling	313.1	Category IV At approximately 0130 on 28 April 2019 hours while observing the shower and butina area, the Inspector noticed the following non-compliance. In the north shower pen on the east end the gate that goes from the cement wall to the S-curve pathway had an exposed jagged edge that was just over twelve inches off the ground. This was due to the solid gate cover deteriorating and the metal was bent outward. This gate was rejected with US Reject Tag #B37081252. (b) (6) was notified of the forthcoming non-compliance and shown the disrepair and also an additional gate that was starting to deteriorate. (b) (6) called for maintenance to begin repairs immediately. The requirements of 9 CFR 313.1(a) were not met.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ051 505090 8N-1	05/07/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Categories V and VI (Suspect and Disabled & Alternative Object Use) On 05/07/2019 at 1600 hours, while performing inspection on suspect and disabled animals in "cripple pen B", I observed a fresh laceration on the lateral carpus of a hog. I had seen a similar laceration on another disabled animal in pen B earlier in the day. I then went and observed the small vehicle the barn personnel use to move cripples. Employees stand when operating this vehicle. They place non-ambulatory disabled hogs in its front-loaded metal bucket and transport the animals to pen B. The entire 5-foot length of the bottom, front edge of the metal bucket had a sharp edge. This sharp edge is exposed to hogs when they are placed in the bucket. I showed (b) (6) my findings and informed him I would be issuing a noncompliance report. I placed USDA Reject tag B37081250 on the bucket and indicated it could not be used to move hogs until repairs were made. On 05/08/2019 at 0840 hours, the establishment showed me a rounded metal piece that was welded on the length of the bucket's edge, effectively removing the sharp edge. I removed the USDA Reject tag and released the bucket for use. This is noncompliant with 9 CFR 313.2(c) as sharp objects which, in the opinion of the inspector, would cause injury or unnecessary pain to the animals shall not be used to drive livestock. I cannot definitively confirm that the sharp edge on the bucket caused the 2 lacerations I observed.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ512 305142 8N-1	05/28/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category VII: Slips and Falls At approximately 2210 hours while observing hogs in pen 323 of the "old" barn, the following non-compliance was observed. While observing pigs in pen 323 along the East side, I saw pigs approach the water tank to drink. The water tank is placed at the middle point of the South wall of the pen. The tank is raised on an approximately 8 inch platform. The pigs must step up on the platform to access the water tank. The step up is covered by a diamond plate sheet of metal covering the draining gutter below the tank. As pigs would step up to the water tank, I noticed some would avoid the West edge of the step up. I walked around to the West side of the pen and saw that the diamond plate covering had shifted away from the step up creating an approximately 5 inch gap into the draining gutter below. I witnessed pigs trying to avoid the gap and some stepping down into the gap as they drank from the tank. I did not see any cuts or scrapes to the legs of the pigs in this pen. I immediately called for a supervisor to the pen. When (b) (6) arrived, I showed him my observations and informed him of the forthcoming non-compliance report. As this pen had already been FSIS ante-mortem inspected and passed, the pigs were sent to slaughter. An establishment employee remained by the water tank to prevent pigs from stepping into the gutter while being driven out of the pen. Upon emptying of the pen, I placed Reject Tag B20895644 on the pen. At approximately 0035 hours after repairs had been made, I inspected the gutter covering. New bolts had been put into place to secure the plate into position. With the repairs made, I removed the tag and released the pen back into production. This is non-compliant with 9 CFR 313.1(a) as "Livestock pens, driveways and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects which may,</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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."	

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ580 706501 9N-1	06/18/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category IV – Handling During Ante-mortem Inspection HATS Category VI – Alternative Object Use On 06/18/2019 at 1019 hours while performing antemortem inspection, I observed a humane handling noncompliance when employees were removing hogs from pen #20. I performed antemortem inspection on pen 20 and released the 177 hogs for slaughter. A company employee then began moving the hogs in pen 20 to slaughter. Pen 20 has a 3-foot-tall metal gate in the middle of the pen which divides the pen into two sections (north and south). I observed an employee enter the front of the pen (north), standing in the path of the hog's exit. The employee then attempted to walk through the stocked pen of hogs, with a rattle paddle, towards the divider gate in the middle of the pen. The employee was attempting to get behind the group of hogs to start driving them towards the exit. Moving through the group with the paddle caused the hogs to get excitable, driving them backwards towards the divider gate in pen 20. With no room to move, the hogs began piling on top of one another against the divider gate with increasing vocalization. The employee continued walking through the hogs despite their increasing excitability. I then observed one hog climb on the back of the group of hogs and jump over the 3-foot divider gate, landing in the south side of pen 20. (b) (6) was present at the time of my observation and I informed her that I would be issuing a noncompliance report. (b) (6) informed me as a corrective action they decreased the pen capacity guidelines to prevent overcrowding in the pens. Later in the day it was noted that the pen capacity count in pen 20 was decreased from 184 to 154. This is noncompliant with 9 CFR 313.2(a) as driving of livestock from the holding pens to the stunning area shall be done with a minimum of excitement. Weekly meeting MOI WLJ4217040419E from</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							4/18/2019 documents that USDA expressed its concern for this very scenario. The MOI states, "(b) (6) observed drivers entering the front of a pen (where the hogs need to exit). This drives the hogs to the back of the pen causing commotion with hogs getting excitable."	
M2439+P2 439+V2439	Ranchland Packing Co.	WHN20 120414 30N-1	04/30/2019	04C02	Livestock Humane Handling	313.30(a)(3)	Category VIII Stunning Effectiveness: On 4/30/19 at approximately 10:50 hours (b) (6) observed plant employee, (b) (6) attempt to knock a sow with the 12 gauge shot gun while he was on the other side of the knock box. After (b) (6) heard the shotgun discharge the sow began vocalizing and did not fall to the ground. (b) (6) then went to the other side of the knock box and observed (b) (6) render the animal unconscious with a properly placed second shot from the shotgun. The time between the first knock and the second knock that rendered the animal unconscious was about 90 seconds. An exam of the swine's head revealed the knock was too far forward. An immediate regulatory control action was taken with the placing of US Rejected tag number A6543731 to the knocking box. The hog was not immediately rendered unconscious on the first stunning attempt, which is a non-compliance with 9 CFR 313.15(a)(1). Plant manager, Justin Fisher was notified of this noncompliance at the time of observation, and again in writing with the issuance of this noncompliance record.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2460+P2 460	Cimpl's, Inc.	PMB00 120443 29N-1	04/29/2019	04C02	Livestock Humane Handling	313.15(a)(2), 313.2	<p>HATS VI - Alternative Object Use HATS VIII - Stunning effectiveness At 0956 hours while observing HATS at the restrainer, the following humane handling violation was observed. The establishment was harvesting cows via an initial ritual cut (HALAL) followed by an immediate knock via a pneumatic captive bolt gun. The lot of cows consisted of mixed dairy, mostly small Jersey cows and Jersey crosses. At the time of the incident, a smaller Jersey cow was in the restrainer and was balking at the head catch. The size of the cow's head in relation to the size of the head catch made it difficult to restrain the cow. After several attempts the HALAL practitioner grabbed the cow's right ear with his left hand and attempted to pull the cow into the head catch at which point the cow appeared to struggle more (pulled back). I immediately instructed him to stop, which he did. I let the stunner know that harvest was temporarily halted and for him to let the cow out of the restrainer. I rejected the restrainer with US Reject tag B38161047 and notified (b) (6) of this regulatory control action. This is a violation of 9 CFR 313.2 and 9 CFR 313.15(a)(2) which set the standard for the handling of conscious animals prior to stunning. The establishment proffered written corrective actions, the regulatory control was removed, and harvest was allowed to resume.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M18859+P 18859+V18 859	North American Bison, LLC	HFB571 705100 1N-1	05/01/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category VI Electric Prod/Alternative Object Use On May 1, 2019 at approximately 1647 hours while establishment was unloading Bison animals from a trailer, animals were to be held overnight for slaughter the following day, I observed the following Noncompliance: I noticed through the inedible room roll up door a trailer containing Bison backed up to the unloading ramp. Loud noises could be heard coming from outside and through a window on the roll up door the I observed (b) (6) was repeating using an electrical prod on a Bison inside of trailer that was refusing to going down ramp. (b) (6) was on the opposite side of trailer and was also observed repeatedly using electrical prod on the Bison. The animal inside of trailer responded to prodding by kicking the trailer side and moving away. No vocalization was heard coming from the animal. I went outside to get a better view of what was occurring and I observed (b) (6) prod the animal four times before he noticed I was standing watching at which point he stopped due to be me being present. He rested the prod against the trailer and began using a rattle paddle to encourage the animal to unload. (b) (6) prodded the animal four times before he was informed by (b) (6) of my presence, he stopped using prod and began to use a rattle paddle to encourage unloading. The animal in the trailer responded to the prods by kicking the trailer side, moving from one side to another and at times by spinning in circles before ramming sides with its head. After several minutes Plant Manger Rodney Swart came out to help unload animals and was informed of Noncompliance. Animal was moved to belly of trailer by the use of rattle paddles and was able to be unloaded last after the rest of the animals were unloaded without the use of electrical prods. Noncompliance with 313.2(b) establishment</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							excessive use of electrical prods did not minimize the excitement of animal and was causing discomfort.	
M889A+V8 89	J.F. O'Neill Packing Co. Inc.	DSC410 604451 7N-1	04/17/2019	04C02	Livestock Humane Handling	313.2	<p>Category III - Water and Feed Availability; Category IV - Ante-mortem Inspection At approximately 0610 on 4/17/2019, I entered the barn to perform ante-mortem inspection. When I reached the top of the stairs I discovered three bovines in the alley instead of a pen. They were contained by a gate across the alley and one to Pen 3. The gate to Pen 3 was unlatched and three of them wandered out, but then none could return as the gate limited their movement. The area where they were caught was just big enough for the three, so when one tried to return to Pen 3, the gate would get pushed shut at the same time. The alley does not hold a watering point; therefore, these animals had no access to water since some time after around 1900 Tuesday (4/16) evening when the last establishment employee was in the barn. One employee was currently present in the barn, so I asked him to find (b) (6) to witness the situation while I waited. A few minutes later (b) (6) returned and observed the animals without access to water. At that point he instructed the barn employee to open pen gates in order to allow the animals to move out of their confined space and then into a pen with water access.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2366+P2 366+V2366	Ben-Lee Processing Inc.	XBJ171 204262 5N-1	04/25/2019	04C02	Livestock Humane Handling	313.16(a)(1)	At approx. 1100 hours on 04/25/2019 (b) (6) witnessed an employee attempt to render a very agitated animal unconscious with a rifle. The employee was very patient and waited for the animal to calm down but the first attempt was high. The second attempt was immediate and accurate and rendered the animal unconscious. Failure to render the animal unconscious on the first attempt is a noncompliance of regulation 313.16(a)(1). The employee knew what to do and was prepared. The establishment was instructed to continue and that an NR would be issued. There has been no other issues or NR's written in the past 90 days.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M320M+V 320	Smithfield Fresh Meats Corp.	VWK23 140614 05N-1	06/05/2019	04C02	Livestock Humane Handling	313.1	<p>CATEGORY IV – ANTE-MORTEM INSPECTION On June 5, 2019 at approximately 1000 hours I, (b) (6) [REDACTED], was performing ante-mortem inspection. While observing the 172 pigs in pen 1DC I observed a metal plate approximately 3 ft by 3 ft that had fallen on the floor. The plate is usually secured against the wall toward the center of the pen to seal off a previous gate location that is no longer used. There were six empty nail holes in the plate, and two holes with 1" nails present that were pointing vertically with the pointed end up. There were two 1" bent nails present on the ground in the pen. In the section of wall normally sealed off by the plate, there was an old hinge which had one nail present and one empty nail hole. The plant employee escorting me immediately moved to pick up the plate and both the plate and the nails were removed from the pen. I rejected the pen with US Reject Tag # B28276046 and notified (b) (6) [REDACTED] this is a noncompliance with 9 CFR 313.1(a). The pigs were moved out of the pen and the wall and metal plate were repaired. The pen was checked for any remaining loose nails and none were found. I removed the reject tag at approximately 1205 hours and returned the pen to use for production.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M245E	Tyson Fresh Meats, Inc.	IBF3009 045222 N-1	04/22/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII- Stunning and Effectiveness: 9 CFR 313.15 (a)(1) 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. On 4/20/2019, at approximately 1914 hours, I was at the knocking box performing a Humane Handling Task. I observed a heifer receive a direct contact knock from the pneumatic knocking gun that didn't render the animal unconscious on the first attempt. The animal was alert and was voluntarily blinking and moving its head around in a controlled manner after the first attempt. The animal never vocalized or showed excitement. Short time later the heifer received a second knock, from the back up knocker, with the hand-held captive bolt that did render the animal unconscious. There was a QA present at the time who took immediate action by stopping production for the same observation. The QA immediately called for the Animal Welfare Specialist and a supervisor to come to the knocking box. The QA informed the (b) (6), as to his observation upon his arrival. (b) (6) arrived at the knocking area (b) (6) inspected the knocking holes and stated that the knocks had penetrated the brain cavity. I also had the QA call (b) (6) to the knocking box at this time. When (b) (6) and (b) (6) were present, I informed them of my observations. (b) (6) informed (b) (6) that they could resume production due to it not being egregious. (b) (6) informed (b) (6) that they were running the line out for lunch break at this time.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							(b) (6) were informed that a Non-compliance record would be issued.	
M337+V337	STX Beef Company	UNG4907042108N-1	04/04/2019	04C02	Livestock Humane Handling	313.2	HAT Category IV : 9 CFR 313.2(a) Today April 4, 2019 at approximately 9:15 am, my attention was called because three steers were down on the right lane of the serpentine walkway. The first and the last steers somersaulted on their back and the middle one was lying on its belly with the head area covered by the first steer. At 9:30 am the first steer was stunned by a gunshot, upon prior consultation with the IIC, and the third steer was stunned by the kill floor superintendent and the plant personnel were able to extract the steer successfully and send it to the shackle/hoisting area where it was hanged and bled. The second/middle steer was able to stand, ambulate/walk to the stunning area. This non-compliance was documented for the Plant failure to comply with 9 CFR 313.2(a) "Driving of livestock from the unloading ramps to 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." An experience employee by the name of (b) (6) was assigned to the serpentine driveway area and no repetition of the said incident occurred again.	CLOSED
M7050+P7050	Dalhart Processing	SVK3211061211N-1	06/11/2019	04C02	Livestock Humane Handling	313.2	HATS Category 3: Water/Feed Availability: 9 CFR 313.2(e) On 06/11/2019 While performing Anti-Mortem Inspection at Est, 7050 Dalhart Processing I observed the following non-compliance, 1 animal (Swine), no water was available for this animal. I notified Management about the non-compliance This is a violation of 9 CFR 313.2(e)	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI551 404001 5N-1	04/15/2019	04C02	Livestock Humane Handling	313.1, 313.2	<p>On April 15, 2019, while conducting an ante-mortem inspection of the facilities and animals at Establishment M13445, I observed that the holding pens/fences were in a poor state of repair, and animals that had been held overnight did not have adequate access to feed and water. The establishment has failed to maintain the pens and fencing. As a result, several locations had jagged pieces of metal protruding inwards which could potentially injure the animals as they are being driven to the knock box. This finding is in direct contradiction to the establishment's Humane Handling program under objective two and 9 CFR 313.1 (HATS category II. Truck Unloading). Furthermore, the cattle in pen two had no access to feed and the 24 pigs in pen five had no access to feed or water which is noncompliant with 9 CFR 313.2(e) [HATS category III. Water and Feed Availability]. These findings were presented to Establishment Administrator Kelsey Lloyd and a USDA Reject Tag [B41226924] was placed on the unloading area at approximately 0830. Once establishment maintenance personnel removed the jagged metal and provided animals with adequate access to feed/water, the USDA Tag was removed at 1100. While inspecting the holding pens on April 17, 2019, three additional areas of sharp and/or protruding objects were observed. These areas included: screws protruding from the east wall in the unloading alley, sharp edges of a metal plate used to reinforce the fencing leading to the knock box, and portions of sheet metal used to reinforce the gate of pen 7. These areas were presented to Establishment Administrator Kelsey Lloyd. The knock box was tagged with a USDA Reject Tag [B36297626]. Again, these findings are in direct contradiction to the Establishment's Humane Handling program under objective two and 9 CFR 313.1 (HATS Category II. Truck Unloading). Establishment maintenance personnel</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							immediately addressed the areas of concern, and establishment management submitted a Course of Action to prevent recurrence of similar findings. Pens and alleys were re-inspected at 1415 and found to be in compliance with 9 CFR 313.1, thus allowing for the subsequent removal of USDA Reject Tag B36297626.	
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI371 204511 6N-1	04/16/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.2(f)	At approximately 1100 on April 16, 2019, while performing administrative duties at establishment M13445 [writing NRs in USDA office], I heard the report of a captive bolt followed by a cow vocalizing. I immediately proceeded to the slaughter floor where I found a conscious animal in the knock box. The Kill Floor foreman was rushing to retrieve a rifle while the individual performing halal slaughter was rapidly attempting to reload a captive bolt. The animal in the knock box was rendered unconscious within the next two minutes after being struck by the captive bolt an additional time. Upon arrival to the kill floor, I did not observe a backup stunning device or rifle which is to be readily available for ritual slaughter according the establishment's humane handling program under objective 3. Post-mortem examination of the animal revealed the animal sustained a misplaced knock (vs a missed knock or misfire) followed by an accurate knock. These observations/findings are in noncompliance with 9 CFR 313.2(f) and 313.15a(1) under the HATS Category VIII Stunning Effectiveness. The knock box was tagged USDA Rejected [Tag B36297621] at 1110h and Establishment Administrator Kelsey Lloyd was made aware of the findings.	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI491 206510 6N-1	06/06/2019	04C02	Livestock Humane Handling	313.1	On 06 June 2019 at approximately 1030, while conducting a Humane Handling task at Est M13445, I observed various deficiencies with the pens, alleys, and driveways. They are not being adequately maintained and have poor drainage. As a result, each cattle pen is filled with several feet of mud and manure resulting in tens of thousands of maggots being observed throughout this area due to large amounts of standing water, feed, and manure. Debilitated/sick cattle can become bogged down in this material and trampled if not appropriately separated or the stocking density is too high. The alleyway, which is used to separate and examine cattle for antemortem purposes, is constructed of smooth concrete which also has poor drainage. This surface does not provide an adequate slip-resistant surface for cattle being driven to the knock box. There are loose bars and sharp edges protruding in the unloading alley for the pig pens. Some of these deficiencies were expected to be addressed through corrective actions proffered by management in response dated April 17, 2019 to NR ABI5514040015N. Management has failed to follow through on these corrective actions. These findings are noncompliant with the establishment's Humane Handling program under objective two and 9 CFR 313.1 (HATS category II. Truck Unloading). Once again, as noted in the MOI dated 5/16/2019, management at Establishment M13445 has failed to implement its own humane handling program. Failure to effectively address these findings has resulted in regulatory control action being taken and unloading pen was tagged US Rejected B36297649	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI021 007040 1N-1	06/28/2019	04C02	Livestock Humane Handling	313.1, 313.2	On 28 June 2019 at approximately 1035, I observed (b) (6) and one of his suppliers attempting to unload a double axle cattle trailer with five head on board. As the holding pens and alley was already full, some of the cattle were moved off premises to make room for the arriving cattle. As I observed the animals being moved off premises, I noticed that several (5-6) calves had broken limbs or were non-weight bearing on one of their limbs and the deep mud in the pens only exacerbated their difficulty. By definition, these calves are disabled and should be separated from normal ambulatory animals in accordance with 9 CFR 313.2(d)(1). Additionally, despite the recent improvements to the pens, they still lack the adequate footing as required by 9 CFR 313.1b. (b) (6) was verbally informed of the pending noncompliance record. This document serves as written notice of the establishment's failure to comply with the Federal Regulations and continued noncompliance could result in additional regulatory or administrative action.	OPEN
M8080+P8 080	The Hillshire Brands Company	CON41 090511 06N-1	05/06/2019	04C02	Livestock Humane Handling	313.2	May 6, 2019 At approximately 15:45 (b) (6) found hogs in the back alley near the loading docks with 7 animals laying there. Upon further investigation (b) (6) found that the gate to pen 24 was unsecured which allowed the animals to leave the holding pen. The gate was closed so that those animals were unable to re-enter the pen leaving them no access to water. Also, the gate to the exit door by the docks was also unsecure leaving a potential opportunity for the animals to push out the gate. This incident violates 9 CFR 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. There shall be sufficient room in the holding pen for animals held overnight to lie down. USDA FSIS (b) (6)	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7455+P7 455+V7455	Williams Sausage Co Inc	UQD16 090427 30N-1	04/30/2019	04C02	Livestock Humane Handling	313.2	HAT Category III (Water and Feed Availability) On 4/30/19, while performing HATS Task 3 at approximately 8:45 a.m., I (b) (6) observed a disabled sow lying alone in a non-livestock holding pen (the alleyway between pens 3 and 5) with no available water supply. I immediately notified (b) (6) of the noncompliance and observed as he promptly took a bucket of water into the alleyway with the sow. He indicated that the sow was to be slaughtered directly after the employees returned from break. I informed him this would be documented as it is noncompliance with 9 CFR 313.2(e) and subsequently informed Mr. Tommy Ray, Senior Plant Manager, of this noncompliance.	CLOSED
M966+P19 049+V966	Univ of Arizona Food Products & Safety Lab	CTN151 704410 3N-1	04/03/2019	04C02	Livestock Humane Handling	313.1	On April 3, 2019 while performing ante-mortem inspection I observed a puddle of water approximately 5 feet in diameter in one of the small ruminant animal holding pens. The pen's floor was dirt with straw. The water was coming from a leaking water cup. There were no animals in the pen at the time of inspection. This a violation of Regulation 313.1(a). Plant management stated that they would use the other small ruminant pen and not put animals in the affected pen until the water cup float was repaired. Plant management was notified that a noncompliance record would be issued. This noncompliance record is not linked to another noncompliance record.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1420+P1 420	Loftus Meats	AEF031 005141 7N-1	05/17/2019	04C02	Livestock Humane Handling	313.16(a)(1)	On 5-15-19 at approximately 9:00 am I (b) (6) along with (b) (6) observed the following noncompliance while performing a Livestock Humane Handling task during slaughter operations at Loftus Meats est. 1420, The first stun attempt on the second beef did not render the beef unconscious, possibly caused by what sounded like a diminished charge in the .22 lever action rifle used by the establishment owner Leroy Loftus. A second shot was administered within 15 seconds which rendered the beef unconscious and insensible to pain. Inspection of the head confirmed that both shots were in the proper placement. I informed Mr. Loftus of the noncompliance and my intent to write this NR. This was the last scheduled animal of the day and so no other action is needed at this time.	OPEN
M4975+P4 975	Dale T. Smith and Sons Meat Packing Company Inc	IYC5015 052731 N-1	05/31/2019	04C02	Livestock Humane Handling	313.2	Category III: Water and Feed Availability On 5/31/19 at approximately 1336 hours I, (b) (6), observed the following noncompliance while performing a routine 'Livestock Humane Handling' inspection task in the livestock yard. There were cattle in a small holding pen on the south end of the property, the only water trough available to this pen was empty not allowing access to any water. I verbally notified (b) (6) of this noncompliance. I then observed (b) (6) fill the trough adequately providing cattle with access, no U.S. Retain tags were necessary. A review of recent noncompliances revealed none issued for the same cause.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M354	Cargill Meat Solution	RNK2917062527N-1	06/27/2019	04C02	Livestock Humane Handling	313.2	<p>Noncompliance observed for a beef cow head trapped in the stunning area. At about 0857 hours, a beef cow got its head stuck in the knock box area with the neck curved outward in a C-shape and trapped in a space adjacent to the main conveyor line leading to the knock box. At about 0903 hours, the plant reported to IPP that they will be using (b) (4) to tranquilize the animal. IPP kept monitoring the situation while plant management went to get the tranquilizer from the yard. At about 0910 hours, the plant injected the first shot of (b) (4). A second injection was given about 5 minutes later. Attempts to pull the animal out proved futile until 0922 hours; the animal got pulled out of the entrapment, was knocked and carried away to be condemned. The cow was in this entrapment for an estimated 13 minutes. The establishment is working on short and long-term corrective actions to prevent reoccurrence; hence I elected not to reject the knock box. I informed plant (b) (6) that a noncompliance against Title 9 CFR 313.2 will be issued.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M400	Los Banos Abattoir	ZJG311 305131 6N-1	05/16/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On May 14, 2019 at approximately 0933 hours, (b) (6) was performing Humane Handling task HATS category VIII: Stunning Effectiveness, when she heard the first stun applied, opened the door by the knock box and observed the cow still standing and moving. (b) (6) walked up the steps to look inside the knock box and observed the cow was standing, blinking, the eyes were tracking (b) (6) and the stunner employee, and the cow was moving her head towards her flank and breathing regularly. This indicates the animal remained conscious after the first stunning blow. The second stun was applied immediately with a preloaded backup stunner after the first stun. Upon the second stun, the animal was rendered unconscious. (b) (6) walked to the dry landing area to observe the skull with hide attached. She observed two penetrating wounds. (b) (6) immediately stopped production after making sure the animal was unconscious (b) (6) notified (b) (6) that she was taking a regulatory control action and tagged the knock box with US Rejected tag number No. B45314295 in accordance with 9 CFR 313.50 (c), and that she would be contacting (b) (6) Hanford Circuit, to inform her of the issue. Failure to properly knock the animal in such a manner that produced immediate unconscious is a violation of 9 CFR 313.15(a)(1). As the animal was rendered unconscious after the second blow, the issue was deemed non-egregious noncompliance. (b) (6) were informed of the noncompliance record and the knock box was released at 1020 hours after initial corrective actions were proffered.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4928+P4 928	Islamic Meat & Poultry Co.	DTD271 804201 7N-1	04/15/2019	04C02	Livestock Humane Handling	313.1	<p>On 04/15/2019 at approximately 1800 hours during an odd-hours inspection, while performing an inspection of the establishment's livestock holding pens, driveways and ramps (HATS Category IV, Ante-Mortem Inspection), I observed the small ruminant staging pen (north side of the beef chute) that had a horizontal fence panel metal bar, located next to the pen floor, that was corroded and broken, with rusted sharp metal edges in the broken edge, and presented a sharp object hazard for animals. Also, the four-foot wide gate at the entrance to the small ruminant staging pen had a broken bar across the bottom of the gate near the pen floor and presented a sharp object hazard to animals that would pass through the gate. I ensured that the gate to the staging pen was closed so that no animals could be led into the pen. This staging pen is frequently used for holding small ruminants prior to entering the facility; however, during this inspection no animals were in the pen. No animals appeared to have been injured by these sharp object hazards. The presence of these sharp object hazards was a noncompliance with Title 9 CFR 313.1(a). I applied U.S. Reject tag B42126779 to the staging pen gate to prevent any animals from being placed in the pen. I also observed the south end of a wire fence panel in the west wall of Pen 11 that was protruding into the pen space approximately 6 inches; this protruding object would be a hazard to animals if placed in pen 11. This was a noncompliance with Title 9 CFR 313.1(a). At the time of this inspection there were no animals in pen 11. I applied U.S. Reject tag B42126516 to the pen 11 gate and ensured the gate as closed to prevent any animals from being placed in the pen.</p> <p>(b) (6) [REDACTED], was notified of the noncompliance.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4969+P4 969	J J Meat Co.	JCO171 404010 4N-1	04/01/2019	04C02	Livestock Humane Handling	313.2	<p>On Monday April 1, 2019 at approximately 1331 hours, the following noncompliance was noted while observing Category III – Water and Feed Availability Component of the Humane Handling verification. I was on the west side of the USDA suspect pen when I observed ten bob veal inside pen 2a that connect pen 1 to pen 2. At the time of my observation the establishment had just finished unloading a trailer of approximately seventy bob veal. I proceeded inside the slaughter floor to finish a direct observation task. At approximately 1350 hours I went on the east side of the pens and observed the ten bob veal inside pen 2a without any access to water. I notified establishment employees (b) (6) who was there at the time that the calves have no access to water. (b) (6) filled a white five gallon bucket with water and placed the water bucket inside pen 2a at approximately 1353. At approximately 1440 hours after lunch was over, I notified (b) (6) of the observation and the forthcoming noncompliance. The establishment was noncompliant with the regulatory requirement of 9CFR 313.2(e) which states “animals shall have access to water in all holding pens.”</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4969+P4 969	J J Meat Co.	JCO321 404472 4N-1	04/23/2019	04C02	Livestock Humane Handling	313.2	On Tuesday April 23, 2019 at approximately 0953 hours, the following noncompliance was noted while observing Category III – Water and Feed Availability Component of the Humane Handling verification. During ante-mortem inspection I observed approximately 39 bob veal in the USDA suspect pen (pen 1) with no access to water. The establishment has a white barrel with two nipples that holds water for calves. I observed the water level approximately 1 inch below both nipples. I notified (b) (6) of the observation and the forthcoming noncompliance. (b) (6) filled the barrel with a water hose at approximately 0955 hours. The establishment was noncompliant with the regulatory requirement of 9CFR 313.2(e) which states “animals shall have access to water in all holding pens.”	CLOSED
M4969+P4 969	J J Meat Co.	JCO331 405230 6N-1	04/30/2019	04C02	Livestock Humane Handling	313.2	On Tuesday April 30, 2019 at approximately 1620 hours, the following noncompliance was noted while observing Category III – Water and Feed Availability Component of the Humane Handling verification. During ante-mortem inspection I observed approximately 54 bob veal in pen 2 with no access to water. The establishment has a white barrel with a single nipple that holds water for calves in pen 2. I observed the water level approximately 1/2 inch below the nipple. I notified (b) (6) of the observation and the forthcoming noncompliance. (b) (6) checked the nipple by squeezing it to simulate a calf using the nipple but no water was observed. The barrel was filled with water at approximately 1622 hours. The calves in pen 2 did not appeared distress due to no access to water. The establishment was noncompliant with the regulatory requirement of 9CFR 313.2(e) which states “animals shall have access to water in all holding pens.”	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M934	Charlie DiMaria & Sons	VMH08 100617 04N-1	06/04/2019	04C02	Livestock Humane Handling	313.1	HATS Category VII, Slips and Falls On Tuesday, June 04, 2019, at approximately 0630 hours while performing a Livestock Humane Handling, HATS Category VII: Slips and Falls review and observation task, the following noncompliance was observed out in the pens. On the alleyway that connects all pens and leads the livestock to stunning chute, a section approximately 20 feet long was observed with layers of accumulating dry fecal material. Excessive amounts of damped fecal material was observed throughout seven of the pens. These conditions along with poor footing on the floor may lead to slips and falls that can cause injury to the livestock. Further, the roof water drainage gutter on both side of the shed was observed with sharp ends due to broken parts, and falling on to the pens where the animals reside. These findings do not meet 9CFR: 313.1(b), therefore Celerino Ruiz, Plant Supervisor was notified of this noncompliance. This is noncompliant with 9 CFR 313.1(b).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M226+P48 63+V226	Independent Meat Company	DOD11 100631 24N-1	06/24/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category III On Monday, June 24, 2019 at approximately 0650 hours, while performing ante mortem inspection, (b) (6) checked the nipple-watering spouts in pen # 4 and observed that there was no water available for the hogs in that pen. (b) (6) immediately notified (b) (6) that there was no water available, while she was presenting those hogs to FSIS IPP for ante mortem inspection. (b) (6) then checked the nipple-watering spouts in pens # 1, and # 2 and there was no water available in those pens either. (b) (6) had checked each of the pens presented for ante mortem for water availability during ante mortem inspection (Pens # 10, # 9, # 8, # 7, # 6, # 5 and #3) that morning and observed water available in each of those pens, prior to checking pen # 4. (b) (6) then went back and re-checked the nipple-watering spouts in pens # 3 through # 10 and observed that there was no water available in those pens either. (b) (6) then checked the valves leading to the livestock holding pens and observed that those valves were still open. (b) (6) then notified (b) (6) that there was no water available in the livestock holding pens at 0655 hours. (b) (6) immediately came out to the livestock holding pens to investigate. (b) (6) went below the livestock holding pens to the firm's inedible rendering facility and found that a line had blown a leak and the employees down there had inadvertently closed the valve that supplies water to the livestock pens. (b) (6) had the valve re-opened and water was restored to the livestock pens at approximately 0705 hours. The establishment failed to provide the animals access to water in all holding pens. (b) (6) notified (b) (6) of this noncompliance at approximately 0726 hours in (b) (6) office on June 24, 2019. There has</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							been no similar noncompliance cited within the past 90 days. Therefore, this NR will not be linked as repetitive.	
M12455+V 12455	Sanchez Slaughterhouse	SCG361 604542 9N-1	04/27/2019	04C02	Livestock Humane Handling	313.2	Humane Handling: M12455 (Sanchez Slaughterhouse) HATS Category III - Water and Feed Availability On 04/27/2019, at approximately 0255 hours, William Sanchez, Owner, informed me that I could proceed to perform my Ante-Mortem inspection. I proceeded with my inspection and I observed a total of thirteen (13) cattle in six pens, housing 2 or 3 animals in each pen. I observed the first two pens had two yellow five gallon buckets laying on their sides, no visible water inside and around the bucket. I also observed the other four pens did not have buckets, or another container with water, therefore I determined the animals did not have access to water. I verbally notified Mr. Sanchez of the noncompliance. The noncompliance was not immediately corrected by management. Past Similar NR: SCG2214032919N/1, dated 03/15/2019, Open Further planned corrective action will be documented by the management in response to this noncompliance record.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M791+P79 1+V791	Clemens Food Group, LLC	MXL23 160425 17N-1	04/17/2019	04C02	Livestock Humane Handling	313.2	<p>On April 16th, 2019 I observed (b) (6) observed the following; The establishment utilizes automated equipment to push hogs forward towards the carbon dioxide chamber. This equipment also acts as a gate to section off the alleyway leading to the carbon dioxide chamber. These metal gates rise above the hogs, and then return to the ground. While this occurs, handlers are present to keep the hogs moving towards the carbon dioxide chamber. We observed a hog vocalize as the equipment made contact with the length of the hog's back. As the equipment made contact, it continued with downward motion causing the hog to vocalize a second time. The hog also hunch down towards the ground as it made its way out from underneath the equipment. A handler with a rattle paddle was within the immediate area and did not prevent or control the situation. I immediately took a regulatory control action and had the handler stop the equipment line. The establishment has two production lines in the barn, and I also took regulatory control of the second line. I notified (b) (6) of the observation. The establishment's corrective action was to discontinue the use of the automated gate equipment. I notified (b) (6) of the noncompliance with 313.2(a)</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M791+P79 1+V791	Clemens Food Group, LLC	MXL47 090424 30N-1	04/30/2019	04C02	Livestock Humane Handling	313.2	<p>On April 30, 2019 at approximately 0704 hours I, (b) (6) observed the following noncompliance and took verbal regulatory control action: Establishment utilizes an automated equipment to push animals (market swine's) into the CO2 chamber and another automated door comes down to shut the entrance of the chamber. I observed an animal vocalizing and lodged by the neck between the two automated equipment's (one automated equipment pushes animal in and another comes down to close the chamber). At this time, I took verbal regulatory control action by stopping the process and contacted (b) (6) and verbally informed him of the situation. At approximately 0727 hours verbal regulatory control action was relinquished. (b) (6) is notified in writing of this record of noncompliance. (b) (6) is notified verbally and in writing of this record of noncompliance for establishment failure to meet the Meat and Poultry Rules and Regulations OF 9 CFR 313.2.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton, Inc.	KID360 005042 6N-1	05/26/2019	04C02	Livestock Humane Handling	313.2	<p>Category V: Suspect and Disabled On Saturday 05/25/2019 at approximately 2330 hours I, (b) (6) observed the following noncompliance at JBS, Est. NO. 1311 in Pen NO. 39 as I conducted Humane Handling Inspection in the Barn. As I inspected the pens, IPP observed a cow laying completely flat on her right side in Pen NO. 39. I was unable to make a determination about the period of time that she was in this condition. The cow's eyes were not moving nor were her eyelids blinking. Her mouth was shut and she exhibited labored breathing. The cow did not move nor did I hear her vocalize. There were bulls in the pen and the bulls kept tracking the females, but as the females kept avoiding the bulls they repeatedly trampled upon the NAD. There was no establishment employee available in the barn to address the situation. I saw a maintenance supervisor and asked him if there was any barn personnel on the plant. He informed me that there was no one available. IPP went to the Chubs Department and informed (b) (6) that I needed her to call the General Manager and inform him about the situation so that he can direct someone to come to the barn immediately, assess the animal and have the animal euthanized, as necessary. (b) (6) and I went to (b) (6) office and after informing him about the situation, I asked him to call the General Manager. He got on the phone, called his boss (b) (6) but received an answering machine. (b) (6) called (b) (6) and he said that he would come to the barn. (b) (6) and I went to the barn and I noticed that the NAD was in the same position as had I first observed. The bulls and the cows kept walking on her head and on her left front and hind legs, but she now raised her left hind leg. Each time, (and it was many times, because of the nonstop activity of the bulls pacing</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>the cows) that they walked on her, and whenever they stepped on the NAD, she raised her left front and back legs but she did not raise her head, nor did her eyes move. (b) (6) arrived. Firstly (b) (6) removed all the livestock from the Pen NO. 39. Secondly he walked over to the NAD tapped her with the plastic paddle twice but she did not move. (b) (6) left and he returned with a metal bucket. Thirdly, IPP observed (b) (6) administering three separate shots from a Captive Bolt, according to their Robust Systematic Approach, and the animal was euthanized at 00:43am. IPP informed (b) (6) that a noncompliance will be issued.</p> <p>(b) (6)</p> <p>are being notified in writing about the plants failure to apply the Meat and Poultry Regulations of [9CFR 313.2]</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton, Inc.	KID351 506290 5N-1	06/05/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category III - Water and Feed Availability</p> <p>On Wednesday, June 5, 2019 at 0917 hours while performing humane handling verification activities at Establishment M1311, I (b) (6) observed the following Noncompliance.</p> <p>Approximately 17 Holstein cows were in Pen 9, a pen that has no water trough but adjoins Pen 8, which does. The gate between the two pens was closed, preventing the animals in Pen 9 from accessing the water trough. I immediately called for a manager, and (b) (6), quickly appeared. He verified that both Pen 8 and 9 were housing the same lot of animals, and opened the gate so the cows in Pen 9 were able to enter Pen 8 and use the water trough. Once all animals had free access to water, he obtained a chain and clip from nearby storage and chained the gate to the pen railing so it would could not be closed by accident by cows in the pen. The new chain was placed in the pen at 0923 hours. I informed (b) (6), at 0955 of the Noncompliance related to Regulation §313.2 (e) requiring animals to have access to water at all times.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton, Inc.	KID231 206022 6N-1	06/26/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII-Stunning Effectiveness On June 26, 2019, at approximately 9:10 am while performing humane handling verification activities at Establishment 1311, I (b) (6) observed the following non-compliance. There was a Non-ambulatory disabled cow on the truck (b) (6), was prepared with three hand-held captive bolt devices and was standing with the cow. (b) (6) brought the first captive bolt into contact with the cow's head and discharged it. The cow lifted its head after the discharge. (b) (6) took immediate corrective action and attempted to place the alternate captive bolt on the cow's head. The cow moved its head away from the captive bolt. (b) (6) adjusted position quickly to compensate for this movement and was able to position the captive bolt properly; he then delivered the second stun, which rendered the cow insensible. (b) (6), was notified of the non-compliance and the establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1).</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4465	Nicholas Meat LLC	KYM52 130658 04N-1	06/04/2019	04C02	Livestock Humane Handling	313.2	Category VI Electric Prod/Alternate Object Use On 06/04/2019 at approximately 1400 hours while performing anti-mortem and humane handling verification in the barn I observed the following non-compliance. During the unloading process, two dairy cows needed to be separated due to the fact one of them was being suspected by FSIS. These cattle were huddled together in the corner of pen 5. I observed the driver of the truck pick up a rattle paddle and strike both dairy cows on the face multiple times (at least 5 times) to direct the cattle backwards. I observed both dairy cows squint their eyes and move their heads away from the rattle paddle. I immediately instructed the truck driver to cease his actions. The driver then placed the rattle paddle back down and stepped away from the pen. No further actions were needed. I alerted (b) (6) of the non-compliance 9CFR 313.2(b).	CLOSED
M7857	Marcho Farms Inc.	OLG080 504500 5N-1	04/05/2019	04C02	Livestock Humane Handling	313.2	HATS Category III On 4/5/19 at 0531 hours, while I was performing an Ante-Mortem Humane Handling task in the barn, I observed the following noncompliance. While I was observing the calves in motion inside Pen 3, I looked over towards Pens 1 and 2 then notice there was no water in the troughs for the calves. I took regulatory control action by stopping ante-mortem and informing the (b) (6) that this was a noncompliance of 9 CFR 313.2(e). He took corrective action by turning on the water and filling up the troughs. After corrective action was taken I proceeded with ante-mortem and did not observe any further issues. Since the establishment took immediate corrective action, I did not issue a retain/reject tag at this time.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7857	Marcho Farms Inc.	OLG290 704261 8N-1	04/18/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII- Stunning Effectiveness On April 18, 2019 at approximately 0740 hours, while performing humane handling tasks in the barn, I observed the following noncompliance. While watching the calves be driven from the pen holding area to the stunning area, there was one calf that looked like it had difficulty walking, so in order to avoid further suffering, the manager went to get the handheld captive bolt stunning device and began the process of stunning it. The first stun attempt penetrated the lower right skull of the calf, however it remained in standing and alert. He took immediate corrective action by stunning the animal effectively the second time, which rendered it insensible. I informed (b) (6) that this was a noncompliance of 313.15 (a)(1).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9368	Zrile Bros. Packing Co.,Inc	GCI421 206230 5N-1	06/05/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category III – Water and Feed Availability. On Wednesday, June 5, 2019 at Approximately 0900 while performing humane handling verification activities at Establishment M9368 (b) (6) observed the following Noncompliances. There were lambs in the alleyway that goes along the southern wall of Pen area between Pen 1 and Pen 4. With this being an alleyway there was no Automatic waterer in the alleyway nor was there a portable water container in the alleyway. The lambs in this alleyway therefore didn't have access to water. Pen 4 (Southwest Pen) has an automatic watering trough. The water line to this watering trough was turned off and the watering trough was dry. There was no portable watering tub in this pen. The lambs in Pen 4 therefore didn't have access to water. (b) (6) was immediately notified of the noncompliances. He moved the lambs from the alleyway into Pen 1 where water is available. Pen 4 had the water to the automatic watering trough turned on to make water available. These noncompliances were a failure to adhere to the regulatory requirements of 9 CFR 313.2(e).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9400+P9 400	Cargill Meat Solutions	WIL071 205370 7N-1	05/07/2019	04C02	Livestock Humane Handling	313.1	Category IV Handling during Ante-mortem and in pens. On 05/07/2019 at approximately 12:35 pm while performing ante-mortem inspection, I observed a mature dairy cow with her head entrapped in the lowest set of rungs between pen #11 and pen #12. The establishment employees promptly attempted to help the cow remove her head from the space, but after multiple attempts were unable to do so, and called for a jack. During this time the cow demonstrated signs of mild agitation, with an elevated respiratory rate and periodically paddling her hind legs. The upper rung was elevated enough with the jack to free the animal's head, but she was unable to rise, and the establishment elected to euthanize her (b) (6) [REDACTED], was notified of this non-compliance with 9CFR 313.1 (a).	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9410+P9 410	Cunningham Meats LLC	KCE580 805511 4N-1	05/14/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS CATEGORY VIII – STUNNING EFFECTIVENESS</p> <p>On May 14, 2019, at approximately 0805 hours while performing humane handling verification activities at Establishment 9410, I (b) (6) observed the following noncompliance. The Establishment had a Holstein beef steer in the stun box for stunning with a hand-held captive bolt. The steer was standing in the stun box. As the Stunner made the first stunning attempt with the captive bolt, the steer moved its head. The stunning attempt hit the right side of the forehead as evidenced by the steer's sudden movement away from the stunner and a hole in the head where the captive bolt hit, but the steer remained standing and vocalized. No regulatory control action was taken as the stunner took immediate corrective action and delivered a successful second stun, which made the steer unconscious and insensible. (b) (6), was verbally notified of the noncompliance and the Establishment's failure to adhere to 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.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9457+P9 457+V9457	Rendulic Packing Company	EFH520 504151 1N-1	04/09/2019	04C02	Livestock Humane Handling	313.2	HATS Category III – Water & Feed Availability On April 9, 2019, at approximately 0755 hours while performing humane handling verification activities at Est. 9457, I (b) (6) observed the following Noncompliance. No water was observed in the water tubs in holding pen #5 which contained 13 beef and holding pen #2 which contained 15 lambs and 1 goat. During this humane handling verification, I was accompanied by (b) (6) and he immediately began to dispense water into the tubs for the animals in these two pens. Ms. Jessica LaCivita, Plant Supervisor and (b) (6) were notified of the Noncompliance and the establishment's failure to adhere to the regulatory requirements of 9 CFR 313.2.	CLOSED
M9520+P9 520	Leidys, Inc.	UGA03 110642 06N-1	06/06/2019	04C02	Livestock Humane Handling	313.15(a)(1)	Category VIII – Stunning Effectiveness On June 6, 2019 at approximately 1023 hours in the establishment's suspect holding area, the following noncompliance was observed by myself (b) (6): After (b) (6) assessed a market swine which appeared to have a broken leg, it was determined that this animal passed for slaughter. An establishment employee, a certified stunner, administered a stun to the animal's head utilizing a hand-held captive bolt device. At this time, the animal was noted to vocalize, demonstrate eye tracking, and evasive head maneuvers while in a sitting position. The establishment employee immediately rendered this animal insensible with a second stun by the hand-held device. IPPs observed that this second stun was effective, therefore no regulatory control action was taken. (b) (6), was notified of the noncompliance and failure to meet 9 CFR 313.15(a)(1).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9548+P9 548	Wayne Nell & Sons Meats Inc.	ODJ220 905513 ON-1	05/30/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII Stunning Effectiveness Today on 05/30/2019, at approximately 0915 hours, while performing Humane Handling verification activities, at Establishment M9548, I witnessed the following noncompliance. The establishment moved a beef Heifer into the stun box for stunning with a hand-held captive bolt. The heifer was standing freely in the stun box. The stunner made the first attempt with the captive bolt in the forehead, the stunning attempt was unsuccessful at rendering the animal insensible as evidenced by the animal trying to stand. The stunner took immediate corrective action by shooting the animal in the poll with the backup 9mm hand gun, which then rendered the heifer insensible. A security stun with the hand gun was also performed in the poll. On post mortem inspection two holes in the head were noted, one in the forehead and one in the poll. The stun made with the captive bolt was low. Mr. Shane Nell (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)	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9548+P9 548	Wayne Nell & Sons Meats Inc.	ODJ401 006422 7N-1	06/27/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On June 27, 2019, at approximately 11:25 hours, while performing humane handling verification activities at Est. M9548, I, (b) (6), observed the following non-compliance. An Establishment employee moved a beef heifer into the stun box for stunning with a hand held captive bolt. The heifer was standing freely in the stun box. The employee made the first stunning attempt with the captive bolt. The heifer remained standing and vocalized. The employee took immediate corrective action by reloading the captive bolt and delivering a second stun, which made the heifer insensible. The first stunning attempt hit the head as evidenced by the two distinct holes on the head observed later on the kill floor. Mr. Shane Nell, Plant Owner, was notified of the non-compliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1). This non-compliance is linked to the humane handling NR from 5/30/19 for similar cause. The Establishment's proposed corrective action was either ineffective or not implemented.	OPEN
M9696	Bingman's Packing	QAK270 704371 0N-1	04/10/2019	04C02	Livestock Humane Handling	313.1	IV Handling During Ante-mortem On 4/10/19 at 0745 hours while performing the review and observation component of the humane handling task the following noncompliance was observed. A broken and bent metal gate was observed on the outside large pen on the right if headed away from the slaughter area. A US reject tag no. B37576511 was placed on this gate. No animals were present in this area at the time. Mr. Derek Bingman and Mr. Joe Bingman were notified verbally. A search of PHIS did not show any recent similar noncompliance. This is noncompliance with 9 CFR 313.1.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9712	Coffaro's Custom Butchering	ASI270 906090 5N-1	06/05/2019	04C02	Livestock Humane Handling	313.1	On Tuesday June 4, 2019 At approximately 0910 hours, (b) (6) were taking a tour of the new barn. There was market swine that did not have water at that time. Livestock is to access to water at all times.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562	JBS Green Bay, Inc.	QSM06 110508 23N-1	05/22/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On May 22, 2019 at approximately 11:54am (b) (6) observed the following noncompliance. While performing HATS category VIII, Stunning Effectiveness, (b) (6) observed (b) (6), attempt to stun a cow with a hand-held captive bolt device. The cow entered the restrainer very abruptly and attempted to jump through the restrainer. The cow was moved back on the belly belt and the employee discharged the hand-held captive bolt device, but the attempt did not render the animal unconscious in a single blow. The cow shook its head, its ears and head were up, and its eyes blinked several times. The other certified stunner in the restrainer area immediately used a second pre-loaded hand-held captive bolt device to stun the cow, rendering it unconscious. (b) (6) notified (b) (6) that she was taking a regulatory control action and stopped production by placing U.S. Reject Tag #B45157759 on the restrainer (b) (6) observed the presence of 2 knock holes in the skinned head. The establishment management offered verbal preventative measures, therefore the regulatory control was relinquished and production was allowed to resume. This NR is being associated with QSM5708030622 dated 3/16/2019 in which an bovine was ineffectively stunned in the restrainer. The preventative measures that were proffered for this non-compliance were either not implemented or were ineffective in preventing the non-compliance from reoccurring.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562	JBS Green Bay, Inc.	QSM18 060543 31N-1	05/30/2019	04C02	Livestock Humane Handling	313.2	<p>At approximately 6:30am on Thursday May 30th, 2019 (b) (6) observed a non-compliance with HATS category III – Water and Feed Availability, while performing Ante-mortem Inspection, HATS category IV – Handling during Ante-mortem Inspection. (b) (6) observed a cow in Pen 36 separated in the space between the bars of the pen wall and a swing gate that can divide the pen into two pens. She was unable to turn around in the small area due to other cows on the opposite side of the gate and she had no access to the water tank on the opposite side of the gate (b) (6) immediately notified the QA in the area that the animal was behind the gate and could not access water. The animals were removed from the pen by establishment employees so the gate could be opened and release the cow. The separated cow moved with the group to another pen with access to water. The employees were able to wrap the chain around the catch several times to secure the gate. (b) (6) was notified of the non-compliance. No RCA was taken because all animals were verified as moved to an area with access to water.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1816+V1 816	West Michigan Beef Co. LLC	TMB33 090454 03N-1	04/03/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS VIII At approximately 6:50 AM on Wednesday April 3rd, 2019, while performing online post-mortem inspection duties, (b) (6) heard the discharge of a captive bolt gun, but not the distinctive sound of a cow dropping unconsciously in the knock box immediately after. Upon further review of the knock box, (b) (6) observed a Holstein cow still standing. (b) (6) walked over to the knock box and observed a still standing and conscious Holstein cow in the head restraint with its head partially twisted clockwise. The stunning employee applied a second shot to the cow at this time. (b) (6) determined this second shot was effective in rendering the animal unconscious due to the animal suddenly dropping and the eyes rolling back sharply. (b) (6) observed the skinning of the animal's head and could observe two holes in the skull, one being obviously left of the mid-line. (b) (6) informed (b) (6) of the incident and the forthcoming NR. The requirements of 9CFR 313.15(a)(1) were not met. A previous ineffective stun was also documented as a NR on March 22nd, 2019.</p>	CLOSED
M1816+V1 816	West Michigan Beef Co. LLC	TMB25 110601 17N-1	06/17/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category III At approximately 0725 hours while walking through the barn to perform HATS duties and assign condemn tags to deadstock in the pens, the PHV observed the following noncompliance. There was a dead bloated carcass in Pen 13 lying along the manger and to the back wall of the pen in front of the automatic waterer. This was blocking access for the several other cattle that were observed in the pen. The PHV applied U.S. Rejected Tag B38182154 to the gate of the pen and informed the (b) (6), of the observations in the barn and the forthcoming noncompliance. The requirements of 9CFR 313.2(e) were not met.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2444	Strauss Brands Inc.	VFG5612045916N-1	04/16/2019	04C02	Livestock Humane Handling	313.2	<p>On 04/16/2019 at approximately 12:45 hrs. while conducting a HATS Category VII - Observation for Slips and Falls Livestock Humane Handling task, I observed approximately 40 head of lambs being driven into an approximately 4' wide by 15' long alleyway leading to the knock box. There was insufficient floor space to allow each lamb to stand. Three to five animals were piled on top of each other and vocalizing. Establishment employees prevented the animals from leaving the area and continued to push them towards the knock box. No animals were noted to be injured. The environmental conditions for the area (temperature of 63°F and 61% humidity per Google), the unshorn lambs' wool, and the lack of ventilation in the barn in the form of open windows or fans exacerbated the stress of being overcrowded in the alleyway. The lambs were panting. This is not compliant with regulation 9 CFR 313.2(a) as the establishment was not driving livestock with minimal discomfort and excitement. Both the (b) (6) and the Plant Manager Mr. Ruelas were notified of the noncompliance. On 02/15/2019 M2444 was issued NR number VFG1212024115N for not being compliant with regulation 9 CFR 313.2(a). In this instance, lambs were driven in a such a manner as to cause crowding and piling on top of each other in the unloading area of the barn. The locations of the noncompliances were not the same, however the driving of the lambs in both instances resulted in stressed livestock climbing on top of each other. For this reason, NR number VFG1212024115N is being associated with this noncompliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2574	Wolverine Packing Co.	RPA030 906241 8N-1	06/18/2019	04C02	Livestock Humane Handling	313.2	<p>On Tuesday, June 18, 2019 at approximately 10:00am the following non-compliance was identified by (b) (6). It was just after break, the establishment was in the process of Kosher slaughter. I observed 3 lambs already shackled and hoisted in preparation for the kosher kill they were alive and became tangled. Two plant employees had climbed up the restraint and tried to de-tangle the lambs that were now thrashing about, upon doing this one lamb fell approximately 4 to 5 feet to the ground on it's back, the lamb laid there for a minute without moving then, the employees climbed down and helped the lamb up and moved it back to the shackle pen. (b) (6) observed the lamb and determined it was not injured from the fall. A meeting was held with (b) (6) concerning the events that had taken place. He stated he would instruct his employees not to shackle the lambs in advance of hoisting and if there is an instance where they do become tangled they are to stick the lambs before they proceed. No usda tag was issued, (b) (6) was informed a non-compliance document would be issued for the above stated regulation.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M15896+P 15896	Abbyland Pork Pack, Inc.	TUN380 705141 ON-1	05/09/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 1540 hours, I, (b) (6), was watching the stunning area while performing HATS Category VIII- Stunning Effectiveness and observed the following non-compliance. I observed two pigs get wedged in the alley to stunning and another trying to go over the top. The establishment employee attempted to free these pigs by using the hard-wired electric prod and a bucket to back one out; both were unsuccessful. (b) (6), had an employee bring him the hand-held captive bolt (HHCB) to stun the pig on the west side of the alley. The first stun was ineffective and the animal remained conscious with controlled head movement. A second HHCB captive bolt gun was handed to him and attempt number two was made but the HHCB did not engage or fire. (b) (6) said there was no ammunition in the gun. The first HHCB was reloaded and a third stunning attempt was made. Due to the position of the animal and my line of sight, consciousness could not be determined. The establishment applied an additional stun as a security stun with a HHCB. Unconsciousness was confirmed after the security stun. The other hog had meanwhile proceeded up the alleyway towards the stunning restrainer. At this point (b) (6) contacted and briefed (b) (6) who reported to the alleyway. Plant manager Pat Reis was already near this location when she arrived. (b) (6) briefly discussed the incident with Mr. Reis and took a verbal regulatory control action and stopped slaughter. (b) (6) informed Mr. Reis that a non-compliance record would be forth coming. After receiving verbal corrective action and preventative measures, (b) (6) informed him that slaughter could resume. This is a noncompliance with 9CFR 313.15(a)(1) immediate unconsciousness(captive bolt). This non-compliance record is being associated with</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							TUN0313025308N from February 8, 2019 in which an ineffective stun resulted from hogs lodged in the alleyway. The corrective actions that were proffered for non-compliance record TUN0313025308N were either not implemented or were ineffective in preventing the non-compliance from reoccurring.	
M22095+P 22095+V22 095	Creston Valley Meats	QOI431 604271 1N-1	04/10/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS VIII: Stunning Effectiveness. At approximately 9:45 am on 04/10/2019 I watched establishment employee (b) (6) stun a lamb. When he pushed the trigger on the captive bolt, the shot sounded muffled. The lamb dropped, and its head was bleeding where the bolt hit, but it was still conscious, and I observed it blinking and looking around the knock box. (b) (6) immediately grabbed a second pre-loaded captive bolt and stunned the lamb effectively. When the head was skinned back, there was a divot in the skull from the first ineffective stun, and a hole from the second stun. The plastic box that held the charges for the captive bolt was slightly wet on the inside, and (b) (6) stated that some of the charges were "no good". This is a noncompliance with 9CFR 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."</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M22095+P 22095+V22 095	Creston Valley Meats	QOI571 604321 1N-1	04/11/2019	04C02	Livestock Humane Handling	313.2	HATS III: Water and Feed. At 1:30 pm while inspecting in the pens, I noticed that 3 sheep had been held in the pens without access to water for an hour and a half. I informed establishment employee (b) (6) of the noncompliance and he went out to the pens and filled a water trough for the sheep. This is noncompliant 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."	OPEN
M22095+P 22095+V22 095	Creston Valley Meats	QOI371 604382 9N-1	04/28/2019	04C02	Livestock Humane Handling	313.2	HATS III: Water and Feed. At 11:00 am on 4/28/19 while performing an Odd Hour Inspection Task, I noticed that 7 sheep and 4 pigs had been held in the pens without access to water. The automatic waterers were closed off in a pen with two beef, and the other animals could not access them. I informed (b) (6), and she contacted the establishment owner Simon Caleb and notified him of the noncompliance. He had an employee fill the water trough in the pen. This is noncompliant 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." A similar noncompliance for animals being held without water was written on 4/11/19.	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M22095+P 22095+V22 095	Creston Valley Meats	QOI421 604492 9N-1	04/29/2019	04C02	Livestock Humane Handling	313.2	HATS III: Water and Feed. At 11:00 am on 4/28/19 while performing an Odd Hour Inspection Task, I noticed that the animals held in the pens did not have feed. At 7:00 am on 4/29/19 I checked the pens and there was no evidence the animals had been fed. There were no feed buckets or containers in the pens, and there was no grain, pellet, or hay residue on the ground to indicate feed had been put down. The animals were not fed between 7:00 am and 11:00 am. The 2 beef were slaughtered before 11:00, but the 4 pigs and 7 sheep remained in the pens, at which point they had gone over 24 hours without feed. I informed plant manager Ryan Beyler of the noncompliance. This is noncompliant 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."	OPEN
M22095+P 22095+V22 095	Creston Valley Meats	QOI481 405440 9N-1	05/09/2019	04C02	Livestock Humane Handling	313.1	HATS II: Trailer Unloading. The gate to the pens at Creston Valley Meats swings inward, and has several large pieces of wire that protrude out approximately 4 inches. On 5/9/2019 at 12:15 pm I watched plant employee (b) (6), and a trailer driver, unload a pig by backing it off of a trailer. The pig could not see where it was going, and backed into the protruding wire, causing it to squeal. The other two pigs in the trailer were unloaded without incident. This is noncompliant with 9CFR 313.1(a) which states: 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. I tagged the gate with Retain Tag NO. B41 487750 until the protruding wire was fixed.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M27472	Noah's Ark Processors, LLC	DRO23 140552 06N-1	05/06/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS task VIII- Stunning Effectiveness At approximately 1000 on May 6th, 2019, I, (b) (6) [REDACTED], was observing the ritual slaughter of cattle and unconsciousness on the rail. One animal, after receiving the ritual cut, was released from the restrainer and made attempts to stand. The establishment employees decided to stun the animal with a hand-held captive bolt (HHCB) device. As the employee discharged the HHCB, the animal moved its head. The animal continued making attempts to stand and then remained still. The employee immediately applied a second stun with the HHCB device which rendered the animal insensible. I observed two stun holes present in the skull. The establishment currently operates under a Robust Systematic Approach to Humane Handling. There are no noncompliance records of the same root causes within the past 90 days. Establishment management held retraining meetings for the employees involved as a measure to prevent this from occurring again. Employees were trained to not let animals out of the restrainer until they are unconscious and to call for a supervisor before deciding to stun an animal after a ritual cut.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M27499+P 27499	Wenneman Meat Company, Inc.	RKC111 205330 1N-1	05/01/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV – 9 CFR 313.1(a) (b) (6) entered the pen area at approximately 0630 on 4/30/19 to perform antemortem inspection. The Pen Card stated 6 hogs were in Pen 1 and were small sized roasters. One of the small hogs had crawled through an area of approximately 5 ¼ inches wide by 24 ¼ inches tall and became wedged between the side of the waterer and the concrete wall. The animal was unable to self-retract from the position. (b) (6) , came into the pen area. The establishment decided to immediately stun the animal in place. The establishment did not take into account physical features, size or confirmation to determine if the pen was adequate for the type of animal. Regulation 9 CFR 313.1 requires facilities to be free from openings that could result in injury or entrapment of an animal and that these observations are noncompliant with that regulatory requirement. Later I walked back to the pen area with (b) (6) , to show him where the instance had occurred.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M27499+P 27499	Wenneman Meat Company, Inc.	RKC470 705061 0N-1	05/09/2019	04C02	Livestock Humane Handling	313.16(a)(1)	On May 9, 2019 at approximately 1355 Wennemans loaded the last market beef into the knock box for the day. (b) (6) was at the pluck/head station when the designated establishment employee used the captive bolt. The captive bolt gun did not work and there was no evidence that the beef was struck with it. The employee immediately used the back-up, a .22 rifle. After the employees first shot with the .22 rifle the animal was still conscious and standing as (b) (6) witnessed the animals head moving above the top of the knock box as the animal was also jumping. However the animal did not vocalize. The employee immediately fired a second shot rendering the animal unconscious, the animal fell, was exsanguinated and continued through their HACCP System for Slaughter. During head examination (b) (6) observed two holes in the head one approximately forty five degrees and three inches left of center and the second shot in the center. Wennemans are in noncompliance with 313.16(a)(1) for failing to render the animal unconscious with a single gunshot. Plant Owner Paul Otten has been notified of this noncompliance. Hats Category VIII- Stunning Effectiveness	CLOSED
M27499+P 27499	Wenneman Meat Company, Inc.	RKC421 205061 6N-1	05/16/2019	04C02	Livestock Humane Handling	313.16(a)(1)	On 5/16/2019 at Wenneman Meat Company at approximately 0920 while verifying HATS Category VIII(stunning effectiveness) a black angus bull entered the knock box. Plant personnel fired the 12 gauge shotgun and hit the bull in the head. (b) (6) saw the bull go down and immediately rise back to its feet and was conscious. Plant personnel immediately fired a second shot with the 12 gauge shotgun, the bull fell to the ground unconscious was exsanguinated and proceeded through the slaughter process. Regulation 313.16(a)(1) rendering an animal unconscious on a single gunshot is in noncompliance . Plant Owner Paul Otten was notified.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31776+P 31776+V31 776	Eickman's Processing Co., Inc.	VFI361 005492 2N-1	05/22/2019	04C02	Livestock Humane Handling	313.1	On the morning of 5-22-19 at 7:15 am (b) (6) was with (b) (6) who is the federal humane handling inspector. Under (category 4 antemortem inspection) We were in the pens inspecting them for the pre-op inspection we noticed that the drain cover was not on top of the drain. The top of the drain measured 10 inches and the bottom of the drain is 3.5 inches. This is a non compliance of 313.1(a). There was 3 beef in the pen at the time that we noticed the cover was off so notified (b) (6) who is the (b) (6) to remove them from this pen. I had him remove them because the cover was in the back of the pen and would not have been able to recover the drain safely. They were removed from the pen in a calm and orderly manner. Talked to Tom Eickman who is the plant owner to let him know of the non-compliance.	CLOSED
M32170+P 32170	Ganaderos Borges Inc.	FNL451 304130 4N-1	04/03/2019	04C02	Livestock Humane Handling	313.16(a)(1)	At approximately 9:32am, while performing a humane handling verification visit (b) (6), observed the following noncompliance. The first stun with a hand held captive bolt (HHCB) to a bovine did not render the animal unconscious. Blood was observed dripping from the entry wound. The plant employee took immediate effective corrective actions by stunning the bovine a second time with the HHCB which effectively rendered the animal unconscious. (b) (6), observed the noncompliance and was verbally notified that an NR would be issued.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M33842	Double L Ranch Inc.	PPJ180 906411 8N-1	06/18/2019	04C02	Livestock Humane Handling	313.1	On 6/18/2019 at approximately 9:25 am while observing truck unloading and slips and falls HATS categories as part of a routine Livestock Humane Handling task, I observed the following: One of the four cattle unloaded and in the holding area / driveway between the two buildings slipping and falling to all four knees then promptly rising and appearing to be unharmed. The flooring of the area is a flat smooth concrete and had what appeared to be fecal mater on approximately 1/5 of the surface. I notified (b) (6) of the noncompliance. And as he was topping off the water we observed once again one of the cattle slipping and falling this time to two knees then promptly rising and appearing to be unharmed. The above conditions do not meet the regulatory requirements of CFR 9 313.1(b). U.S. Rejected tag No. B39835113 applied the Pen.	CLOSED
M34360+P 34360	House of Halal Meat, Inc	VUA321 304452 2N-1	04/22/2019	04C02	Livestock Humane Handling	313.2	On Sunday, April 21, 2019 at approximately 1600 hundred hours while doing a routine odd-hour inspection, I (b) (6) observed the following Non-compliance: A. In the staging corridor leading to the kill floor, four (4) goats locked in the area without water. Since there were no one around, I called (b) (6) on his cell phone to notify him of the non compliance, but no one answered. Therefore I took regulatory control and released the animals into a larger pen where there were feed and water. (b) (6) returned my call about an hour later and I informed him of the non-compliance. (b) (6) said they had been custom slaughtering animals earlier and had left about two hours prior to my arrival. Federal regulations requires animals held in pens to have access to water at all time. Future violations could lead to additional punitive or administrative actions.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34384+V 34384	Elkton Locker and Grocery, Inc.	TLN421 005030 2N-1	05/02/2019	04C02	Livestock Humane Handling	313.1	At 0905 hours while verifying HATS category VII, Observation for Slips and Falls, Inspection Program Personnel (IPP) heard a hog vocalizing. When IPP entered the slaughter floor, establishment employees were observed attempting to help the hog stand. It was in a sitting position with its hindquarters at the top of the concrete ramp and front feet in the Knocking Chute. The animal's left rear foot was observed protruding into the gap (3 inches X the width of the chute's floor) between the end of the concrete ramp and the horizontal metal crossbrace for the chute's floor. When the hog's hindquarters were lifted, the leg was freed. No signs of injury were observed. IPP verbally notified Owner Steve Hammer of the forthcoming noncompliance to document the establishment's failure to meet the requirements of 9 CFR 313.1. The existence of the gap in the walking surface between the entrance ramp and knocking chute floor could allow an animal to be injured by causing a slip or entrapping a leg. A previous noncompliance was documented on 12/19/18 when a similar event occurred, NR TLN0513121019. At that time Mr. Hammer verbally stated an extension would be made to cover the space between the chute floor and the ramp. As of this morning, no modifications had been made to the chute or ramp to cover the gap.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34799	Fares Halal	PCJ171 504200 3N-1	04/03/2019	04C02	Livestock Humane Handling	313.1	<p>On April 3, 2019, at approximately 10:25am, (b) (6) performed the HATS Category II (Truck Unloading) component of the Livestock Humane Handling task at EST. M34799 in Culpeper, VA. (b) (6) was also observing the unloading process as part of a routine Humane Handling Verification visit. The following events were observed: The livestock supplier's trailer was backed up to the dock entrance of the barn on the northeast corner of the building. The edge of the dock sits approximately 18 inches higher than the floor of the live-haul trailer. A hay bale was placed at the back lip of the trailer to serve as a step for the animals. The supplier then proceeded to offload 30 lambs for delivery into the barn. The lambs were easily able to jump up the step; however, approximately halfway through unloading, the hay bale tilted backward under the weight of the animals, creating a gap into which at least two lambs briefly slipped. The supplier then had to lift the animals to get them up on to the dock so they could proceed into the barn. No animals were observed to be injured, and no action was taken to drive them faster than a walk. Plant Managers Manija Wahidi and Omar Hai were informed that this is a non-compliance with 9 CFR 313.1(b) (concerning the construction and maintenance of livestock pens, driveways, and ramps), and that a non-compliance record would be generated for this event. Plant management proffered as a corrective action that until repair of their movable ramp is completed, animals will be brought into the barn through the side yard to avoid a potential slipping/trapping hazard, and will present IPP with a proposed completion date for the ramp repair. This non-compliance record serves as notification to establishment management that continued non-compliance with humane handling regulations may result in further enforcement actions.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34799	Fares Halal	PCJ450 706400 7N-1	06/07/2019	04C02	Livestock Humane Handling	313.1	<p>On June 7, 2019 at approximately 08:15am, while verifying HATS Category I of the Livestock Humane Handling Verification task, (b) (6) observed the following non-compliance: In the outside yard, along the north-side fence, numerous uncovered long nails were seen protruding into the yard at heights ranging from 1 to 4 feet off the ground. These nails could potential cause injury to animals if they came into direct contact. 9 CFR 313.1(a) states in part "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..." There were approximately 7 veal and 45-50 lamb and goats in the yard at the time, none of which appeared to have been injured. I informed Plant Manager Manija Wahidi of the non-compliance, and she informed me that she will have plant employees remove or hammer down the nails later in the day. This non-compliance record serves as notice to the establishment that continued non-compliance record with this regulation could result in further regulatory enforcement actions.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31578	Trenton Processing Center, Inc.	LKK5310055822N-1	05/22/2019	04C02	Livestock Humane Handling	313.15(a)(1)	A failure of HATS Category VIII – Stunning Effectiveness On May 22nd at approximately 10:15 AM on the slaughter floor at Trenton Processing, a captive bolt was used in an attempt to render an approximate 2 year old angus steer unconscious, but the first attempt failed. The establishment employee said the steer moved as he engaged the captive bolt which caused the first strike to hit between the eyes, too low for an effective stun. The steer dropped to his knees and then stood back up on all four legs a few seconds later. The captive bolt was reloaded and the slaughter floor supervisor immediately fired a second shot that rendered the steer unconscious. Following their corrective action plan, the Slaughter Floor Supervisor took control of the captive bolt to stun the remaining beef animals. Trenton Processing's owner was notified of the incident via a telephone conversation with the Slaughter Floor Supervisor. This failure to properly stun the steer on the first attempt is not in compliance with 9 CFR 313.15(a)(1).	CLOSED
M34103+P34103+V34103	Gentle Harvest	FDV0510044804N-1	04/04/2019	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 0945 hours, while performing the Livestock Humane Handling Stunning Verification Task Category 2, I, (b) (6), observed the following noncompliance: The captive bolt stunner was ineffectively used by an employee on a hog thereby causing it to vocalize, blink its eyes and attempt escape. Using the establishment's backup stunner, the employee immediately applied a second stun to the animal which effectively rendered it unconscious without the need for inspector intervention. I was informed by (b) (6) that the employee applying the stun was not the usual designated employee and we observed together that there were two holes in the head; one in the proper location and one closer to the nasal passages. (b) (6) was notified afterwards of the establishment's failure to meet 9 CFR 313.15(a)(1).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34103+P 34103+V34 103	Gentle Harvest	FDV130 605013 1N-1	05/31/2019	04C02	Livestock Humane Handling	313.2	At 1325 hours on 5/30/19, (b) (6) observed two pigs in pen #3 with no water. There was a bucket present but it was empty. Employee (b) (6) was notified and the bucket was immediately filled. This is a violation of 9CFR 313.2(e), HATS Category III (Water and Feed Availability). (b) (6) was notified of this non-compliance.	CLOSED
M34103+P 34103+V34 103	Gentle Harvest	FDV480 805533 1N-1	05/31/2019	04C02	Livestock Humane Handling	313.15(a)(1)	While performing HATS verification (Category VIII-Stunning Effectiveness), at approximately 0925 hours, IIC observed the following non-compliance; As an employee attempted to stun a large restless steer using a powder charged penetrating captive bolt, the animal jerked his head upward just before contact which led to a misplaced stun shot. The shot was ineffective and the animal continued to move its head and vocalize. The employee was immediately handed the back-up stunner (same model) and delivered a second shot which rendered the animal insensible to pain. Upon post mortem examination, IIC observed that the first shot landed in the thick upper part of the skull and did not fully penetrate. The second shot was in the center of the target area, fully penetrating the skull and exposing brain matter. This is a failure of 9CFR 313.15(a)(1), and (b) (6) was notified of this non-compliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M40169	Salazar Natural Meats, Inc.	NHK03 170617 13N-1	06/13/2019	04C02	Livestock Humane Handling	313.2	HATS Category III Water and Feed Availability On June 13, 2019 at approximately 8:00 AM, while walking past a trailer that was being used as a holding pen I, (b) (6), observed the following noncompliance in the trailer located on the establishment: Three USDA pigs in the trailer with no access to water due to there not being water in the trailer. This is a noncompliance with 9 CFR 313.2(e) which requires animals in the pen to have access to water at all times. The establishment owner, Lucas Salazar, was notified of the noncompliance and was asked to supply water to the animal. At approximately 8:15 AM establishment owner, Lucas Salazar, moved the pigs over to a pen that had access to water. No tag was applied.	OPEN
M40359+P 40359+V40 359	Trinity Meat Company LLC	XQQ51 080611 28N-1	06/28/2019	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(1) (iii)	Category #8 Stunning Effectiveness On this date at approximately 0835 hours while performing a Humane Handling task, the following non-compliance was observed: The third steer to be slaughtered was brought into the knock box. The employee stunning the animals attempted to stun the steer using a rifle with 410 hollow-point shells. The steer moved his head to the side just as the employee took his shot causing the point of impact to be off center. The employee immediately took a second shot rendering the animal unconscious. The knock box was tagged with USDA Retain Tag #B31794715. The establishment does have a Robust Humane Handling system in place. I notified (b) (6) verbally and (b) (6) with this written notice.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M40268A+ P40268A+ V40268A	J & R Natural Meat and Sausage - Mobile Harvest Unit	JNE551 604071 2N-1	04/11/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS VIII: Stunning Effectiveness. At approximately 9:00 am on 04/11/2019 I watched establishment employee (b) (6) stun a steer. The first shot of the captive bolt dropped the steer to the ground, but as establishment employee (b) (6) checked for consciousness the steer vocalized. (b) (6) used the second pre-loaded captive bolt to administer a second stun, which was effective. This is a noncompliance with 9 CFR 315.15(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."	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44168	Mariana's Meat Harvesting Corp.	XHX112 006422 3N-1	06/23/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII - Stunning Effectiveness On 6/24/2019 at approximately 0940 hours, I (b) (6) was performing a routine humane handling visit when the following non-compliance was observed. A single bovine was in the stun box but not restrained with the head catch. The stun operator used the hand-held captive bolt (HHCB) device to attempt to stun the animal; discharging the device but the animal remained standing. No vocalization was noted. A second stun operator applied a second stunning attempt with a firearm (rifle). The second stun attempt caused the animal to drop, and when the animal was rolled out onto the floor it was determined to be insensible. The second stun attempt was effective in rendering the animal immediately insensible. The animal remained unconscious throughout the shackling, hoisting and bleeding process. Upon examination of the dressed head, I observed two stun holes had penetrated the skull. Establishment management was verbally notified of the incident and the impending non-compliance record. The establishment follows a written robust systematic approach to humane handling and stunning. There are no additional noncompliance records of the same root cause within the past 90 days.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44910+P 44910+V44 910	Abattoir Associates Inc.	JCH581 204542 6N-1	04/26/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On April 26, 2019, at approximately 1330 hours while performing humane handling verification activities at Establishment 44910, the Slaughter inspector observed and reported the following Noncompliance. The Establishment moved a banded beef heifer into the stun box for stunning with a hand-held captive bolt. The heifer was standing freely in the stun box. As the Stunner made the first stunning attempt with the captive bolt, the heifer moved its head. The stunning attempt hit the head as evidenced by both the heifer's sudden movement away from the stunner and a spot on the head where the captive bolt hit, but the heifer remained standing. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which rendered the steer insensible. Mr. John 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#	Date	Task	TaskName	Regs	Description	Status
M44052+P 44052	Cal Poly Meats	JEC261 304232 4N-1	04/23/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	HATS VIII: Stunning Effectiveness. At approximately 12:45pm on 4/23/19 I watched (b) (6) stun one steer at Cal Poly. The steer was small and was able to move freely in the chute. The chute has a head catch but it was not used. The first knock was ineffective and the steer remained standing. (b) (6) had to reload the captive bolt, and wait for the steer to stop moving, about 30 seconds. The second knock was completely effective and rendered the animal unconscious. Upon processing, there were 2 holes visualized in the skull. This is a 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. The animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort." This is also a noncompliance with 9 CFR 313.15(b)(1)(iii), which states "The stunning area shall be so designed and constructed as to limit the free movements of animals sufficiently to allow the operator to locate the stunning blow with a high degree of accuracy."	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45099+P 45099+V45 099	Responsible Transportation LLC	VOT571 305221 6N-1	05/16/2019	04C02	Livestock Humane Handling	313.1	<p>On May 15, 2019 at 0926hrs, I, (b) (6), while performing HATS Category VII- Slips and Falls, verification during HATs Category IV Handling during Ante-Mortem inspection, observed the following noncompliance. A beef cow being driven from pen 3Inside into pen 2a slipped while going around a gate, lost her footing, and fell completely onto her right side. It took the cow 2-3 seconds to regain her footing and stand back up, however she was not injured in the fall. The flooring of Pen 3Inside is non-waffled concrete with (b) (4) Floor Material applied in various areas of the pen to increase traction. At the time of the incident Pen 3Inside had a significant amount of manure build-up present from cattle being held in the pen overnight. I took a verbal regulatory control action and an establishment employee scraped away the manure in pen 3Inside before ante-mortem inspection was allowed to continue. I verbally notified (b) (6) of the noncompliance and informed him that an NR would be forthcoming. Cattle slipping in pen 3Inside during ante-mortem inspection was addressed during a weekly meeting on 4/25/19. In response the establishment stated that they would be using Lime as needed to reduce slipping out in the barn. No Lime was present in pen 3Inside at the time of the incident. The establishment took additional corrective action and placed lime in the pen to prevent further slips and falls</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1061	Happy Valley Processing Inc.	JYP481 006402 5N-1	06/25/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(2) (i)	On 6-25-19 at approximately 0900 hours (b) (6) were performing a humane handling evaluation of Happy Valley Processing (M1061) in Dearing, GA. The first shot with the captive bolt did not render a goat with large horns unconscious. The goat vocalized while standing and remained fully conscious. The back-up 22 caliber long rifle was ready and immediately used to render the animal unconscious. The skinned skull was examined after the slaughter and two bullet holes were found. After the animals were stuck and bled, the box was tagged (#036544) and operations ceased while the incident was reviewed. This observation was in violation of CFR 9 313.15 (a)(3) and (b)(iv) which states that "Immediately after the stunning blow is delivered the animals shall be in a state of complete unconsciousness and remain in such condition throughout" and "He must be able to accurately place the stunning instrument to produce immediate unconsciousness using the correct detonating charge with regard to kind, breed, size, age and sex". The current robust and systematic plan at Happy Valley Processing indicates that all animals will be "rendered unconscious on the first blow". Plant management will review slaughtering methods when horned goats present for slaughter to ensure ongoing corrective measures take place.	OPEN
M45218	Kalapooia Valley Grassfed Processing	LFQ520 905151 7N-1	05/17/2019	04C02	Livestock Humane Handling	313.2	While performing humane handling task at establishment 45218 the following was observed: Water troughs in holding pen 3, 4 and 5 were empty with about 30 head of cattle present during ante mortem inspection. (b) (6) was notified and took immediate corrective action by filling the troughs. Based on the information above the establishment is in direct violation of the regulation cited in block 6 of this document. All animals shall have access to water while in the holding pens.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46006	AZ Grass Fed Beef	FMP24 150602 21N-1	06/21/2019	04C02	Livestock Humane Handling	313.2	On 06/21/2019 at approximately 12:45 hours while performing the Humane Handling task IPP observed that there were approximately 18 head of cattle in the pen. IPP observed two water troughs in the pen that had no water in them leaving the cows without water. This is in non-compliance of 9 CFR 313.2(e) IPP notified an establishment employee who promptly filled both water troughs. IPP notified plant manager Austin Brawner that a non-compliance would be issued.	OPEN
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP361 304380 8N-1	04/08/2019	04C02	Livestock Humane Handling	313.2	On 4/8/2019 at approximately 0950, I, (b) (6), observed the following noncompliance. While conducting HATS Category IV "Handling During Ante-mortem Inspection" on a lot of lambs, I observed an establishment employee grab the horns of a lamb and pull to get it to turn around and move into an adjacent holding pen. I immediately informed the employee to stop the behavior of moving animals by their horns, and he responded that he would. Director of Facility Operations Mr. Keith Arnold was notified of the noncompliance. As the establishment failed to handle livestock with a minimum of excitement and discomfort, a violation of 313.2 (a) exists.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP521 106020 5N-1	06/05/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 6/5/2019 at approximately 0545 hours, I (b) (6), while performing HATS category VIII, stunning effectiveness for the Livestock Humane Handling task, observed the following. A large dairy cow (backtag 93CF4348) required a second stun with a handheld captive bolt device to properly stun the animal, after the first knock didn't produce unconsciousness. I observed the first stun to be positioned higher than the proper stun location, and angled toward the poll. After the first stun, the cow remained standing and started blinking and head movements. The handheld captive bolt device fully discharged the metal rod for the first stun. The stunning employee then immediately and effectively re-stunned the cow with the loaded backup handheld captive bolt device. I notified (b) (6) and Plant manager Mr. Keith Arnold of the situation, and tagged the knock box with US Reject tag No. B19890249 in accordance with 9 CFR 313.50 (c). Upon inspection of the skinned head, there were two distinct knock holes, one near the top of the sagittal crest of the skull (1st ineffective stun), and one centered in the forehead (2nd effective stun). As the establishment failed to produce immediate unconsciousness with the first stunning blow, this is noncompliant with 9 CFR 313.15(a)(1).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP090 906570 6N-1	06/06/2019	04C02	Livestock Humane Handling	313.2	On 6/6/2019 at approximately 0615 hours, I (b) (6), while performing HATS category III, water and feed availability for the Livestock Humane Handling task, observed the following. In the large cattle pen next to the round pen and chute, the bathtub in the corner that is used as a water trough was empty. This trough is the only source of water in the holding pen, and there were four cattle in the pen at the time. I notified (b) (6) of the situation, and she immediately instructed an establishment employee to turn on the water to the trough and refill it. As the establishment failed to ensure that animals have access to water in all holding pens, this is noncompliant with 9 CFR 313.2(e).	CLOSED
M45377+P 45377+V45 377	3D Meats, LLC	VSB141 704593 0N-1	04/29/2019	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII On 4/29/19, slaughter procedures were conducted at 3D Meats. At 8:40 am, the stunner drove a steer into the stanchion. The stunner pointed a 22-magnum caliber rifle in the direction of the skull and he fired the rifle. The first shot did not produce unconsciousness. The steer remained standing in the same upright position prior to the stunner first shot. The steer was alert, movement/blinked it eyes, and vocalized. The stunner aimed the rifle at the skull and fired a second shot. The second shot produced unconsciousness immediately. Next, the steer was shackled, hoist, and bled. Post mortem examination of the skull revealed 2 bullet holes. One hole was centered and one hole was peripherally approximately 1-inch from the centered hole. (b) (6) notified Mr. Leon Hilty, President/GM, that the above incident was non-compliant, due the to animal was not rendered insensitive with the first/single shot. There have not been similar NR's written pertaining to Humane Handling at this establishment in the past 90 days. The above incident is non-compliant with CFR 313.16 (a)(1).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46433	SeraTec Inc.	VGF321 604532 ON-1	04/20/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category II: Truck Unloading Today (4-20-19) at approximately 11:15 am I (b) (6), was performing a Routine HATS task by observing unloading of calves. The driver, (b) (6) of the livestock vehicle was unloading calves through the side door by herself. I observed her unload several of the calves with the side door open. She was opening the door to the plant with a calf in hand, when a calf in the livestock trailer fell out the open livestock trailer door. The calf fell approximately two feet to the ground. The calf did not vocalize or exhibit any other indication of being in pain or experiencing significant discomfort. (b) (6) then moved the calf on the ground into the holding area. Another plant employee, (b) (6) saw what she was doing and went to the livestock trailer door and moved calves at the open livestock trailer door to her on the ground thus preventing calves from falling out. As soon as they finished unloading, I went to office area and asked for manager Gilbert Salinas, who was not on-site. (b) (6) in the lab areas called him on the cell phone. I described the incident to Mr. Salinas. He assured me it would not happen again and proffered an immediate corrective action. The immediate corrective action was that a person would not be performing unloading alone. The plant currently has a robust humane handling program. The plant was given the opportunity to kill the calves on-site and that were already in transit for animal welfare reasons. When the kill concluded, I notified Manager Gilbert Salinas of a U.S.D.A. FSIS regulatory control action. A U.S. Reject Tag NO. B40245901 was placed on the door of the off-loading areas. The US Reject Tag No. B40245091 was removed and the unloading area was released from FSIS regulatory control at approximately 9:30 am on April 22, 2019 after written corrective actions were provided for review.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46433	SeraTec Inc.	VGF081 805050 3N-1	05/03/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.2(f)	<p>At approximately 1400 hours, I (b) (6) was inspecting calves on the line. I heard a vocalization behind me from a calf. The stun gun sound and vocalization of the calf happened simultaneously. When I turned around to observe the stunning area, the calf was being held facing away from me and at a downward angle. The calf was moving back and forth side to side motion in the arms of the establishment employee assisting the stunner. The tail was twitching and I could not see what the ears were doing. The legs were limp. I could not see the eyes from where I was and the calf did not vocalize again. The employee immediately and effectively stunned the calf a second time and checked the pneumatic captive bolt device and the pressure on the pneumatic captive bolt device. The calf was moved to the bleed table. The employees stopped stunning, and notified plant manager Gilbert Salinas of the incident. During postmortem inspection of the head, there were two distinct marks on the calf's skull from the pneumatic captive bolt device. Plant manager Gilbert Salinas was verbally notified of the noncompliance and the stunning area was tagged by (b) (6) with U.S. Reject. tag B40245903. For humane reasons, the establishment was allowed to continue stunning the remaining calves on site. There are no noncompliance records of the same root cause within the past 90 days.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45471+P 45471	New Angus, LLC	VUE231 606402 7N-1	06/27/2019	04C02	Livestock Humane Handling	313.2	On 6/26/2019, at 2000 hours, while performing Odd Hours Inspection and verification of HATS Task III-Water and Feed Availability, IPP observed a noncompliance with water availability. IPP observed recently unloaded cows struggling to get to water in pens. Soon after being put in pens the cows had drank all the reserve water in the water receptacle. Water was running in but not fast enough to keep up. Upon further investigation, the receptacle between pens 3 and 5 was running at an even slower rate. There were no cattle in these pens at this time and US Reject Tags #B22024097 and #B22024100 were placed on the pen card holder of the gates of pens 3 and 5. Barn (b) (6) was notified of the Non Compliance with 9CFR313.2(e) concerning the lack of water available for cattle, recently unloaded, and placed in the holding pens. The next morning, the float and valves were replaced to increase water flow and the reject tags were removed.	CLOSED
M46877+P 46877	Seven Hills Abattoir	NOA48 110529 30N-1	05/30/2019	04C02	Livestock Humane Handling	313.2	On May 30, 2019 at approximately 9:00 AM while performing the review and observation component of HATS Category 3: Water and Feed Availability within the humane handling task (b) (6) was inspecting the pens and noticed that two pens which share a concrete water trough had no access to water. One pen held two bulls while the other pen held 5 heifers. The trough has dried fecal material in it and a soaking wet rag around a plug stuck in the drain. According to plant personnel, the stopper was not large enough for the drain so they used the cloth to help block it. Additionally, they stated that water was present this morning in the trough (b) (6) verbally informed the (b) (6) of this non-compliance. This is a non-compliance with 9 CFR 313.2(e) that requires animals in pens to have 24 hour access to water. Plant management was notified in writing of this non-compliance.	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46877+P 46877	Seven Hills Abattoir	NOA48 110529 30N-2	05/30/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	<p>On May 30, 2019 at approximately 11:15 AM while performing the review and observation component of HATS Category 8: Stunning Effectiveness within the humane handling task, (b) (6) was observing the stunning of a heifer. The plant employee discharged the captive bolt into the skull of the heifer and it got stuck. The heifer remained standing, dropped its head briefly for a second and then raised it again and continued to observe its surroundings. After the ineffective stun, the plant employee immediately grabbed a back-up firearm and delivered a successful second shot which brought immediate unconsciousness to the heifer. After the effective second stun, the animal remained unconscious through bleeding, shackling, hoisting and skinning. On post-mortem examination, there were two holes in the skull: one in the proper location on the forehead and one at the base of the skull from the shotgun (b) (6) verbally informed the (b) (6) of this non-compliance. No regulatory control action was taken since this was a single, isolated, non-egregious incident. This is a non-compliance with 9 CFR 313.15(a)(1) and 9 CFR 313.15(a)(3) which require animals to be in a state of immediate unconsciousness after a single application of a captive bolt. Plant management was notified in writing of this non-compliance.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M157+P15 8+V157	Sailer's Food Market and Meat Processing, Inc.	MKU07 110451 17N-1	04/17/2019	04C02	Livestock Humane Handling	313.15(a)(1)	At 9:21 am while conducting Humane Handling Category VIII (Stunning Effectiveness) Task. A plant employee attempted to stun a beef steer in the knock box. The captive bolt was discharged having no effect to the animal who remained standing and conscious. The steer did not vocalize during this time and did not appear agitated. The animal continued normal eye movement. The employee immediately used the back up rifle to render the steer unconscious. The rifle was a 22 caliber long rifle. The rifle is loaded on the kill floor. After the head was skinned out I observed two wounds. The corrective action stun was properly placed in the center of the skull. And the first stunning attempt was to the right and above the left eye. (b) (6) also on the kill floor observed the noncompliance. This is a non compliance of CFR 313.15(a)(1). I informed (b) (6) of the noncompliance. (b) (6) informed owner, Mr. Jake Sailer of the noncompliance. After Mr. Sailer provided verbal corrective actions and preventive measures, slaughter activities were resumed.	CLOSED
M45856+V 45856	Prime Pork LLC	ODB19 150606 13N-1	06/12/2019	04C02	Livestock Humane Handling	313.2	HATS Category III. At approximately 1235 hours while following up on a HATS task (Category III) started earlier this morning, I noticed that pen 4 (tattoo 7998) and pen 6 (tattoo 7997) had not been killed yet and there was no visible feed in the pen. There was no record of the hogs being fed. Pens 4 and 6 were held longer than 24 hours and not given access to feed and (b) (6) was notified of this noncompliance. Yards personnel immediately provided 2-50# bags of feed to pens 4 and 6 of pigs as they were not slated to be slaughtered until later. Not providing animals with feed if held longer than 24 hours in a noncompliance with 9CFR 313.2(e).	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45928+P 45928	Central Missouri Meat & Sausage	CRN461 704190 9N-1	04/09/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category III- Water Availability On Tuesday, April 9, 2019, at approximately 1640 hours, I (b) (6) observed noncompliance while performing a scheduled livestock humane handling task in the ante-mortem pens. I observed two pens holding approximately 30 swine for the following days slaughter. The establishment utilizes a nipple type water spout for providing water to animals. I walked around and observed the water spout and animals in the further pen. The hogs were nuzzling the spout and observed to be drinking from the water source. In the pen closest to the door leading to the slaughter floor, I observed roughly 15 hogs crowding around the water source nuzzling the spout, but no water was exiting the spout. Several hogs began banging and lifting the gate attached to the water source. I did not observe any water dripping from the hose leading to the spout, as was observed in the other pen. There was no other water source available to the animals. The lack of water available to the animals in one of the holding pens is a violation of 9 CFR 313.2(e). At approximately 1645 hours, I verbally informed (b) (6) of the noncompliance and that a noncompliance record (NR) would be issued. (b) (6) accompanied me to the ante-mortem pens. After observing the issue within the pens, he stated that he would have another employee climb into the pen and turn the water on. A review of recently issued NR's did not indicate a trend that would warrant an association with this noncompliance record.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45948	Ida-Beef LLC	AKL452 004521 2N-1	04/12/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category VI – Electric Prod/Alternative Object Use On Friday, April 12, 2019 at approximately 1541 hours, I, (b) (6), was performing ante-mortem inspection when I observed the following noncompliance. I could hear a door repeatedly contacting an animal (approximately three times) and observed two men at the backend of a stock trailer at the loading dock. I observed the men repeatedly shoving the door forward sometimes at arm's length with what appeared to be their full weight. I observed a cows' hind legs below the door still standing on the ground. I observed one of the men also prodding the animal repeatedly with a rattle paddle. When the men forced the door on the cow, it was pinching the animals' hind legs between the trailer door and the floor of the trailer; and I heard the cow kick the door. The men forced the door back into the cow again. At this point, I stopped the men's actions as this was more force then necessary. I looked inside the trailer and observed two dairy cows lying on either side of the trailer. The cows' heads were up at the trailer compartment door towards the front of the trailer and their legs were sticking out into the middle of the trailer towards each other. There was less than two feet of space between them and insufficient room for a third cow. I verbally notified (b) (6) of the incident and placed USDA Reject Tag#B-45143945 on the stun box. Denver District Office was notified via supervisory channels.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45948	Ida-Beef LLC	AKL101 105113 ON-1	05/30/2019	04C02	Livestock Humane Handling	313.2	HATS Category III - Water and Feed Availability At approximately 1348 hours on 5/29/15 I (b) (6), was performing a scheduled PHIS Task and observed the following non-compliance. I observed approximately seventeen Dairy cows in holding pen #3 without water in the tubs. I immediately waived down a plant employee and CEO Allan Ward who was in the vicinity in a loader. I informed Mr. Ward that holding pen #3 did not have water and that a noncompliance record would be issued. Mr. Ward immediately took off to get water to fill up the tubs. At approximately 1400 hours, I observed plant employee filling up the tubs with water.	OPEN
M48226	American Halal Meat	MEN20 130436 22N-1	04/22/2019	04C02	Livestock Humane Handling	313.2	313.2(e) Animals shall have access to water in all holding pens... HATS Category III - Water and Feed Availability: While conducting a Livestock Humane Handling task on Monday, 22 April 2019, at approximately 0722 I (b) (6) observed no water in pens two, four, and five of five. Water troughs in pens two and four were empty and the absence of a water trough was observed in pen five. I informed Mr. Muhammad Qayyum (Owner) of the non-compliance at which time he instructed an employee to fill the empty water troughs and place a filled water trough in pen five. No regulatory control action was taken since non-compliance was corrected immediately. Mr. Qayyum was notified of the forthcoming NR which shows failure to meet 9 CFR 313.2(e).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46070+P 46070	Marble City Meats LLC	KLE550 805020 3N-1	05/03/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii), 313.2	<p>On Friday, May 3, 2019, while establishment was performing their first and only beef slaughter kill of the day the following issue occurred. Establishment personnel ran beef into chute from off trailer. The Head squeeze catch was not adequately adjusted to ensure proper restraint. Therefore, Beef front two legs went through the head catch restraint device leaving the animal halfway pinned in the device. Establishment first attempt to down the animal at using a captive bolt device. The attempt failed to render animal insensible. The second attempt using the backup captive bolt, rendered the animal insensible (b) (6)</p> <p>tagged chute with U.S. Reject Tag # B-45 308840. Establishment has a robust system and owner provided CSI with Humane Slaughter Documentation for said system as well as corrective action for this issue. This issue violates 9CFR 313.2, 313.15(a)(1) and 313.15(b)(1)(iii).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46081+P 46081	Foster's Meat	WLD56 130527 16N-1	05/16/2019	04C02	Livestock Humane Handling	313.16(b)(1) (iii)	<p>On 4/1/19 an official Notice of Reinstatement of Suspension (NOROS) was provided by USDA, FSIS to establishment 46081 owner/operator Jennifer McAbee. This was based on the failure to handle livestock humanly according to 9 CFR Part 313.</p> <p>On 4/9/19 establishment management submitted proposed corrective and preventive measures which included, in part, "The use of wooden blocks in the stunning chute to elevate the hogs head and to decrease side to side movement of the hog's head to enable the stunner to properly stun the hogs". Subsequently, on 4/10/19 an official Notice of Suspension Held in Abeyance (NOSHA) was issued to the plant by USDA, FSIS. Since then, the equipment described has been used consistently to stun hogs during slaughter.</p> <p>On the morning of 5/16/19, swine slaughter took place at establishment 46081 and at approximately 0735 hours employees stunned an animal, without using the wooden blocks or any other type of restraining device. This represents the failure to carry out the corrective/preventive measures proposed in response to the NOROS. This report serves as notice and record of such. Continued failure can result in additional regulatory/administrative action(s). The method to appeal an Inspection Program Personnel (IPP) decision as it relates to compliance is described in 9 CFR 306.5 and 381.35.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M51302+P 51302	Belmont Meats LLC	YAY211 305171 ON-1	05/10/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII - Stunning Effectiveness On 10 May, 2019 at approximately 0849 hours while performing humane handling verification activities at Establishment M51302, I (b) (6) observed the following Noncompliance. The Establishment moved a Hereford cow into the stun box for stunning with a hand held captive bolt. The cow was standing freely in the stun box. As the Stunner made the first stunning attempt with the captive bolt, the cow slightly moved its head. The stunning attempt hit the head as evidenced by a small spot of blood going down the nose, but the cow remained standing and made a small vocalization. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which made the cow insensible. The second stun was immediately followed by a security stun. No regulatory control action (RCA) was taken due to immediate corrective actions by the establishment. Upon post mortem, I observed the three distinct holes in the skull to verify that the animal had been hit three times. Amos King, 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)."</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M51306+V 51306	Powell Meat Company LLC	MCU52 090640 05N-1	06/05/2019	04C02	Livestock Humane Handling	313.16(a)(1)	HATS TASK CATEGORY VIII STUNNING EFFECTIVENESS Today at approximately 0920 hours while performing a routine livestock humane handling task, I, (b) (6), observed the following noncompliance. An establishment employee had 2 sheep in the stun box and using a 22 rifle, he rendered the first sheep immediately unconscious with a single shot. As the employee attempted to stun the second sheep, he was ineffective at producing immediate unconsciousness with a single shot as the animal moved its head suddenly when the gun was fired and it remained standing and was bleeding from the head. The employee repositioned himself and immediately performed a corrective action by applying a second shot and this shot effectively stunned the animal. This deficiency represents a failure to meet the regulatory requirements of 9 CFR 313.16(a)(1). I notified establishment Plant Manager, Joe Applegate, that a NR would be documented. A review of recent NR's showed no similar noncompliances that will be linked to this NR.	CLOSED
M46139+V 46139	Cypress Valley Meat Company 1, LLC	UIV151 506522 0N-1	06/20/2019	04C02	Livestock Humane Handling	313.15(a)(1)	Thursday 06/20/2019 at approximately 9:00 while observing HATS category #8 Stunning effectiveness. I observed an establishment employee administering a captive bolt blow to the forehead of a black beef. I heard the captive bolt fire with a thud sound and heard the black beef vocalize very loudly. I noticed the employee immediately administer a 410 shot gun blow to the forehead which rendered the animal unconscious. The employee administered a second 410 gun shot blow as a security measure to the forehead of the animal. I advised Plant Manager Mr. Chris Shaw of the incident and of the forth coming non-compliance NR.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46172+P 46172+V46 172	JM Watkins, LLC	IGT501 106021 1N-1	06/11/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 6/11/19, at approximately 0730 hours, I (b) (6), were 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 forehead area of the beef steer. After the hand held captive bolt was discharged, it appeared to have no effect on the animal, as the beef steer remained conscious, standing calmly and did not vocalize. The establishment employee immediately switched to the backup pre-loaded rifle and applied an effective stun, rendering the animal unconscious. Establishment owner Brandon Clare was present for the ineffective stun and offered the immediate corrective actions of a different employee stunning the rest of the animals for the day and retraining the initial employee that performed the ineffective stun: therefore, no U.S. Reject tags were used. During post mortem inspection, I viewed the skull and observed two holes had penetrated the forehead area of the skull, the first hole located one inch above the eye line and one inch left of the centerline of the skull and the second hole located two inches above the first hole towards the pole. 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.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46172+P 46172+V46 172	JM Watkins, LLC	IGT180 706052 ON-1	06/18/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 6/18/19, at approximately 1020 hours, I (b) (6), were 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 poll area of the beef steer. After the hand-held captive bolt was discharged, it appeared to have no effect on the animal, as the beef steer remained conscious, standing calmly and did not vocalize. The establishment employee immediately switched to the backup pre-loaded rifle and applied an effective stun, rendering the animal unconscious. I tagged the restrainer with U.S. Reject Tag NO. B38122838. During post mortem inspection, I viewed the skull and observed two holes had penetrated the skull, the first hole located in the center of the poll area of the skull and the second hole located two inches above the eye line in the forehead of the skull. This is noncompliant with regulation 9 CFR 313.15(a)(1). I informed Establishment Manager, Mr. Charlie Link, of the noncompliance and issuance of the noncompliance record. A similar ineffective stunning noncompliance of a beef steer with the hand-held captive bolt gun was documented on 6/11/19 and is being associated with NR IGT5011060211N/1. The establishment provided a written preventive measure stating '(b) (6)' will be retrained on proper stunning technique by reading through 'Recommended Captive Bolt Stunning Techniques for Cattle' by (b) (6). The establishment's further planned actions were ineffective in preventing this noncompliance from reoccurring.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46176	May's Custom Meat Processing LLC	OZC440 706052 5N-1	06/25/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On June 25, 2019, at approximately 8:35am while performing humane handling verification activities, I observed the following noncompliance. The plant employee moved a heifer with 3 inch horns in the knock box for stunning with a captive bolt, the captive bolt fired hit the heifer up above the eye, the heifer remained standing looking around where she was well alert, the plant employee reloaded his captive bolt fired second shot, which rendered it unconscious. The (b) (6) was notified. Examined of the skull revealed two thickness holes in the forehead of the animal. This observation confirmed that the first stunning attempt did not cause immediate unconsciousness. No regulatory control action was taken, as the employee took immediate corrective action by rendering the bovine insensible on the second shot, no further action was taken. A search of PHIS showed no humane handling noncompliance in the past 90 days. Plant employee (b) (6) was notified of the Noncompliance and the establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1).	CLOSED
M51559	J & J Hazen Meats	SJN461 104181 2N-1	04/12/2019	04C02	Livestock Humane Handling	313.2	HATS Category III - Water and Feed Availability At 1130 while touring the barn, I (b) (6) observed two bovine animals held without access to water. I notified plant owner/operator Justin Hill of the observation and discussed 9 CFR 313.2(e). He indicated he had pulled water at the start of slaughter (0830). Following the discussion, he immediately filled a tub for the remaining animals. No retain tag was used.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46547	Gourmet Natural Meats LLC	UAV161 404541 9N-1	04/19/2019	04C02	Livestock Humane Handling	313.2	On April 19, 2019 at approximately 0807 hrs while performing ante-mortem inspection of veal calves at establishment M46547 (Gourmet Natural Meats), (b) (6) noted that there was no water available for calves in the holding pen (b) (6) immediately notified (b) (6) of his findings. (b) (6) took corrective action by immediately having an employee place water in the pen. A review of the establishments noncompliance history revealed that no similar noncompliance has been documented.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-418

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46547	Gourmet Natural Meats LLC	UAV5517054715N-1	05/15/2019	04C02	Livestock Humane Handling	313.1, 313.2	While performing HATS category II (truck Unloading), (b) (6) and I observed the following noncompliance at 10:10 am on 5/15/19. We observed one calf step off the trailer, lose its footing off their front feet while its hind feet were still in the trailer, and fall face-first into the concrete. The unloader removed the hind legs from the trailer, the calf was able to stand freely and walk away. We verbally notified plant manager, Mario Peralta, that a non-compliance record would be issued for failure of the establishment to follow regulation 9 CFR 313.1(B) and 313.2(A). There are no associated noncompliance records of the same root cause within the past 90 days.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46622	920 Fries Frozen Foods, LLC	QCZ160 806061 1N-1	06/11/2019	04C02	Livestock Humane Handling	313.16(a)(2), 313.2	<p>On June 11th, 2019 at approximately 0830 hours, (b) (6) evaluated humane handling activities at Fries Frozen Foods (M46622) in Millen, GA. During the inspection the PHV observed the establishment's staff driving two steers from the holding pens into the knock box. Staff was observed poking with a sorting stick, pushing animal with hands, and making noises at the second steer to drive it into the knock box. The knock box is limited in size and could not accommodate both steers easily and so the second steer turned and balked at the pressure by lowering head aggressively at the plant staff, behind it. Staff proceeded to get away by pushing the steer in the face with his foot. Additionally, an electrical prod was used to get the animal redirected. After several minutes the second steer turned and made it into the knock box with the other steer. No physical injury resulted from the excessive pressure. However, the observation is in violation of both 9 CFR 313.2 and 9 CFR 313.16 (a)(2) which specify that, "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" and "the driving of the animals to the shooting areas shall be done with a minimum of excitement and discomfort to the animals. Delivery of calm animals to the shooting area is essential since accurate placement of the bullet is difficult in the case of nervous or injured animals". Establishment management was immediately notified and the issue was discussed with staff regarding the importance of properly driving animals to the knock box so as to not cause excessive agitation.</p>	CLOSED