

The request for this information is voluntary. It is needed to monitor defects found in the inspection system. It is used by FSIS to determine whether establishments are in compliance. SCFR 301 and SCFR 351 FORM APPROVED OMB NO. 0503-0005 OMB DISCLOSURE STATEMENT: Public reporting burden for this collection of information is estimated to average 7 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, Room 404-W, Washington, D.C. 20250; and to the Office of Information and Regulatory Affairs.

U.S. DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
**NONCOMPLIANCE RECORD**

TYPE OF NONCOMPLIANCE

Food Safety

Other Consumer Protection

1. DATE

7-21-04

2. RECORD NO.

00004-2004

3. ESTABLISHMENT NO.

15849 E1

4. TO (Name and Title)

Plant MGR (b)

5. PERSONNEL NOTIFIED

6. RELEVANT REGULATIONS

9-CFR-313-1(a)-(b)

7. RELEVANT SECTION/PAGE OF ESTABLISHMENT PROCEDURE/PLAN

HACCP

SSOP

OTHER

Part I

8. ISP CODE

06.DD.2

9. NONCOMPLIANCE CLASSIFICATION INDICATORS

PLANT PROCESS

SSOP

Monitoring

Corrective Action

Recordkeeping

Implementation

HACCP

Monitoring

Corrective Action

Recordkeeping

Plant Verification

C.  PRODUCT

Economic

Misbranding

Protocol

D.  FACILITY

Lighting

Structural

Outside Premises

Product Based

E.  G. CDU

Other

10. DESCRIPTION OF NONCOMPLIANCE:

at 0615 a Canadian coil went down on the scale. It hind foot was trapped between the floor and lower scale bar frame. at 0625 the coil was extricated from this position. It took 4 men and ropes to relieve the situation. This is a violation of the Humane Slaughter Rule

11. SIGNATURE OF PLANT MANAGEMENT

(b)(6) (b)(7)(c)

You are hereby advised by 306.5 and/or 301.35 of 9 CFR.

12. PLANT MANAGEMENT RESPONSE (immediate action(s)):

On 7/23/04 metal plates were welded onto the inside face of the scale covering the space between the floor and lower scale bar.

13. PLANT MANAGEMENT RESPONSE (further planned action(s)):

This document serves as written notification that your failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action.

14. SIGNATURE OF PLANT MANAGEMENT

(b)(6)

15. DATE

7/27/04

16. VERIFICATION SIGNATURE OF INSPECTION PROGRAM EMPLOYEE

(b)(6) (b)(7)(c)

17. DATE

7-27-04



reporting burden for this collection of information is estimated to average 1 hour per response, including reviewing the collection of information, Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, Room 404-W, Washington, DC 20250, and to the Office of Information and Regulatory Affairs, Office of Management and Budget.

US Department of Agriculture  
FOOD SAFETY AND INSPECTION SERVICE  
NONCOMPLIANCE RECORD

TYPE OF NONCOMPLIANCE

Food Safety  Other Consumer Protection

1. DATE

04/04/2005

2. RECORD NO.

0018-2005-8243

3. ESTABLISHMENT NO.

15849 E / I

4. TO (Name and Title)

[Redacted] (b)(6) /

5. PERSONNEL NOTIFIED

[Redacted]

6. RELEVANT REGULATION(S)

313.2(a)&(b), 313.1(b)

7. SECTION/PAGE OF EST. PROCEDURE PLAN

HACCP

SSOP

OTHER

138

8. ISP CODE

04C02

9. NONCOMPLIANCE CLASSIFICATION INDICATORS

PRODUCT - Protocol

10. DESCRIPTION OF NONCOMPLIANCE

(b)(6)

At 2:25pm, after supervising the humane stunning and dragging of a horse that flipped over onto its back and was trapped in the alleyway to the stunning area, I remained in the autemortem pens to observe humane handling. I observed the plant manager, [Redacted] herding horses into the alley way to the knock box. Nine horses were overcrowded in the alleyway causing undue excitement which was further exasperated when two more employees from the kill floor began yelling and hitting these horses causing the one in the end of the line to slip and fall. This is a violation of 9 CFR Ch.III regulation 313.2(a) & (b) which state that animals will be handled with a minimum of excitement and discomfort. Also 313.1(b) requires floors to be maintained so as to provide good footing for livestock to prevent slipping and falling. I informed [Redacted] of the violation of these regulations and advised him that all employees handling the horses must be trained in how to handle them humanely. Continued failure to comply with regulatory requirements could result in additional or administrative actions.

(b)(6)

11. SIGNATURE

[Redacted Signature]

(b)(6) (b)(7)(C)  
4/4/05

You are hereby advised of your right to appeal this decision as delineated by 306.3 and/or 381.35 of 9 CFR.

12. PLANT MANAGEMENT RESPONSE (Immediate action(s)):

Management and the Plant Manager will identify specific, trained personnel to carry out the line up of animals to the knock box. These employees will be trained on correct procedures.

13. PLANT MANAGEMENT RESPONSE (further planned action(s)):

This document serves as written notification that your failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action.

14. SIGNATURE

[Redacted Signature] (b)(6)

15. DATE

4/17/05

16. VERIFICATION SIGNATURE OF INSPECTION PROGRAM EMPLOYEE

17. DATE

Information is estimated to average 7 minutes per response, including the time for reviewing information, determining what additional information is needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, Room 404-W, Washington, D.C. 20250; and to the Office of Information and Regulatory Affairs, Office of Management and Budget.

U.S. DEPARTMENT OF AGRICULTURE FOOD SAFETY AND INSPECTION SERVICE  <b>NONCOMPLIANCE RECORD</b>		TYPE OF NONCOMPLIANCE <input type="checkbox"/> Food Safety <input checked="" type="checkbox"/> Other Consumer Protection
1. DATE 9/8/2004	2. RECORD NO. 13-2004-6275	3. ESTABLISHMENT NO. 15849 E/1
4. TO (Name and Title) [REDACTED] (b)(6)		5. PERSONNEL NOTIFIED [REDACTED]

6. RELEVANT REGULATION(S)  
9 CFR 313.1(b) 9CFR 313.2(a)

7. RELEVANT SECTION/PAGE OF ESTABLISHMENT PROCEDURE/PLAN  
 HACCP      SSOP      OTHER  
 FSIS Notice 35-04

8. ISP CODE  
04C02

9. NONCOMPLIANCE CLASSIFICATION INDICATORS

PLANT PROCESS	A. <input type="checkbox"/> SSOP	<input type="checkbox"/> Monitoring	<input type="checkbox"/> Corrective Action	<input type="checkbox"/> Recordkeeping	<input type="checkbox"/> Implementation
	B. <input type="checkbox"/> HACCP	<input type="checkbox"/> Monitoring	<input type="checkbox"/> Corrective Action	<input type="checkbox"/> Recordkeeping	<input type="checkbox"/> Plan Verification
C. <input checked="" type="checkbox"/> PRODUCT	<input type="checkbox"/> Economic	<input type="checkbox"/> Misbranding	<input checked="" type="checkbox"/> Protocol	<input type="checkbox"/> Outside Premises	<input type="checkbox"/> Product Based
D. <input type="checkbox"/> FACILITY	<input type="checkbox"/> Lighting	<input type="checkbox"/> Structural			
E. <input type="checkbox"/> E. COLI	<input type="checkbox"/> Other				

10. DESCRIPTION OF NONCOMPLIANCE:  
 On 9/8/04 about 1335 the last 10 horses of a kill of 150 were being driven from Pen 2 to an alleyway. The horses circled and ran around the pen refusing to enter the alleyway. The plant owner and 3 employees tried to halter the horses, but only haltered 4. After about an hour and twenty minutes all the horses were in the alleyway. 3 had feces, urine and sweat on the hides. They had slipped. None were bruised.

11. SIGNATURE OF INSPECTION PROGRAM EMPLOYEE  
 [REDACTED] (b)(6) (b)(7)(c)

You are hereby advised of your right to appeal this decision as delineated by 306.5 and/or 381.35 of 9 CFR.

12. PLANT MANAGEMENT RESPONSE (immediate action(s)):  
 Pen gates were installed in the pens to better direct the animals.

13. PLANT MANAGEMENT RESPONSE (further planned action(s)):

This document serves as written notification that your failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action.

14. SIGNATURE OF PLANT REPRESENTATIVE [REDACTED] (b)(6)	15. DATE 9/25/05
16. VERIFICATION SIGNATURE OF INSPECTION PROGRAM EMPLOYEE [REDACTED]	17. DATE

FOOD SAFETY AND INSPECTION SERVICE  
NONCOMPLIANCE RECORD CONTINUATION SHEET

Food Safety  Other Consumer Protection

1. DATE 04/13/2005 2. RECORD NO. 0019-2005-8243 3. ESTABLISHMENT NO. 15849 E / 1

4. TO (Name and Title) [REDACTED] (b)(6) 5. PERSONNEL NOTIFIED [REDACTED]

6. RELEVANT REGULATION(S)  
313.2 (a) & (b)

7. SECTION/PAGE OF EST. PROCEDURE PLAN | HACCP | SSOP | OTHER  
| | | | 138

8. ISP CODE 04C02 9. NONCOMPLIANCE CLASSIFICATION INDICATORS  
PRODUCT - Protocol

10. DESCRIPTION OF NONCOMPLIANCE  
He was reminded that the plant's response to the last humane handling NR was to have only appropriately trained individuals handling the horses. The employee who was whipping the initial horse was not one of those trained. Finally I required the second downed horse to be immediately rendered unconscious by a captive bolt stunner and dragged to the knock-box.  
  
Animals are required to be handled with a minimum of excitement and discomfort, and implements employed to move the animals shall be used as little as possible in order to minimize excitement according to 9 CFR Ch. III, regulation 313.2(a) & (b) respectively. A similar violation was noted on NR 18-2005. This document serves as written notification that your failure to comply with regulatory requirements could result in additional regulatory or administrative action.

11. SIGNATURE OF INSPECTION PROGRAM EMPLOYEE

[REDACTED SIGNATURE] (b)(6) (b)(7)(c)