

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M332	FPL Food	ACA051 411321 5N-1	11/15/2018	04C02	Livestock Humane Handling	313.2	<p>HATS category 4: Handling during antemortem inspection. CFR 313.2 (a) Driving of livestock from the unloading ramps to the holding pens and from the holding pens to the stunning area shall be done with a minimum of excitement and discomfort to the animals. On November 15,2018, at approximately 1220, while performing antemortem inspection at Establishment M-332, FPL Food, I (b) (6) observed the following noncompliance. FPL employees (b) (6) and (b) (6) were unloading cattle (lot #1831851) from a truck into the Holding Pen. I asked the employees to segregate a bull into the suspect pen (Pen 0). All the cattle were taken from the Holding Pen except the suspect and a Holstein cow that wouldn't leave his side. The bull and cow were herded toward the Suspect Pen and (b) (6) pulled the gate open to allow entry. He then stood behind it to be able to close it. The suspect and cow were trotting into Pen 0 when (b) (6) ran forward pushing the gate. The gate hit the Holstein in the left shoulder so hard she fell completely down to the concrete floor. (b) (6) fell as well. Both got up unhurt. (b) (6) caused excitement and discomfort to the cow. The Holstein was put in Pen 9 with the rest of her lot. I immediately notified (b) (6), and he told me he notified (b) (6).</p>	CLOSED

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M332	FPL Food	ACA141 011582 1N-1	11/21/2018	04C02	Livestock Humane Handling	313.1	9 CFR 313.1(a) Livestock pens, driveways, and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals. On November 21, 2018, at approximately 10:50 AM, while inspecting the Tub Pen, at Establishment M-332, FPL Food, I, (b) (6) observed the following noncompliance. A metal panel lining the inside of the Tub was pulled loose at the bottom with its corner edge protruding 3-4 inches into the pen where it could cause pain and injury to the animals. I took regulatory control action US Retained/Rejected tag # B37 086373 and tagged the gate to the entrance to the Tub Pen. (b) (6) of FPL Food was notified immediately. He hammered the metal edge flat so it was no longer protruding into the pen, and I removed the tag.	CLOSED
M482	St. Croix Abattoir	NAA56 111019 04N-1	10/04/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	On October 4, 2018, at approximately 10:15am, while attempting to knock the fourth animal (a goat) of the day, the (b) (6), ineffectively knocked the animal with a captive bolt device. The animal was still upright, moving and bleating (vocalizing) after the first stunning attempt. (b) (6), immediately handed the stunning employee the back-up captive bolt device. The stunning employee administered a second stunning attempt, which was effective. The firm does not have a robust humane handling program. (b) (6) was notified by (b) (6) that a NR would be issued for this incident. The firm failed to meet 9 CFR 313.15 (a)(1) and (3); and 313.15 (b)(1)(iii) and (iv).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M482	St. Croix Abattoir	NAA00 111200 20N-1	12/20/2018	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3), 313.30(b)(3)	<p>On December 20, 2018, at approximately 10:40a.m., (b) (6) observed the following incident: The establishment's (b) (6), attempted to stun the second pig of the day, using the electrical stunner. As per the establishment's stunning protocol, (b) (6) applied the electrical stunner probes behind the ears of the pig and then to the chest of the pig. The pig started to thrash around, but (b) (6) observed the pig's eyes tracking and one blink (b) (6) notified (b) (6), who was in the knocking area, of the pig's movement. As Acting (b) (6) went to assess the sensibility of the animal, the pig rose up on all four feet and moved its head. Immediately, (b) (6) obtained the back-up knocking device, the 5 inch captive bolt stunner, which was in the knocking area and applied an effective knock to the pig. (b) (6) informed (b) (6) and (b) (6) that a NR would be issued.</p> <p>Plant management immediately removed the electrical stunner from the knocking area and started using the captive bolt stunner to knock the remaining animals. The establishment failed to meet 9 CFR 313.30 (a) (1): The electric current shall be administered so as to produce, at a minimum, surgical anesthesia, i.e., a state where the animal feels no painful sensation. The animals shall be either stunned or killed before they are shackled, hoisted, thrown, cast, or cut. They shall be exposed to the electric current in a way that will accomplish the desired result quickly and effectively, with a minimum of excitement and discomfort. The establishment failed to meet 9 CFR 313.30 (a) (3): The quality and location of the electrical shock shall be such as to produce immediate insensibility to pain in the exposed animal. The establishment failed to meet 9 CFR 313.30 (b) (3): Each animal shall be given a sufficient application of electric current to ensure</p>	OPEN

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							surgical anesthesia throughout the bleeding operation. Suitable timing, voltage and current control devices shall be used to ensure that each animal receives the necessary electrical charge to produce immediate unconsciousness.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M482	St. Croix Abattoir	NAA00 111200 20N-2	12/20/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3), 313.15(b)(1) (iii), 313.15(b)(2) (i)	<p>On December 20, 2018, at approximately 3:05pm, (b) (6) observed the following incident: The establishment's (b) (6), attempted to stun the 17th pig of the day, using the 5 inch captive bolt stunner. (The establishment's electrical stunner had been removed from use during a previous inhumane stunning incident on this day, and the smaller (22 caliber) captive bolt stunners could not be used due to a lack of stunner loads). (b) (6) attempted to stun the pig using the captive bolt stunner, but was unable to get a clear shot. The (b) (6), was in the smaller pen with the pig, trying to limit the animal's movements by pushing it against the knocking pen fence. The animal was still moving around however, and the stunner employee had a difficult time getting a clear shot. (b) (6) attempted to knock the animal using the captive bolt, but it was not an effective stun. The pig started to thrash around while standing on all four feet and was squealing. Immediately, (b) (6) obtained the back-up knocking device, the 5 inch captive bolt stunner, which was in the knocking area. The animal was moving too much to get a second shot, so (b) (6) straddled the animal to limit the animal's' movements and was then able to apply an effective second knock to the pig. (b) (6) informed (b) (6) and (b) (6) to stop all slaughter activities. (b) (6) applied US Reject tag #B19323227 to the knocking box and contacted her supervisor for further instruction, as this was the second humane handling incident observed at the plant today. The establishment failed to meet 9 CFR 313.15 (a)(1): The captive bolt stunners shall be applied to the livestock in accordance with this section so as to produce immediate unconsciousness in the animals before they are shackled, hoisted, thrown, cast, or cut. The animals shall be stunned in such a manner</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>that they will be rendered unconscious with a minimum of excitement and discomfort. The establishment failed to meet 9 CFR 313.15 (a) (3): Immediately after the stunning blow is delivered the animals shall be in a state of complete unconsciousness and remain in this condition throughout shackling, sticking and bleeding. The establishment failed to meet 9 CFR 313.15 (b)(1)(iii): The stunning area shall be so designed and constructed as to limit the free movements of animals sufficiently to allow the operator to locate the stunning blow with a high degree of accuracy. The establishment failed to meet 9 CFR 313.15(b)(2)(i): Choice of instrument and force required to produce immediate unconsciousness varies, depending on kind, breed, size, age, and sex of the animal. Young swine, lambs, and calves usually require less stunning force than mature animals of the same kind. Bulls, rams, and boars usually require skull penetration to produce immediate unconsciousness. Charges suitable for smaller kinds of livestock such as swine or for young animals are not acceptably interchanged for use on larger kinds or older livestock, respectively.</p>	

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19697+P 19697+V19 697	Chaudhry Meat Company, Inc.	ZCA241 111151 4N-1	11/14/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>(b) (6) informed (b) (6) and (b) (6) of a Livestock Human Handling noncompliance at 1153 and the application of USDA Rejected Tag #B35 200103. (b) (6) described the noncompliance as a double stunning. He stated the first attempt sounded weaker than normal. (b) (6) observed the adult beef cow (Mac #396) and it was alert, blinking eyelids and breathing with wound on the head from captive bolt. Following the first attempt to stun, the plant employee immediately took action to reload captive bolt gun and made a successful second stunning. Plant's surveillance video confirms (b) (6) observations of the incidence. All stunning procedures per establishment animal welfare policy manual were followed. I discussed the mishap with Mr. Wasim Chaudhry, President/ GM and (b) (6). They credit the mishap to a defective round, possibly caused by moisture. Management proffered the following as their corrective action for this noncompliance; Gun rounds will no longer be stored in an open container on the kill floor; instead gun rounds will be in a sealed container. I reviewed the plant's establishment animal welfare policy manual and the captive bolt maintenance records. Documents were acceptable. The USDA Rejected tag was removed a 1255. This document serves as written notification that your failure to comply with regulatory requirements(s) could result in additional regulatory or administrative action.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4265+P4 265+V4265	Locust Grove Farm	XBA071 310512 5N-1	10/25/2018	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII - Stunning Effectiveness On October 25, 2018, at approximately 1410 hours while performing humane handling verification activities at Establishment M4265, I (b) (6) observed the following noncompliance. The Establishment moved a angus steer into the stun box for stunning with a 410 cal. shotgun. The steer's head was not locked into the head gate. As the Stunner made the first stunning attempt with the 410, the steer moved its head. The stunning attempt hit the head as evidenced by both the steer's sudden movement away from the stunner and a spot on the head where the gun shot hit, but the steer remained standing and was vocalizing. The stunner took immediate corrective action by re-loading the 410 and delivering a second shot, which made the steer insensible. Mr. Dean Tripp, Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1).	CLOSED
M8547+V8 547	Champlain Beef Company Inc.	PRO091 312121 8N-1	12/18/2018	04C02	Livestock Humane Handling	313.2	HATS CATEGORY III – WATER AND FEED AVAILABILITY On December 18, 2018 at approximately 1200 hours, while performing routine ante-mortem duties, the following noncompliance was observed. IPP observed Canadian cattle being unloaded into a pen in which the only water that was accessible was fully frozen over, such that the animals could not access it. (b) (6) were both notified of this noncompliance verbally and corrective actions were immediately taken. This is a direct noncompliance of 9 CFR 313.2(e).	CLOSED



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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17965	Gold Medal Packing Inc.	JRF351 110100 1N-1	10/01/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII Stunning Effectiveness On October 1st, 2018, at 1000 while walking towards the stun box from behind the hog chute, I heard a single shot from the pneumatic non-penetrating captive bolt. As I came around the corner of the hog chute, I observed a formula fed veal calf standing calmly on the black moving table, fully conscious. I then observed the employee responsible for sticking immediately apply a second stun using the back-up device (penetrating hand-held captive bolt), which rendered the animal unconscious. The animal remained unconscious throughout the bleeding process. I verbally confirmed with the pen supervisor that the initial shot from the pneumatic captive bolt made contact with the animal, but failed to render it unconscious. I informed (b) (6) and (b) (6) of the above noncompliance and examined the animal's skull with them present. The hide was removed, and bruising and a depression in the frontal bone, consistent with a blow from the non-penetrating captive bolt, were visible adjacent to the hole from the penetrating captive bolt. The failure to render an animal insensible with a single stun is a violation of 9 CFR 313.15(a)(1).</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17965	Gold Medal Packing Inc.	JRF500 812361 4N-1	12/14/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category III - Water and Feed Availability                      HATS Category VII - Slips and Falls On Friday, December 14, 2018 at approximately 0700 hours I observed the following humane handling non-compliance's in the pens at Gold Medal Packing. A load of (b) (4) had been unloaded onto the ramp and hallway area. The drive sheet provided by the establishment listed the number of calves in the load as 247 with the "Max # Allowed" listed as 80 for the hallway and 50 for the ramp for a total of 130. According to your humane handling program spacing of animals is calculated to determine the maximum occupancy for each pen area; which is shown on your drive sheet. This excess of calves resulted in an abnormal number of slips and falls as the walking calves moved over and around the calves that were lying down. In addition, between the hallway and ramp there is a small space normally used to store a pressure washer and unused water barrels. With the hallway and ramp in an open configuration with each other, this storage space was open, and several calves were seen wandering into this space which resulted in additional slips and falls. According to your humane handling program ramps and walkways should be free from obstruction and anything that affects animal footing. In addition to the slips and falls, calves were crowded at the top of the ramp with the nearest available water at the bottom end of the ramp. In consideration of the crowding and distance together, the calves at the top of the ramp had no access to water. I notified plant supervisor Luis Olivera of the forth coming noncompliance. Calves were removed from the area between the two pens (containing the pressure washer) and the area was closed off. I was informed by the plant supervisor that he would discuss this issue immediately with plant management.</p>	CLOSED

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M5300	Rhode Island Beef & Veal Inc.	VEL071 411362 1N-1	11/21/2018	04C02	Livestock Humane Handling	313.2	Humane Handling Category III: Water and Feed Availability Today at approximately 2:45PM while performing a livestock humane handling task in the pen area, the following noncompliance was observed. Eleven pigs housed in an outdoor pen were not provided water. (b) (6) [REDACTED], was notified and immediately provided water to the animals. This is noncompliant with 9CFR 313.2(e). (b) (6) [REDACTED], was notified of this noncompliance verbally and with this notice. Upon recent record review, no similar noncompliance records have been generated to reflect this finding.	OPEN
M5300	Rhode Island Beef & Veal Inc.	VEL361 112062 8N-1	12/28/2018	04C02	Livestock Humane Handling	313.2	Humane Handling Category III: Water and Feed Availability This morning at approximately 10:30am while performing a livestock humane handling task in the outside pen area, the following noncompliance was observed: Two beef cows housed in an outdoor pen were not provided water. The slaughter floor supervisor was notified and immediately provided water to the animals. This is noncompliant with 9CFR 313.2(e). (b) (6) [REDACTED], was notified of this noncompliance with this notice. Upon review of records, there are no recent similar humane handling noncompliance records.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5497+V5497	Adams Farm Slaughterhouse LLC	FWJ3614122419N-1	12/19/2018	04C02	Livestock Humane Handling	313.30(a)(3)	Humane Handling Category VIII: Stunning Effectiveness This afternoon, at approximately 3:00pm, while observing the slaughter of swine to ensure acceptable humane stunning methods, the following noncompliance was observed by the food inspector: The employee performing the stunning applied the electrical stunning wand to a large market swine in the appropriate anatomical region and activated it. The animal moved as the electrical stun was being applied and the wand lost contact, causing the animal to move away and vocalize loudly. Using the loaded back-up captive bolt stunner, the same employee applied an effective shot which was successful in rendering the animal unconscious. This is in noncompliance with 9CFR 313.30(a)3. The slaughter floor manager was notified of the noncompliance and that a noncompliance record would be generated to reflect this finding.	CLOSED
M6354+P6354+V6354	E.L. Blood & Son, Inc.	BNH5810115119N-1	11/19/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Humane Handling Category VIII: Stunning Effectiveness This morning, at approximately 8:10am, while observing the slaughter of swine to ensure acceptable humane stunning methods, the following noncompliance was observed: The employee performing the stunning applied the captive bolt stunner to a large market swine in the appropriate stunning area and shot it. The pig initially lost its footing but then began vocalizing and stood again. Using the loaded back-up stunner, the same employee applied a second shot which was successful in rendering the animal unconscious. This is in noncompliance with 9CFR 313.15(a)1. The slaughter floor manager was notified of the noncompliance and that a noncompliance record would be generated to reflect this finding.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9840+V9 840	Windham Butcher Shop Inc.	BCD241 110570 6N-1	10/06/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII – Stunning Effectiveness (9 CFR 313.15 (a)(1)) Friday, October 5, 2018: at approximately 5:15PM, the following noncompliance was observed while performing a routine Livestock Humane Handling task. I stood behind a barrier as a Black Angus cattle was secured into the knock box to be stunned. The initial stun attempt was with a captive bolt gun. The shot was ineffective as the animal remained fully conscious. After I heard the sound of the initial captive bolt shot, the animal vocalized loudly. It sounded as if the animal was thrashing back and forth on foot rather than dropping to the floor. The establishment was at the ready. A backup shot with captive bolt gun was immediately applied, which successfully rendered the animal unconscious. The animal did not regain consciousness at any point after the second shot. While examining the animal’s head, I observed two separate and distinct wounds from the captive bolt. I verbally issued a noncompliance pending my written report to Mr. Dana Mains, Sr. (plant owner) and (b) (6). A review of PHIS indicated there has been no similar noncompliance documented within the past 90 days.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9840+V9 840	Windham Butcher Shop Inc.	BCD151 311331 4N-1	11/14/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	<p>HATS Category VIII – Stunning Effectiveness (9 CFR 313.15 (a)(1) &amp; (a)(3)) Wednesday, November 14, 2018: At approximately 10:45 AM, the following noncompliance was observed while performing a routine Livestock Humane Handling verification task. I stood behind a garage door, which served as a barrier between the kill floor and the stunning area, while a slaughter employee applied a captive bolt stunner to a lamb’s head. Following the audible “pop” sound of the captive bolt gun, the garage door was swiftly raised and the slaughter employee immediately began shackling the downed animal. However, the initial stunning application was ineffective and the lamb was not rendered fully unconscious. I observed the animal transition from lying on its side to a sternal position with its front legs extended outward and its feet were planted firmly on the floor. The lamb held its head in an upright position and the tracking of eyes was observed. The establishment was at the ready. (b) (6) [REDACTED], immediately applied a backup shot with a captive bolt gun, which successfully rendered the animal unconscious. The animal did not regain consciousness at any point after the second shot. I verbally issued a noncompliance to (b) (6) [REDACTED] pending my written report. A 90-day review of PHIS indicated a noncompliance of similar cause was documented on 10/5/2018 (BCD2411105706N).</p>	CLOSED

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M20321+V 20321	Luce's Maine Grown Meats	NKI050 911331 5N-1	11/15/2018	04C02	Livestock Humane Handling	313.2	While conducting a Livestock Humane Handling task at app. 945 on 11-15-18, and walking through the pens adjacent to the kill floor, I observed that water in a drinking trough and bucket placed in one of the pens holding a sow (kept overnight at the est.) had frozen. I immediately informed Mr. Luce, the plant owner, of the noncompliance with 9 CFR 313.2 (e), which requires that all animals held at the est. in holding pens 'shall have access to water.' After reviewing NRs issued within the last 90 days at the est., I found one association with record no. NKI3008084923N-1, dated 8-23-18.	CLOSED
M818+V81 8	J. H. Routh Packing Co.	FYC000 910070 4N-1	10/04/2018	04C02	Livestock Humane Handling	313.2	While performing the ante mortem inspection task in the barn on Thursday October 4, 2018 at approximately 0623, (b) (6) observed that the waterer in pen L was empty. While there was a bit of water in the bottom, this particular apparatus is gravity fed and therefore water was inaccessible to the pigs in that pen. This is a regulatory non-compliance in regard to the following regulations: § 201.82 Care and promptness in weighing and handling livestock and live poultry. (a) Each stockyard owner, market agency, dealer, packer, swine contractor and live poultry dealer must exercise reasonable care and promptness with respect to loading, transporting, holding, yarding, feeding, watering, weighing, or otherwise handling livestock, or live poultry to prevent waste of feed, shrinkage, injury, death or other avoidable loss. § 313.2 Handling of livestock. (e) Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M818+V81 8	J. H. Routh Packing Co.	FYC560 510590 5N-1	10/05/2018	04C02	Livestock Humane Handling	313.2	While performing the ante mortem inspection task in the barn on Thursday October 5, 2018 at approximately 0623, (b) (6) observed that the waterer in pen L was empty. While there was a bit of water in the bottom, this particular apparatus is gravity fed and therefore water was inaccessible to the pigs in that pen. This is a regulatory non-compliance in regard to the following regulations: § 201.82 Care and promptness in weighing and handling livestock and live poultry. (a) Each stockyard owner, market agency, dealer, packer, swine contractor and live poultry dealer must exercise reasonable care and promptness with respect to loading, transporting, holding, yarding, feeding, watering, weighing, or otherwise handling livestock, or live poultry to prevent waste of feed, shrinkage, injury, death or other avoidable loss. § 313.2 Handling of livestock. (e) Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed.	CLOSED



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M818+V818	J. H. Routh Packing Co.	FYC3413115313N-1	11/01/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>On Monday August 27, 2018 while performing the ante mortem task the barn, (b) (6) observed several non-compliances which are detailed below: A. Several pens of pigs were filthy. According to 9CFR 307.2(a) Other facilities and conditions to be provided by the establishment. Satisfactory pens, equipment, and assistants for conducting ante-mortem inspection and for separating, marking and holding apart from passed livestock those marked "U.S. suspect" and those marked "U.S. condemned" (pens, alleys, and runways shall be paved, drained, and supplied with adequate hose connections for cleanup purposes). In reference to the dirty pigs; there are several stages in the slaughter process that can be an avenue of carcass contamination or cross-contamination. Because Salmonella are carried primarily in the intestinal tract of swine, contaminated fecal material initially on the carcass or released during the slaughter process are risks for Salmonella contamination (1,5). In a USDA study of 2 U.S. commercial slaughter facilities, 91% of prescald carcasses were positive for Salmonella (1,2). Not only were the majority of carcasses contaminated with the bacteria, but 37% of carcasses contained between 1 and 3.9 log CFU/100 cm<sup>2</sup>. Thus, there is opportunity for cross-contamination to processing equipment or other carcasses from exsanguination to evisceration, such as dehairing and polishing equipment, knives, and head removal (1,3). Up to 69% of Salmonella contamination on a carcass is a result of contaminated slaughter environment (1,4).The pigs in the barn on that morning were covered in fecal matter and I find the condition concerning for 3 reasons: 1. As previously stated, this a pre-harvest risk to food safety 2. Dirty pigs do not allow for an acceptable ante mortem inspection of pigs 3. Quarterly establishment reporting indicate that JHR raw Pork samples that were analyzed further for Salmonella were 81.8%</p>	CLOSED

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							<p>vs.23.4% for Industry% Positive for Small Establishments. In the warmer weather, I had asked the barn staff to ask the 3rd shift person to turn on the sprinklers to clean off the pigs prior to ante mortem inspection. In these instances, the sprinklers serve two functions: cooling and rinsing. Of course there are challenges especially in the colder winter weather which is why it is pertinent that pens be clean for animals upon arrival. In prior instances where several animals in a lot(s) were infected with Swine Erysipelas, JHR and the USDA SPHV were literally overloaded with lesioned carcasses at mid-rail and at final rail that were not all observed during ante mortem inspection due to dirty pigs. President Jeff Myers has approached me and asked several times how we avoid all the commotion and excess carcasses on the rails in situations where Swine Erysipelas had been observed either in the barn or on the kill floor. There are two scenarios here: 1: Swine Erysipelas is observed in the barn during ante mortem and animals are segregated, temperatures taken, and labeled as suspect animals or if not, condemned OR 2. Lesioned animals are not observed in the barn and unsuspectingly end up on either the mid or final rail for veterinary disposition. There are strict regulations in 9 CFR regarding Swine Erysipelas including: 309.2 Livestock suspected of being diseased or affected with certain conditions; identifying suspects;disposition on post-mortem inspection or otherwise. (h) All hogs suspected on antemortem inspection of being affected with swine erysipelas shall be identified as U.S. Suspects and disposed of as provided in § 311.5 of this subchapter or paragraph (i) of this section. (i) A hog suspected of being affected with swine erysipelas may be set apart and held for treatment under Program or other responsible official supervision approved by the area supervisor. If at the expiration of the treatment</p>	

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							<p>period the animal upon examination is found to be free from disease, it may be released for any purpose. Otherwise, it shall be identified as U.S. Suspect and disposed of as provided in § 311.5 of this subchapter, or condemned and disposed of as provided in § 309.13, whichever is appropriate. 309.9 Swine erysipelas. All hogs plainly showing on antemortem inspection that they are affected with acute swine erysipelas shall be identified as U.S. Condemned and disposed of in accordance with § 309.13. 311.5 Swine erysipelas. Carcasses affected with swine erysipelas which is acute or generalized, or which show systemic change, shall be condemned. 311.6 Diamond-skin disease. Carcasses of hogs affected with diamond-skin disease when localized and not associated with systemic change may be passed for human food after removal and condemnation of the affected parts, provided such carcasses are otherwise healthy. References 1. Pathogens of Interest to the Pork Industry: A Review of Research on Interventions to Assure Food Safety, 2013 Baer, A.A., Miller, M.J., and Anna C. Dilger, A.C. Vol.12, Comprehensive Reviews in Food Science and Food Safety. 2. Prevalence, enumeration, serotypes, and antimicrobial resistance phenotypes of Salmonella enterica isolates from carcasses at two large United States pork processing plants. 2012 Schmidt J, Brichta-Harhay D, Kalchayanand N, Bosilevac J, Shackelford S, Wheeler T, and Koohmaraie M. Appl Environ Microbiol. 3. Natl. Pork Board/ Pork Information Gateway factsheet. 2002 Dickson J, Hurd HS, Rostagno MH. Tracking the Salmonella status of pigs and pork from lairage through the slaughter process in the Republic of Ireland Duggan SJ, Mannion C, Prendergast DM, Leonard N, Fanning S, Gonzales-Barron U, Egan J, Butler F, Duffy G. 2010.. J Food Prot 73(12):2148–60. 4. Pre-harvest Food Safety as Integral Part of Quality Assurance/Systems in the Pork Chain from “Stable</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>to Table”, Blaha, T.G. 2001 In Proceedings of the 4th International Symposium on the Epidemiology and Control of Salmonella and other Food Borne Pathogens in Pork. B. Over crowding on the scale According to 9 CFR 313.2(a) Handling of livestock. Driving of livestock from the unloading ramps to the holding pens and from the holding pens to the stunning area shall be done with a minimum of excitement and discomfort to the animals. JHR does have a written systematic approach to humane handling (SAHH) plan. The SAHH plan is to effectively address four aspects of a systematic approach that FSIS outlined in the 2004 Federal Register Notice and include in part to design facilities and implement practices that will minimize excitement, discomfort and accidental injury to livestock, evaluate periodically and respond to those evaluations. To those points; the scale is often overcrowded and the gate used to squeeze pigs on to the scale which suggests that there is no room for those animals on the scale resulting in pigs piling and on top of one another despite their origin and associated behaviors. Furthermore, often times there are stressed and/or fatigued pigs in the group as well which do not do well under those circumstances. JHR Barn employees and QC have been reminded of this fact several times including the establishment meeting February 21, 2018 as well as in subsequent discussions this year and the concern remains. In this particular incident (crowding of the scale), no observable injuries were noted; however, there are noncompliances with 9 CFR 313 that IPP/SPHV are to act upon even though the noncompliances are not causing animals to be injured, to be in pain, or to be under excessive excitement or discomfort. As required by 9 CFR 313.50, IPP are to inform establishment management of such noncompliances. The IPP/SPHV are to verify that the establishment takes necessary corrective actions and further</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>preventive measures to achieve regulatory compliance and prevent recurrence. IPP/SPHV are to take regulatory action if the establishment fails to take such actions or to promptly provide the inspector with satisfactory assurances that such actions will be taken. A subsequent noncompliance is observed that derives from the same or related cause, thereby indicating a failure to continue effective implementation of previously proffered corrective and preventative measures. In conclusion, I can not grant your appeal based on these facts and the concern will need to be addressed. This noncompliance was also written in conjunction with #4 below. C. Pigs slipping and falling in the scale area According the 9 CFR 313.1(b) Humane Animal Tracking Category VII: Establishments are to provide adequate footing in their livestock facilities. The IPP or SPHV are required to verify that the establishment prevents livestock from slipping and falling due to inadequate footing or improper handling practices. In addition, they (IPP or SPHV) are to take appropriate actions and document a non-egregious inhumane noncompliance as set out in Chapter VII if animals are slipping and falling because of poor footing or lack of slip resistant footing. 9 CFR section 313.1 states” (b) Floors of livestock pens, ramps, and driveways shall be constructed and maintained so as to provide good footing for livestock. Slip resistant or waffled floor surfaces, cleated ramps and the use of sand, as appropriate during winter months are examples of acceptable construction and maintenance. The noncompliance was written in response to slipping leaving the scale and NOT for mats not being in place. Slipping of animals leaving the scale is not a new issue at JHR Packing Co. and is the reason I had asked that the mats be placed on the ramp and mid alley as the mats do reduce the amount of slipping witnessed while in the barn. In conclusion, I can not grant your</p>	

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							appeal based on these facts and the concern will need to be addressed. To reiterate, JHR does have a written systematic approach to humane handling (SAHH) plan. The SAHH plan is to effectively address four aspects of a systematic approach that FSIS outlined in the 2004 Federal Register Notice and include in part to design facilities and implement practices that will minimize excitement, discomfort and accidental injury to livestock, evaluate periodically and respond to those evaluations. To date no other solutions have been presented.	
M6785	Bob Evans Farms Inc.	NRL330 712071 9N-1	12/03/2018	04C02	Livestock Humane Handling	313.2	On 12/3/2018 at approximately 9:10am while performing the ante-mortem portion of my livestock humane handling task, I, (b) (6) observed the following noncompliance. While watching an employee move the sows from the (b) (4) producer around in the pen, I noticed a vocalizing sow who was previously up walking around that became laterally recumbent (laying on her side) due to being moved around by the employee. The sow was not able to ambulate herself due to multiple sows stepping on and standing over her. The employee then walked back over to the part of the pen to move the sows off of the disabled sow. Once he was able to move the sows away from her, she was not able to stand up again and appeared to be severely stressed. She remained laterally recumbent and the plant elected to captive bolt stun her and plant condemn her. This document serves as a written notification that continued failure to meet regulatory requirements can lead to enforcement actions as described in 9 CFR Part 500.4.	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7429+P7429	Hampton Meat Processing Co., Inc.	IPE5712115714N-1	11/14/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII-Stunning Effectiveness At approximately 1220 I observed an employee use a captive bolt on a large sow, weighing approximately 700 pounds. The bolt did not render the animal unconscious. The animal was still standing, alert and moving its head around, eyes blinking. The employee obtained a .38 caliber rifle and delivered a second effective shot. The animal remained insensible thereafter. The stunning area was immediately rejected and I placed a U.S. Retained tag #B26104118 on to the knock box. Then informed plant foreman, Paul Yoder, and (b) (6) of the NR.	CLOSED
M8082	Kirby & Poe Slaughterhouse	EXA1709124505N-1	12/05/2018	04C02	Livestock Humane Handling	313.16(a)(1)	HATS VIII - Stunning Effectiveness On December 5, 2018, at approximately 8:30 am, while performing the Humane Handling Task, I observed an incident in which a single shot with a .357/.38 rifle using .38 caliber shells delivered to a large market swine did not produce immediate unconsciousness as required by 9 CFR 313.16(a)(1). The animal vocalized and remained in an alternating standing and semi-standing position, alert and eyes blinking. A second gunshot was delivered as soon as possible from the same rifle and effectively rendered the animal unconscious. The stunning area was immediately rejected with US Reject Tag B18 931300 and Owner/Operator Kelly Poe was notified of the humane handling noncompliance and corrective action(s) were implemented.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF340 710061 0N-1	10/09/2018	04C02	Livestock Humane Handling	313.1	HATS Category VII: Observation for Slips and Falls; 9CFR313.1(b), On October 9, 2018 at approx. 1300 hours, while performing humane handling task (unloading of livestock) at Establishment 04271, I (b) (6), observed the following noncompliance. When I entered the pen area I observed an employee attempt to lead a Steer to the ramp which goes to the slaughter area. The Steer slipped and fell in the buildup of fecal on the floor. The Steer raised to it's legs and the employee lead it to the slaughter area. I immediately notified the (b) (6) of the noncompliance and rejected pen# 5, the runway (to slaughter), by placing US REJECT tag B37604674 on pen # 5. I inform (b) (6) that no livestock may be unloaded or moved into the area with build up of fecal (causing slippery conditions) at approx. 1305 hours. (b) (6) had the fecal build up removed from pens 4, 5, 6 and the ramp leading to the slaughter. He then put straw on the floor to provide good footing for the livestock. He had me reinspect the area at approx. 1325 hours. I determined that the actions taken eliminated the slippery condition and provided good footing. I removed the tag and released all areas rejected. Then, I permitted unloading of livestock from the trailer.	CLOSED



**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF591 110291 2N-1	10/12/2018	04C02	Livestock Humane Handling	313.1	HATS Category IV: Handling During Ante-Mortem Inspection; 9CFR313.1, On 10/12/2018, at approximately 0800 hours, while performing ante-mortem inspection at Establishment #04271, Greise Brothers Packing, 1(b) (6), observed the following non-compliances. Pen #7 had 10 cattle in the pen. Separating pen #7 from Pen# 5 there is a wooden door. The bottom of the door is broken causing a jagged bottom that may cause injury to the livestock. I also observed the back wall has metal fencing, underneath the metal fencing there is a metal rectangular structure (approx. 18in X 12 in. X ½ thick) protruding inward to the livestock, there are broken sections of concrete block placed under the metal fencing and railroad crossies (split along the side) placed beneath the metal fence. These conditions may injure livestock if their head or leg would get into this area. The floor has water and mud covering an area of approx. 4ft X 14ft. This condition may lead to slipping and livestock falling. I took immediate control action by having the 10 cattle removed and rejecting pen#7 by placing tag # B37604675 on the entrance gate. Mr. Greise was notified of the noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF560 611440 6N-1	11/06/2018	04C02	Livestock Humane Handling	313.2	HATS Category IV: Handling During Ante-Mortem ; 9CFR313.2 (e), On 11/6/2018, at approximately 0735 hours, while performing ante-mortem inspection at Establishment #04271, Greise Brothers Packing, 1 (b) (6), observed the following non-compliances: Pen#7 had approximately 140 lamb and goat in this pen. This was too many livestock in this area to permit access to water located in the corner of the pen or to lie down. This does not comply with 9CFR313.2(e), which states, "Animals shall have access to water in all holding pens and if held longer than 24 hours, access to feed. There shall be sufficient room in the holding pen for animals held overnight to lie down". I notified Mr. Greise and (b) (6) of this non-compliance with 9CFR313.2(e). I took regulatory control action by placing a US Reject tag (B37604646) to the entrance to the pens to prevent any further livestock from being placed in this area. Mr. Greise had the livestock moved to other areas to prevent crowding. He had the pen cleaned and bedding (hay) was put on the floor of the unloading area to pen #7 and to the ramp to the kill floor. I reinspected the area at approx. 0945 hours and found the area acceptable. The tag was removed and the area was released.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF330 912401 0N-1	12/10/2018	04C02	Livestock Humane Handling	313.1	<p>Category III: Water /Feed Availability; 9CFR313.2(e), On December 10, 2018 at approximately 0730 hours, while performing ante-mortem inspection at Establishment 04271, Greise Brothers Packing, I, (b) (6), observed the following noncompliance. Pen #6 had 6 lamb in the pen and no water in the container. I notified (b) (6) immediately that the lambs in pen #6 have no water. He immediately had the water container filled with water. Category VII: Observation for Slips and Falls; 9CFR313.1(b), On December 10, 2018 at approximately 0750 hours, during ante-mortem Inspection, I observed the walkway leading to the kill floor knock box was covered with ice. There was ice from the knocking box approx. 10 feet in length up the ramp, which created an extremely slippery condition. I notified (b) (6) of this condition. He immediately covered the entire ramp area with hay to provide good footing for the livestock. (Note: No US Reject tags were used. All corrective actions were taken immediately and in my presence). This NR is being linked to NR CZF5606114406 dated 11/6/18 (this previous NR has not yet been answered by establishment management).</p>	CLOSED
M6526	Blue Ridge Meats of Front Royal	QEM14 081204 12N-1	12/12/2018	04C02	Livestock Humane Handling	313.2	<p>At approximately 0905 hours on 12/12/18 (b) (6) and (b) (6) observed the following non-compliance in the holding pen area; Pen #5, which contained five lambs, had no water available for the animals. There was a receptacle for water but it was empty. (b) (6) was notified of this non-compliance and corrective action was implemented immediately. IIC observed a plant employee fill the water container at approximately 0910 hours, restoring compliance. The above cited observation serves as evidence of your establishment's failure to comply with 9CFR 313.2(e).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7415+P7 415+V7415	HOFFMAN'S QUALITY MEATS	YUN460 711091 0N-1	11/10/2018	04C02	Livestock Humane Handling	313.2	Category III - Water and Feed Availability At approximately 0630 hours while performing livestock ante-mortem inspection verification task, prior to the beginning of the day's slaughter operation, I observed ten swine in small livestock pen number five with no access to water. The animals were asleep and showed no outward signs of stress. I asked an employee in the immediate area to supply water to the affected animals and no regulatory control was taken. I informed (b) (6), of the establishment's failure to meet 9CFR regulations.	CLOSED
M10800	Shriver Meats	SBN410 812000 5N-1	12/04/2018	04C02	Livestock Humane Handling	313.15(a)(3)	HATS Category VIII: Stunning Effectiveness; 9 CFR 313.15(a)(3), On December 4, 2018 at approximately 0830 hours, the following noncompliance was observed at establishment 10800M. (b) (6), observed an establishment employee attempt to stun a steer with the .25 caliber hand-held captive bolt stunner when it abruptly moved its head causing an inadequate strike to the head, therefore not rendering the animal unconscious. The establishment employee immediately administered a second captive bolt blow and was effective in rendering the animal unconscious as determined by its falling to the floor. Mr. David Shriver, owner, was immediately notified of the noncompliance and the failure to meet the regulatory requirements of 9 CFR 313.15(a)(3). Mr. Shriver, owner, is notified thru this noncompliance report of the establishments failure to meet the regulatory requirements of 9 CFR 313.15(a)(3) and that continued failure to meet the regulatory requirements could result in additional regulatory or administrative action as described in 9 CFR 500.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH571 411410 3N-1	11/03/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category II-Truck Unloading On November 3, 2018 at approximately 0915 hours while observing truck unloading (b) (6) observed the following noncompliance. Hogs were being unloaded in both docks #5 and #7. The hogs on the trailer in dock #7 were vocalizing loudly drawing (b) (6) attention. Upon observing the unloading process it was noted that the driver was having a difficult time getting a hog to go up the ramp from the bottom section in the nose of the trailer in order to exit the trailer. (b) (6) then observed the driver open the man gate beside the ramp that went to the top deck and drive the hog off an approximate 3 foot deck from the nose onto the hogs in the belly of the trailer. The hog went off the drop off nose first. The hog did not appear to be hurt and it did not fall to the bottom of the trailer. None of the hogs in the bottom of the trailer appeared to be hurt. (b) (6) immediately took a regulatory control action and asked the Tyson team member to shut the gate and stop the unloading process. The driver was asked to exit the trailer to address the noncompliance issue. (b) (6) was summoned to the area by (b) (6) to discuss her observations. Mr. Bounds immediately summoned (b) (6) to the area as well to address the truck driver. The driver was not allowed by Tyson to finish the unloading process, rather the remaining hogs were unloaded from the trailer by a trained Tyson team member without incident. (b) (6) was notified both verbally and in writing with this NR of the establishment's failure to comply with the regulatory requirements of 9 CFR 313.2.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH481 611231 9N-1	11/19/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category VI - Electric Prod/Alternative Object Use On November 19, 2018 at approximately 1515 hours (b) (6) while performing a humane handling verification task in the CO2 stunning area observed the following noncompliance. Upon entering the CO2 room (b) (6) noted that there was an increase in the amount of vocalization of the hogs being driven to the (b) (4) for stunning. After closer observation it was observed that the Tyson team member who was at the time operating the North (b) (4) was striking the hogs with her flag in a forceful manner. The team member was repeatedly raising her hand over her shoulder and then striking the hogs with her flag in an effort to drive the hogs forward in the alleyway leading to the (b) (4) The hogs were vocalizing in response but then would move forward with no evidence of apparent injury. (b) (6) immediately asked the Tyson Management Support (b) (4) Operator in the area to have her stop driving the hogs to the North (b) (4) and then asked if he could summon (b) (6) to the area. The team member did not initially stop driving the hogs so (b) (6) then instructed her to stop moving the hogs to the (b) (4) (b) (6) arrived and (b) (6) went on to explain the observation to him. His immediate response was that he would address the issue after he reviewed the video footage. At this time (b) (6) was present so (b) (6) explained her observations to him and stated that until the issue was adequately addressed with the team member that they were to not drive hogs in that alley way to stunning. Immediately (b) (6) replaced the team member and operations resumed as normal. (b) (6) and (b) (6) were both notified verbally and now in writing with this NR of the establishment's failure to comply with the regulatory requirements of 9 CFR 313.2(a) and 9 CFR 313.2(b).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M788	Aurora Packing Company, Inc.	GLK511 012420 8N-1	12/08/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category: VIII Stunning Effectiveness On 12/08/2018 at approximately 1025 hours while performing HATS: VIII Stunning Effectiveness at the knock box, I, (b) (6), observed a fat steer being stunned with a hand held captive bolt gun. The gun was positioned correctly and fired. I observed the bolt wound in the steer's head as it continued to have rhythmic breathing, track with its eyes, normal blinking and tried moving its head away from the establishment employee. The establishment employee quickly reloaded the captive bolt gun, placed it correctly on the animal's head and fired a second shot. The steer was rendered unconscious on the second shot. (b) (6) was notified of noncompliance 9 CFR 313.15(a)(1). (b) (6) replaced the ammo and I observed 20 additional animals stunned with the hand held captive bolt gun. The animals were stunned effectively on the first shot. No similar noncompliances were documented in the past 90 days.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Reqs	Description	Status
M788	Aurora Packing Company, Inc.	GLK161 012202 0N-1	12/20/2018	04C02	Livestock Humane Handling	313.2	<p>I, (b) (6) was in my office at about 11:15Am, when (b) (6) came to my office. He said that he wanted me to look at one head of cattle which had been knocked and is on the carcass rail. I immediately went to the kill floor in the knocking area. The cattle was not found in or near the knocking area. It was found near the hide pulling area. It takes about 20 minutes for a carcass to move from the knocking area to the hide pulling area. The Company had no explanation about not notifying FSIS personnel in a timely manner. The subject cattle was a downer or a non-ambulatory and should have been condemned in the knocking area and should have not been brought to the kill floor. It should have been taken to any inedible area of the plant and should have been sent to rendering after proper denaturing. According to the 9CFR 309.3(e), the Establishment personnel must notify FSIS personnel when cattle become non-ambulatory disabled after passing ante-mortem inspection. Non-ambulatory cattle shall be condemned and disposed of in accordance with 9CFR309.13. Non ambulatory disabled cattle are not allowed to enter the slaughter establishment and must be handled and killed humanely.</p>	OPEN



EstNbr	EstName	NR#	Date	Task	TaskName	Reqs	Description	Status
M788	Aurora Packing Company, Inc.	GLK190 912412 1N-1	12/21/2018	04C02	Livestock Humane Handling	313.2	<p>I (b) (6) was sitting in my office on December 12th, when (b) (6) came to my office and told me about the following incident. He said that one head of cattle fell in the drive alley near the knocking box. The other live cattle were behind this downer animal. He panicked and knocked the downer animal due to safety reasons. I rushed to the kill floor immediately and found the knocked cattle near the hide puller. It takes about 20 minutes from the point where the animal was knocked to the point where the animal was found. The Company should have informed the FSIS personnel immediately when the animal fell in the drive alley. The Company violated their own Humane Handling procedure which states, "If cattle should drop prior to entering the knocking box, the DVM residing shall make the decision if the cattle is eligible for condemning". The Company also violated the following Regulations; The 9CFR 309.2(b) states, "All seriously crippled animals and non-ambulatory disabled livestock shall be identified as U. S. suspects and disposed of as provided in 311.1 of this subchapter unless they are required to be classified as condemned under 309.3". The 9CFR.3(e) states, "Establishment personnel must notify FSIS inspection personnel when cattle become non-ambulatory disabled after passing ante-mortem inspection. Non-ambulatory disabled cattle that are offered for slaughter must be condemned and disposed of in accordance with 309.13". The 9CFR309.13(a) states," Except as otherwise provided in this part, livestock identified as U. S. condemned shall be killed by the official establishment, if not already dead. Such animals shall not be taken into the official establishment to be slaughtered or dressed; nor shall they be conveyed into any department of the establishment used for edible products. ; but they shall be disposed of in the</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							manner provided for condemned carcasses in part 314 of this subchapter."	

EstNbr	EstName	NR#	Date	Task	TaskName	Reqs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ572 210122 6N-1	10/26/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV Ante-mortem Inspection: The following non-compliance was observed while perform daily ante-mortem duties. At approximately 1816 hours while performing ante-inspection on a lot of market hogs in pen 911, I observed a 7 inch by 3 inch hole in the pen floor metal gutter plate. The hole had sharp edges around it and was directly over a drainage gutter. This gutter runs along the East side of the pen and serves as a drainage for fecal and waste water. I did not observe any hogs with injuries while doing ante-mortem inspection. I immediately informed (b) (6) of my findings and informed him of the forthcoming non-compliance record. After I ante-mortem inspected and passed the lot, an establishment employee blocked the hogs from having access to the damaged part of the pen, and the hogs were driven immediately to kill to prevent any possible injuries from stepping in the hole. I then placed Reject Tag B37 081205 on the pen to prevent it from being utilized to house any more hogs until repairs were made. Upon review of the establishment's Hog Pen Checklist for pen 911 on 10/26/18, the pen was initialed at 1522 hours by an establishment employee as being inspected prior to loading this lot of hogs into the pen. The first item on the checklist is "Gutter Covers." According to the check list under this item, employees are to "check for proper placement &amp; no bent, curled, or sharp material." This finding is non-compliant with 9 CRF 313.1(a) as "livestock pens, driveways, and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals. Loose boards, splintered or broken planking, and unnecessary openings where the head, feet, or legs on an animal may be injured shall be repaired."</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ571 211181 5N-1	11/14/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category II – Truck Unloading On 11/14/2018 at 1235 hours, while performing antemortem inspection in the barns during kill operations, I observed a sharp object in a truck unloading alley that was noncompliant with the regulations. While walking through the “farmer’s unloading alley” next to the west local pen (the western most unloading chute), I observed a metal gate with rust and corrosion. This alley is where hogs are unloaded from trailers upon arrival. Hogs walk through this alleyway during unloading and occasionally are staged there for a short time before being moved to other areas of the barn. The gate with corrosion was in the middle of this unloading alleyway where it can be “closed” to split the unloading alley into different sections. I observed the gate in the “open” position (gate parallel to the wall, leaving the unloading alley unimpeded) with the sharp rusted areas exposed to where animals would walk and rest. The frame of the gate is made of hollow metal piping that is approximately 3 inches in diameter. The 2 metal pipes that were closest and parallel to the ground contained rust and corrosion which left sharp edges. The 2 corroded areas on the bottom 2 pipes left an approximately 3 x 4 inch rusted defect and a 1 x 4 inch rusted defect, each with sharp corroded edges. These pipes are parallel to the ground and are within 6 inches of the ground. The sharp edges could have caused lacerations on the hogs’ lower legs or on other portions of their body if laying down and resting against the gate. The establishment had not restricted use of this alleyway. During my observation, there were no pigs in the alley. However, I observed hogs in this unloading alley earlier in the day. During my noncompliance finding, I observed a trailer backing into the unloading chute, indicating that this alley was going to be used again. I rejected access to the alleyway by applying US Reject tags B37081209</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>and B37081210 on the alley's northern and southern gates. I informed (b) (6) [REDACTED] and (b) (6) [REDACTED] that I would be issuing a noncompliance report. At approximately 1430 hours I returned to the barn and observed that a plastic panel was put in place to cover the sharp surfaces. I removed my reject tags and released the alleyway for use. This is noncompliant with 9 CFR 313.1(a) as livestock pens and driveways shall be maintained in good repair and shall be free from sharp objects which may cause injury or pain to the animals.</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ081 612312 8N-1	12/28/2018	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV – Ante-mortem Inspection On 12/28/2018 at 0900 hours while performing the livestock humane handling task I observed a gate in poor repair with sharp edges. I was standing on the east side of pen 301 performing ante-mortem inspection on the hogs in the pen. I the observed that the frame on the pen was broken. The pen’s frame is hollow metal pipe that is approximately 2 inches in diameter. The bottom right corner of the pen was broken at the point where the horizontal pipe frame meets the vertical pipe frame. This left a sharp, rusty edge circumferentially along the 2 inch broken, exposed surface of the horizontal pipe. I initiated a regulatory control action and placed US Reject Tag B37081207 on the east gate of the pen, preventing more hogs from being put in the pen. I informed (b) (6) that I would issuing a noncompliance record. (b) (6) had the pen of hogs emptied immediately and stated that they would fix it. When I returned at approximately 1045 hours I observed the repairs that were made to the pen and deemed them acceptable. The 2 parts of the metal frame were welded together, and electrical tape was placed around them to ensure no exposure of any metal. I removed my reject tag and allowed the establishment to resume use of the pen. This is noncompliant with 9 CFR 313.1(a) as livestock pens shall be maintained in good repair and be free from sharp objects which may cause injury to the animals. This NR is being associated with a similar NR from 11/14/2018 that also had a rusted, sharp portion of a metal gate exposed to hogs in the pen (WLJ5712111815N-1)</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M253	Long Prairie Packing Company, LLC	AGL050 811461 7N-1	11/17/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 11/17/2018 at 07:08 hours while performing HATS Task Category VIII- stunning effectiveness at the stunning restrainer in Zone 1 I observed the following non-compliance: The restrainer was stopped, I observed two animals wedged side by side at the beginning of the belly chain. A small black Angus cow and a larger Hereford cow. The Angus cow was ahead of the Hereford cow and appeared to be on the belt correctly with the Hereford cows head at her shoulder. I was unable to tell if the Hereford cow was also on the belt correctly, neither animal was struggling nor did they appear distressed. The establishment employee went to stun the Angus cow with a hand held captive bolt. The employee placed the captive bolt gun on the cow's forehead and I witnessed the flash and heard the sound from the discharge of the captive bolt gun. The cow remained conscious after jerking her head away from the discharge of the captive bolt gun. She did not vocalize but did struggle her way out of the restrainer. She inch wormed her way along the belly belt onto the conveyor belt below the restrainer, and slipped around on the belt. After regaining her footing on the conveyor belt she jumped the approximately 1.5 feet down to the floor of the the blood pit, below the restrainer, and was walking around freely in the approximately 12 foot by 12 foot area. While the animal was free in the blood pit, I did not see any evidence of a wound or blood on the cows head from the captive bolt stun attempt, or the rest of her body from the restrainer. After a delay due to the location of the animal the cow was successfully stunned on the second attempt with a hand held captive bolt device and the establishment applied a security stun after checking for signs of consciousness. Regulatory control action was taken and a U.S. reject tag, number B41501572, was placed on the restrainer. I informed the Plant Manager Mr. Lyle</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>Meyer and (b) (6) of the forthcoming noncompliance record for the failure to meet regulation 9 CFR 313.15(a)(1). The initial attempt was discussed with (b) (6), Mr. Meyer and (b) (6) and verbal preventative measures were provided. After verbal preventative measures were provided I relinquished the regulatory control action as the establishment was in compliance. I later viewed the head of the dead cow to verify that 2 captive bolt holes were present on the forehead from 2 stun attempts, both of these holes overlapped making one larger hole. Just to the cow's left of the previously mentioned wound on the forehead there was a circular indent in the skull that was 7/16 of an inch in diameter indicating where a third stun attempt was applied.</p>	



Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2439+P2 439+V2439	Ranchland Packing Co.	WHN00 151122 05N-1	11/05/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Category VIII Stunning Effectiveness: On 11/05/18 at approximately 1334 hours (b) (6) ; (b) (6), observed plant employee, (b) (6) attempt to knock a hog with the captive bolt pistol while he was on the other side of the knock box. After (b) (6) and (b) (6) heard the captive bolt pistol discharge, (b) (6) noticed the hog vocalizing as it stood. This was noted by (b) (6) and within 10 seconds he reloaded the captive bolt pistol and knocked the hog a second time rendering it unconscious. An exam of the swine's head revealed the first knock was too far forward. An immediate regulatory control action was taken with the placing of US Rejected tag number B18 9437720 to the knocking box. The hog was not immediately rendered unconscious on the first stunning attempt, which is a non-compliance with 9 CFR 313.15(a)(1). Also, this is a noncompliance with 9 CFR 313.15(b)(1)(iv) the failure to render the hog unconscious was due to an inexperienced stunner. Plant manager, Justin Fisher was notified of this noncompliance at the time of observation, and again in writing with the issuance of this noncompliance record.	CLOSED
M2439+P2 439+V2439	Ranchland Packing Co.	WHN03 081235 10N-1	12/10/2018	04C02	Livestock Humane Handling	313.2	Category III Water and Feed Availability On December 10, 2018 at approximately 0615 hours, I, (b) (6) observed a frozen water tank in pen 3. Water was not available to 7 head of cattle. This is in violation of 9 CFR 313.2(e) which states, animals shall have access to water in all holding pens. The designated (b) (6) , was nearby and I notified him of the noncompliance at the time of the observation. The immediate corrective action was to replace the water tank heater and break the ice exposing the water beneath. Plant manager, Justin Fisher, was notified in writing with the issuance of this noncompliance record.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2460+P2 460	Cimpl's, Inc.	PMB23 171057 22N-1	10/22/2018	04C02	Livestock Humane Handling	313.15(a)(2), 313.2	At 16:57, while performing the directed verification plan HATS activity, category VIII stunning effectiveness, at establishment M2460, I (b) (6), observed the following humane handling noncompliance with HATS category VI electric prod and implement use: An approximately 900# black Angus cow was being directed towards the restraining knock box via a hydraulic manually operated push gate. The cow did not move forward voluntarily, placing its front hooves in a locked position and its head in a lowered stance. The push gate operator, unaware of the cow's resistance, continued to advance the push gate, causing the cow's hind end to lift off of the ground. The cow then tumbled forward into the knock box entrance. It righted itself immediately, now facing the opposite direction of forward moving cows, and continued running back towards the alley from where it came from. I asked for (b) (6) and explained my observations to him and notified him that a noncompliance record would follow. (b) (6) placed US Reject Tag #B38161805 on the hydraulic controls for the knock box, suspending operations until appropriate written corrective actions were accepted by the Des Moines District Office. This is a noncompliance of 9CFR313.2(a) handling of livestock and 9CFR313.15(a)(2) driving animals with a minimal amount of excitement.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8979+P8 979	New Geneva Meats & Processing Inc.	BAM11 151151 15N-1	11/15/2018	04C02	Livestock Humane Handling	313.2	HATS Category III: Water and Feed Availability (9 CFR 313.2). At approximately 1255 hours, while entering the holding pens to observe generally the conditions of the livestock, I noted the following non-compliance: I observed that the 9 hogs being held in the back were divided into three separate holding pens. Upon further investigation, I noted that only one group, containing 3 hogs, had access to a water pan. The remaining 6 in the other two holding pens did not. I checked the water nipples to verify if they were dispensing water, but they were not turned on. I then determined that the remaining two pens containing a total of 6 hogs did not have access to water for nearly an hour and a half, as I had previously watched them be unloaded at approximately 1130 hours. I notified a kill-floor attendant who took immediate corrective action. I then informed (b) (6) ██████████, that I will be documenting my findings in a non-compliance record.	CLOSED
M18632+P 18632+V18 632	Hudson Meats &and Sausage, Inc.	TFO281 410251 2N-1	10/12/2018	04C02	Livestock Humane Handling	313.1	At approximately 1400 hours the following non-compliance was observed: In the livestock holding area of the barn about three foot up from the floor there were 2 broken planks on the east wall by the south alleyway gate. One of the broken planks was sticking out into the alleyway where it could be run into by passing beef. This was observed at the end of the day and no beef were present in the barn. I notified (b) (6) ██████████ of the situation (b) (6) ██████████ acknowledged the situation and the possibility for injury to beef. He also stated that the condition would be repaired by Monday (10-15-18).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M86M	Cargill Meat Solutions	PAI241 410390 3N-1	10/03/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii)	At approximately 1130 while performing HATS task VIII stunning effectiveness, a steer climbed out of the restrainer. A supervisor arrived with a riffle and fired a shot at the head. The animal turned around in place. There was no vocalization or physical signs to indicate the animal had been shot. The supervisor immediately reloaded the gun, fired another shot, and rendered the animal unconscious. Upon examination of the head, there were two bullet holes in the skull. This is in non-compliance of 313.15(a)(1). Preventative measures are to 1) retrain employees and management on procedures for loose animals, 2) replace shells every 6 months, 3) look into designing an alleyway in which a loose animal can return to the restrainer to be stunned.	CLOSED
M86M	Cargill Meat Solutions	PAI361 910571 0N-1	10/10/2018	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 3:28 PM while performing the HAT task for Stunning Effectiveness, I observed a heifer in the restrainer knocked in the poll on the head. This did not render the animal unconscious. The company employee immediately knocked the heifer in the proper location rendering the animal unconscious and a third safety knock was then applied. I took regulatory control action and halted production, then notified (b) (6) who called (b) (6). I informed him of what I observed and told him I would document the incident in a noncompliance report. The head in question was located and I placed US RETAIN TAG #B20590751 on it. Upon observation of the head (b) (6) and I verified one knock hole in the top of poll and two knock holes in the forehead. (b) (6) was also notified of the incident. Preventative measures are to (1)retrain all qualified employees for the knocking position on the proper operation sequence of the knocking gun, (2) have a supervisor or trained designee document a 50 head knocking audit once per production period on proper gun operation.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244W	Tyson Fresh Meats, Inc.	BTD400 710512 4N-1	10/23/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On October 23, 2018 at approximately 1041 hours, while performing HATS task Category VIII, Stunning Effectiveness in the barn, I, (b) (6), observed the following noncompliance: A hog was lying in right lateral recumbency along the wall in the truck unloading area across from local chute 2. Two team members and (b) (6) had the animal restrained with a metal U-board with the head exposed. The first team member stood inside the U-board next to the wall and the second team member stood across from him, along the wall outside of the U-board. The first team member placed the loaded hand-held captive bolt gun against the hog's forehead and attempted to stun the hog. The gun fired with a muffled, soft pop sound. As the team member pulled the captive bolt gun from the skull, the hog's head moved inside of the U-board. I clearly heard 3-4 weak squeals from the hog as (b) (6) directed that the hog be shot again. The sensibility test normally performed was not done due to the urgency of the request for a second shot. The hog was still in lateral recumbency when the second team member grabbed the head from inside the U-board and immediately delivered an effective stun to the hog. The unconscious hog then stiffened and began reflexive kicking. I informed (b) (6) that I heard multiple vocalizations from the hog after the ineffective first stun attempt and that an NR would be documented. (b) (6) expressed to me that he thought the first gun had not fired properly due to the muffled sound and showed me the shell from the first shot. He mentioned that the shell was not completely opened compared to others shots when the shell is completely blown wide open. Captive bolt gun #12 was taken out of service. When looking at the head, it appeared there was one captive bolt gun wound but removing the skin, one wound was placed directly in the middle</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>of the skull and a second wound was ¼” rostral and ¼” closer to the animal’s right eye. When probed, the caudal dropped straight into the cranial portion of the cranium and the rostral wound went back into contact the caudal wall of the frontal sinus. On sagittal section, it confirmed the caudal shot entered the cranium and the path of the rostral wound was in the caudal portion of the frontal sinus but difficult to interpret its complete path due to numerous bone fragments. We are not able to determine which wound was caused by which shot. The establishment failed to meet the regulatory requirement of 9 CFR 313.15(a)(1) which requires rendering an animal immediately unconscious on the first application of stunning.</p>	

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M717CR+P 717CR	Smithfield Fresh Meats Corp.	RZG311 111440 8N-1	11/08/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category 9 CFR 313.2(c) Handling of livestock At approximately 0645 hours, while performing ante mortem inspection, I proceeded to the slow pen to inspect fatigued market hogs. (b) (6), just brought in one market hog with a skid loader that became fatigued during the drive to the kill alley. When I examined the hog, I noticed the animal had a fresh cut on its left hind leg, proximal to the metatarsal and it was actively bleeding. I immediately called (b) (6), and showed him the injured hog. I told him I would like to examine the skid loader that was used on this hog. (b) (6) and I went where the skid loader was parked. Upon closer observation, the skid loader bucket edge was razor sharp and there were spots of blood present on the sharp edges. I asked (b) (6) if he noticed anything and he said the animal came out of the bucket but he didn't notice the injury. I told (b) (6) and (b) (6) that the skid loader bucket has the potential to cause injury and unnecessary pain to animals and I will be issuing a noncompliance report. (b) (6) said as a corrective action, the skid loader is being removed from the service immediately and will not be used until it is repaired. No U.S. Reject tag was applied because the skid loader was immediately taken to the maintenance shop for repair.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M889A+V8 89	J.F. O'Neill Packing Co. Inc.	DSC220 811482 3N-1	11/23/2018	04C02	Livestock Humane Handling	313.2	Category VII Slips and Falls, III Water and Feed Availability Shortly before 0740 while performing HATS Category VII, I observed four cattle locked in the alley from the crowd pen to the knock box. Water is not provided in this pen. The cattle were in line to be slaughtered. At that time the slaughter side of the establishment had stopped operations for company break. I made note of the tag numbers of those animals in the alley. Later I returned to discover two of the four animals were still being held in the pen. As the establishment was on break, this alley is now considered a holding pen. I informed a barn employee that the animals needed access to water, and he backed them out of the alley into the crowd pen where water is available; therefore no U.S. Retain tag was applied. I told (b) (6) that I would be writing a noncompliance for water inaccessibility. This noncompliance record is associated with MOI #DSC3508105102G documented on 10/2/2018 for same root cause.	CLOSED



**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M208A	National Beef Packing Co., L.L.C.	LLG441 411102 3N-1	11/23/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	<p>On November 23, 2018, at approximately 06:50 hours, while observing stunning effectiveness under HATS Category VIII, the following non-compliances were observed: I observed an establishment employee attempt to stun an animal in the restrainer using a captive bolt. The first attempt was ineffective in rendering the animal insensible. Right before the employee made the attempt, the animal moved its head down, I heard the device discharge, and observed a bleeding hole in the head approximately 2.75 inches up and 1.5 inches right of where the placement should have been placed. Immediately the animal swayed his head and was tracking the employees. The employee immediately delivered a second stun with the same device and I observed the head of the animal drop down in a state of complete unconsciousness. I informed (b) (6) who observed the incident, that a non-compliance record would be issued. A few moments later, I verified that the animal remained unconscious while in the stack. I was afforded the opportunity to observe the head after it had been through the system, at an offline location, and the initial hole in the head was consistent with my observations in the knock box. The establishment is non-compliant with 9 CFR 313.15(a) (1) and 313.15(a) (3) for failure to render the animal unconscious and remain unconscious.</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M320M+V 320	Smithfield Fresh Meats Corp.	VWK11 141203 10N-1	12/10/2018	04C02	Livestock Humane Handling	313.2	HATS TASK CATEGORY I TRUCK UNLOADING On 12/10/18 at approximately 1200 hours while performing review and observation of HATS Task I Truck Unloading, I observed the following noncompliance. A truck driver unloading on the East bay of the South barn was observed to strike a hog twice on the right side of the face in an attempt to turn the hog to the exit ramp. The hog was sitting down and facing away from the exit ramp and had not responded to being struck with the paddle on the back. I notified the plant employee assisting with tattooing the hogs as they came off the truck, who immediately entered the truck to assist with unloading and to monitor handling. I then notified (b) (6) [REDACTED], that I would be issuing this NR. This is a noncompliance with 9 CFR 313.2(a), which states that driving of livestock from the unloading ramps to the holding pens and from the holding pens to the stunning area shall be done with a minimum of excitement and discomfort to the animal.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5798+P5 798+V5798	Williams Brothers Meat Co.	FVM27 111019 29N-1	10/29/2018	04C02	Livestock Humane Handling		At approximately 10:00am (b) (6) was observing the slaughter of large swine at Est. 5798. Because of the large size Owner Steve Williams decided to use a .22 magnum which had previously worked on 7 large swine with no incidents during the same day. After the first shot on the 8th swine the animal did not go down and was confirmed still standing by (b) (6) and (b) (6). Immediately after confirmation of the unsuccessful first shot Owner Steve Williams Retrieved a larger caliber pistol (.38 Special) and made a second shot on the animal which put the animal down. (b) (6) confirmed after the second shot that the animal was completely down and unresponsive to stimulation. (b) (6) did not observe regular breathing, but reflective breathing/gasping was still heard but quickly stopped after a captive bolt knock was used. The Establishment is in non-compliance of 9 CFR 313.16(a)(1) and 313.16(b)(1)(I). Steve Williams was immediately notified about this noncompliance verbally and in writing with this NR. After reviewing records for the last 90 days no similar incident has occurred.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M337+V33 7	STX Beef Company	UNG35 101008 09N-1	10/09/2018	04C02	Livestock Humane Handling	313.15 (b)(1)(i), 313.15(b)(1) (iii)	At approximately 10:15 the following non compliances were observed. Plant QC personnel informed plant (b) (6), that an animal had escaped from the knocking box and had to be rendered unconscious using a rifle. After I was informed of the problem I went to the knocking box to perform Humane Handling Task Stunning Effectiveness, at which time I observed the knocking box operator use a hand held knocking gun on an animal, the gun did not discharge. I observed the knocker use the pneumatic gun successfully and go to the next animal. Again he tried to use the hand held device, the device did not fire. The pneumatic gun was used at this time rendering the animal unconscious. At this time I stopped the kill to have the hand held device tested and see why it was not working. A second hand held device was not available. According to the plants Humane Handling Systematic Approach Plan, (b) (4) (b) (6), was present and was advised of the noncompliance. This is a failure to comply with 9 CFR 313.15 b)1) iii) and 313.15 b) 1) I).	OPEN
M337+V33 7	STX Beef Company	UNG08 131001 19N-1	10/19/2018	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 10:10 the following noncompliance was observed while performing Humane Handling Task, Category 8 Stunning Effectiveness. While observing the knocking box operator I noted that he used a hand held knocking gun on an animal in the proper area, the gun fired and penetrated the animals head, however the animal was not rendered unconscious. The animal was noted having its head up and being aware of its surroundings, there was no vocalization noted. The knocking box operator immediately applied a second gun and effectively knocked the animal unconscious (b) (6) (b) (6), was present and was advised of the noncompliance. This is a failure to comply with 9 CFR 313.15 a) 1).	OPEN

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M337+V33 7	STX Beef Company	UNG51 161046 24N-1	10/24/2018	04C02	Livestock Humane Handling	313.15(b)(1) (iii)	At approximately 1535 while performing Humane Handling Ante Mortem inspection task, HATS category 4, the following noncompliance was observed. (b) (6), was advised that an animal had escaped from the knocking box. On arrival, I confirmed that a Heifer was walking about the floor of the knocking area (b) (6) was called, and on arrival rendered the animal unconscious using a rifle. The animal was unconscious with one shot. (b) (6) was advised of the noncompliance. A similar incident was recorded on 10-09-2018. NR UNG3510100809N noted an animal escaping from the knocking box onto the knocking box area floor and having to be rendered unconscious using a rifle. This is a failure to comply with 9 CFR 313.15 b) 1) iii).	OPEN
M337+V33 7	STX Beef Company	UNG06 131215 11N-1	12/11/2018	04C02	Livestock Humane Handling	313.1	Today 12/11/2018 @ 7:30 am anti-mortem inspection was done by 4031 (b) (6). He found copious amount of blood in Pen #9 and report the said incident to the IIC. The IIC conducted a visual inspection of the Pen #9 and was able to pinpoint the cause of the tail injury. It was cause by a rusted fence pipe with a hole that could cut the tail with the sharp edges of the hole. A picture of the rusted pipe with the hole was taken for documentation. At 12:00 pm another cattle was injured as evidence by the copious amount of blood on the wall and floor leading to the carrousel.	OPEN

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI371 310311 8N-1	10/18/2018	04C02	Livestock Humane Handling	313.15(a)(2)	On 10/18/18 at approximately 1320 hours while observing a group of calves in motion for antemortem inspection, I then observed the Halal blesser driving the animals to the knock box. The lead calf turned around in the runway and ran into two calves, knocking them down and running over the top of them. They became wedged in the runway and were unable to rise. I immediately notified Kelsey Lloyd, plant manager, of the situation and immediately showed her the downed calves. I told her I would be writing an NR and tagging the knock box. I applied US Reject tag # B36297669 to the knock box and stopped the slaughter. Since the plant has a robust systematic approach to humane handling program, I advised Ms. Lloyd that I would remove the tag from the knock box and allow them to resume slaughter as soon as they give me an acceptable corrective action. The above incident is in violation of 9CFR 313.15(a)(2). Animals must be driven with a minimum of excitement and not allowed to suffer unnecessarily.	CLOSED
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI301 211543 0N-1	11/30/2018	04C02	Livestock Humane Handling	313.2	On 11/30/18 at approximately 1215 hours while checking the holding pens for cattle, I encounter the following NR: cattle in all 3 covered holding pens do not have access to feed; cattle in the lower pens do not have access to feed or water. There is one water container with a small amount of water in the bottom which is not sufficient for the number of cattle in this area. Cattle are required to have access to water at all times and to feed after 24 hours. I informed Kelsey Lloyd of my findings and told her I would be writing an NR. There was a similar NR written on 8/15 addressing this same issue. Ms. Lloyd immediately had maintenance bring rolls of feed to the cattle. There is a water leak which is being addressed at this time.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7455+P7 455+V7455	Williams Sausage Co Inc	UQD59 111245 28N-1	12/28/2018	04C02	Livestock Humane Handling	313.30(a)(4)	At approximately 1000 hours on 12/28/18 while working the slaughter line position, I observed several company employees gathering around the corner from my location looking toward the incline slaughter line. I did not leave the inspection station as the line had stopped several times earlier in the morning. At 1008 hours, (b) (6) entered the kill floor area and informed me that he wanted to stun the animal (hog). I followed (b) (6) to the area where the conscious animal was hanging. (b) (6) observed one (1) live conscious and alert hog shackled and hanging with no cuts made (b) (6) immediately stunned the hanging hog with a captive bolt which then rendered unconscious at 1010 hours. I noticed that 12 more hogs had been effectively stunned after the aforementioned was shackled. I immediately notified (b) (6) of my observations and he intern notified the Jackson District Office. The knock-box was tagged with U.S. Rejected Tag # B26013910 at that time. After phone conversation with Jackson District Office, in-plant inspection staff and M7455 management, it was determined that this would be a noncompliance. At 1140 hours, (b) (6) removed U.S. Reject Tag from the knock-box.	CLOSED
M8327+V8 327	Southeastern Provision LLC	UOF450 811300 5N-1	11/04/2018	04C02	Livestock Humane Handling	313.2	HAT Category III - Water and Feed Availability. At approximately 7:30 AM while performing an odd-hour humane handling inspection at Southeastern Provision in Bean Station, TN, SPHV Wayne Reid observed 3 cows separated in the round pen that did not have access to food or water. This is a noncompliance according to 9 CFR 313.2(e) Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed. Bill Gilger (Plant Manager) was notified of the noncompliance and corrective action was immediately taken by the plant to provide access to water and feed for all cattle.	OPEN

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M86R	Cargill Meat Solutions	EHN371 912572 8N-1	12/28/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATs Category: Category VIII – Stunning Effectiveness On December 28, 2018 at approximately 1710 while performing a scheduled Livestock Humane Handling task per FSIS Directive 6900.2, (b) (6) observed the following noncompliance: After an initial unsuccessful attempt to render an animal unconscious with a single blow to the head from a pneumatic captive bolt stunning device, the animal panicked and attempted to crawl over the successfully stunned animal in front of it, throwing its head to the left before a second successful stunning attempt could be performed. This is noncompliant with regulation 9 CFR 313.15(a)(1). Upon review of records for the last 90 days there were no noncompliance records for the same root cause. This NR is not being associated.</p>	CLOSED



Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M267	JBS Tolleson Inc.	ECD131 611062 ON-1	11/19/2018	04C02	Livestock Humane Handling	313.1	<p>On November 19, 2018 at approximately 0600 hrs the following regulatory non-compliance was noted by (b) (6) while performing Ante Mortem Livestock Inspection. All of the drains located in the south alleyway of the cattle yard were backed up with manure and mud. The backed-up material resulted in an accumulation of the muck that was as high as 6 to 8 inches in depth extending out from the alleyway to several of the adjacent animal holding pens. Animals were transported and moved through the backed up alleyways and across the backed up drains. (b) (6) took regulatory control by placing US Reject Tags B36800738 and B42257913 on the south side pens (pens 20-38) and alleyway due to the excessive buildup of manure and mud. These conditions also created an environment for potential slips and falls. These findings were immediately shown to (b) (6) who was informed that a non-compliance record (NR) would be issued for the finding. She then arranged for the cattle located in the dirty pens to be moved to the relatively unaffected north side pens. This finding represents non-compliance with 9 CFR 313.1(a) which states that "livestock pens, driveways and ramps shall be maintained in good repair." The establishment also failed to meet the requirements of 9 CFR 416.2(e)(2) with the finding of the backed-up drains. As a result of the conditions caused by the drainage backup, cattle were being brought into the plant with significant additional contamination on their feet and shanks which potentially could impact the establishment's food safety program.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M322+V32 2	Double J Meat Packing, Inc.	QOE48 161223 31N-1	12/31/2018	04C02	Livestock Humane Handling	313.2	<p>ON December 31, 20018 while performing Ante-mortem inspection activities on cattle, (b) (6) observed the following noncompliance. Pens 12 and 13 share an automatic water tank and there was no water in the tank as of 710am. Pens 12 and 13 did have cattle in the pens; there fore, the cattle did not have access to water I got the attention of the Supervisor ( who refers to him self as (b) (6) I ask him to check the water tank in question (b) (6) open the alley and he confirmed that there was no water. I saw a small amount of frozen ice about 1inch thick across the bottom of the tank (b) (6) immediate corrective action was to de ice the water tank with hot water, he proceeded to cleaned out the tank and place fresh water in the tank. I also inquired at what time the cattle arrived (b) (6) did not know the time, so he went to ask. Approximately 30 minutes later (b) (6) informed me that the cattle arrived the night before around 8p.m (b) (6) also assured me that the cattle had accessed to water upon arrival , however the water tank froze up sometime during the night. I then notified (b) (6) that I would be issuing a noncompliance. Double J Inc. is in noncompliance with CFR 313.2 (e) Handling of livestock, which states: " Animals shall have access to water in all holding pens and, if held longer that 24 hours, access to feed. There shall be sufficient room in the holding pen for animals held overnight to lie down." There are no other NR's within the last 90 days to be associated with this noncompliance.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M969+V96 9	Swift Beef Company	UOA09 221121 24N-1	11/24/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	<p>“HATS Category VIII – Stunning Effectiveness; HATS Category IX – Consciousness on the Rail On 11/24/2018 at approximately 1740, I observed the following noncompliance: An employee, (b) (6) [REDACTED], attempted to stun a bovine using a pneumatic captive bolt device but the bolt did not discharge from the device. After the first attempt, the animal remained conscious, so the stunner released the pneumatic captive bolt and grabbed a hand-held captive bolt device, loaded it, and attempted a second stun. The device did not fire, so the stunner loaded another hand-held captive bolt device and applied a stun attempt which contacted the head. The stunner released the animal from the restrainer onto a conveyor belt. I observed the animal was still conscious as the animal was attempting to right itself, lift its head up, and the eyes were tracking. I immediately instructed the employee to stop the conveyor. The employee stopped the conveyor, went down to the animal, and applied a final stun attempt with a hand-held captive bolt which rendered the animal unconscious. Upon observation of the head, two stunning attempts were confirmed to contact the head. I informed the employee (b) (6) [REDACTED] that animals must be rendered unconscious on the first stunning attempt and this was a noncompliance with 9 CFR 313.15(a)(1). Slaughter was stopped and the Denver District Office was contacted through supervisory channels for further instruction. The establishment's immediate corrective actions were to replace the pneumatic captive bolt and the two hand-held captive bolt devices. They performed several test fires with the replacement pneumatic captive bolt to insure it was functioning properly. The stunner, (b) (6) [REDACTED], was also replaced for the remainder of the night's operations. At approximately 1930, (b) (6) [REDACTED] and (b) (6) [REDACTED] were informed that a</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							non-compliance record would be issued for the incident and slaughter operations could resume.	
M4975+P4 975	Dale T. Smith and Sons Meat Packing Company Inc	IYC1807 114320 N-1	11/20/2018	04C02	Livestock Humane Handling	313.2	<p>Category III: Water and Feed Availability                      Category I: Adequate Measures for Inclement Weather On 11/20/18 at approximately 0540 hours I, (b) (6), observed the following noncompliance while performing a routine 'Livestock Humane Handling' inspection task in the livestock yard. There were cattle in a small holding pen south of the truck unloading ramp, the only water trough available to this pen had a layer of ice covering the water, preventing access. I verbally notified (b) (6) of this noncompliance. I observed, with (b) (6), (b) (6) break up the ice to provide cattle with access, no U.S. Retain tags were necessary. A review of recent noncompliances revealed none issued for the same cause.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4975+P4 975	Dale T. Smith and Sons Meat Packing Company Inc	IYC3214 115130 N-1	11/30/2018	04C02	Livestock Humane Handling	313.1	<p>Category IV Ante-Mortem Inspection On 11/30/2018 at approximately 0825 hours (b) (6) observed the following non-compliance while performing a routine "Livestock Humane Handling" task in the livestock pens. On the south end of the cattle holding pen located on the farthest east side of the establishment premises, a Holstein cow had been removed from the pen by establishment personnel to be segregated from the other ambulatory cattle. This area is in between the south fence of the pen and the stacks of hay bales used to feed cattle. I observed the area surrounding the cow and saw a greenish steel fence gate, approximately 8' long by 4' wide, lying flat on the ground partially under the cow, as I looked further the green gate had a 6-8" long, 2" thick bar that had been cut protruding out from the hay laid on the ground next to the cow. I also observed, protruding from the bottom of the pen fencing, a steel pipe approximately 4" in diameter and 3' long, this pipe also had a small piece of steel sticking out on the cut end of it that was approximately 1" by 1", the end of this pipe was laying against the cow's front shank. The issue of old fence posts and other debris surrounding the livestock pens was initially addressed in a weekly meeting on 7/1/2017 MOI # IYC5212074801E. It was also discussed recently on 11/17/2018, MOI # IYC4215113417E. (b) (6) was immediately informed of the noncompliance, and the cow was euthanized humanely by captive bolt. A review of recent noncompliances revealed none issued for the same cause.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M325	Clausen Meat Company Inc.	FBJ440 210160 2N-1	10/01/2018	04C02	Livestock Humane Handling	313.2	On 10/1/18 at approximately 0810 hours during my humane handling verification, I observed that pen 12 with approximately 80 roasters had no access to water. The waterer was empty. This is a violation to HATS Category III, water and food availability. I called (b) (6) to show her the empty waterer. We went back to the USDA Office. At about 0830 hours, I informed (b) (6) that pen #12 had an empty waterer and that pigs have no access to water. She said that she will go and check immediately. At about 0840 hours, I informed Ping Lau that pen #12 had no water available for pigs. Both Ping Lau and I went to check the pen. At this time, the waterer had been filled with water and about 3 pigs were observed drinking the water. I informed Mr. Lau that I had informed (b) (6) earlier and she had come and checked it. I also informed him that a non-compliance will be issued. This is a violation to 9 CFR 313.2(e). This NR is linked to FBJ1706074630N issued on 7/30/18 and FBJ2813071717N issued on 7/17/18. These NRs both documented pigs with no access to water.	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M325	Clausen Meat Company Inc.	FBJ480 610082 9N-1	10/29/2018	04C02	Livestock Humane Handling	313.2	On 10/29/18 at approximately 0343 hours while performing ante-mortem inspection, the following humane handling non-compliance was observed. I observed approximately 25 roaster pigs being held in the outside holding pen. The water trough in the holding pen was empty and dry, so the roaster pigs had no access to water. I immediately notified a plant employee that the water trough was empty and he then turned on the water. As the trough was filling with water, the roaster pigs were crowding around the trough trying to get a drink of water. At approximately 0414 hours, I informed Plant Owner Ping Lau of my observations and the forthcoming non-compliance. This is a non-compliance of the regulatory requirements of 9 CFR 313.2(e), which states that "Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed." This non-compliance is linked to a similar non-compliance (NR# FBJ4402101602N) with the same cause, which was documented on 10/1/18.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M548	Yosemite Meat Company Inc.	VHM34 131208 26N-1	12/26/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At 0702 hours, while checking Seneca valley suspect hogs in the pens at Yosemite Meat Co., I, (b) (6) was observing an establishment employee knock a crippled hog in the D1 suspect pen. I observed the employee knocking the hog deliver the first knock too low on the head, and the blow did not render the animal unconscious. The hog sat up after the blow, and began vocalizing and moving its head back and forth. (b) (6) immediately handed the employee the second captive bolt gun to deliver another blow, but the second blow delivered was a glancing blow just above the left eye that did not penetrate the skull.</p> <p>Meanwhile, the QC technician was reloading the first captive bolt gun while the animal continued to vocalize. The first captive bolt gun was reloaded within approximately 15 seconds and the employee was able to deliver an effective knock on the third attempt. I immediately notified (b) (6) of my observations, and informed him that I was going to be contacting district for further guidance. On my way to tag the knock box, I saw and immediately notified (b) (6) of my observations and informed him of the need to stop slaughter. At 0712 hours, I tagged the knock box stopping stunning with U.S. Rejected tags B38095260 and B38095259. The above cited observations are in violation of 9 CFR 313.15(a)(1).</p>	CLOSED



Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M783+P78 3	Harris Ranch Beef Co.	VNG23 111124 21N-1	11/13/2018	04C02	Livestock Humane Handling	313.1	<p>On Tuesday, November 13, 2018 at approximately 7:39 am while performing HATS task IV - Ante-mortem Inspection (b) (6), observed the following noncompliance: HATS VII: Slips/Falls; In pen #9, in the middle of the pen, a heifer that started walking from a standing position fell onto both front knees after a couple of steps. The heifer was not fractious, excited or moving quickly. (b) (6), was not approaching or driving the animal with the plastic bag tool. The animal stood up and walked away after the slip. This is noncompliant with 9 CFR 313.1(b) Floors of livestock pens, ramps, and driveways shall be constructed and maintained so as to provide good footing for livestock. (b) (6) placed U.S. Rejected tag #B-45024977 on the entry gate to pen #9 and pen #10 to prevent further injury to cattle falling, until the establishment could investigate the incident. (b) (6) informed (b) (6) and (b) (6), that a noncompliance record (NR) would be issued. No NRs have been issued for this regulation previously. In addition, slipping concerns were mentioned in multiple weekly meetings (i.e. 10/19/18, 8/10/18, 4/6/18) and copies of the meeting agenda were provided to all establishment management in attendance.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M783+P78 3	Harris Ranch Beef Co.	VNG52 171209 21N-1	12/21/2018	04C02	Livestock Humane Handling	313.2	At approximately 10:03 AM, I was observing (b) (6) unload trailer 125. He unloaded the bottom half with no problem. When he opened the upper half of the trailer, the animals would not exit the trailer. (b) (6) then went inside the trailer and with excessive force, started smacking a animal on its rump repetitively (Approx. 5 times). The trucker was holding the handle of the paddle with one hand, raised the Handle of the paddle to the level of his head, took a step forward to lean in, and used that momentum to smack the animal on the rump repetitively. The animal then tried to kick him. (b) (6) went inside the trailer and told him to stop. I gathered the information about the trucker and trailer, and informed (b) (6) that I would discuss the humane handling matter with (b) (6). I latter informed (b) (6) of this N.R.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4969+P4 969	J J Meat Co.	JCO501 712211 1N-1	12/11/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3), 313.15(b)(1) (iii)	<p>On December 10, 2018 at approximately 1551 hours, the following noncompliance was noted while observing Category VIII – Stunning Effectiveness Component of the Humane Handling verification. I observed (b) (6) performing calf stunning using a power captive bolt stunner. I was on the upper level of the stunning area as (b) (6) fired the power knocker on a Holstein veal calf that was being restrained by his left leg. The calf moved its head to the left as the captive bolt penetrated the skull off the midline towards the lower right side of the skull. The calf did not go down after the first stun and was still conscious and moving its head (b) (6) still had the calf restrained with his left leg. He made a second effective knock with the power knocker within seconds of the first ineffective knock. The second knock rendered the veal calf unconscious as the calf lost mobility and fell to the floor. (b) (6) immediately checked the veal calf for signs consciousness and there were none. I took immediate regulatory control action and stopped any more animals from being knocked. I tagged the knock box with US Retain/Reject tag No. B38505632 and informed (b) (6) of the forthcoming noncompliance. At approximately 1600 hours I removed the tag and allowed the establishment to resume knocking only after corrective action and preventative measures were implemented. The establishment was noncompliant with the regulatory requirement of 9CFR 313.15(a)(1), 9CFR 313.15(a)(3) and 9CFR 313.15(b)(1)(iii).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4969+P4 969	J J Meat Co.	JCO361 312442 6N-1	12/26/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3), 313.15(b)(1) (iii)	<p>On December 21, 2018 at approximately 1709 hours, the following noncompliance was noted while observing Category VIII – Stunning Effectiveness Component of the Humane Handling verification. I was performing ante mortem inspection inside pen No. 1 when I heard a calf vocalizing after it was knocked. I was standing next to the barrel of water for the calves as (b) (6) was performing calf stunning using a power captive bolt stunner. From my position I can hear when the power stunner is being used. Right after I heard the knock, I heard a veal calf vocalized. I immediately made my way to the stunning area (about ten feet away) as the calf that was knocked vocalized two more time. At the entrance of the stunning area I witness the calf on the floor getting back up on all four legs. At the same time the calf was getting up, (b) (6) grabbed a bullet for the hand held captive bolt stunner and made an effective second knock within seconds of the first ineffective knock. The second knock was effectively applied rendering the calf unconscious as the calf lost mobility and fell to the floor. I did not witness the first ineffective stun but after the second knock (b) (6) immediately checked the veal calf for signs consciousness and there were none. As I observed the head of the calf, the first knock penetrated the skull approximately 3/4 of an inch lower from the targeted area (b) (6) confirmed that the lower hole on the calf's head was the first knock and it was lower than it's supposed to be. It was the end of shift when the noncompliance was observed and there were only two calves left to knock. I informed (b) (6) of the forthcoming noncompliance and at approximately 1712 hours allowed the establishment to resume knocking only after corrective action and preventative measures were implemented. The establishment was noncompliant with the regulatory requirement of</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							9CFR 313.15(a)(1), 9CFR 313.15(a)(3) and 9CFR 313.15(b)(1)(iii). This noncompliance record is being associated with a similar noncompliance record No. JCO5017122111N for an ineffective stun on December 10, 2018. Repeated failures by plant management to effectively address the trend in noncompliance records may result in further regulatory action.	
M226+P48 63+V226	Independent Meat Company	DOD10 091033 11N-1	10/11/2018	04C02	Livestock Humane Handling	313.2	HATS Category III Water and Feed Availability At approximately 6:30AM on October 11, 2018 I, (b) (6), was performing antemortem inspection at M226 Independent Meat Company in Twin Falls, Idaho. (b) (6) was acting as yardsperson. When I went to perform antemortem inspection on the hogs the establishment had segregated into the suspect pen, I observed that no water was available to the hogs present in the pen. This pen has 2 water troughs, one permanent and one moveable. Neither had any water present. I notified (b) (6) of the humane handling noncompliance and observed him provide water to the hogs. This is a noncompliance with 9 CFR 313.2(e).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9265+P9 265	Marks Meat, Inc.	CFJ061 710021 1N-1	10/11/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>Hats Category VIII Stunning effectiveness On October 11, 2018 at 10:21 AM (b) (6) and (b) (6) were observing stunning effectiveness on hogs at Est. 9265 as part of the Humane Handling Verification Plan implemented in response to a reinstatement of suspension issued on 9/27/2018. Establishment employees discharged the hand held captive bolt and the animal immediately vocalized and began moving about the stunning box. The animal moved to the back of the stunning box and the stunning employee evacuated the stunning area per protocols for safety. The backup stunning rifle was immediately available by the secondary stunning employee and a second effective shot was discharged rendering the animal unconscious. The knock box was tagged with US Reject tag # A1281786 and the establishment notified that this incident would be passed on to the FLS and district management team for further evaluation. Upon inspection of the head post mortem, both shots entered the same entry wound. The entry wound and wound tracts are approximately 1cm lower than the center of an "X" drawn in an imaginary line between the medial canthus of the eye and the ventral aspect of the opposite ear. There is a large bore hole approximately ½ cm diameter (suspected captive bolt) track traveling more rostral and at a steeper angle than would be expected to cause significant brain injury. The second wound track is smaller diameter travels through the brain cavity and exited out the soft palate just rostral to the foramen magnum. The .223 caliber bullet was recovered from this wound tract. A review of records show a similar incident occurring on a Beef animal on 9/21/2018. This non-compliance is being linked with NR#CFJ5116092121N and indicates a trend of non-compliance. Further corrective actions are necessary in order to ensure that stunning of all species of animals at the</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							establishment is conducted in accordance with regulations outlined in 9 CFR part 313. Continued non-compliance may initiate further regulatory control action on behalf of the establishment.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M12426+V 12426	Andrade Slaughterhouse	ECK591 111552 8N-1	11/28/2018	04C02	Livestock Humane Handling	313.2	<p>Humane Handling: M12426 (Andrade Slaughterhouse) HATS Category III - Water and Feed Availability; HATS Category IV - Ante-mortem Inspection On 11/28/2018, at approximately 0255 hours, Kevin Blackstad, Plant Manager, informed me that I could proceed to perform my Ante-Mortem inspection. I proceeded with my inspection and I observed a total of six (6) cattle in two different pens, three in each pen. I observed one pen had three cattle, green barrel upside down that was positioned at the corner. The animals had no access to water. I notified Mr. Blackstad and Ms. Andrade, Owner/Food Safety Manager, that one of the pens with three cattle had an upside down green barrel in the corner and therefore animals had no access to water. This is a noncompliance with 9 CFR 313.2(e). In accordance with Code of Federal Regulations: Title 9, Part 313 (Humane Slaughter of Livestock), Section 2(e) states: "Animals shall have access to water in all the holding pens and, if held longer than 24 hours, access to feed." Establishment Awareness Meetings: Humane Handling discussion: water accessibility in the pens was the responsibility of the establishment.</p> <p>10/17/2018, ECK3716112614E 11/14/2018, ECK4312212728E Past Similar NR: ECK3803051807N / 1, dated 5/02/2018, Completed: Corrective actions: Ms. Andrade will inform the ranchers to make sure the barrels are filled with water at the time of delivery in all the pens with animals. 10/17/2018, ECK3716112614E 11/14/2018, ECK4312212728E Past Similar NR: ECK3803051807N / 1, dated 5/02/2018, Completed: Corrective actions: Ms. Andrade will inform the ranchers to make sure the barrels are filled with water at the time of delivery in all the pens with animals.</p>	OPEN



**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M12445+P 12445	Kulana Foods, Ltd.	WYF05 101236 27N-1	12/27/2018	04C02	Livestock Humane Handling	313.2	On 12-26-18 at Establishment M12445 Kulana Foods, Ltd., I (b) (6) went to the animal holding area at about 1150 and observed nine pigs being held in one pen roughly three feet by eight feet. This pen has one nipple waterer in the corner which most of the pigs couldn't access due to overcrowding. One of the pigs was lying on two other pigs due to the shortage of room. I informed establishment President/GM Mr. Brady Yagi. He said he would have someone separate them and stated that the pigs are unloaded by the people that deliver the pigs. I went to the animal holding area at 1215 to verify the pigs had been separated, and they were in the process of being separated into additional pens at that time, where they could access water.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M791+P79 1+V791	Clemens Food Group, LLC	MXL37 071203 19N-1	12/18/2018	04C02	Livestock Humane Handling	313.2	<p>Category III – Water and Feed Availability. On December 18, 2018 at approximately 1440 hours I, (b) (6) observed the following noncompliance: During the tour of the establishment I performed Review and Observation component of Livestock Humane Handling. During the performance of the aforementioned task I observed, in the Barn in the space between pen #8 and back of the serpentine, two hogs #58 and # 61 as identified on their backs that were lying on the floor. I observed they had no access to water. The only water trough was approximately 5 to 6 feet away from hog #61 and approximately 6 to 7 feet away from hog #58. At the time of my observation establishment was in the process of moving hogs from lot #62 in the serpentine. At this time I contacted (b) (6) and physically showed him the hogs in the same place. When (b) (6) arrived I asked him how long had the hogs been there (on the floor between pen #8 and back of the serpentine)? He informed me they could have been there for 15 to 20 minutes going by the lot numbers on the backs of the aforementioned animals (#58 and #61). I also asked (b) (6) if these hogs were ambulatory or non – ambulatory? He informed me they were non – ambulatory. No regulatory control action was initiated as establishment elected to perform its corrective actions. According establishments’ Animal Welfare Program Manual also identified as The Clemens Food Group Robust Systematic Approach Plan for Humane Handling and Slaughter dated March 16, 2018 it states the following on page 6. “11. Animals shall have water available in the holding pens or any location where the animals may be housed. If livestock are fatigued/non – ambulatory, water must be provided in shallow waters pans, buckets or water sources within easy reach of livestock.” According</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							to Rules and Regulation 313.2(e) Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed (b) (6) is notified in writing of this record of noncompliance. (b) (6) is notified verbally and in writing of this record of noncompliance for establishment's failure to meet the Meat and Poultry Rules and Regulations of 9 CFR 313.2.	
M4999+P4999	Pudliner Packing	CGN3008112927N-1	11/27/2018	04C02	Livestock Humane Handling	313.2	HATS Category IV Ante-mortem Inspection On 11/27/18 at 0826 hours while performing Ante-mortem inspection in the barn/holding pen area of the establishment, the following noncompliance was observed. 9 cows were presented with a pen card for U.S.D.A. inspection. (b) (6) observed that four cows presented in pen number 1 inside nearest the knocking pen did not have access to water. An establishment employee and (b) (6) were notified verbally. A US retain/reject tag no. A6910852 was placed on the pen because the establishment did not take corrective action as determined by (b) (6). (b) (6) removed the regulatory control action at 0845 hours after verifying the animals in the holding pens all had access to water. A search of PHIS did not show any recent similar noncompliance. This is noncompliant with 9 CFR 313.2(e).	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4999+P4 999	Pudliner Packing	CGN58 081252 07N-1	12/07/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>HATS Category VIII Stunning Effectiveness On 12/7/18 at approximately 0915 hours while performing the humane handling verification activities at Est. 4999, Food Inspector (b) (6) observed the following noncompliance and reported it to (b) (6). The Establishment moved a cow into the stunning area directly outside of the slaughter floor for stunning with a .22 caliber rifle. (b) (6) stayed inside the slaughter floor record keeping area to listen from an adjacent room. He heard the first shot but instead of hearing the animal fall to the ground, as is customary after shooting, he instead heard sounds of vocalization and not the rhythmic movement of reflexes that are typically heard after a successful stun. He then heard a second gunshot and the "All Clear" from the Stunner, signaling that stunning was complete. He then confirmed that the animal was insensible. (b) (6) completed the examination of the skull. This examination revealed two full-thickness holes in the skull of the animal. This observation, combined with what (b) (6) heard after the first shot, confirmed that the first stunning attempt did not immediately or effectively render the animal unconscious. Mr. Andrew Pudliner Sr., Plant Owner, was notified of the Noncompliance and the establishment's failure to adhere to the regulatory requirements of 9 CFR 313.16(a)(1)."</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9400+P9 400	Cargill Meat Solutions	WIL151 510520 1N-1	10/01/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HAT Category VIII, Stunning Effectiveness On October 1, 2018 at approximately 1517 hours, while verifying HAT Category VIII, Stunning Effectiveness, at establishment M9400, I (b) (6) observed the following noncompliance. An establishment employee attempted to stun a mature dairy cow in the belly-restrainer in the knock box with a pneumatic captive bolt device. The stunning attempt contacted the animal, which was apparent by an abrasion on its head, but did not render the cow unconsciousness. The cow remained fully conscious and aware of its surroundings, and moved its head away from the employee. A second stunning attempt was immediately placed, using a handheld captive bolt device, and rendered the animal unconscious as evident by lack of any signs of sensibility. The cow remained unconscious throughout shackling, sticking and bleeding. (b) (6), and (b) (6), was notified of the noncompliance with 9CFR313.15(a)(1).	CLOSED
M9400+P9 400	Cargill Meat Solutions	WIL100 810222 6N-1	10/26/2018	04C02	Livestock Humane Handling	313.2	On October 26, 2018 at approximately 0539 hours, while performing ante-mortem inspection, at establishment M9400, I (b) (6) observed the following noncompliance. Pen 29 (719 square feet) was overcrowded with 40 mature Holstein dairy cows present (lot 9575). These cows did not have sufficient room to lie down. The 2007 AMI guidelines, used by the establishment, states 20 square feet should be allotted for each 1,200 lb steer or cow, which was not provided in this case. (b) (6), was notified of the noncompliance with 9 CFR 313.2(e).	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9400+P9 400	Cargill Meat Solutions	WIL161 312031 1N-1	12/11/2018	04C02	Livestock Humane Handling	313.1	Category IV Handling during Ante-mortem and in pens. On 12/11/2018 at approx. 12:40 pm while performing ante-mortem in the barn (b) (6) observed the following a black beef cow had her head stuck between the 2 lowest pipes of her pen #11 and was unable to remove it. The plant employees immediately tried to help the cow remove her head but it remained stuck. They kept her calm while an employee got the skid steer and used the skid steer to bend the pipe and free the cow. The animal was uninjured. This in a non compliance with 9CFR 313.1 (a) unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired. Being stuck between pipe may cause injury. (b) (6) and (b) (6) were notified of this non-compliance. The pen was tagged out with US retained #s B-45164525-26	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9400+P9 400	Cargill Meat Solutions	WIL061 012083 1N-1	12/28/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>Category III Water and Feed Availability                      Category IV Handling during Ante-mortem and in pens. On 12/28/2018 at approx. 12:30 pm while performing ante-mortem in the barn (b) (6) observed the following: a dairy cow had her head stuck between the 2nd and 3rd pipes of the section of the pen next to the water section toward the center of the barn in pen #13 and was unable to remove it. The plant employee was trying to help the cow remove her head. He moved cows that were not allowing the stuck cow to straighten her neck. The employee kept her calm while he got her to move toward the end of the space. With this help the pipes were repositioned from behind a stub horn to between the eye and the stub horn by the cow struggling. When the employee started to climb over the pipes to continue helping free the cow's head she pulled free. The cow was made an untagged suspect and the neck and head area examined on post-mortem. The both parotid salivary glands were blood shot and bruised and there was blood clot on the right side between the parotid salivary gland, the lymph node and the bone. These injuries were in the area of the pipes locations on the head and neck. While the cow was entrapped between the pipes it did not have access to water. These are non-compliances with 9 CFR 313.1 (a) unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired and 9 CFR 313.2(e) animals must have access to water. The (b) (6) was notified of this non-compliance. The pen was tagged out with US retained #s B-45164601 and B-45164602. This non-compliance is linked to NR #WIL161312031N on 12/11/2018 for the same root cause. This document serves as written notification that your failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9492	Bucher Meats	YCA501 110210 2N-1	10/02/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII - Stunning Effectiveness On October 2, 2018, at approximately 0850 hours while performing humane handling verification activities at Establishment 9492, 1(b) (6) [REDACTED] witnessed the following Noncompliance. The establishment moved the last Roster hog into the stun box for stunning with a hand held captive bolt. The Roster was standing freely in the stun box. As the stunner made the first stunning attempt with the captive bolt, the Roster hog moved its head (establishment's statement). The stunning attempt hit the head as evidenced by the two distinct holes upon post mortem. The roster remained standing and vocalized until the second shot was given. The stunner took immediate corrective action by re-loading the captive bolt and delivering the second stun, which made the Roster insensible. Mr. Bucher, Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a) (1)."</p>	CLOSED



**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9492	Bucher Meats	YCA270 812280 4N-1	12/04/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Today on 12-4-18, at approximately 0720 hours, while performing Humane Handling verification activities, I witnessed the following noncompliance. After moving the second market hog into the stunning box, the stunner used a captive bolt stunning device to render the animal insensible. However, the first stunning attempt was unsuccessful and the animal vocalized and the stunner realized the animal was not insensible. He took immediate action, making a second attempt using a .22 caliber rifle to render the animal insensible. After the second attempt was made, he was successful in rendering the animal insensible. After careful post mortem examination of the head, there were 2 holes present which identify both the captive bolt and the .22 caliber rifle attempt. Mr. Jake Bucher(Plant Owner), was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1).	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9646+P9 646+V9646	Stoney Point Inc.	AUG42 091214 10N-1	12/10/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On December 10, 2018, at approximately 1010 hours while performing humane handling verification activities at Establishment 9646, I (b) (6) observed the following Noncompliance. The Establishment moved a Market Hog into the stun box for stunning with a hand held captive bolt. The Hog was standing freely in the stun box. As the Stunner made the first stunning attempt with the captive bolt, the Hog dropped but started to vocalize. The Hog had distinctive eye movement and attempted to stand. The stunning attempt hit the head as evidenced by both the Hog dropping down away from the stunner and a spot on the head where the captive bolt hit, but the Hog remained conscious and vocalized. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which made the Hog insensible. Mr. Mike Chrismer, Plant Supervisor, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1)."	CLOSED
M9672+P9 672	Al-Marwa L. L. C.	YYD001 012342 8N-1	12/28/2018	04C02	Livestock Humane Handling	313.15(b)(1) (iii)	On December 28, 2018 I observed a veal calf getting its front hoof stuck between the floor and the side wall of the holding box, preventing it from being hoisted properly and promptly. (b) (6) took immediate action to prevent the animal suffering. Regulation 9 CFR 313.15(b)(1)(iii) states that the holding box should be free from openings in which livestock may injure their feet or legs, therefore they are not in compliance with this regulation.	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9704+V9 704	Springfield Meat Company	QGE450 612012 0N-1	12/19/2018	04C02	Livestock Humane Handling	313.1	HATS Category II: Truck Unloading Date: 12/19/2018 Time: 1400 Location: Incident occurred on the truck unloading ramp outside of the building. While performing ante mortem inspection on cattle, Insp. (b) (6) observed a steer coming down the unloading ramp from the truck slip to its knees and then struggle to regain its footing. (b) (6) was verbally notified and plant employees immediately placed grit on the ramp to provide better traction for the animals being unloaded. There were no further slipping incidents after the grit was placed on the ramp. This is Noncompliant with 9CFR 313.1(b).	CLOSED
M9714+P9 714	Thoma Meat Market	MEK54 111128 20N-1	11/20/2018	04C02	Livestock Humane Handling	313.2	HATS CATEGORY III: WATER AND FEED AVAILABILITY At approximately 1240 on November 20th IPP entered the barn pen area. Animals were being held in two pens adjacent to the unloading dock on the side of the driveway: one beef in the first pen and two swine in the second. I, (b) (6), observed no water containers available in either pen. I immediately notified (b) (6), of this noncompliance. Plant employees were immediately notified by plant management. Water containers were provided in each pen and filled with water. No regulatory action was taken since the situation was immediately remedied. I reviewed NRs from the past 90 days and found no similar noncompliance. This is a noncompliance with regulation 313.2 (e).	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9784+P9 784+V9784	Leona Meat Plant Inc	OMK39 101150 20N-1	11/20/2018	04C02	Livestock Humane Handling	313.2	HATS Category III Water and Feed Availability On November 16th 2018, at approximately 0730 hrs., while performing Ante-Mortem inspection at establishment 9784M I observed the following noncompliance: In the pens, twenty (20) sheep were divided into two pens, pens #5 and #6. During my observation, I noticed both pens were without water available for drinking. I notified (b) (6) of this noncompliance and violation of 9CFR 313.2(e). Immediate corrective action was taken by (b) (6) and water was distributed to both pens. After witnessing the sheep had been given water, I re-inspected and released pens #5 and #6 and the plant continued with its daily production.	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562	JBS Green Bay, Inc.	QSM28 151013 05N-1	10/05/2018	04C02	Livestock Humane Handling	313.15(b)(1)(iii)	At approximately 1200 hours on October 5, 2018, (b) (6) was performing HATS Category VIII (Stunning Effectiveness) and observed the following noncompliance. In the restrainer, there are large metal panels used to adjust the size of the restrainer and/or "squeeze" animals as they go through the stunning process. (b) (6) noticed an irregular area on the bottom side of the left panel that was potentially broken with a small amount of hair caught. Quality Assurance (QA) and maintenance employees were notified of the potential issue. (b) (6) and (b) (6) went back to observe the area on the restrainer and noticed that there was a jagged "L" shaped crack approximately 4 inches on the long side and 3 inches on the short side in the lower left lip of the metal panel. Cattle that placed their heads low in the restrainer at the position of the second stunner could potentially get cut or caught in the sharp broken metal. Plant management and the frontline supervisor were notified. U.S. Reject tag #B37426204 was placed on the restrainer to stop production at 1245 hours until the defect could be addressed. The establishment addressed the issue with the restrainer and (b) (6) verified that the area was suitable to resume operation and the tag was removed.	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562	JBS Green Bay, Inc.	QSM33 071129 28N-1	11/27/2018	04C02	Livestock Humane Handling	313.2	<p>At approximately 11:25AM on Tuesday November 27th, 2018, while returning from performing Ante-Mortem inspection (HATS category IV) (b) (6) observed a noncompliance with HATS category III. Pen 13 had a group of cows that had arrived at the establishment the previous day. These cattle have been on the premises for greater than 24hrs. Pen 7 also had 2 steers that had been on the premise for greater than 36 hrs. (arrival date the evening of 11/25/18). The pens the animals were located in for ante-mortem on the morning of the 27th did not have any fresh or trampled hay present or hay pushed out of the pen as is typical when the animals have been fed overnight. There was also no hay present in the current pens or any other pens of this barn. When (b) (6) asked the barn supervisor if the cattle were fed he stated that the establishment was only feeding cattle held for 24hrs and that he was unsure if they had been fed. (b) (6) showed him the pen cards that indicated the animals had been on the premises for more than 24hrs. The feed log located by the scale, which is identified in the establishment's humane handling program as a means to track animals that are fed and filled out on a weekly basis, had no entries of pens fed for the week. 9 CFR 313.2(e) states that animals held longer than 24 hours shall have access to feed. (b) (6) was notified of the noncompliance.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562M	JBS Plainwell, Inc.	CFO570 310443 1N-1	10/31/2018	04C02	Livestock Humane Handling	313.1, 313.2	At approximately 0830 hours while performing verification observations for HATS Category II Truck unloading, the following incident occurred. A gooseneck trailer backed up to the outside unloading ramp where Holstein cattle were being unloaded. The unloading ramp is designed with side panels approximately 4 feet high which serve to enclose the ramp as it leads into the facility. With the trailer backed up flush to the ramp, the junction of the side panels with the back of the trailer creates a triangular gap on both sides. The gap is approximately 2 inches at the top and 16-18 inches at the bottom. One animal was observed to stick its head through the right gap, and became entrapped across the entrance of the ramp, with the head through one side and the lower part of the hind limbs through the other. After a brief struggle, the animal elected to lie down, remaining entrapped. After approximately 15 minutes, the animal was able to struggle free and returned uninjured to the trailer. There were 4 animals remaining on the trailer and the owner proceeded to unload those animals. The last animal on the trailer stepped onto the ramp and the left hind leg was observed to slip through an opening between the floor of the ramp and the left side panel. The foot and lower leg were extended through the gap and as the animal struggled to free the entrapped foot, the lower leg sustained a laceration. As the owner attempted to drive the entrapped animal with a paddle, several establishment employees immediately stopped the owner and eliminated his involvement in the unloading process. The animal was euthanized with a handheld captive bolt device. These observations are a violation of the regulatory requirements of 9 CFR 313.1(a),and (b) which requires facilities to be maintained in sufficient repair to eliminate sharp edges and unnecessary opening to prevent entrapments and injury; and 9 CFR 313,2(a) which requires animals	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							to be driven in a manner that minimizes excitement and distress. Regulatory control of the unloading ramp was taken by placing U.S. Rejected tag number B37583057 at the time of the observations.	
M952	BEF Foods, Inc.	YUC371 110540 4N-1	10/03/2018	04C02	Livestock Humane Handling	313.15(a)(1)	On 10/3/18 at approximately 10:45am while verifying the humane stunning of the sow by the establishment in the hog pens. I. (b) (6) while standing about 10 feet in front of the sow observed the following non compliance. (b) (6) attempted to captive bolt stun the sow while plant employees were restraining her with sort boards. After the first captive bolt shot in to the sow's skull the sow made a low short vocalization and she did not move from the original position she was in before she was shot. She was still looking around, her eyes were still tracking movement, blinking and breathing normally just as before the first shot. I observed a hole in her head after the first attempt (b) (6) was immediately handed another loaded captive bolt gun and shot the sow in the skull a second time effectively rendering the sow unconscious and her body immediately dropped to the floor. I observed a second hole in her skull after the second shot. I then informed the plant manager (b) (6) that there would be a Non compliance record issued because the sow was still conscious after the first captive bolt shot attempt.	CLOSED



**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2444	Strauss Brands Inc.	VFG160 810082 9N-1	10/29/2018	04C02	Livestock Humane Handling	313.1	<p>On 10/29/2018 at approximately 0615 while performing a Livestock Humane Handling task (b) (6) observed the following noncompliance. After establishment personnel had offloaded the first forty veal calves from a livestock trailer, one calf took a misstep and its forelimb slipped into a gap caused by the slight angle between the back of the trailer and the offloading dock, causing the calf to become stuck; the improper placement of the vehicle had previously gone unnoticed by establishment personnel. This represents noncompliance with 9 CFR 313.1(b). (b) (6) took a regulatory control action and placed US retained tag B41826420 on the trailer. The calf's limb was promptly freed, but the animal was nonambulatory, so it was properly stunned and euthanized in accordance with regulations, after which (b) (6) noted a complete fracture of the right forelimb. (b) (6) then removed the retained tag, and offloading was allowed to continue at a slower pace to prevent further injury to the remaining forty calves (b) (6) verified that all remaining calves were offloaded without incident. (b) (6) informed (b) (6) and plant manager Wayne Bucholtz of the noncompliance.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10114+P 10114+V10 114	C. Roy, Inc.	FEI5512 114220 N-1	11/20/2018	04C02	Livestock Humane Handling	313.2	<p>HATS Category VI - Electric Prod/Alternative Object Use On November 20, 2018, at approximately 0740 hours, I, (b) (6), observed the following noncompliance. While on the kill floor, I observed Nate (stunner) standing by the door which leads to the barn. I also observed that a bovine was loose in that alleyway directly alongside the knock box. There was also a bovine already in the knock box. The bovine in the alleyway couldn't move forward because there was a wall directly ahead. Nate was attempting (with a non-electric prod) to get the bovine to back up in the alleyway and re-enter the pens. After at least five separate attempts to move the animal backwards, the bovine continued to struggle and became more agitated. Another employee (b) (6) decided to go into the barn (the back way) to observe the situation. It was then discovered that two other bovines had followed the first bovine into the alleyway. The presence of the two other bovines in the alleyway (directly behind the first bovine in the alleyway) prevented the first bovine from being able to move forward or backwards. After this was discovered, the animals were backed up (one by one), freeing up the alleyway. No rejected tag was used. The establishment's written Systematic and Robust Approach to Humane Handling and Slaughter Program states that all animals are moved with a minimum of excitement. The above findings are in violation of 9 CFR 313.2(a), which states that livestock be handled with a minimum of excitement and discomfort to the animal (b) (6). (b) (6) was notified that a noncompliance report would be issued. There have been no similar noncompliance reports issued in the past 90 days.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21207+P 21207+V21 207	Lorentz Etc. Inc.	RTB042 110551 2N-1	10/12/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>At approximately 1500 hours on October 12, 2018 while performing postmortem voluntary inspection and Humane Handling Verification of HATS Categories VIII (Stunning Effectiveness) and IX (Consciousness on the Rail) on bison, (b) (6) and (b) (6) saw the following noncompliance. (b) (6) was on the slaughter floor inspecting bison carcasses and left the room through the east door after being informed that the establishment was ready to stun the last bison of the day with a firearm. (b) (6) stood outside the door and heard a firearm blast. She then heard noises coming from the slaughter floor, peered through the glass window of the slaughter door and observed people running, and heard employees yelling that an animal was loose. (b) (6) went to the nearby USDA office and informed (b) (6) that an animal was loose on the slaughter floor. (b) (6) proceeded to the slaughter floor and on his way observed an establishment employee in the hallway hurrying to the slaughter floor. This employee is the primary stunner at the establishment. (b) (6) later learned the employee was obtaining additional ammunition from a room approximately 30 feet from the stunning area. The backup ammunition on the kill floor could not be safety procured while the animal was loose. While standing in the hallway, (b) (6) observed a conscious bison on a viscera cart by the cooler door. This cart was approximately twenty feet from the restrainer. (b) (6) observed the employee shoot the bison. (b) (6) entered the kill area and observed the animal unconscious and nonresponsive. The employee then bled the animal. (b) (6) and (b) (6) state that the time between the first and second shot was approximately sixty seconds. (b) (6) requested the employee skin the head and observed two bullet holes. One hole was located at the midpoint of the bison's horns, and</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							one hole was approximately ¼” to the left of the midpoint of the two horns. (b) (6) placed regulatory reject tag B40942633 and informed Plant Manager Rob Lorentz and (b) (6) of the noncompliance.	
M20855	Chenoa Locker, Inc.	SSH531 110062 3N-1	10/23/2018	04C02	Livestock Humane Handling	313.1	23 October, 2018 At approximately 1030 hours during a humane handling review, the following observations were made at establishment 20855 Chenoa Locker. The base of a metal panel of the knock box gate is jagged and bent inwards towards where the animals are positioned for stunning. (b) (6) noted that the state of disrepair of the knock box gate represented noncompliance with 9 CFR 313.1, and could potentially cause injury to the animals. The establishment was immediately notified of these findings.	CLOSED
M20855	Chenoa Locker, Inc.	SSH501 411111 2N-1	11/12/2018	04C02	Livestock Humane Handling	313.2	On 11/8/2018 While performing a Human Handling inspection (b) (6) found that in the holding area outside of building had livestock that did not have access to water. This is in violation of regulation 313.2(3)(e): Animals shall have access to water in all holding pens and, if held longer than 24hrs, access to feed.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21651	Peoria Packing Ltd.	WQF34 071252 28N-1	12/27/2018	04C02	Livestock Humane Handling	313.30 (a)(2), 313.30(a)(1), 313.30(a)(3)	<p>HATS VIII: Stunning Effectiveness and 9CFR 313.30(a)(3): Immediate Insensibility, 313.30(a)(1): Administration of electric current, and 313.30(a)(2): Driving or Conveying of the animals On 12/27/2018 at approximately 1325 hours, I, (b) (6), performed HATS VIII: Stunning Effectiveness at Establishment 21651, Peoria Packing, in the electrical stunning area. I observed a noncompliance, 9CFR 313.30(a)(3), 313.30(a)(1), and 313.30(a)(2) during that time. There were two pigs in the electrical stunning restrainer. Pig (#2) was on top of Pig (#1). The establishment employee (Stunner) placed the electrical prongs onto Pig (#1). As electric current was flowing through the prongs (Pig (#1) was ridged), Pig (#2) touched the prongs with its nose, vocalized and turned its head away. I instructed the Stunner to stop stunning, after Pig (#1) was effectively stunned and notified (b) (6) of my observations. At 1330 hours, (b) (6) arrived at the restrainer and instructed the Stunner to stun Pig (#2). The prongs were placed on the left side of the animal's nick below the left ear. As the Stunner administered the electric current, Pig (#2) vocalized and turned then became ridged. Pig (#2) then repositioned in the restrainer, still conscious (holding its head up and rhythmic breathing). The Stunner quickly repositioned the prongs and effectively stunned Pig (#2). I placed US Rejected Tag #B32550082 on the restrainer. (b) (6) was informed that a noncompliance record will be documented. (b) (6) informed me of the corrective actions then I removed the US Rejected Tag #B32550082 at 1429 hours. No similar noncompliances were documented in the past 90 days.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M27236+V 27236	Sunnyside Meats, Inc.	YOA171 712050 4N-1	12/04/2018	04C02	Livestock Humane Handling	313.30(a)(1)	<p>“HATS Category VIII – Stunning Effectiveness On December 4th, 2018 at approximately 1:25 p.m. while performing a PHIS Humane Handling task, I observed the following deviation: While attempting to electrically stun a sow, plant employee (b) (6) applied the wand from the electrical stunning device 3 different times in different locations. The sow was not rendered unconscious and instead was still standing and vocalized after each attempt. The employee realized the electrical stunning device was not working and I observed it was not plugged in. I told (b) (6), and he quickly went and plugged it in. When (b) (6) attempted to stun the sow again, the sow once again became vocal and was moving on the ground while the wand was being applied. It was unclear if the electrical stunning device was being discharged. I instructed (b) (6), to take further action because the sow was becoming excited and had signs of discomfort, as it was still vocalizing. (b) (6), quickly grabbed the hand-held captive bolt device and applied a stunning attempt which rendered it unconscious. I then requested for (b) (6) to come to the kill floor and explained to him what had happened.” (b) (6) informed (b) (6) of the situation and that there would be an NR issued for the deviation. This is a violation of 9 CFR 313.30(a)(1), which requires the electrical current to be applied in a way the minimizes excitement and discomfort.”</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M22095+P 22095+V22 095	Creston Valley Meats	QOI131 512452 1N-1	12/20/2018	04C02	Livestock Humane Handling	313.1	HATS VII: Slips and Falls. At 12:00 pm on December 20, 2018, I watched plant employees (b) (6), (b) (6), and (b) (6) attempt to move 3 beef animals into the chute leading to the knock box. When one of the employees waved their arms abruptly, one of the beef animals whirled around, its hooves slipped in mud that was spread across the floor of the pens, and fell to the ground on its left hindquarters. I notified plant manager Ryan Beyler of the noncompliance. No similar noncompliances have been recorded in the previous 90 days.	OPEN
M27440	Valley Beef, Inc.	VEJ531 111131 6N-1	11/16/2018	04C02	Livestock Humane Handling	313.1	At approximately 0810 on 11/16/2018, while performing ante-mortem inspection (and Category VII of HATS task, Slips and Falls), (b) (6) observed the trailer unloading of 14 young fed beef steers at Valley Beef. As the animals exited the trailer, there is a very short alley and then a 90 degree angle turn in to the holding pens. The concrete located at the 90 degree angle turn is relatively smooth without significant corrugations (the rest of the holding area has grooved concrete). Five of the 14 steers slipped and fell, with their bellies or sides touching the floor, as they entered the building. The steers unloaded and entered the building in one large cluster. After righting, the animals did not exhibit any signs of distress or injury. (b) (6) was notified of the incident and the impending non-compliance record. The establishment is currently operating with a written robust systematic approach to humane handling. Upon review of non-compliances over the last 90 days, association is not required. Corrective and preventative measures will need to be instituted before the unloading area can be used again for young fed cattle.	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21938+P 21938	EcoFriendly Foods	FYA270 912091 2N-1	12/12/2018	04C02	Livestock Humane Handling	313.2	On December 12, 2018 at approximately 9:20 AM while performing the review and observation component of HATS Category 3: Water and Feed Availability within the humane handling task (b) (6) [REDACTED] was inspecting the pens and noticed that the 5 hogs remaining in the pens for the day had no access to water. The waterers had a very small amount of ice at the bottom of the bowl but the water pipe system was not turned on. There was no evidence of other watering implements available. (b) (6) [REDACTED] verbally informed the plant manager/owner Beverly Eggleston who brought out a large bucket of warm water to fill the bowls and a trough he had available. The pigs did not seem extremely thirsty. No regulatory control action was taken since the noncompliance was brought into compliance immediately. This is a non-compliance with 9 CFR 313.2(e) that requires animals in pens to have 24 hour access to water. Plant management was notified both verbally and in writing of this non-compliance.	CLOSED



Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M27499+P 27499	Wenneman Meat Company, Inc.	RKC561 412240 6N-1	12/06/2018	04C02	Livestock Humane Handling	313.1	<p>On December 6th, 2018, routine slaughter operations were performed. A semi-truck arrived and delivered cattle. The animals were presented for slaughter and the 8 market sized beef in Pen 3 passed ante-mortem inspection. The pen card was signed by inspection personnel at 0930. Employees and inspection personnel returned to the slaughter floor after lunch. A market beef was effectively stunned, exsanguinated and continued throughout the process. I heard a noise and noticed the employee who stuns was in the knock box from the floor side and not the live pen side. I walked over and saw a market size beef had entrapped its head into the bottom of the gate between the runway and the knock box. The opening measured at 9 inches high and 18 inches at its widest point. The animal did not struggle or vocalize. Its breathing was faster than normal, but not labored. The animal was unable to free itself from the entrapment. The decision was made to stun and exsanguinate the animal where it was. The carcass was inspected per Directive 6100.2 and passed. The animal is identified as Lot No. 8340, No. 5997. The animal could be harmed because openings where the head, feet or legs may become injured. The animal was unable to self-retract from the opening at the bottom of the gate. I notified (b) (6), I would issue an NR for the condition. The opening in the bottom of the gate was not covered. allowed a beef to become entrapped and it was unable to self-retract. This is a violation of 9 CFR 313.1(a), HATS Category – Handling During Ante-Mortem Inspection.</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31561+V 31561	Maple Ridge Meats LLC	PMM12 101000 09N-1	10/09/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On October 9, 2018, at approximately 1110 hours while performing humane handling verification activities at Establishment M31561, I (b) (6) observed the following noncompliance. The Establishment moved a mixed breed heifer into the stun box for stunning with a hand held captive bolt. The heifer's head was locked into the head gate. As the Stunner made the first stunning attempt with the captive bolt, the heifer moved its head. The stunning attempt hit the head as evidenced by both the heifers sudden movement away from the stunner and a spot on the head where the captive bolt hit, but the heifer remained standing and did not vocalize. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which made the heifer insensible. Mr. Greg Hathaway, Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1).	CLOSED
M31561+V 31561	Maple Ridge Meats LLC	PMM14 081141 07N-1	11/06/2018	04C02	Livestock Humane Handling	313.2	HATS CATEGORY III ...Water & Feed Availability At approximately 1716 hours on November 6, 2018, while performing a routine humane handling task, the following noncompliance was observed. I, (b) (6), observed two separate pens of swine in which water was not accessible. In these pens, the water tubs were upright and empty. (b) (6), was immediately notified verbally and in writing of this noncompliance. Plant management immediately performed corrective actions by providing accessible water. This is noncompliant with 9 CFR 313.2(e).	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31561+V 31561	Maple Ridge Meats LLC	PMM29 121122 19N-1	11/19/2018	04C02	Livestock Humane Handling	313.2	<p>HATS CATEGORY III ...Water &amp; Feed Availability At approximately 1301 hours on November 19, 2018, while performing a routine humane handling task, the following noncompliance was observed. I, (b) (6), observed one pen containing sheep, in which water was not accessible. The water tub was upright and empty. (b) (6), was immediately notified verbally and in writing of this noncompliance. Plant management immediately performed corrective actions by providing accessible water. This is noncompliant with 9 CFR 313.2(e). A similar noncompliance occurred on November 6th, 2018 and was documented on NR # PMM1408114107/ 1N. Plant Management's response to this NR regarding further planned actions was either not implemented or ineffective. This document serves as written notification of the repetitive nature of this noncompliance and that continued failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action. Establishment management was notified verbally and in writing with this official noncompliance record of the failure of this establishment to meet regulatory requirements.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31561+V 31561	Maple Ridge Meats LLC	PMM10 081252 18N-1	12/18/2018	04C02	Livestock Humane Handling	313.2	<p>HATS CATEGORY III ...Water &amp; Feed Availability</p> <p>At approximately 0700 hours on December 18, 2018, while performing an odd hour humane handling task, the following noncompliance was observed. I, (b) (6), entered the holding pen area with plant manager Greg Hathaway and observed two separate pens of swine in which water was not accessible. Establishment management, Mr. Greg Hathaway, was immediately notified verbally and in writing of this noncompliance. Plant management immediately performed corrective actions by providing accessible water. This is noncompliant with 9 CFR 313.2(e). A similar noncompliance occurred on November 19, 2018 and was documented on NR # PMM2912112219/ 1N. Plant Management's response to this NR regarding further planned actions was either not implemented or ineffective. This document serves as written notification of the repetitive nature of this noncompliance and that continued failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action. Establishment management was notified verbally and in writing with this official noncompliance record of the failure of this establishment to meet regulatory requirements.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M32170+P 32170	Ganaderos Borges Inc.	FNL140 710201 7N-1	10/16/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Today October 16, 2018 at approximately 1430 hours the following noncompliance was observed. While standing at the inspection station I heard a captive bolt gun being shot at the knocking box. I went to the knocking box area and noticed a sow in the box with a captive bolt shot in the head. I asked the knocker about the shot. It was an ineffective stun. The employee applied an immediate second attempt using electric stun, which rendered the sow into complete unconsciousness. I proceed to stop slaughter procedures. I immediately placed Rejected No.B41427360 to the knocking box since the captive bolt equipment didn't immediately knock the sow unconscious. An immediate corrective action verbally provided by management was the immediate remove of the captive bolt equipment. Regulation 313.15 (a) (1) clearly states "The captive bolt stunners shall be applied to the livestock in accordance with this section so as to produce immediate unconsciousness in the animals before they are shackled, hoisted, thrown, cast, or cut. The animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort". Management was advice about this NR verbally and also advice of their right to appeal this decision as delineated by regulation 306.5 of the CFR.	CLOSED
M32158+P 32158+V32 158	The Royal Butcher LLC	BXF011 012532 1N-1	12/20/2018	04C02	Livestock Humane Handling	313.2	On December 20, 2018 at 7:40 AM while performing ante mortem inspection I observed 1 beef in the pen with frozen water. This is a noncompliance with 9CFR 313.2(e), wish states that "animals shall have access to water in all holding pens". (b) (6) was notified verbally about the non compliance. They supplied water to the animals immediately.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M33845+V 33845	Moonlight Meat Processing Inc	PPQ510 710411 8N-1	10/18/2018	04C02	Livestock Humane Handling	313.1	10/17/2018 Moonlight Meat Processing Inc M33845, approximately 930 while performing Humane Handling task (b) (6) observed the following noncompliance in pen #2 had 2 broken wires sticking out into the pen area ,right inside the door to the pen where they could possibly cause harm to an animal. (b) (6) tagged the pen with U.S. Rejected tag#B42151284. Anne Bays, Plant Owner was notified of this noncompliance.	CLOSED
M33971+V 33971	McNees Meats and Wholesale LLC	LWA54 101245 03N-1	12/03/2018	04C02	Livestock Humane Handling	313.2	HAT Category III – Water and Feed Availability At approximately 1120 hours on December 3, 2018, while walking through the pens, I (b) (6) noticed that twelve swine were in a pen without access to water. When this was observed, an establishment employee (who was also out in the barn) immediately moved the animals to various other pens and provided water in each pen. No U.S. Rejected Tag was issued since immediate corrective actions were taken. The establishment employee also stated that the animals had just recently been unloaded. I informed Mr. Ernie McNees (Owner), of the events and notified him that a noncompliance report would be issued. The above noncompliance is in violation of 9 CFR 313.2(e). There have been no similar noncompliances in the past 90 days.	CLOSED
M34056+P 34056+V34 056	Olsen Farms Meats LLC	XIC241 010072 5N-1	10/25/2018	04C02	Livestock Humane Handling	313.1	HAT Category III – Water Availability and Accessibility - 9 CFR 313.2(e) On Wednesday October 24th, 2018, at approximately 2:30 pm, I (b) (6), during a routine humane handling task HATS category III, at Olsen Farms Meats 34056, I observed the following noncompliance. A holding pen with three market hogs had no water in the container. Another holding pen with a single steer had no container for water. This is noncompliant. (b) (6) was notified verbally and owner Kira Olsen was notified in writing.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34360+P 34360	House of Halal Meat, Inc	VUA331 012242 8N-1	12/28/2018	04C02	Livestock Humane Handling		On Friday, December 27, 2018 at approximately 10:30 A.M while conducting a routine pre operational sanitation task, I, (b) (6) observed the following non compliance: A. In a hold pen, approximately six cows were ankle deep in mud. The establishment had been warned previously, as documented in a recent MOI, that animals were to be housed on solid non slip surfaces. The animals were having trouble moving around, and having trouble getting to feed and water. The owner, Mr. Mohammad Iqbad was notified. This is notification of the Plant's failure to observe a required federal regulation. In the absence of corrective actions, further administrative or punitive measures may be taken.	OPEN
M34384+V 34384	Elkton Locker and Grocery, Inc.	TLN051 312101 9N-1	12/19/2018	04C02	Livestock Humane Handling	313.1	At approximately 12:40 pm on December 19, 2018, while verifying HATS task category VII, Observation For Slips and Falls, FSIS Inspection Program Personnel (IPP) observed a hog being driven into the stun chute ready to be stunned, when the back legs fell into a gap between the concrete and stunning chute door. The gap is approximately 2 1/2 feet long by 2 1/2 inches wide. Company employees were able to lift the hog into the stun chute with no injury to the animal. I informed (b) (6) of the incidence and that a Noncompliance Report would be generated.	OPEN

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34699	Cox Butcher Shop	TDU150 810513 1N-1	10/30/2018	04C02	Livestock Humane Handling	313.1, 313.2	On 10-30-18 at 0700 as I inspected the holding pens I noticed on the north side that the wire panels and steel bar brace are pulled lose and could become a hazard for injury to bovine feet. I notified (b) (6) and (b) (6) of CFR 313.1 Livestock pens, driveways and ramps. (a) Livestock pens, driveways and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals. Loose boards, splintered or broken planking, and unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired.	CLOSED
M31578	Trenton Processing Center, Inc.	LKK461 010040 3N-1	10/03/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(1) (i)	On 10/3/2018 at 10:00AM while at Establishment M31578 (b) (6) observed the following noncompliance's while performing Hats Category VIII Stunning Effectiveness 313.16(a)(1) , 313.16(b)(1) While attempting to shoot a sow plant owner Gary Schwend's first shot behind the ear did not render the sow unconscious. Gary immediately fired a second shot into the top of the sows head rendering the sow unconscious.	CLOSED



Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31578	Trenton Processing Center, Inc.	LKK490 711332 9N-1	11/29/2018	04C02	Livestock Humane Handling	313.1, 313.15(b)(1) (iii)	On 11/28/18 the (b) (6) had a few area pointed out by the (b) (6) on the establishment knock box and holding that are of concern during an inspections. In the knock Box the restraint plate has quite a few corroded rust holes in it that is a concern for possible feet injury or hair snagging, also in the knock box area the drop door has a few curls semi sharp ridges that even had hair in it were animals may have snagged hair on it, the other concern are was in the holding pens on spot was the bottom of the gate closest to the load area has a broken weld and has a sharp end on it, and a few spot in several area that has rusted through pipes , both of these are concerns for possible injury to the animals. The CSI will follow up accordingly based on what the establishments plan of action is to rectify these non regulatory concerns. all these concerns is covered in 9 CFR 313.1(a) which covers Livestock pens, driveways and ramps and 313.15 (b)(1)(iii) which covers Adequate restraint; stunning area design and construction all of this was noticed during Handling During Ante Mortem Inspection HATS category task. These concerns were discussed with Gary Schwend (Establishment owner) and (b) (6)	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M39968+P 39968	Donald's Meat Processing, LLC	PIF1809 120617 N-1	12/17/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	<p>On December 17, 2018 at approximately 10:00 AM while performing the review and observation component of HATS Category 8: Stunning Effectiveness within the humane handling task (b) (6) was observing the stunning of a steer. The plant employee discharged the rifle and hit the steer. The steer remained standing, dropped its head briefly for a second and then raised it again and continued to observe its surroundings. After the ineffective stun, the plant employee immediately grabbed a back-up firearm and delivered a successful second shot which brought immediate unconsciousness to the steer. A third shot, security knock, was also taken by the plant employee. After the effective second stun, the animal remained unconscious through bleeding, shackling, hoisting and skinning. On post-mortem examination, there were three holes in the skull: one above the right eye, and two in the proper location. (b) (6) verbally informed the (b) (6), and texted plant manager Rosalea Potter of this non-compliance. No regulatory control action was taken since this was a single, isolated, non-egregious incident. This is a non-compliance with 9 CFR 313.16(a)(1) and 9 CFR 313.16(a)(3) which require animals to be in a state of immediate unconsciousness after a single gunshot. Plant management was notified both verbally and in writing of this non-compliance.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M40236	Marks Custom Meats LLC	JXW550 711141 3N-1	11/13/2018	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On November 13, 2018 at approximately 0840 hours while performing humane handling verification activities at Establishment 40236, I observed the following noncompliance. There were several market hogs freely standing in the stunning area during stunning. The stunner made a stunning attempt on a market hog with a hand held captive bolt. The stunning attempt hit the hog's head but the hog was still standing and vocalizing. The establishment was unable to immediately dislodge the captive bolt. The stunner took immediate corrective action and used the rifle to deliver a second stun which was effective in producing unconsciousness. Mark Bair, plant owner, was informed of the noncompliance. The establishment is not complying with 9CFR 313.15(a)(1).	CLOSED
M40253	Downing Cattle Company, Inc.	LMI001 310111 0N-1	10/10/2018	04C02	Livestock Humane Handling	313.16(a)(1)	On October 10, 2018, at 12:52 hours, while performing the Humane Handling Task, I, along with (b) (6), observed an incident at Downing Cattle Company in which a single shot with a .22 long Rifle delivered to a hog did not produce immediate unconsciousness. The animal remained standing after the first shot and was alert. A second shot was delivered immediately from a second weapon, .22 Magnum, and effectively rendered the animal unconscious. The owner of the establishment, Mr. Jeff Downing, was notified of the noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44779	Faulkner Meats	VMV58 071131 28N-1	11/27/2018	04C02	Livestock Humane Handling	313.2	November 27, 2018 HATS Category III: water and feed availability The following observation was made by the SVMO while present at Faulkner Meats (M44779) Taylorsville, KY: At approximately 1300 hrs. EST a holding pen containing three heavy calves, two beef and one dairy, were found to be without access to water; an empty, dry bottom of a plastic drum was observed in the corner of the pen. Also, the alleyway leading to the kill floor was partially closed- off and held approximately 20 mature sheep/lambs; they too were without access to water and had no visible means to make water available to them. The above animals had been declared for Federal Inspection at 1000 hrs. EST. (b) (6) [REDACTED], was informed of this non-compliance and the forthcoming non-compliance record.	OPEN
M44950+P 44950+V44 950	Schrader Farms Meat Market	JKL480 710502 6N-1	10/26/2018	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII - Stunning Effectiveness At approximately 0830, I observed A Black steer loaded into the knocking box. Plant employee delivered an initial shot from a 20 gauge shotgun. The steer remained conscious, showing signs of sensibility with rhythmic breathing, vocalizing and looking around. The employee immediately administered a second shot that rendered the steer unconscious. I verbally notified the plant manager, Kara Schrader, of the non-compliance with 9 cfr 313.16(a)(1).	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45119+P 45119	Red Barn Meats Inc.	ZWQ33 071119 30N-1	11/30/2018	04C02	Livestock Humane Handling	313.15(a)(1)	Category VIII- Stunning Effectiveness While performing slaughter inspection duties at Red Barn Meats, Inc. Est. # M45119, at approximately 0715, I observed the following noncompliance. After a Black Angus heifer was properly restrained in the head chute, the plant employee applied the captive bolt stunning device. At the last moment the heifer moved and received a minimal application of the device. The heifer remained standing and did not vocalize, tremble or show any signs of discomfort. The plant employee then took immediate corrective action and used a firearm as a stunning device and the heifer was rendered insensible to pain. The heifer was then shackled, hoisted and stuck without returning to consciousness. This is a failure on 9 CFR 313.15 (a) which requires the animal to be rendered insensible with a single application of a stunning device. Jordan Brandt, Plant Manager of Red Barn Meats, Inc., was verbally informed of this noncompliance at approximately 0720.	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1061	Happy Valley Processing Inc.	JYP131 011391 5N-1	11/15/2018	04C02	Livestock Humane Handling	313.2	<p>On 11/14/2018 at approximately 8:05 A.M., I performed ante-mortem and all the pens had water for the animals. Throughout the day one of the steers knock over the water in the pen 3 and J.E. refilled the water. Then when those animals were moved to be slaughtered one of the steers knock the water over again. When the plant moved an animal from pen 5 to pen 3 to be able to open the gates to give access to the alley way to lead the animal into the knocking box, there was no water in the pen was available to the animal. This is a non-compliance with 9 CFR 313.2 Handling of Livestock. (e) Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed. There shall be sufficient room in the holding pen for animals held overnight to lie down. GDA notified (b) (6) of the non-egregious non-compliance. Plant Response: (b) (6) reiterated with all employees' that work on the kill floor, the importance of water availability at all times to the animals. (b) (6) stated the plant will put a new water line that goes to each pen that can receive water from one turn of the spigot. Also, the plant will chain each bucket to the wall where it is not as likely no to be turned over by an animal.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45200+V 45200	Makaweli Meat Company	FUS161 711592 1N-1	11/21/2018	04C02	Livestock Humane Handling	313.2	<p>Humane Handling: 11/21/2018 On 11/21/2018, at approximately 0600 hours, (b) (6) informed me, (b) (6), that I could proceed to perform my Ante-Mortem inspection of the livestock in the pens. I proceeded with my inspection and I observed a total of nine (9) cattle in different pens. I observed one pen had two animals with a blue barrel, positioned at the corner, and the inside was dry. I continued with my inspection and I observed seven cattle were in two separate pens, tub position between the pens, less than half full of water. I notified (b) (6) that one of the pens with two animals had an empty blue barrel for water, no access to water, noncompliance of 9 CFR 313.2(e), and will be documented. (b) (6) asked one of the employees to fill the blue barrel with water for the animals. (b) (6) was notified at approximately 0720 hours of the noncompliance. In accordance with Code of Federal Regulations: Title 9, Part 313 (Humane Slaughter of Livestock), Section 2(e) states: "Animals shall have access to water in all the holding pens and, if held longer than 24 hours, access to feed." MOI: FUS0402044230G, Humane Handling (access to water), dated 4/30/2018. Establishment Awareness Meeting with the establishment dated 5/11/2018, FUS4512053114E: Humane Handling was discussed during the meeting by (b) (6). Further planned corrective actions will be addressed in response to this noncompliance record by the establishment.</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45272+V 45272	Real Meats LLC	NWJ50 101003 30N-1	10/30/2018	04C02	Livestock Humane Handling	313.16(a)(1)	Tuesday, October 30, 2018 at 0945 hour- After performing ante-mortem inspection at the hog pen, I observed the following noncompliance: On the 4th of the 6 hogs that were stun, I observed eye movement and labored breathing coming from the 4th animal that was stunned. The hog was resting on its belly when the 1st shot was placed to the head therefore, the animal was already down. The head of the hog was in a upright position and did not drop once the shot was placed to the head. After further investigation, it was determined that the animal was not rendered unconscious from the 1st gun shot. The person performing the stunning by gunshot immediately applied a second shot where the animal was then made to be insensible. I notified Mr. Joey Long (Plant Manager) of the noncompliance. 9 CFR 313.16(a)(1) states in part: The firearms shall be employed in the delivery of a bullet or projectile into the animal so as to produce immediate unconsciousness in the animal by a single shot. This document serves a written notification that your continued failure to comply with regulatory requirements could result in additional regulatory or administrative action.	CLOSED



Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Reqs	Description	Status
M46407	Open Range Beef, LLC	LPN4010102111N-1	10/09/2018	04C02	Livestock Humane Handling	313.1	<p>From October 8 through October 10, 2018 (b) (6) conducted an onsite Humane Handling review of the Establishment 46407 M, Open Range Beef Humane Handling Program. During the review the following observations were noncompliant with Title 9 CFR 313.1(b). On October 8, 2018 during antemortem inspection three animals were observed to slip on the flat rubber mat in the alleyway, one of these animals lost her footing and fell resulting in knee contact with the ground. On October 9, 2018 while watching unloading, several animals were seen to slip at the end of the unloading ramp and then trip over the edge of the woven rubber mat at the base of the unloading ramp. Review of the construction and maintenance of the facility showed that the establishment utilized wire, consistent with baling wire to hold the leg and belly wash hoses in place on the fencing. The wires had worked loose, and the free ends extended from the fence. The loose wire extended approximately six to eight inches from the surface of the fence and provided a hazard to the animals held in the pen who may have an opportunity to poke themselves with the wires. This is a noncompliance with Title 9 CFR 313.1(a). The floor of the pens is constructed of grooved concrete. In the pen immediately adjacent to the unloading chute parts of the floor of the pen are in disrepair resulting in a significant triangular deficit in the surface of approximately ten inches by six inches and one inch deep. This surface deficit may result in tripping or falling for animals held in the pen. This is a noncompliance with Title 9 CFR 313.1(b). These observations and the subsequent issuance of the noncompliance report were discussed with (b) (6).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8+V8	Iowa Premium, LLC	VSH151 410411 7N-1	10/16/2018	04C02	Livestock Humane Handling	313.2	On Tuesday October 16th at approximately 8:00 AM, I, (b) (6) was performing HATS Category III task, food and water availability in the barn of establishment M8 when I observed a noncompliance. When I checked pens 4, 5, and 6 I noticed there were approximately 15 head each in of pens 4 and 5 and the waterers were off and held no water in them. This resulted in approximately 30 head of cattle with no access to water. I inquired with the (b) (6) as to why and how long these waterers were off resulting in cattle without water. She informed me they were functioning when she had left the day prior. (b) (6) discovered the water main to that section of the barn had been turned off by maintenance to fix a leak and had not been turned back on. She immediately turned the water back on to those pens restoring water to those cattle. I informed her that this was a noncompliance with regulation 9 CFR 313.2 (e) and I would be issuing an NR for the noncompliance.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46910+P 46910+V46 910	B & R Meat Processing	XXC021 410171 7N-1	10/17/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	<p>Non-compliant citation for violation of 9 CFR 313.16(a)(1) &amp; (3) stunning effectiveness (HATS task VIII). On October 17, 2018, at B&amp;R Meat Processing, establishment M46910, at approximately 1330 hours, I, (b) (6) observed a stun failure on a market hog presented for slaughter. This hog was confined in the knock box and the first stun attempt with a .22 Cal. rifle failed. The hog was still standing, alert and vocalizing loudly after the first shot. The employee immediately reloaded the rifle, and successfully performed the stun procedure. I visually inspected the prone carcass after the second stun attempt for any signs of consciousness; none were observed. This hog was now laying on its side in a convulsive seizure; it was not breathing and its eyes were fixed in a blank stare. I continued to monitor this hog for any signs of conscious during shackling, the stick procedure and bleed-out. I informed Mr. Scott Ridenoure, President &amp; Plant Manager, of the stun failure and that a noncompliance record would be documented for the failed stun. A regulatory control of the stun process was not taken for this event because the immediate corrective measure (the second stun attempt) was determined to be effective. This document serves as notification that continued failure to comply with regulatory requirements could result in further administrative actions.</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP050 810561 1N-1	10/11/2018	04C02	Livestock Humane Handling	313.15(a)(3)	<p>On Thursday, October 11, 2018, at approximately 0525 while verifying HATS category VIII: Stunning Effectiveness, I, (b) (6), observed the following non-compliance. I observed a well fleshed steer on the floor of the shackling station begin to regain consciousness as evidenced by some low-level vocalization, a small amount of eye movement, and an attempt to lift its head. The animal was shackled, but not yet hoisted. The stunning employee observed these changes and immediately retrieved the standby captive bolt device and administered an effective second stun, as per the establishment's humane handling program. The plant employee verified the animal was insensible; additionally, I verified that the second stun rendered the animal unconscious. I informed (b) (6) of the noncompliance with 9 CFR 313.15(a)(3). I proceeded to apply US reject tag B36296364 to the knock box in accordance with 9 CFR 313.50(c). Establishments must ensure that once knocked, animals must remain in a state of unconsciousness throughout the shackling process. Upon receipt of adequate corrective actions, the knock box was released at approximately 0730 hours.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP280 810551 8N-1	10/16/2018	04C02	Livestock Humane Handling	313.15(a)(1)	On 10/16/2018 at approximately 0740 hours, I, (b) (6), while performing HATS category VIII, stunning effectiveness for the Livestock Humane Handling, observed the following non-compliance. A beef cow required a second stun with a handheld captive bolt device to properly stun the animal, after the first knock didn't produce full unconsciousness. After the first stun, the cow was still rhythmically breathing with head raising movements and rapid eye movements. The stunning employee took immediate corrective action to properly stun the animal with a second knock per the establishment's written humane handling protocol. I notified (b) (6) of the noncompliance, and tagged the knock box with US Reject tag No. B26818765 in accordance with 9 CFR 313.50 (c) until the establishment could provide corrective actions to ensure that the first knock is effective and that this issue would not occur again. The failure of the initial knock to produce immediate unconsciousness is in violation of 9 CFR 313.15 (a) (1). This noncompliance is linked to a similar stunning noncompliance that occurred on 10/11/2018, NR RAP0508105611N.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP221 410221 7N-1	10/17/2018	04C02	Livestock Humane Handling	313.1	On 10/17/2018 at approximately 1130 hours, I, (b) (6), observed the following noncompliance while performing the Livestock Humane Handling task. I observed that the cattle round pen (which leads into the chute to the knock box) had a rusted/broken hole in a metal ground plate that contained sharp jagged metal edges, and was large enough for a cow to step into. The round pen was empty at the time, though is used on all cattle slaughter days, and I tagged the gate to the round pen with U.S. Rejected No. B36462893. I notified (b) (6) of the noncompliance. As the establishment failed to maintain the livestock pen in good repair, free from sharp objects or unnecessary openings which may cause injury or pain to the animals, a violation of 9 CFR 313.1 (a) exists.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46837+P 46837	Adam Farms, LLC	JSO511 010460 3N-1	10/03/2018	04C02	Livestock Humane Handling	313.16(a)(1)	On Wednesday, October 3 2018, while performing a HATS category (Stunning Effectiveness) on the Slaughter floor at 11:20 am. The rifle being used was a 22 magnum. I observed the first shot fired did not stun the animal. There was blood coming from the nose, but the animal was still standing and alert but did not vocalize. Immediately (b) (6) shot the animal again with the 22 Magnum and this stun was successful. (b) (6) was verbally notified of this noncompliance citing regulation 313.16(a)(3). I placed two rejection tag on the knock box's. One tag No. B36 243473 and the other NO. B36 243472.	OPEN
M19290+P 19290+V19 290	Working H Meats, LLC	NAW20 101056 15N-1	10/12/2018	04C02	Livestock Humane Handling	313.16(a)(1)	. HATS Category VIII-Stunning Effectiveness On October 12, 2018, at approximately 14:38 hours, I (b) (6), observed that a hog was brought into the knock box. The stunner proceeded to place the captive bolt on the hog, and then the captive bolt was shot. The stunner told the restrainer to back up, he then picked up the 22 magnum, walked out to the alleyway leading to the knock box and immediately re-stunned the hog. My supervisor, (b) (6), also verified this action, and (b) (6) immediately went out to seek Terrie Hardesty, the establishment owner, to inform her that this would be documented as a Noncompliance stunning effectiveness per 9 CFR 313.16(a)(1). This Noncompliance is being linked to Noncompliance-NAW5012090606/1N written September 6, 2018. The establishment's previous corrective actions, per owner Terrie Hardesty stated, re-training on the placement of the shot and chart were not effective in preventing the noncompliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19290+P 19290+V19 290	Working H Meats, LLC	NAW16 081001 23N-1	10/19/2018	04C02	Livestock Humane Handling	313.1	HATS Category III-Water and Feed Availability On October 19, 2018, at approximately 0803 hours, I (b) (6), while performing livestock humane handling, I noticed pen 4 had no water. There were 2 steers in the pen, they did not appear to be in distress. The establishment employee came out to the barn about 3 minutes later, and I pointed out that pen 4 had no water. The employee stated, "yes that's what I'm about to do." After completing my task, I went to find the owner, Terrie Hardesty, and explained what I had found. I told Terrie this is a noncompliance per 9CFR 313.2(e). This Noncompliance is being linked to NAW4909095711N-1 written on September 6, 2018. The establishment's previous corrective actions, per Terrie Hardesty, that the establishment employee would continuously check the pens for water was not effective in preventing further noncompliance's.	CLOSED



**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45422+V 45422	Messina Meats	BEJ541 712351 ON-1	12/10/2018	04C02	Livestock Humane Handling	313.30(a)(1), 313.30(a)(3)	<p>On 12/10/18, at approximately 0826 hours, while performing a humane handling task, I observed a plant employee apply water to back wool of ewe in the knock box. The employee then took the electrical stunning wand and placed it to the head approximately behind the ears of the ewe. The ewe went down in the knock box. The employee opened the side door of the knock box and pulled the animal into the blood pit area. The animal was still visibly conscious. The ewe was rhythmically breathing, and voluntarily blinked approximately 4-5 times. The plant employee quickly recognized the animal was still conscious, reached for the captive bolt nearby. He fired a single blow to the back of the ewe's head. The animal was rendered unconscious at this time (approximately 20 seconds after the initial mis-stun). I informed Mr. Nunzio Femino, Plant Manager, of the noncompliance at approximately 0831 hours.</p> <p>The findings of this observation were regulatory noncompliance with 9 CFR 313.30(a)(1) and 9 CFR 313.30(a)(3) due to failing to render the animal unconscious immediately with the initial application of the electrical stunning wand. Failure to comply with regulatory requirement(s) may result in additional regulatory or administrative actions as described in 9 CFR 500.4.</p>	OPEN

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48108+P 48108	Julius Falkavage LLC	HDJ130 911001 5N-1	11/15/2018	04C02	Livestock Humane Handling	313.2	Upon entry of the establishment at approximately 645AM, I became aware that a holding pen of 6 market swine had no water to drink. Immediately I notified (b) (6) of the non-compliance (b) (6) explained that he put water in a white tube with a metal drinking apparatus the day prior but this unit was frozen solid. A green plastic container normally used for water was empty lying in the pen corner. The 6 market swine were held over night. This is a non-compliance with 9CFR 313.2e HATS category III Water and Feed Availability. Upon notification of the non-compliance a small red container of water was given to the market swine at approximately 0710AM.	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46877+P 46877	Seven Hills Abattoir	NOA40 101238 18N-1	12/18/2018	04C02	Livestock Humane Handling	313.1	On December 18, 2018 while performing the review and observation component of HATS Category 7: Slips and Falls within the humane handling task, (b) (6) observed the movement of 22 cattle in the pen system and 11 cattle in the chute and knock box. Of the 22 animals observed moving through the pen system, two cattle fell while being moved at a normal walking pace. The cattle slipped trying to get back up but eventually got their footing and continued moving. The establishment employee did not move the animals with excessive excitement, prodding, or alternative objects. Of the 11 cattle observed being moved into the knock box and standing prior to stunning, 2 animals lost their footing completely and fell (one ended up sitting and not attempting to re-stand), and 4 others slipped. The knock box flooring is a sloped brick floor that is slick when wet. The pen system has a smooth concrete floor. This is a non-compliance with 9 CFR 313.1 which requires facilities to be constructed and maintained to provide good footing for livestock. (b) (6) verbally informed the plant manager, Dalton Mosser, of this non-compliance. Plant management was notified both verbally and in writing of this non-compliance.	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45629+V 45629	Andy's Meats Inc.	DJP130 812101 4N-1	12/14/2018	04C02	Livestock Humane Handling	313.1	<p>At approximately 0600, during an odd-hours humane handling inspection; while observing HATS Categories II Truck Unloading and VII Observation for Slips and Falls; I, (b) (6) [REDACTED], observed a trend of market hogs slipping on the unloading ramp. The ramp is constructed of wood with 2X4s providing cleats spaced approximately 18 inches apart. During unloading, the wood was wet, and hogs were slipping on the wooden surface between cleats.</p> <p>Near completion of the unloading of the trailer, three hogs were observed to slip and fall. No animals were injured. This is noncompliance with 9 CFR 313.1(b) which requires that floors of ramps be constructed and maintained to provide good footing. The unloading ramp was rejected with U.S. Reject Tag # B35822861 pending corrective actions. The establishment's animal handlers were notified of the rejected ramp and Plant Manager Andy Zubek was notified of the rejected ramp and NR.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M157+P15 8+V157	Sailer's Food Market and Meat Processing, Inc.	MKU25 121112 21N-1	11/21/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 11/21/18 at approximately 0905 hours, I (b) (6) was performing a Humane Handling Category VIII (Stunning Effectiveness) Task. An establishment employee attempted a head stun on a beef steer in the restrainer by discharging the captive bolt in the forehead area of the steer. After the captive bolt was discharged, it appeared to have no effect on the animal, as the steer remained standing and fully conscious. The steer did not vocalize during this time and did not appear agitated. The establishment employee immediately grabbed a rifle and applied an effective stun, rendering the animal unconscious. The establishment employee administered a security stun to the forehead of the steer after the effective stun. (b) (6) also observed the non-compliance. This is a noncompliance with 9 CFR 313.15(a)(1) (b) (6) informed Establishment Owner Jake Sailer of the noncompliance and issuance of the noncompliance record. After Mr. Sailer provided verbal corrective actions and preventive measures, slaughter activities were resumed.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48184	Hawaii Island Meat Cooperative	GHV22 131205 14N-1	12/14/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 12-13-2018 at approximately 7:45am I (b) (6) while performing Livestock Humane Handling Task I observed the first sheep of the day was restrained and the plant employee proceeded to stun the sheep with the hand held captive bolt gun. Post stunning the sheep showed signs of consciousness with natural blinking, no vocalization was made. The Establishment made immediate corrective actions and applied a second stun by reloading the captive bolt gun and administering a second stun. After the second stun the sheep was rendered unconscious. I, (b) (6) informed (b) (6) that a humane handling noncompliance record (NR) was going to be issued for this event (b) (6) observed the head of the first sheep at post mortem and concluded that the location of the knock was administered too low, which caused the deviation. (b) (6) corrective action was to administer the remainder of the stuns for the rest of the day himself (which were all successful and monitored for effective stuns). The Establishment plans on adding a sheep stunning location diagram to their HACCP Plan so establishment employees can review the proper placement procedures. There have been no associated noncompliance records with same root cause within the past 90 days.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45856+V 45856	Prime Pork LLC	ODB33 151258 21N-1	12/21/2018	04C02	Livestock Humane Handling	313.2	HATS Category III. At approximately 1148 hours while performing ante-mortem inspection, I noticed that pen 23 (tattoo 3890) arrived at 1128 on the previous day (12-20-2018) according to the livestock pen card, and there was no visible feed in the pen. I continued a HATS task (Category III) started earlier this morning and (b) (6) had confirmed that pen 23 had not been fed and there was no record of feeding pen 23. Pen 23 was held longer than 24 hours and not given access to feed and (b) (6), (b) (6), and (b) (6) were notified of this noncompliance. Yards personnel immediately provided 50# of feed to the pen of pigs, as they were not slated to be slaughtered until later this afternoon. Not providing animals with feed if held longer than 24 hours in a noncompliance with 9CFR 313.2(e).	CLOSED
M45919+P 45919	Circle C Farm Abattoir & Butcher Shop, LLC	QWL27 121200 14N-1	12/13/2018	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	While doing a routine inspection for the PHIS Humane Handling task on 12/13/18 at approximately 10:45 AM an noncompliance was observed. On the 5th lamb of 6th that were slaughter during this date, the establishment slaughter guy did not produced immediately unconsciousness to the lamb after the first shot during ante-mortem. The animal was being stunned by gun shot when it moved it head just as the shot was being applied. The lamb went down after the first shot but continue it to have rhythmic breathing and moving it neck up right. The establishment employee immediately applied a second shot to the lamb to made it insensible; this second shot was effective and the animal got unconsciousness. This is a noncompliance with the 9 CFR 313.16(a)(1) that state: The firearms shall be employed in the delivery of a bullet or projectile into the animal so as to produce immediate unconsciousness in the animal by a single shot before it is shackled,hoisted, thrown, cast, or cut. The establishment owner Mr. Manuel Cruz was notified for this noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48210	Summit Meat Processing	SLG450 510060 5N-1	10/03/2018	04C02	Livestock Humane Handling	313.2	At approximately 7:30 on 10/03/2018 a beef and pens with four lambs were observed without access to water. Slaughter personnel were notified and water was placed in pens. (b) (6) . owner was notified that animals must have access to water at all times and feed if held over 24 hours. Category III - Water and Feed Availability (9 CFR 313.2): Under this category, IPP record their verification of the establishment?s compliance with 9 CFR 313.2(e), which requires that water be available to livestock in all holding pens, and that animals held longer than 24 hours have access to feed.	CLOSED
M45928+P 45928	Central Missouri Meat & Sausage	CRN071 612432 6N-1	12/26/2018	04C02	Livestock Humane Handling	313.2	HATS Category III- Water Availability On December 26th, 2018 at approximately 15:30 hours while performing a routine Humane Handling Verification Task, I (b) (6) observed the following noncompliance. In the holding pen, swine that was being held for the following day's inspected slaughter did not have access to water. I observed the nipple type waterers on both sides of the pen were turned off, and there was no other source of water for the livestock in the pen. I immediately notified an establishment employee of the noncompliance and the establishment employee turned the water on. I verbally notified Establishment Owner Cory Hawkins of the noncompliance and that a Noncompliance Record would be issued. This is a failure to meet the regulatory requirements of 9 CFR 313.2(e); all livestock must have water at all times. After reviewing the records for the previous 90 days, no associations can be made at this time.	CLOSED



EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45948	Ida-Beef LLC	AKL371 410551 6N-1	10/16/2018	04C02	Livestock Humane Handling	313.2	<p>Category III – Water and Feed Availability; Category IV – Antemortem Inspection; Category III – Water and Feed Availability On Tuesday October 16th, 2018 at 1325 hours, I, (b) (6) [REDACTED], while performing a routine ante mortem inspection observed the following noncompliance. On this date, Establishment management personnel requested ante mortem inspection to be performed on one lot of beef cows. The pen contained hay and six barrels for water, three on each end of the pen. All six water barrels were found to be dry and void of any water. Plant management personnel stated the water buckets had been filled this morning and they would get them immediately refilled. I then notified the (b) (6) [REDACTED] of the non-compliance and that an NR would be issued. A review of previous non-compliances in the last 90 days found no other similar non-compliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45948	Ida-Beef LLC	AKL290 912480 5N-1	12/04/2018	04C02	Livestock Humane Handling	313.2	<p>On 12/4/18 at approximately 1215 (b) (6) was asked verbally by the knocker to do an Ante-Mortem on 2 lots of cattle. After donning his coat, (b) (6) preceded to the holding pens to perform Anti-Mortem at approximately 1220. Upon viewing the Plants watering system for the animals (b) (6) observed that all the water barrels were frozen. Thus; not giving the animals the ability to use the water when they needed it. (b) (6) informed the plant designee of the inability of the animals to use the water barrels since they were not being maintained properly. Which mandated a non-compliance. (b) (6) performed the Anti-Mortem as requested, then preceded in to the Knock box area. Mr. Tom Claycolm, Plant Manager was Notified promptly at 1228 and asked to halt production until the water issue was resolved. This was about 2 minutes down time since the plant was going to lunch at 1230. There was a regulatory control action taken and retain/reject tag B40246029 was applied to the knocking area. (b) (6) then informed (b) (6) of the situation. When asked for a corrective action, (b) (6) stated; "that he would work with the designee that checks the water for the rest of the day". The regulatory control action was removed at 1245 after (b) (6) and (b) (6) verified that the animals had water. The plant's Animal Handling Plan States; (b) (4) The plant's Operation Water Log had an entry for 1225 that was acceptable for water at that time; IPP found the deficiency at 1225. Further preventative measures given by (b) (6) were; "we are installing heated water troughs when we add the new concrete in the pens". There has been 1 similar non-compliance (AKL3714105516 dated 10/16/18) observed by the inspection staff in the preceding sixty days. The plant's monitoring</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							system was inadequately implemented and failed to detect this Humane Handling deficiency. The Plants previous corrective actions and further preventative measures were either ineffective or poorly implemented.	
M48219+P 48219	Panola County Processing LLC	QGD21 161230 20N-1	12/20/2018	04C02	Livestock Humane Handling	313.15 (b)(1)(ii)	On 12 20 18, at approximately 0955 hours, I observed the following noncompliance: I observed an employee attempt to poll stun an animal (cow). The employee positioned to stun the animal using a captive bolt gun and the gun mis-fired. The skull was not penetrated. The employee attempted to stun the animal with the same captive bolt gun a second time and the gun mis-fired again. The animal was alert (looking around) during the first two stunning attempts. On the third attempt the gun fired correctly and the animal was immediately rendered unconscious. There was no attempt to utilize the backup captive bolt gun or .410 rifle which is available to the kill operator. Also, there was no supervisor present during the stunning attempts. I verbally notified (b) (6) of the incident. (b) (6) stated, "Sometimes the gun will get wet and it will cause the gun to mis-fire." I requested records from (b) (6), to determine when the last time maintenance was done on the guns. The last maintenance on the guns was performed on 12 19 18, with no repairs documented. The establishment is reminded animals must be shot in such a manner that they will be render unconscious with a minimum of excitement and discomfort. The establishment hasn't had any humane handling issues in the last 90 days. The establishment failed to comply with 9 CFR 313.15(b) (1) (ii) which states, "stunning instruments must be maintain in good repair."	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46011	Homestead Farm and Packing, LLC	KHO06 121102 01N-1	11/01/2018	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII – Stunning Effectiveness – On the above date, at approximately 7:35 A.M., I observed the following noncompliance while performing a routine Humane Handling task. After loading a swine into the stunning box, (b) (6) 1st gunshot was unsuccessful in rendering the animal unconscious. He took immediate action by firing a 2nd gunshot that did immediately render the animal unconscious. I immediately notified (b) (6) of this noncompliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M51283	Dean & Peeler Meatworks LLC	YWH24 091117 09N-1	11/05/2018	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3), 313.16(a)(1), 313.16(a)(3)	<p>At approximately 9:45 AM on Monday November 5th, 2018 while on the kill floor, I observed (b) (6) deliver an ineffective stun with the captive bolt on a sow. The captive bolt jammed and he immediately proceeded to use the .38 in which the 2nd and 3rd knock were unsuccessful. He then delivered a 4th knock which then rendered the sow unconscious. The establishment has a Robust Systematic Approach to Humane Handling with all records of maintenance of captive bolt and .38, personnel training, and assessment of facilities and personnel to determine that they have the knowledge, skills, and abilities necessary to minimize distress and injury to livestock. However, due to this incident, establishment will have to put corrective actions in place to prevent this issue from reoccurring and thus render livestock unconscious immediate and effective (b) (6) was notified and (b) (6) was notified and later arrived at establishment. The above issues were not in compliance with the following regulations from 9 CFR: § 313.15(a)(1) Mechanical; captive bolt. "The slaughtering of sheep, swine, goats, calves, cattle, horses, mules, and other equines by using captive bolt stunners and the handling in connection therewith, in compliance with the provisions contained in this section, are hereby designated and approved as humane methods of slaughtering and handling of such animals under the Act...The captive bolt stunners shall be applied to the livestock in accordance with this section so as to produce immediate unconsciousness in the animals before they are shackled, hoisted, thrown, cast, or cut. The animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement or discomfort." § 313.15(a)(3) Immediately after the stunning blow is delivered the animals shall be in a state of complete unconsciousness and remain in this condition throughout shackling, sticking, and</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>bleeding. § 313.16(a)(1) Mechanical; gunshot “ ”. The firearms shall be employed in the delivery of a bullet or projectile into the animal in accordance with this section so as to produce immediate unconsciousness in the animal by a single shot before it is shackled, hoisted, thrown, cast, or cut. The animal shall be shot in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort. § 313.16(a)(3) Immediately after the firearm is discharged and the projectile is delivered, the animal shall be in a state of complete unconsciousness and remain in this condition throughout shackling, sticking, and bleeding.</p>	
M46081+P 46081	Foster's Meat	WLD27 121251 20N-1	12/20/2018	04C02	Livestock Humane Handling	313.16(a)(1)	<p>On the afternoon of December 20th, 2018 at establishment 46081 in Duncan, South Carolina, I performed the USDA, FSIS Livestock Humane Slaughter task. I was accompanied by (b) (6) of the FSIS Atlanta District Office. At approximately 1240 hours, an establishment employee used a .22 Magnum rifle to stun a medium size (market weight) hog. The first shot employed was not completely effective in rendering the animal fully unconscious. It remained upright. Establishment personnel took immediate and effective corrective action by employing a second shot, which rendered the animal unconscious. Post mortem examination of the carcass revealed two entry points. This scenario represents noncompliance with applicable regulation(s), cited in block six of this report, which serves as notice and record of such. The matter was discussed with owner/operator Jennifer McAbee. Continued failure can result in additional regulatory or administrative action(s). The method to appeal an Inspection Program Personnel (IPP) decision is described in 9 CFR 306.5 and 381.35</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2019-143

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48260	Walhalla Valley Smokehouse & Market, LLC	YSX281 411270 8N-1	11/08/2018	04C02	Livestock Humane Handling	313.2	HATS Category III- Water and Feed Availability (9 CFR 313.2) On November 7, 2018 at approximately 1325 hours, while conducting an antemortem inspection of the holding pens at Walhalla Valley on a slaughter day, (b) (6) and I, (b) (6) observed that Pen 1 which was occupied by one pig, did not have water available to the animal. There was no water bucket in the pen. In accordance with 9 CFR 313.2(e) water must be available to livestock in all holding pens (b) (6) notified Kurt Morrill, Plant Manager, of the noncompliance at the time of the incident. This noncompliance represents a failure of the plant to demonstrate it is implementing a robust humane handling plan. Further noncompliance may result in regulatory control action.	CLOSED
M46085+P 46085	Stevens Abattoir Inc.	CXM49 131212 13N-1	12/13/2018	04C02	Livestock Humane Handling	313.1	Category: Water and Feed Availability While conducting a humane handling inspection at Stevens' Abattoir at approximately 10:00am on December 13 the following non compliance was observed. The animal that was held overnight did not have access to water. No regulatory control action was taken due to Darren, the owner, immediately filling the water trough with water. Plant owner, Darren Stevens, was notified of this non compliance and failure to comply with 9 CFR 313.1.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48264	Southwest Native Meats	GDB081 211402 3N-1	11/23/2018	04C02	Livestock Humane Handling	313.2	HATS Category III: Water/Feed Availability: 9CFR 313.2(e), On November 23, 2018 at approximately 10:30am, while conducting a routine Humane Handling Task at Establishment #48264, Southwest Native Meats, the following noncompliance was observed: (b) (6) observed there was no water in the pen where there were 3 sheep held. (b) (6) verbally notified establishment manager Franco Lee of the noncompliance with 9CFR 313.2e. Mr. Lee immediately took action by moving the sheep to another pen that had water and informed (b) (6) that the reason there was not any water was due to the water hose was busted because of low temperatures. (b) (6) and (b) (6) had discussed the importance of water and food being available to livestock the week prior 11.12.18 to 11.16.18 and the conversation was documented in weekly meeting MOI GDB5608113919G.	OPEN
M51309+V 51309	Texas Packing Co.	OLR571 611321 2N-1	11/12/2018	04C02	Livestock Humane Handling	313.50	On Noverber-12-2018, while touring the holding cattle pens at approximately 1312 hours the following non-compliance was observed; Nine of the cattle holding pens were observed to have stagnant water in them. all of the cattle in these holding pens were observed to be knee deep (approximately 8 to 12 inches) in the wet saturated ground. The cattle that were resting, were resting in wet muddy soil. These cattle were immediately moved to a drier holding pen, to allow the reconditioning of these wet saturated pens. (b) (6) and (b) (6) were notified of the non-compliances and that a NR would be issued. This is a violation of title 9 CFR part 313.	CLOSED



**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M51309+V 51309	Texas Packing Co.	OLR161 711481 5N-1	11/15/2018	04C02	Livestock Humane Handling	313.1	On November-15-2018, at approximately 1035 hours while performing beef cattle anti-mortem inspection the following non-compliances were observed; Several cattle holding pens, loaded with cattle, were observed to have no water available to these cattle. Cattle pens #s 13, 28, 30, 31, & 35 were rejected because of no water available. Title 9 CFR part 313 requires animals to have access to water in all holding pens. Also all of the cattle holding pens at this establishment did not have any feed available to the cattle stationed in these pens. These cattle were held in these cattle pen with no feed over the 24 hour required time frame. (b) (6) and Plant Manager- Rean Brooks were notified of the non-compliance and that a NR would be issued. The unloading dock was rejected using Reject/Retain tag # B35543744 until the feed and water could be provided to all the cattle holding pens. This is a violation of Title 9 CFR part 313.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46117	McLamb's Abattoir & Meats, Inc.	ONM05 081128 06N-1	11/05/2018	04C02	Livestock Humane Handling	313.1, 313.2	<p>While I was performing the observation component for Humane Handling Category II inspection verification task at approx. 2:00pm, I observed the following noncompliance during the unloading process: As I was observing the unloading of 60 small swine (approx. 70lbs) off a gooseneck trailer I observed an approx. 3" gap from the holding pen unloading ramp to the floor of the gooseneck trailer (trailer was off center from ramp). I observed 4 swine drop their hind legs in the void and the swine climbed back out with minimal excitement and were not hurt (not vocalized). I immediately requested (b) (6) to stop the unloading process and he immediately halted the operation and took implemented immediate corrective actions and brought the situation back into compliance. The wooden holding pen's unloading ramp also has a loose wooden cleat (approx. 3' wide by 2" square). One end is totally loose from the ramps frame. I notified (b) (6) and (b) (6) of the noncompliances and of the failure to meet regulatory requirement 313.1 &amp; 313.2. I did not take a regulatory control action due to the immediate corrective actions management implemented.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46139+V 46139	Cypress Valley Meat Company 1, LLC	UIV171 110123 1N-1	10/31/2018	04C02	Livestock Humane Handling	313.16(a)(1)	On 10/31/18 at approximately 0959 hours, while performing a Routine Humane Handling Verification Task for the HATS Category VIII Stunning Effectiveness, using the Review and Observation component, the following noncompliance was observed: A steer was in the knocking box and would not be still. The employee was patient and tried to get an accurate shot with the .410ga shotgun, waiting approximately 10 to 20 minutes prior to taking the shot. The first shot did hit the animal but he continued to stand with his eyes wide and head moving about. The employee reloaded the firearm and administered a second shot; the animal dropped and showed no further signs of consciousness. The knocking box was tagged with US Reject Tag # B42001448 and after consulting with the (b) (6), the incident was determined to be noncompliance. The tag was removed and slaughter process was released at approximately 1034 hours. Mr. Chris Shaw, Plant Manager was verbally notified of this noncompliance.	OPEN
M48277	WJ Wainwright and Son, Inc	YAQ431 211300 6N-1	11/06/2018	04C02	Livestock Humane Handling	313.2	At approximately 6:45 AM while performing ante-mortem the following Humane handling non-compliance was observed: In pen 2 there was 2 swine with no access to water, in pen 3 there was 1 swine with no access to water and in pen 4 there was 1 swine with no access to water. These pens did have water that was located in buckets that were hanging up high as these pens are normal used for cattle. The water was dripping from the buckets but this was not sufficient per the visiting veterinarian. This is a failure to comply with Regulation 313.2(e). Troy Wainright, Plant Manager was notified both verbally and with this written NR that this noncompliance exists.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46172+P 46172+V46 172	JM Watkins, LLC	IGT550 810562 5N-1	10/23/2018	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On 10/23/18 at approximately 0750 hours, I, (b) (6), was performing a Humane Handling Category VIII (Stunning Effectiveness) Task when I observed the following noncompliance. An establishment employee attempted a head stun on a beef steer in the restrainer by discharging the captive bolt in the poll area of the steer. The shot sounded muffled. After the captive bolt was discharged, the steer remained standing and fully conscious. The steer did not vocalize during this time and did not appear agitated. The establishment employee immediately used a backup rifle and applied an effective stun, rendering the animal unconscious. I tagged the knock box with U.S. Reject tag NO. B38122842. During post mortem inspection, I viewed the head of the steer before the hide was removed and observed a hole in the skin of the poll and a hole in the forehead of the steer. After the head was skinned, I observed the poll area and did not observe any holes that penetrated the skull. This is a noncompliance with the regulatory requirements of 9 CFR 313.15(a)(1). I informed Establishment Owner Brandon Clare of the noncompliance and issuance of the noncompliance record. Mr. Clare provided verbal corrective and preventive measures, and I removed the U.S. Reject tag and slaughter operations resumed. A similar noncompliance was documented on 9/24/18 on NR#IGT2810090524N for an incident that involved the ineffective stun of a bovine with a hand-held captive bolt device. The establishment's preventive measure of buying new captive bolt cartridges and repackaging them in smaller, vacuum packed packages with desiccants was ineffective to prevent the noncompliance from recurring.</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46240	Light Hill Meats	MKE1209100329N-1	10/29/2018	04C02	Livestock Humane Handling	313.2	Humane Handling Activities Tracking System (HATS) Category III - water and feed availability At 0730 hours on October 25, 2018, while performing a Humane Handling Verification task, FSIS observed 2 water barrels to be empty in a pen holding 10 market swine. This is in violation of 9 CFR 313.2(e) which states that animals shall have access to water in all holding pens. Plant Manager Jennifer Spray was notified verbally and in writing concerning the issuance of this NR.	CLOSED
M46240	Light Hill Meats	MKE5407125514N-1	12/14/2018	04C02	Livestock Humane Handling	313.2	Humane Handling Activities Tracking System (HATS) Category III - Water and Feed availability On the morning of December 14th, 2018, while performing an Odd Hour Humane Handling Inspection task, FSIS observed the water barrels to be empty in a pen holding 4 market swine. This is in violation of 9 CFR 313.2(e) which states in part that animals shall have access to water in all holding pens. Plant Manager Jennifer Spray was notified verbally and in writing concerning the issuance of this NR.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46297	Lockhart Meat Company	CPO301 612351 7N-1	12/17/2018	04C02	Livestock Humane Handling		<p>HATS Category VIII: Stunning Effectiveness On December 17, 2018 at approximately 1230 hours, I, (b) (6), while performing a routine Livestock Humane Handling Task HATS category VIII, Stunning Effectiveness, at Est.46297 Lockhart Meat Company observed the following inhumane event. The last slaughter animal for the day was an adult bull. The establishment uses a knock box with a head restraint and the preferred method of stunning is a captive bolt gun. Due to the size of the bull, the head restraint would not be useable. (b) (6), decided not to use the captive bolt but instead he brought out a pistol (a 357 magnum). I stepped into the processing room, adjacent the slaughter floor, before (b) (6) attempted to stun the animal. After I heard the firearm go off, I went into the doorway of the slaughter room. The first stunning attempt did not render the animal unconscious. The bull was still standing. The bull did not vocalize or show signs of distress. (b) (6) made a second stunning attempt with the same firearm, which immediately and effectively rendered the bull unconscious. Upon inspection of the skull, both stunning penetrations appeared to be slightly off center. No regulatory control action was taken due to observation of corrective actions. I contacted the Denver District Office through supervisory channels. I informed (b) (6) that a humane handling noncompliance record would be issued. There are no associated noncompliance records of same root cause within the past 90 days.</p>	CLOSED

**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M35	Rantoul Foods LLC	KLI3213 103810 N-1	10/10/2018	04C02	Livestock Humane Handling	313.2	HATS V: Suspect and Disabled On 10/10/2018 at approximately 1127 hours while performing HATS V: Suspect and Disabled, I, (b) (6) [REDACTED], observed a barn employee driving approximately 40 head of market hogs from the scale to the front area of the back alley. One of the hogs was non-weight bearing on the right hind leg (broken) hobbling behind the normal ambulatory hogs and open mouth labored breathing. The barn employee continued to drive it with the rest of the hogs. I intervened and informed the employee that the hog in front of him has a broken leg. He replied that he was instructed by his boss that if they are moving to keep them moving. I instructed him to segregate the hog. (b) (6) [REDACTED] was notified of the noncompliance and the failure to meet the regulatory requirements prescribed in 9 CFR 313.2(d)(1) and 313.2(a). No similar noncompliances were documented in the past 90 days.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M35	Rantoul Foods LLC	KLI4707 113424 N-1	11/23/2018	04C02	Livestock Humane Handling	313.1	<p>On 11/23/18 at approximately 0904 hours while performing ante-mortem inspection, I observed the following noncompliance: The exit gate to pen 22 was open and several market hogs from lot #607 were walking out into the alley that leads to the stunning area. They were contained in a compartmentalized section of the alley with two closed gates. There were already hogs from a different lot in that sectioned part of the alley that had passed ante-mortem inspection. I had not performed ante-mortem inspection on the hogs in pen 22 yet. I closed the gate to pen 22 and verified that the gates were closed on either side of that sectioned alleyway. I re-inspected the hogs in the compartment and the hogs in pen 22. I placed a US rejected tag on both the entrance #B34786139 and exit #B34786140 of pen 22. I notified (b) (6) and (b) (6) of the noncompliance. They requested maintenance to repair the pen gate. Once the gate was repaired, I removed the tags. The establishment failed to meet the regulation requirements of 9CFR 313.1: "Livestock pens, driveways and ramps shall be maintained in good repair." Had those hogs not been contained in the alleyway and were led to the stunning area, they would not have had antemortem inspection. We would have had to rely on their tattoos to determine which hogs belonged to lot #607 and would need to be condemned.</p>	CLOSED



**Table: Noncompliance Reports in Response to FOIA2019-143**

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M35	Rantoul Foods LLC	KLI3512 120407 N-1	12/07/2018	04C02	Livestock Humane Handling	313.2	HATS IV: Handling during Antemortem Inspection On 12/7/2018 at approximately 12:05 PM, while performing antemortem inspection, I heard increased vocalization from hogs in the alley leading to the (b) (4) I observed multiple groups of hogs climbing on each other and the gate behind them, while vocalizing, as the overhead gate came toward them. One of the hogs, while still standing on only its hind legs, was temporarily pinned after the gate made contact with it. (b) (6) was notified of the noncompliance and the failure to meet the regulatory requirements prescribed in 9 CFR 313.2.	CLOSED