

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)	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.	OPEN

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M482	St. Croix Abattoir	NAA25 140531 01N-2	05/01/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	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) 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) stopped slaughter activities at approximately 1:25pm and contacted (b) (6). 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) were notified that a NR would be issued for this noncompliance.	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

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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

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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	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	CLOSED

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							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

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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

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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

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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	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) (b) (6) at Trenton Halal, was notified of these animals not having access to water. (b) (6) (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.	CLOSED
M17776	Trenton Halal Packing Company	BBE0207053002N-1	05/02/2018	04C02	Livestock Humane Handling	313.2	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) (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) (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.	CLOSED

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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	313.1: Livestock pens, driveways and ramps 313.2: Handling of livestock On January 5, 2018 at about 0530am while performing ant mortem task, I (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.	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	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)	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	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.	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	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.	CLOSED

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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

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M20403	American Halal Meat Inc.	PID2011055401N-1	05/01/2018	04C02	Livestock Humane Handling	313.1, 313.2	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.	CLOSED
M5300	Rhode Island Beef & Veal Inc.	VEL0114010831N-1	01/31/2018	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 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.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5497+V5497	Adams Farm Slaughterhouse LLC	FWJ1614032328N-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)	HATS Category VIII: Stunning Effectiveness At 8:18AM Monday 5-14-18 while conducting Humane Handling Verification at plant 45790 Royaltan 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.	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

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)	HATS Category VIII – Stunning Effectiveness 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.	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	XML56 090111 30N-1	01/30/2018	04C02	Livestock Humane Handling	313.1	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.	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	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.	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

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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	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.	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	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).	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	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.	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)	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	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)	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	CLOSED

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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

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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

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

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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	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.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

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)	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.	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	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.	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	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.	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)	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) (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	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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.	

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)	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.	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)	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.	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	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	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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).	

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)	HATS Category VIII-Stunning Effectiveness 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	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

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

Table: Noncompliance Reports in Response to FOIA2018-328

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)	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.	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	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)	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							(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).	

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)	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.	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)	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.	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)	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.	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

Table: Noncompliance Reports in Response to FOIA2018-328

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 0N-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	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.	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)	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) (b) (6) and (b) (6) were notified of the noncompliance and that a noncompliance record would be issued.	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)	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) ██████████ 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.	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	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.	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	HATS CATAGORY III Water and Feed Availability 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.	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)	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	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		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.	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	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	CLOSED

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	HATS Category III – Water and Feed Availability 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.	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)	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	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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."	
M1620	Quality Pork Processors	QMO20 230141 19N-1	01/19/2018	04C02	Livestock Humane Handling	313.2, 313.5	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.	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		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.	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	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.	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	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.	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	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.	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

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.	BAM14 140347 13N-1	03/13/2018	04C02	Livestock Humane Handling	313.15(a)(1)	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).	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)	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.	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	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)	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	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.	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	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	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	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).	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	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.	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	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.	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	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. (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.	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)	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).	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)	Humane Handling HATS Category VIII Stunning Effectiveness 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.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M278+V278	Tyson Fresh Meats, Inc.	JKJ1223015319N-1	01/19/2018	04C02	Livestock Humane Handling	313.2	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	CLOSED

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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

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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)	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.	CLOSED

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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)	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.	CLOSED

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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	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."	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)	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 10, 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) 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.	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)	#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	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)	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)	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)	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	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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	
P218	Pilgrim's Pride Corporation	WOD33 210112 09N-1	01/09/2018	04C05	Poultry Good Commercial Practices			OPEN

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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)	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)	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	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	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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".	

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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)	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)	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	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.	CLOSED

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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	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 .	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)	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.	CLOSED

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							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

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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)	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.	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	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	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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.	

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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)	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.	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)	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	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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. 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.	

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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). 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) and the Jackson District Office. After discussing the immediate corrective action with (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) 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

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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

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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

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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

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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	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).	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	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.	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

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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)	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.	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

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	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.	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	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

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)	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.	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)	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.	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	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.	CLOSED

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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	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.	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	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'. 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).	CLOSED

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	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.	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	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 market 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 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.	CLOSED

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	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. (b) (6), was notified of my findings. After notifying (b) (6) the protruding object hazards were removed a short time later. I verified	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							the removal of the protruding/sharp object hazards, and 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	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. (b) (6) was notified of the noncompliance.	CLOSED

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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	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. (b) (6) [REDACTED], was notified of the noncompliance.	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)	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.	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		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 1 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	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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	

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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)	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	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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	

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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)	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.	CLOSED

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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	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.	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	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.	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)	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.	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

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	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.	CLOSED

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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)	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	CLOSED

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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

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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	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.	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)	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	OPEN

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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

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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	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.	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	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	CLOSED

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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	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.	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

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P533	Hain Pure Protein Corporation - FreeBird East	AKB2809013924N-1	01/24/2018	04C05	Poultry Good Commercial Practices	381.65(b)	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	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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 carcasses 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.	

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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)	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.	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)	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).	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	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).	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	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.	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	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).	CLOSED

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	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.	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	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	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 filled 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

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	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).	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)	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)."	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

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)	HATS Category VIII - Stunning Effectiveness 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.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

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

Table: Noncompliance Reports in Response to FOIA2018-328

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	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. 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 approximatey 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.	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

Table: Noncompliance Reports in Response to FOIA2018-328

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

Table: Noncompliance Reports in Response to FOIA2018-328

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	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	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	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. 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.	CLOSED

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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)	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).	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	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.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

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)	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).	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

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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)	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.	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)	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 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.'	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	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)	OPEN

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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.	

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)	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.'	OPEN

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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

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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	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.	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	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.	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)	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.	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	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.	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)	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	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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.	

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)	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).	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	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)	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	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.	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)	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." Following the noncompliance, the establishment decided that plant manager Ryan Beyler would kill the remaining pigs.	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)	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.	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	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).	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	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	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	HATS Category III – Water and Feed Availability 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).	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)	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."	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

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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

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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	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.	CLOSED

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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

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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	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.	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)	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.	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)	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.	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)	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.	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)	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.	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)	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	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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.	

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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)	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	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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,	

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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

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	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.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31578	Trenton Processing Center, Inc.	LKK4307055216N-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+P39968	Donald's Meat Processing, LLC	PIF4913034123N-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+P39968	Donald's Meat Processing, LLC	PIF4909042324N-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

Table: Noncompliance Reports in Response to FOIA2018-328

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

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)	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	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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.	

Table: Noncompliance Reports in Response to FOIA2018-328

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

Table: Noncompliance Reports in Response to FOIA2018-328

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)	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).	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	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.	OPEN

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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

Table: Noncompliance Reports in Response to FOIA2018-328

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)	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	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

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.	

Table: Noncompliance Reports in Response to FOIA2018-328

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	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	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)	2/28/2018 0905 Humane Handling Est. M44932 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	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

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)	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	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		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. 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. 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.	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	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.	OPEN
M44993+P 44993	Musa Halal Slaughter House, LLC	JAQ560 903111 2N-1	03/12/2018	04C02	Livestock Humane Handling	313.1	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.	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

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

Table: Noncompliance Reports in Response to FOIA2018-328

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	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).	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	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). 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).	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

Table: Noncompliance Reports in Response to FOIA2018-328

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)	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)	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)	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.	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-328

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)	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.	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

Table: Noncompliance Reports in Response to FOIA2018-328

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	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.	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	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

Table: Noncompliance Reports in Response to FOIA2018-328

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

Table: Noncompliance Reports in Response to FOIA2018-328

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)	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	CLOSED

Table: Noncompliance Reports in Response to FOIA2018-32809:14 Tuesday, May 29, 2018 **289**

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)	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. 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	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)	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	CLOSED

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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	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.	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

Table: Noncompliance Reports in Response to FOIA2018-328

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	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.	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	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	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

Table: Noncompliance Reports in Response to FOIA2018-328

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45705+P 45705+V45 705	Meat Processing Career Center	IGR431 204161 ON-1	04/10/2018	04C02	Livestock Humane Handling	313.15(a)(1)	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).	OPEN

Table: Noncompliance Reports in Response to FOIA2018-328

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

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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)	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.	OPEN

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	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	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)	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	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	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) 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).	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

Table: Noncompliance Reports in Response to FOIA2018-328

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	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.	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	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.	CLOSED

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	MEN32 130113 17N-1	01/17/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	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.	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	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.	CLOSED

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	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.	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

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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)	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.	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	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	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							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) 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.	
M51309+V 51309	Texas Packing Co.	OLR371 605240 9N-1	05/09/2018	04C02	Livestock Humane Handling	313.1	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.	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	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.	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	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.	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)	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).	CLOSED