

**Table: Noncompliance Reports in Response to FOIA2020-110**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45134+P 45134	Birdsboro Kosher Farms Corp.	FKJ581 405140 6N-1	05/02/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On May 2, 2019 at approximately 1200 hours, after lunch I, (b) (6), was informed that the company was currently slaughtering truck number 3. I used one of the line inspector's phone to contact (b) (6) confirm that during the morning antemortem inspection he had only inspected two chicken trucks and one truck containing ducks. I reviewed the Poultry Inspection-Lot Tally Sheet located at the line inspectors station #1 to confirm that the company was slaughtering a third truck. The current truck did not have the benefit of antemortem inspection. I took immediate regulatory control and shut off the evisceration and both kill lines. I informed (b) (6) that the third truck currently being slaughtered was not inspected. After confirming, his kill department pulled the truck out of the unloading bay. The cages that had been removed but had not been slaughtered were inspected by (b) (6) while I inspected the partial truck chickens (approximately 2/3 full). Background: The production schedule for Thursday, May 2, 2019 provided by the plant indicated that three trucks of chicken were to be slaughtered. At approximately 0600 hours (b) (6) performed the scheduled daily antemortem inspection on the two chicken trucks found at the inspection site. Later when the third truck arrived, plant personnel failed to alert FSIS IPP. This failure did not provide IPP the opportunity to perform antemortem inspection as required by 9 CFR 381.70(a) and 9 CFR 382.65(b) prior to slaughter activities. (b) (6) was verbally informed of the non-compliance.</p>	CLOSED

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M6137+P6 137	Foster Farms	BXL311 805133 1N-1	05/31/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>At 0746 hours on 05/31/2019 I was notified by (b) (6) there were four cadavers hanging on the Line 4 pre-sorter rack. (b) (6) notified me that he went over to investigate the Line 4 pre-sorter station with (b) (6) as they had both noticed the pre-sorter light on. (b) (6) notified me that when he got to the station there were already three cadavers hanging on the rack and the pre-sorter was just pulling off the fourth. The cadavers had been moved to a condemn barrel where I examined them. Four carcasses had no evidence of any cut marks, had purple heads and necks and red to pink skin. There was also one carcass with a miscut (cut on the back of the neck) and had evidence of not being sufficiently bled out such as reddening of the skin, neck and head. (b) (6) had notified me that (b) (6) had radioed for (b) (6) and he said he was "working on it." I went to observe (b) (4) at the pre-sorter station and at 0758 hours I observed the pre-sorter pull off another cadaver with no evidence of a cut mark. I requested (b) (6) to go back to live hang and investigate. I then stopped the kill line and requested for a supervisor to come to (b) (4) pre-sorter station. (b) (6) notified me that they were already taking corrective actions, but did not specify the exact actions taken. (b) (6) then came and told me that they had already stopped hanging and were taking corrective actions. I allowed them to restart the line to run the birds out. The line was stopped for approximately 2-3 minutes. (b) (6) reported to me that prior to (b) (6) coming to speak to me, he and (b) (6) had met at the stunners and noticed the line was stopped. (b) (6) did not observe anyone working on the machinery or attending to the area at the time. (b) (6) also arrived at the stunner and</p>	OPEN

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							<p>asked what was going on. Shortly after restarting the line, I then observed a gap on Line 4. At approximately 0808 hours I observed birds back on (b) (4) at the pre-sorter station. From approximately 0809 to 0813 I observed six more cadavers. Four cadavers had no cut marks at all and two had very superficial cuts to the skin with no evidence of the carotid artery being cut. I immediately stopped the kill line again and request for a supervisor. At 0816 hours I notified (b) (6) of the forthcoming noncompliance. I notified (b) (6) that a cluster of birds came through even though he had previously indicated to me that they had stopped hanging. I explained that whatever measures he put in place was not sufficient to prevent birds from going into the scalders alive. He assured me that they were not hanging but needed the line to be running to work on the machinery. I notified (b) (6) to tag live hang to ensure no more birds could be hung and requested that he notify supervision that they are not allowed to hang until corrective actions are provided in writing. I allowed them to start the line back up at this time. The line had been stopped for approximately 4 minutes. At approximately 0818 hours I observed another gap in the line. From our discussion at the time it was unclear why there were two gaps in the line with birds in between if live hang was said to be stopped the supervisor's directions. (b) (6) notified me that he observed maintenance attending to the machinery only once the kill line was started back up at approximately 0817 hours. At approximately 0900 hours (b) (6) presented me with corrective actions in writing stating that procedures were reviewed with the back-up knife employee and the knife machinery was adjusted. At approximately 0905 hours the (b) (4) kill line was released by (b) (6) to production.</p>	

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M6137+P6 137	Foster Farms	BXL170 411540 7N-1	11/07/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On 11/4/2019 at approximately 0025 hours I, (b) (6) was observing the carcasses prior to the pre-sorters on Line 1 and 2 and began seeing cadavers emerging from the picker room. Between 0025 hours and 0040 hours, while observing at the area of the pre-sorter station for Line 2, I observed fourteen cadavers. Twelve of the carcasses displayed signs of a classical cadaver, with bright red skin and dark red/purple swollen heads and no evidence of a neck cut. The other two carcasses had bright red skin with dark red/purple swollen heads but had very superficial cuts on the necks which did not sever any major blood vessels, indicating the carcasses were insufficiently bled out. (b) (6) notified me that the kill line during this time had been slowed to (b) (6) bpm and technicians were working on the auto-kill machine. At 0040 hours and 0042 hours while observing in the pre-sorter area on Line 2, I again observed two more classical cadavers on Line 2. At 0047 hours, while observing at the Line 2 pre-sorter station, I observed a cadaver coming out of the picker room on Line 1. I went to the pre-sorter station at Line 1 and as I inspected the cadaver on the line, I observed that the pre-sorter employee on Line 1 had filled the hanging rack and condemned barrel beside the Line 1 pre-sorter station with cadavers. I sorted the carcasses on the hanging rack and the condemned barrel, and I counted nine cadavers with no evidence of any cuts, and sixteen carcasses that had their heads removed, that displayed physical signs of cadavers, with dark red necks and bright red skin. At 0050 hours when I returned to Line 2 pre-sorter station, I observed the pre-sorter employee had removed four more cadavers from the line and placed them on the rack adjacent to the Line 2 pre-sorter station. At 0056 hours, while observing at the Line 2 pre-sorter station, I observed three more cadavers with no neck cuts on Line 2. At</p>	OPEN

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							<p>this time, I notified (b) (6) that I was taking a Regulatory Control Action and he was to stop shackling on Line 2 until I received written corrective actions for the cluster of cadavers I was observing. I notified (b) (6) that I would be documenting a noncompliance for the cluster of cadavers, loss of process control and ineffective measures being taken to mitigate the circumstances of auto kill machine malfunctions. From 0025 hours to 0056 hours, between Lines 1 &amp; 2, I observed a total of 49 cadavers. As carcasses continued to come through on the kill line as it emptied, I observed one cadaver each at 0059 hours and 0100 hours on Line 2 at the Line 2 pre-sorter station. At this time, I left the kill floor to notify (b) (6) of my findings. I instructed (b) (6) to continue watching the lines and notify me of her findings. From 0101 hours to 0112 hours, (b) (6) observed fifteen cadavers on Line 2 at the Line 2 pre-sorter station before birds were cleared off Line 2. At 0116 hours, Superintendent Danyl Locks provided me with written documentation proffering the plant's corrective actions as follows: "kill line will be set at (b) (4) bpm and half line would be hung until the situation could be effectively addressed. Visual checks will be performed throughout this testing process. Once the necessary adjustment have been confirmed, production will resume at normal speed." He also verbally notified me that an extra back up cutter would be added to the line for a total of two back-up employees for Line 2. At this time, I released Line 2. At 0118 hours, (b) (6) notified me and (b) (6) that he observed five cadavers with no cuts on Line 1 while observing from the Line 2 pre-sorter station. (b) (6) proffered that he would put in place the same corrective actions on Line 1 as was placed in Line 2. After corrective actions were in place, (b) (6)</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Reqs	Description	Status
							<p>observed only one more cadaver with no cut at 0151 hours on Line 2 at the Line 2 pre-sorter station. After lunch (0215-0300 hours), I again observed cadavers on both Lines 1 &amp; 2 from the Line 2 pre-sorter station. From 0304 hours to 0335 hours (at 0304 – two birds, then one each at 0309, 0312, 0316, 0331, 0335 hours) for a total of seven cadavers on Line 2. From 0321 hours to 0330 hours (one cadaver each at 0321 and 0330 hours) I also observed two cadavers on Line 1. During this period from 0300 hours to 0335 hours, Line 2 was running at (b) (4) bpm and Line 1 was running at (b) (4) bpm. At this time, I asked the Establishment for further corrective actions. The Establishment elected to go back to their proffered written procedures of (b) (4) bpm and only filling half the line. (b) (6) (b) (6) called maintenance at this time to further address the auto-kill machine. At 0349 hours, I observed one cadaver on Line 1 while observing from the Line 2 pre-sorter station. At this time the Establishment elected to run the lines full, but at (b) (4) bpm. At 0445 hours, I observed one cadaver on Line 1 from the Line 2 pre-sorter station. At 0446 hours, I again observed two cadavers on Line 2 from the pre-sorter station. At this time, (b) (6) notified me that they repositioned their back up cutter personnel. At 0449, the Establishment elected to increase their line speed to (b) (4) bpm with the line full. At 0501 hours, I observed two cadavers on Line 2 at the Line 2 pre-sorter station. At 0527 hours, the Establishment elected to increase their line speed to (b) (4) bpm. At 0532 hours, (b) (6) (b) (6) observed one cadaver on Line 1 while observing from the Line 2 pre-sorter station. From 0535 hours to 0550 hours (one cadaver each at 0535, 0536, 0538, 0548, 0550 and two cadavers at 0537 hours) (b) (6) observed a total of seven cadavers on Line 2 from the Line 2 pre-sorter station. At 0556 hours, (b) (6)</p>	

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							<p>observed one cadaver on Line 1 while observing from the Line 2 pre-sorter station. At this time, the Establishment elected to reduce the line speed to (b) (4) bpm. At 0602 hours, (b) (6) observed two cadavers within 2 minutes on Line 2 from the Line 2 pre-sorter station. At this time, further corrective actions were proffered by the Establishment. They decided to hang birds on four shackles and skip one shackle at a line speed of (b) (4) bpm. Due to the observation of cadavers throughout the entire shift and the inability to maintain effectiveness of the corrective actions, I notified the Establishment that the procedures currently in place must be maintained for the remainder of shift. No further cadavers were observed for the remainder of the shift. Between Lines 1 &amp; 2, I had observed 98 cadavers during the night shift.</p>	

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M6137+P6 137	Foster Farms	BXL170 511350 7N-1	11/07/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On 11/4/2019 while observing at the Line 2 pre-sorter station, at 2223 hours, (b) (6) observed three cadavers on Line 1 and at 2224 hours, (b) (6) observed one cadaver on Line 2. Between 2226 hours and 2246 hours (at 2226, 2236, 2240, 2246 hours), while observing at the Line 2 pre-sorter station, (b) (6) and I (b) (6) (b) (6) observed four cadavers on Line 1 (b) (6) (b) (6) informed (b) (6) of our findings. Shortly after, Supervisor Alexander notified me that the technicians were working on the auto-kill machine to adjust the cutting mechanism. Between 2251 and 2255 hours, (b) (6) and I observed six cadavers on Line 1 while observing from the Line 2 pre-sorter station. At this time (b) (6) notified me that Line 1 had been slowed to (b) (4) bpm, Line 2 was slowed to (b) (4) bpm and the Establishment would begin skipping shackles. (b) (6) notified me that an extra back up cutter had been added and that he also had placed employees after the stimulator, before the scalding, to ensure no live birds enter the scalding. Birds which had been missed by the machinery and back-ups were removed and taken back to live hang and any birds with questionable cuts had their heads removed. No further cadavers were observed until the time that the plant decided to stop slaughter operations on Line 1 at 0000 hours. Between Lines 1 and 2, FSIS inspection personnel observed 14 cadavers during the night shift. Following discussion with (b) (6) (b) (6) notified (b) (6) of the forthcoming noncompliance on 11/5/19. In addition, on 11/5/19, (b) (6) notified (b) (6) of the forthcoming noncompliance. This Noncompliance Record is linked to PHIS NR BXL1704115407N/1.</p>	OPEN



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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6137+P6 137	Foster Farms	BXL351 711010 5N-1	11/05/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>At approximately 0820 hours (during the Day Shift) on 11-5-19, (b) (6) observed two cadavers on the Kill Line for Line 2 at the area prior to the pre-sorter station. (b) (6) went to the USDA office in Plant 1 to call (b) (6) (b) (6) to inform her about the cadavers she observed. As (b) (6) was walking back to the kill floor from the USDA office, she noticed a third cadaver on line 2 while walking in the area prior to the pre-sorter station. All three cadavers observed by (b) (6) had bright red skin and had no neck cuts. At approximately 0835 hours (b) (6), observed that the grey condemned barrel next to the pre-sorter station for Line 2 was approximately 2/3 full. Upon closer examination, we observed that all the visible birds (6-7 total) in the barrel were cadavers based on the bright red skin of the body, neck and head (carcasses with neck and head visible). At approximately 0840 hours (b) (6) and I went to the scalding/picker room in Plant 1. (b) (6) arrived shortly thereafter in the scalding/picker room. (b) (6) asked me if everything was OK. I informed (b) (6) (b) (6) that (b) (6) observed cadavers on Line 2 while at the pre-sorter area on Line 2. In addition, I informed Department (b) (6) of the grey condemned barrel containing the numerous cadavers. (b) (6) (b) (6) did not respond to what I had said and left. (b) (6) returned a short time later, and at 0845 hours in the presence of (b) (6), (b) (6) observed on Line 2 kill line a live bird with its eyes blinking and looking around as it entered the scalding. The bird that entered the scalding had no neck cut. Shortly after further investigation, I observed one cadaver leave the Line 1 scalding at approximately 0850 hours and another cadaver leave the Line 2 scalding at</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Reqs	Description	Status
							<p>approximately 0852 hours. Neither of these birds had neck cuts (b) (6) and I then proceeded to observe both Kill Lines at the area before the pre-sorter stations for Line 2. Between 0853 and 0910 hours we observed two more cadavers on Line 1 and seven more cadavers on Line 2. None of the birds had neck cuts (b) (6) (b) (6) was present for most of these observations but left at approximately 0908 hours. At approximately 0910 hours I informed (b) (6) who was standing between the Line 1 and Line 2 Leukosis Check stations that I needed to inform (b) (6) (b) (6) that the plant would be receiving a noncompliance for the cadavers and that I needed the plant's Corrective Actions. (b) (6) (b) (6) radioed for (b) (6) (b) (6) but he did not return to the area at that time. At approximately 0912 hours while (b) (6) and I were in the area of Line 2 pre-sorter station, (b) (6) informed us that the plant would be adding two more back-up cutters after the break. I asked (b) (6) if the plant had any plans to reduce the line speed or implement other corrective actions. (b) (6) informed me that he would ask his supervisor. Prior to observing the kill line at approximately 0830 hours, I checked the line speed of both Lines 1 &amp; 2 at the Plant 1 line computer control room and both were set at (b) (4) bpm. As I was returning to Plant 2, I saw (b) (6) and informed him of the cadavers and forthcoming noncompliance. Between lines 1 &amp; 2, FSIS inspection personnel had observed 20 cadavers and 1 live bird prior to scalding during the day shift. This Noncompliance Record is linked to PHIS NR# BXL1705113507N.</p>	

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M6137+P6 137	Foster Farms	BXL420 511250 7N-1	11/07/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On 11/5/2019 at start-up in Plant 1 on night shift, while observing carcasses shackled on the line at the Line 2 pre-sorter station, at 2224 hours (b) (6) (b) (6) observed one cadaver on Line 1, at 2230 hours one cadaver on Line 2, and at 2233 hours, four cadavers on Line 2. (b) (6) notified (b) (6) of his findings. (b) (6) continued to observe birds from the Line 2 pre-sorter station and observed eight cadavers between 2234 and 2236 hours on Line 2. I, Dr. Mehta, joined (b) (6) and we observed thirteen cadavers between 2237 and 2240 hours from the Line 2 pre-sorter station. Between 2233 hours and 2240 hours, we observed twenty-seven cadavers. During the above interval, (b) (6) was on the radio notifying supervisors of the repeated cadavers. At this time, I asked (b) (6) if he could call (b) (6) to find out what corrective actions were being taken. At 2240 hours (b) (6) informed me that he was going to stop slaughtering on Line 1 and Line 2. (b) (6) proceeded to live hang and verified that live hang had stopped hanging on Line 1 and Line 2. While the chickens that were previously on the shackle line processed out (b) (6) and I continued to observe from the Line 2 pre-sorter station. Between 2241 hours and 2249 hours, we observed five cadavers on Line 1 and six cadavers on Line 2. At 2255 hours, I notified (b) (6) (b) (6) of the forthcoming noncompliance due to a cluster of cadavers as well as not effectively ensuring birds did not continue to enter the scalding tank once live hang was stopped. Birds started to emerge from the picking room again at 2256 hours. (b) (6) provided the following corrective actions that were made while there was a gap in the line between 2249 hours and 2256 hours: the auto-kill machinery was adjusted, two back up cutters were in place for</p>	OPEN

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							<p>both Lines 1 &amp; 2, and birds would be hung on every other shackle until the situation could be effectively addressed. At approximately 2300 hours I proceed to verify the corrective actions. I went into the “picking room” to observe the birds coming out the stimulator. (b) (6) and (b) (6) were present with me. While observing the birds for proper cuts and signs of consciousness, I observed two birds on Line 2 blinking, turning their heads and flapping their wings. I observed superficial cuts on their necks and showed (b) (6). At this time, (b) (6) euthanized the two birds. I then proceeded to the “blood room.” I observed that there were two back up cutter employees per line. I also observed the lead person adjusting the Line 2 guide bar for the auto-kill machine. On both lines, I observed multiple birds going around the guide bar and missing the auto-killer. The two back up cutters on each line were diligently working to ensure these missed birds were cut. Lastly, I checked the line speed and both lines were going 110 bpm. Between Lines 1 &amp; 2, FSIS inspection personnel had observed 38 cadavers and 2 live birds prior to scalding during the night shift. No further cadavers were observed until Plant 1 ended operations at lunch time at 0215 hours. This Noncompliance Record is linked to PHIS NR BXL1705113507N/1 and PHIS NR BXL1704115407N/1.</p>	

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7089+P7 089	Tyson Foods Inc	FHB492 209531 0N-1	09/09/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>P7089, Tyson Foods Inc; Regulation 9 CFR 381.65(b) On Monday, September 9, 2019, at approximately 1715 hours, while in the evisceration department I observed 4 cadaver carcasses (i.e., The skin of the carcass or neck was darker than normal and cherry red to purple, the neck cut was absent, and birds displayed swollen, enlarged blood-engorged heads with blood-colored necks) inside the establishments condemn barrel beside the rehang table. The plant supervisor was notified and observed the carcasses. (b) (6) observed the carcasses and confirmed the carcasses had died by other means than slaughter. I left the evisceration department and went to the killing department of the establishment at 1738 hours. While observing the back-up killer, I noticed an ongoing loss of process control as evidenced by observing two more cadaver carcasses without cuts to their necks on the kill line before entering the evisceration department. The back-up killer was unable to keep up with birds missed by the automatic cutter, which resulted in more cadavers seen in the picking room. Also observed the kill line speed was (b) (4) birds per minute (BPM), which was higher than the usual line speed of (b) (4) BPM. The plant supervisor observed the cadavers and stated that two back-up killers would be present for the remainder of the shift. The establishment is not following good commercial practices, as evidenced by birds dying other than by slaughter or not being bled out properly, which represents noncompliance with 9 CFR 381.65(b).</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M751+P10 49	Pitman Farms Inc. (Moroni Turkey Processing)	MMK44 140817 28N-1	08/28/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On August 28, 2019 at approximately 1234 (b) (6) along with (b) (6) (b) (6) were making observations at the entrance to the scald vat during a Food Safety Assessment. At approximately 1235 the first live bird entered the scald vat. The bird had a superficial/ineffective cut low on it's neck, near the base of it's beak, it was rhythmically breathing, flapping its wings, blinking, holding its head in an uplifted position and looking from side to side. (b) (6) and (b) (6) observed the bird exit the scald vat and appeared consistent with a cadaver (red colored skin, head red and engorged with blood) and they observed an establishment employee remove the bird from the shackle. The second live bird entered the scald vat at approximately 1238 and appeared the same as the description of the first live bird that entered. Observations of the second live bird exiting the scald vat were also the same as made by (b) (6) (b) (6) and (b) (6) Establishment management (b) (6) was given verbal notification that a Good Commercial Practices noncompliance would be issued through (b) (6) (b) (6) on the above observations. This is a noncompliance with 381.65(b), which requires that poultry 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>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M751+P10 49	Pitman Farms Inc. (Moroni Turkey Processing)	MMK22 160832 29N-1	08/29/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On August 29, 2019 at approximately 1022 hours (b) (6) and (b) (6) were directly observing the entrance of the scald vat during a Food Safety Assessment due to concerns with proper bleed out of finished product. Live birds (blinking, flapping wings vigorously, rhythmically breathing, arching neck with head lifted and looking from side to side, with visible superficial ineffective cuts to one side of the neck) were observed entering the scald vat at approximately 1025, 1033, 1034, 1037 and 1039 hours. The carcasses were also observed by (b) (6) exiting the pickers with a bright red coloration (indicating a cadaver), red head and cuts were confirmed as previously observed. At approximately 1044 hours (b) (6) (b) (6) was notified of a loss of process control and asked to stop hanging until corrective actions could be proffered. It was also explained that the noncompliance record would be issued through (b) (6) (b) (6) At approximately 1118 hours (b) (6) proffered the following corrective actions: 1. A second backup killer will be present at all times during slaughter 2. An in-depth training will be done with all the backup killers and documentation will be provided the morning of August 30, 2019. (b) (6) was informed the proffered corrective actions were acceptable and the establishment could resume slaughter operations. This is a noncompliance with 381.65(b), which requires that poultry 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. This noncompliance is associated with noncompliance record MMK4414081728/1N</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							dated August 28, 2019 in which previous preventative measures either were not implemented or were ineffective.	
P1137	Tyson Foods, Inc.	YBO241 611070 1N-1	11/01/2019	04C05	Poultry Good Commercial Practices		Created in error.	CLOSED
P1241	Tyson Foods, Inc.	MGJ31 070509 09N-1	05/09/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>Between 05:40 and 06:00, (b) (6) observed seven or eight chicken carcasses on the evisceration line and a condemn barrel that contained chickens that were various shades of red indicating that either they were poorly bled out or had not had not been killed properly, i.e. cadaver. She immediately stopped the line, notified an evisceration lead person, then notified (b) (6) who immediately went to the New York room to observe the chickens that were to enter the scalding. (b) (6) observed three live breathing chickens between the back-up killer and the entrance of the first operational scalding, during this time the New York Line was not running. The chickens would have entered the scalding had (b) (6) not taken a regulatory control action. (b) (6) discussed the establishment's failure to maintain good commercial practices with (b) (6) (b) (6) stated that the at the kill machine had malfunctioned and that the back-up killer was unable to keep-up. To prevent any live chickens between the killer and the first scalding from entering the scalding, (b) (6) placed an employee before the first operational scalding to decapitate the remaining chickens on the New York line ensuring that none of them entered the scalding alive. He then directed the maintenance department inspect and repair the killer. Operations resumed after the killer was repaired.</p>	CLOSED



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P1243	Perdue Foods, LLC.	XLB161 307011 7N-1	07/17/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>At approximately 1341 hours, while performing the Good Commercial Practices task, I observed the following noncompliance. I walked outside to observe the DOA bin and saw an approximately 2.5 feet by 2 feet pile of birds both dead and alive at the end of the conveyor belt that moves birds from the live hang area to the DOA bin area. The conveyor belt was full of both dead and live birds as well. The conveyor belt was jumping and not moving forward or backward. There was no one at the site. As I started to go find a supervisor, two establishment employees arrived and started sorting the birds into dead and live birds. I observed some of the live birds being pulled out had gasping breaths as they were being suffocated by the birds on top of them. I continued on into the live hang area to find a supervisor, I observed an approximately 3 feet by 3 feet pile of dead and live birds at the other end of the conveyor belt. Since the conveyor belt was not operating, birds continued to fall on top of this pile. The live birds contained in both of these piles were left to die from suffocation because other birds were continuing to fall and pile up on top of them. There were approximately 15 birds both dead and alive in the drains around this area of live hang. There were also approximately 40 birds walking around under the live hang platform. I took regulatory control of the live hang area by stopping the further movement of birds into the live hang area. I allowed birds which were already in the live hang area to continue through the process as the temperature was hot in this area. I informed (b) (6) of the noncompliance with the regulation above. (b) (6) stated that the cause of the pile up of birds was inattention and to prevent this from reoccurring, an employee will be stationed at both ends of the conveyor at all times. I accepted this preventative. I removed regulatory control at</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2020-110**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							approximately 1352 hours after all birds had been sorted and removed from the conveyor, the ends of the conveyor, and the live hang area including the drains and under the platform and the conveyor was once again operational.	
P1307	Mar-Jac Poultry-AL	KIL3013 052007 N-1	05/03/2019	04C05	Poultry Good Commercial Practices	381.65(b)	At approximately 15:50, I was informed by a CSI that she had observed chickens on line 2 with extremely red necks and even some with heads attached that were red and showed signs of improper bleeding. I immediately went to observe chickens on line 2, and observed numerous chickens which fit the description that the CSI described. At 16:00, I proceeded to the scalding area to observe chickens entering the scalding area. I observed the line for approximately 2-3 minutes, during which time I saw four chickens enter the scalding area with their eyes blinking and their necks arched, which indicated that they were alive. I concluded that the establishment's process was out of control. I immediately went to the live hang room, and took regulatory control action by instructing the employees to stop hanging chickens on line 2. I then notified the Live Hang Supervisor of my findings. I went to the auto rehang area to look for the chickens that had entered the scalding area alive, and observed the back up rehanger remove six chickens from the line that were a deep red color and place them into the condemn barrel.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-110

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P146	Tyson Foods, Inc,	EJJ5420 012522 N-1	01/22/2020	04C05	Poultry Good Commercial Practices	381.65(b)	On January 22, 2020 at approximately 1907 hours while performing the Good Commercial Practice (GCP) Task I observed the following deficiency in the Kill Room area. The kill line #1 was not in operation and several birds (17) were observed not breathing and deceased with their heads submerged in the water in the stunner cabinet. The birds were immediately presented to (b) (6). The cause of death was by means other than slaughter. (b) (6) (b) (6) was verbally notified of the noncompliance in regards to 9 CFR 381.65(b). The establishment removed the affected birds from the line in the presence of USDA staff. Continued noncompliance could result in additional regulatory or administrative action(s) as described in 9 CFR 500.4.	CLOSED
P1480	Tip Top Poultry, Inc.	JBA481 909381 2N-1	09/12/2019	04C05	Poultry Good Commercial Practices	381.65(b)		OPEN
P18860	Sing Wah Live Poultry Mkt Inc	XPD471 109471 2N-1	09/12/2019	04C05	Poultry Good Commercial Practices	381.65(b)	On September 12, 2019 at approximately 12:30 while performing a good commercial practices for poultry slaughter task I observed the following: The employees in the killing room had put four poultry carcasses into a barrel to be put into the scalding, that were still moving and were not dead. This is in violation of CFR 9 381.65(b). I had the employees immediately remove the poultry and put them back into the cones until they were no longer moving. I notified and showed the owner (b) (6) the violation.	CLOSED

**Table: Noncompliance Reports in Response to FOIA2020-110**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P21234	Perdue Foods LLC	XGI050 501082 7N-1	01/27/2020	04C05	Poultry Good Commercial Practices	381.65(b)	<p>At approximately 1121 hours, while performing a Good Commercial Practice Task on 1/25/2020, I, (b) (6) observed the live hang (b) (6) placing DOAs back on the slaughter line. I stopped him immediately, and explained to him that this is not acceptable. According to Poultry Product Inspection Act (PPIA) Section 453(g)(5), a poultry product is adulterated if, among other circumstances, it is in whole, or in part, the product of any poultry which has died otherwise than by slaughter. Therefore, he was placing adulterated product on the line. I informed (b) (6) (b) (6) of this issue and told them that I would be documenting it in a noncompliance. This document serves as a written notification that your failure to comply with regulatory requirement may result in additional regulatory or administrative actions.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2020-110

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P2186	GEORGE'S FOODS, LLC	YJO551 501383 1N-1	01/31/2020	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On 01/30/2020 beginning at ~17:23 through ~21:50, there was a trend of birds dying otherwise than by slaughter. The following GCP noncompliance and mistreatment of poultry was observed. At 17:23, I, (b) (6) performed a GCP task check in the kill room. A 2 minute check was performed, and during this time 10 birds were not stunned after exiting the stunner, 7 birds missed the kill blade, and at least 1 bird missed or nearly missed by the backup cutter. I immediately notified (b) (6) who followed up with (b) (6). At ~17:30 (b) (6) informed me that they raised the water level of the electrical stunner so birds would not miss the stun step. At 17:45-18:18, (b) (6) documented that the kill line was starting and stopping frequently which led her to investigate further. Between 17:55-18:05 in evisceration, the evisc lead was seen performing the following actions: carrying a cadaver with head attached into kill room; carrying a second cadaver from the rehang table towards the sorting lines; carrying one cadaver in one hand and three cadavers in the other hand towards kill room. At 18:10, a floor employee was seen pushing a full condemn barrel, with at least two purple cadavers on top, from salvage. At 19:17 I instructed (b) (6) to perform a GCP check on the kill floor, telling her to look for missed stuns, missed cuts, and backup cutter performance. At 19:31, she performed the check and observed 11 missed stuns in 2.5 minutes; 6 of which occurring in the first minute. At 19:37 a condemn barrel next to the rehang table was seen filled with cadavers. An employee informed us that 2.5 barrels of cadavers had already been condemned before break in the rehang area alone. At 20:56 (b) (6) and (b) (6) observed 10 cadavers on the floor by the rehang area's feet and the condemn barrel was overflowing with primarily cadavers. Also, at least one cadaver was seen in each of the 5 condemn</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2020-110**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>barrels in the sorting area. (b) (6) performed an additional GCP check on the kill floor at 20:59 and observed 12 birds miss the stunner in 2.5 minutes as well as more than 40 chicken heads piling on the floor next to the backup cutter. A final GCP check by (b) (6) and (b) (6) was performed at 21:27, counting 9 birds missing the stunner in 2.5 minutes. At 21:38-21:42, (b) (6) and myself observed 5 cadavers coming off the picking line; 3 had no cut and 2 had their heads cut off, but did not bleed out adequately, still resulting in cadavers. I spoke with (b) (6) at ~21:45, who told me they were raising the water level of the stunner for a second time. At this point, slaughter ended approximately 8 minutes later. Despite consistent intervention, observation, and corrective actions by the establishment, birds continued to die by means other than slaughter throughout the night, leading me to conclude the establishment had lost control of the process. (b) (6) was notified on 01/31/2020 that the event would be documented as a noncompliance. Based on the information provided above, this event is noncompliant with 9CFR 381.65(b), poultry must be slaughtered in accordance with good commercial practices in such a way that results in thorough bleeding of the carcasses and ensures that breathing has stopped prior to entering scalding.</p>	

Table: Noncompliance Reports in Response to FOIA2020-110

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P325	Tyson Foods, Inc.	YDM58 220939 20N-1	09/20/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On September 20, 2019, at approximately 1655 while (b) (6) was walking through the Evisceration department, the following noncompliance was observed. (b) (6) noticed that the condemn barrels were filled to capacity at the rehang station and was going to make sure they were being emptied as frequently as needed. Upon further inspection, multiple cadavers were noted with intact heads and necks. She then began investigating further into the barrels. In the two barrels that were at the rehang station, there were 25 cadavers with the same findings. During this investigation, two more birds with the same findings were removed from Evisceration Line 1. (b) (6) came to the rehang station while the birds were being investigated by (b) (6). It was determined that all the birds with intact heads and necks entered the evisceration floor and therefore entered the scalding vat still breathing (cadavers), which represents an out of control process that results in adulterated product. It was determined all the birds that had intact necks and heads were removed from Evisceration Line 1. (b) (6) directed the hanging pen to stop hanging birds while they investigated the situation. Establishment management determined that the new employee working as a backup cutter was the root cause in addition to the cutting blade being maladjusted. At approximately 1717, (b) (6) discussed the noncompliance and concerns. (b) (6) stated for preventative measures they were going to adjust the cutting blade and place an experienced team member at the back up cutter location because the root cause team member presently in the location has never performed the job until today. At approximately 1720, (b) (6) went to the picking room to verify the measures were in place</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2020-110**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>and observed no experienced team member at the back up cutter position. (b) (6) took a regulatory control action and had (b) (6) stop hanging birds on that line until they could have their corrective measures in place. At approximately 1725 (b) (6) relinquished control to the establishment once the extra team member was in place in the back up cutter position. It was discussed with (b) (6) that this does not meet the regulatory requirement to slaughter poultry in accordance with good commercial practices that result in thorough bleeding to ensure breathing stops before scalding, and that these cadaver birds are considered adulterated. This document serves as written notification of the establishment's failure to meet the regulatory requirements of 9 CFR 381.65(b). This Noncompliance Report serves as written notice that continued failure to meet regulatory requirements can lead to enforcement actions described in 9 CFR 500.4. (b) (6)</p>	



EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P325	Tyson Foods, Inc.	YDM27 101230 14N-1	12/14/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On 12-13, 2019 at approximately 1725 hours while performing a Good Commercial Practices task in the Live Hang Receiving Area, I observed a bird laying on the ground underneath the roller bed where empty cages leave the bird dump exit. Upon further observation, the bird appeared to be immobile, head down in the litter, lying flat on the ground. I proceeded to the Live Hang Room and summoned (b) (6) (b) (6) to the scene. (b) (6) proceeded to remove the bird from underneath the Roller Bed. Upon further examination of the bird it was obvious that it was dead from blunt force trauma. The carcass had sustained a 4 in. by 6 in. rectangular full thickness tear into its abdominal cavity exposing a 6 in. loop of semi moist intestine dangling from the opening. One could assume that it had succumbed in the last couple of hours. (b) (6), and Plant Manager, Mr. Brian Shankle were notified of the forthcoming noncompliance. (b) (6), (b) (6) and I observed the Roller Bed for its integrity and noticed that there is a 6 in. by 3 ft. opening in the Roller Bed platform as the cages exit the Bird Dump. As a possible root cause this bird may have escaped from its cage during the dumping process, then killed by a rolling cage crossing the surface of the roller bed and dragged through the previously mentioned opening. As a corrective action (b) (6) indicated that he would have Maintenance weld a metal plate in place to prevent reoccurrence. This document serves as written notification of the establishment's failure to meet the regulatory requirements of 9 CFR 381.65(b) and serves as written notice that continued failure to meet regulatory requirements can lead to enforcement actions described in 9 CFR 500.4. Plant management is expected to employ proper handling methods consistent with good commercial practices. It is important for the</p>	OPEN

**Table: Noncompliance Reports in Response to FOIA2020-110**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>establishment to treat poultry in a manner that prevents needless injury and suffering in order that a commercially marketable, unadulterated product may be produced as described in 9 CFR 381.65. As stated in 9 CFR 381.65(b) in Support of Good Commercial Practices: "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". 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 public. The establishment is also reminded they are responsible for providing their own MOI responses through PHIS. Copies of this NR/MOI will be distributed to the Establishment, the USDA inspection file, and the District Veterinary Medical Specialist per Directive 6100.3. The issue will also be discussed at the next weekly meeting. (b) (6)</p> <p>(b) (6)</p>	

**Table: Noncompliance Reports in Response to FOIA2020-110**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P44947	Two Brothers for Wholesale Chicken, Inc.	TRR2010085623N-1	08/23/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On Friday, 08/16/2019, at approximately 1015am, while performing a directed Good Commercial Practice PHIS task to verify the establishment was following GCP guidelines as written in 9CFR 381.65(b), (b) (6) observed the following: In the live holding /killing floor area, three young chickens were in a barrel, however, they were still moving and had not been fully bled out. Retain tag #B42078637 was placed on the barrel. (b) (6) (b) (6) was immediately notified of this non-compliance with 9 CFR 381.65(b). IIC was also notified regarding this non-compliance and a corrective action was prompted, The workers placed the chickens into the cones, so they would bleed out appropriately. The retain tag was removed and slaughter proceeded.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-110

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P4602A	NEW MARKET POULTRY, LLC	YCG521 007560 9N-1	07/09/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On July 9, 2019 at 0728 hours, I, (b) (6) (b) (6) while in the office of the Inspector In Charge was summoned to the second inspection station of evisceration line 1 by an online food inspector (FI-7). The FI-7 exhibited to me a “true cadaver” removed from the line and placed on a holding shackle for my inspection. The heavy hen carcass had an attached head and no evidence of a slaughter incision across the throat area indicating it had not been bled before entering the scalding water. I informed (b) (6) and (b) (6) of this finding.</p> <p>Later, at approximately 0738 hours while performing postmortem inspection at evisceration (b) (4) as part of giving a different FI-7 a work break, I personally removed a different true cadaver. This heavy hen carcass was an intense “cherry” red generally across the whole of the body typical of identified cadaver birds. The head was removed before the first cervical vertebra with an intact trachea and blood vessel lesions presenting a torn rather cut appearance with uneven, jagged skin draped over the site of decapitation. I judged this presentation to evince that a second chicken had not died by slaughter prior to entering the scalding water. I presented this cadaver to (b) (6) (b) (6) and informed (b) (6) (b) (6) of the noncompliant findings. 9 CFR 381.65 (b) requires that “poultry must be slaughtered... in a manner that will result in thorough bleeding of the carcass and ensure that breathing has stopped prior to scalding.”</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2020-110**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P4734	New Lee's Live Poultry Market Inc.	XKD560 501132 ON-1	01/20/2020	04C05	Poultry Good Commercial Practices	381.65(b)	On Monday, 01/20/2020, at approximately 6:20 am, while performing a directed Good Commercial Practice PHIS task in order to verify the establishment was following GCP guidelines as written in 9CFR 381.65(b), I observed the following: In the live holding /killing floor area, workers were immediately putting birds into the barrel after the knife cut instead of into the bleeding cones. Several birds were moving inside the barrel; three were able to flip out of the barrel onto the floor. Retain tag number B41435252 was placed on the barrel. (b) (6) was immediately notified of this non-compliance with 9 CFR 381.65(b). The 13 birds inside the barrel were condemned. Retain tag #B41435252 was removed. (b) (6) ordered workers to place the chickens into the cones after the knife cut so they would bleed out appropriately.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P509	Koch Foods LLC	IPG522 209591 1N-1	09/11/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>At approximately 9:20 pm at Koch Foods (P-00509), there was a failure of the automatic knife in the poultry killing line resulting in many birds that entered the scalding line inadequately bled and a few that entered the scalding line alive. The automatic knife was not adjusted properly to produce an adequate killing cut across the carotid arteries that left many birds inadequately bled and some birds breathing when they entered the scalding line. The automatic knife made instead a shallow cut behind the beak that did not cut the carotid arteries to produce death by blood loss. Further, the killing line could not be stopped by the back-up cutter on the killing line once the failure became apparent to her. The killing line was stopped by a supervisor and two back-up cutters made back up cuts to the birds prior to the neck puller. The plant removed and disposed of all birds that exited the scalding line after the killing line was stopped. The issue of the control of the killing line by the backup cutter was addressed in an August 13, 2019 weekly meeting with plant management where an increase in cadavers and back up cutter control of the process was discussed. After making repairs to the automatic knife and testing the knife on a small number of birds, the line was restarted at approximately 10:30 pm with two back-up cutters. Further observation of the killing line around 11:30pm showed both back-up cutters were making too many follow-up cuts on the birds after the automatic knife. IPP observed one bird around 11:45pm that had been missed by automatic and backup cutters and stopped the line, so a backup cut could be made. I took control of the line and had the speed reduced to (b) (4) birds per minute while further adjustments were made. At around 11:50 pm the speed was returned to (b) (4) birds per minute when it was observed that the backup cutters were able to maintain control of the slaughter process in an acceptable manner.</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2020-110**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							This incident is non-compliant with 9 CFR 381.65 (b) Poultry must be slaughtered in accordance with good commercial practices.	
P517	Mar-Jac Poultry-MS	QOO16 041136 29N-1	11/26/2019	04C05	Poultry Good Commercial Practices	381.65(b)	On November 26, 2019, at approximate 2040, while performing GCP verification for the Southside picking line (line #2), (b) (6) observed a systemic failure in the picking room, which resulted in an out of control process. Specifically, approximately three live birds were observed entering the scald tank because the backup killers, even with additional help, could not keep up with the amount of birds missed by the kill machine. Also observed were conscious and alert birds with their heads raised, exiting the kill area, with no further intervention between them and the scalding. Regulatory control was taken by instructing management to stop hanging on the back dock for the affected line. (b) (6) (b) (6) was notified of this noncompliance verbally and in writing with this NR. This represents a failure to meet regulation 381.65(b).	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-110

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P5787	Pilgrim's Pride Corporation	DEB212 207132 2N-1	07/22/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>P5787, Pilgrim's Pride at Natchitoches; Regulation 9CFR381.65(b); On Sunday, July 07, 2019 at approximately 2200 hours, I, (b) (6) (b) (6) observed the following while performing Good Commercial Practices verification task: fourteen (14) breathing birds entering the scald, within a one minute window. The necks of these breathing birds were cut on one side only, some cuts as short as half inch, other cuts as distal at the ear. These young chickens are deemed alive and sensible because their necks are not limp but tensed and arched, some with beaks opening and closing trying to breathe, others with eyes wide open, and flail as they come in contact with the scald water. I summoned (b) (6) at the pre-scald to see for himself the breathing birds entering the scald. Together, we saw at least 3 more breathing young chicken enter the scald in a matter of ten seconds. Upon seeing the aforementioned, (b) (6) immediately instructed a plant worker to adjust the kill/slitter machine. After a minute or two, (b) (6) and I walked back to the pre-scald and found no more breathing bird enter the scald. This is a non-compliance of 9CFR381.65(b).</p>	CLOSED



EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P5787	Pilgrim's Pride Corporation	DEB110 408100 9N-1	08/09/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>At 0206, while performing the stunning effectiveness component of the good commercial practices procedure, I approached the back-up cutter station on line 2. The back-up cutter on line 2 nodded and waved to me and I nodded and waved to him. I positioned myself to best observe stunning effectiveness and started my stopwatch. While observing for stunning effectiveness, I observed a bird that was not stunned that the back-up cutter cut the neck to ensure exsanguination and, thus, unconsciousness before the bird entered the scald. The second bird after the one just described was not stunned and its legs were not hung evenly in the shackle. The employee moved the trailing leg so that it was at the bottom of the shackle loop even with the leading leg. By the time the back-up cutter had gotten the trailing leg hung evenly with the leading leg, the bird had started to pass behind the metal partition that is perpendicular to the wall that has an opening through which the line passes as it continues over the blood trough on the way to the scald. The back-up cutter grabbed the bird's head with his left hand (he was holding a knife in his right hand) and held on to it while the line kept moving, thus ripping the head from the fully-conscious bird. I observed the back-up cutter throw the bird's head into the drain that is on the east side of the line 2 back-up cutter station. Shortly after I observed the animal welfare incident described above, (b) (6) (b) (6) came to the area and I asked to speak with him in (b) (6) (b) (6) Office. I described what I had observed to (b) (6) and (b) (6) (b) (6) and informed them that I would issue a noncompliance report. (b) (6) instructed (b) (6) (b) (6) to take the back-up cutter to the personnel office because that was an animal welfare issue. This is a noncompliance with 9 CFR 381.65(b).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-110

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P5787	Pilgrim's Pride Corporation	DEB580 911110 1N-1	10/31/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>#237 On October 31, 2019 at approximately 1031, there were at least 200 birds, the majority of them dead on arrival birds (DOAs), lying on the floor of the live hang area. Most of this pile contained DOAs with some live weak birds among them. I counted at least 20 birds in this pile that were still alive though moribund being buried under/smothered among the DOAs. I notified the (b) (6), to stop hanging birds until this pile could be properly sorted and any live birds removed from among the DOAs.</p> <p>The pile was sorted and the plant resumed hanging birds at approximately 1039. The DOAs continued throughout the day but were more successfully sorted by the establishment. One DOA was removed from (b) (4) line 2 inspection station 2 by an USDA inspector. I confirmed the bird was a DOA and condemned it. DOAs should not be hung in the live hang area and allowed to be conveyed into any processing areas. The weather had turned cold overnight and these chickens died by means other than slaughter. While it appeared most of the DOAs had died prior to arrival into the live hang area, the weak, moribund birds were thrown onto the same pile as the DOAs thereby endangering them to die by being smothered among the DOAs (died by means other than slaughter). This is non-compliance of 9 CFR 381.65(b) whereas poultry must be slaughtered in accordance with good commercial practices. Chickens dying by means other than slaughter create an insanitary condition and are adulterated in non-compliance of 9CFR 381.65(a) and 9 CFR 416.4(d). (b) (6)</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2020-110**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P5787	Pilgrim's Pride Corporation	DEB180 412062 6N-1	12/26/2019	04C05	Poultry Good Commercial Practices	381.65(b)	NR# 278 At approximately 0355, while performing the stunning effectiveness component of the good commercial practices procedure, I walked over to line 1 and observed the backup cutter pull the head off of a conscious bird without using a knife. I then observed the backup cutter throw the head into the drain. After he did this, he turned around to make sure no one saw him. When he saw that I was standing there, I shook my head, letting him know I saw him. I then went to the office of (b) (6) and notified him of the noncompliance. (b) (6) then left his office and went straight to the backup cutter to inform him of the animal welfare issue. This is a noncompliance with 9 CFR 381.65(b)(b) (6) (b) (6)	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-110

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P6505	Norman W. Fries, Inc.	BBA101 511380 8N-1	11/08/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On Wednesday 11/06/2019 at 2323 while I was with (b) (6) on line 2, I was called by (b) (6) (b) (6) and (b) (6) to the Evisceration area where (b) (6) noticed 2 full barrels of Cadavers next to line 2 and 1 full barrel next to line 1, and (b) (6) tagged them with USDA Tag number B38137008, on looking at the birds they were red to purple with congested neck and no cuts were observed on their necks giving an appearance of typical cadavers, I notified (b) (6) (b) (6) of the issue, they said there was an issue with the kill machine that was fixed, but while we were there, we noticed more cadavers coming on to lines 1&amp;2. The number of cadavers was too many to count but roughly there were over 300 birds. Live chickens entering the scald tank and dying by means other than slaughter is not according to PPIA and Agency regulations requiring that live birds to be handled in a manner consistent with good commercial practices. Previous MOIs were issued by (b) (6) and (b) (6) for the same issue on 07/25/2019 and 09/19/2019 respectively indicating a system failure to control this process and ongoing pattern or trend is developing.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P687	House of Raeford	XRA111 712380 4N-1	12/04/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>Around 1030 hour on 12/4/19, (b) (6), can to me inside in plant USDA-FSIS Office, (b) (6), stating that there were piles of birds backed up on the conveyor belt all the way to the entrance to the live hang area (inside) and that they were fallen off the conveyor on the cement floor some estimated 8 plus feet below. When I arrived at live hang I observed a very tall pile of dead chickens piled at the end of the hanging table on either side as workers were gathering the dead chickens. (b) (6) stated she had already seen 6 barrels of dead chickens by that time. We continued to the cage dump area where I observed the (b) (6) (b) (6), whom I had just seen in hanging area, was now straddling the incline conveyor belt sides going to live (that is high above the ground). He was pulling chickens out of the (stuck) pile just in front &amp; to right of the cage dump. He was straddling several feet from the cage dump conveyor onto of metal sides of the incline conveyor leading to the hanging area. I also observed an employee picking up chickens off the ground, carrying 2 -3 in each hand held by the leg(s). They looked like were perhaps dead. But I was too high up to confirm. Plant Manager – Randy Crapps was present at the time of my observation in which I expressed this was a GCP concern. At the time I could not understand why so many chickens, why or how the pile occurred. I returned to live hang to which I noted the birds were still being put in the condemn barrels. I touched some to feel they were warm like a live chicken and noted to Plant Manager – Randy Crapps some of the dead chicken that had fresh injury; showing him approximately 5 in all. Some of the chicken midways and to the bottom of the tall pile were cool to touch, Some with and some without rigor mortis. Total as witnessed by IPP, approximately 15+ full (yellow) condemn barrels dead chickens</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>were collected due to this incident. Gathering and assessing the situation, I did notice a cage door carried from the live hang room. It was reported that this was a factor in this GCP occurrence; that it fell off one of the cages into the cage dump. The other information gathered was that the cage dump operator continued to dump chickens on top of each other. Also, when I went back outside to finish my observations, I stopped the cage dump operator from dumping chickens when the chickens were approximately halfway across the cage dump conveyor. I subsequently notified Day Shift Receiving Supervisor and Day Shift First Processing Manager of this finding; concerned the operator may injury or kill more chickens by dumping chickens on top of chickens. Around 1330-hour (b) (6) (b) (6) and Plant Manager – Randy Crapps was verbally notified would be documented as noncompliance.</p>	

Table: Noncompliance Reports in Response to FOIA2020-110

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P7264+V72 64	Sanderson Farms, Inc.	VLB510 912530 6N-1	12/04/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On Wednesday December 4, 2019 at approximately 1205 hours while doing a walkthrough under the hanging dock (USDA) (b) (6) observed (4) live young chickens in the(DOA's) bin that contained some dead- on-arrival (DOA's) chickens. (b) (6) was notified of this finding. (b) (6) stated that the birds found were decapitated and disposed of properly and a welfare retest was performed. The preventive was that all birds will be decapitated, failure to do so will result in disciplinary action a training will be performed. The establishment failed to comply with the following regulatory requirement: 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 carcasses and ensure that breathing has stopped prior to scalding. Blood from the killing operation must be confined to a relatively small area. This document serves as a written notification of your failure to comply with regulatory requirements could result in additional regulatory or administrative action per 9 CFR 500.4.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P7769	Farbest Foods, Inc.	EDF382 001122 0N-1	01/20/2020	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On Monday, January 20, 2020 at approximately 20:45 hours, I, (b) (6) proceeded to the CO2 stunning area after (b) (6) reported that the CO2 stunner had malfunctioned, and live birds were being dumped onto the hanging belt. She reported that a large number of live birds were falling from the belt onto the floor and employees had placed several live turkeys into large yellow combos prior to leaving the area for break. Upon arrival, I found two yellow plastic combos completely full of live birds. Each combo held approximately 25 young turkeys stacked in 2-3 layers. The other live birds had been placed into stack cages. I found (b) (6) (b) (6) and (b) (6) (b) (6) in the CO2 control room and told them of the intentional stacking of live birds by plant employees and the imminent suffocation of birds. (b) (6) and (b) (6). (b) (6) instructed plant employees to remove the birds and place them into stack cages. All birds in the lower half of each combo were deceased, approximately 10-12 head per combo. (b) (6) asked a plant employee if all birds had been alive at the time of placing them into the combos. The employee responded affirmative with a nodding of the head (b) (6) informed me that all suffocated birds would be condemned and that the plant would conduct a training meeting with live receiving employees at the end of the shift. Subsequently, the CO2 stunning equipment was repaired, and normal operations resumed. I informed (b) (6) the plant was in noncompliance with regulation 9 CFR 381.65(b) Good Commercial Practices for Poultry Slaughter and a NR would be issued. This incident represents a loss of process control due to the large number of live birds involved and several establishment employees intentionally stacking live birds on top of one another resulting in the suffocation deaths of multiple turkeys.</p>	CLOSED



Table: Noncompliance Reports in Response to FOIA2020-110

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P9030	New American Poultry	NRF591 607103 1N-1	07/31/2019	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On July 25, 2019 at approximately 1:00pm while performing my online inspection duty's I noticed two KF chickens that had failed to be cut proper allowing for the birds to properly bleed out before entering the scold water. This was evident to there generalized dark cherry red coloring to there entire carcass signifying that it had not been properly bleed. The first KF cadaver carcass had no cut to its throat and about 30 seconds apart from the first KF chicken cadaver carcass the second cadaver passed my inspection shower there was a cut but no bleeding at all. At about 2:15pm while performing my online inspection duty's I noticed two squabes that had failed to be cut proper allowing for the birds to properly bleed out before entering the scold water. This was evident to there generalized dark cherry red coloring to there entire carcass signifying that it had not been properly bleed. The first squab had a small cut on its throat completely insufficient for proper bleeding. the second squab came about a minute after the first one and was showing the same characteristics of the first. I notified (b) (6) of the birds. (b) (6) said they will retrain the cutters for corrective action. This is a direct violation of Good Commercial practices 9 CFR 381.65(b) which states that poultry are to be slaughtered in a manner that ensures that breathing has stopped before scalding, so that the birds do not drown and that slaughter. I immediately notified the plant owner Howard Chan and showed him the four cadavers squabs and informed him of the non-compliance with 9 CFR 381.65(b).</p>	CLOSED