

THE HUMANE LEAGUE ®

THE STATE OF SLAUGHTER

Violations at Poultry Plants in 2021

Corrections: May 20, 2022

Previously, this report referred incorrectly to the USDA's release of slaughterhouse inspection reports in January 2022. These records were made available as the result of a settlement to a lawsuit by the Animal Welfare Institute and Farm Sanctuary for the USDA's failure to meet its Freedom of Information Act obligations, and this was not the first time that such records had been made available. The updated version of the report corrects these details and also aims to provide a fuller narrative of the long-standing efforts of animal protection groups to intervene against the inhumane slaughter of poultry.

IN JANUARY 2022, AS THE RESULT OF A SETTLEMENT TO A LAWSUIT BY THE ANIMAL WELFARE INSTITUTE (AWI) AND FARM SANCTUARY, THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) PROACTIVELY MADE OFFICIAL RECORDS OF SLAUGHTERHOUSE VIOLATIONS AVAILABLE TO THE PUBLIC. These records describe documented instances of regulatory noncompliance at federally inspected livestock and poultry plants across the United States.

Because the actual operations of industrial agriculture are so heavily guarded by “ag-gag” laws—and because the USDA has primarily released records of slaughterhouse violations [to groups who submitted Freedom of Information Act \(FOIA\) requests](#)—**the recent, proactive disclosure of these frequently-requested records marks a significant breakthrough**,—not only for public interest and transparency regarding animal welfare infringements, but also for journalists and scholars researching all aspects of food production, from public health to labor rights to environmental safety. According to [Farm Sanctuary](#), “The posted records, dating back to January of 2017 and available now on the USDA’s Food Safety and Inspection Service [website](#), provide a rare window into a heavily guarded aspect of food production.”

Industrial agriculture results in the brutal deaths of billions of animals each year. Within this system, the plight of all animals raised and killed for food is dire, and chickens—as a species—endure the most harm. In the US and around the world, more chickens are raised and killed for food than any other land animal, including cows and pigs. While 33 million cows and 128 million pigs went to slaughter in 2021, [more than 9 billion chickens](#) were slaughtered for their meat that same year. Although the USDA released violation records for slaughterhouses processing both livestock and poultry, this report will focus exclusively on violations at poultry plants. This focus reflects the sheer magnitude of chicken slaughter within the US food system.

This report focuses on the USDA's slaughterhouse inspections records from a span of six months in 2021, which document regulatory noncompliance at 300 of the 320 federally inspected poultry slaughterhouses in the US, including plants operated by industry giants like Tyson Foods, Pilgrim's Pride, Sanderson Farms, Perdue Foods, and Koch Foods, all of which see billions of dollars in revenue each year. While the noncompliance records only provide a brief glimpse into the inner workings of poultry processing facilities, they offer **detailed—and often bleak—descriptions of negligence and disrepair on the part of slaughterhouses**, on the one hand, and, on the other, **objective accounts of unnecessary suffering for animals raised for food**.



BACKGROUND

In the United States, [more than 9.6 billion birds](#)—chickens, turkeys, ducks—were killed for their meat in 2021.

Animal Slaughter: Laws and Oversight

There are just [three federal laws](#) that regulate how animals are slaughtered for food in the US:

- [Twenty-Eight Hour Law](#) (1873)
- [Federal Meat Inspection Act](#) (1906)
- [Poultry Products Inspection Act](#) (1957)
- [Humane Methods of Slaughter Act](#) (1958)
- [Animal Welfare Act](#) of 1966
- [Egg Products Inspection Act](#) of 1970

Three of these laws—the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Humane Methods of Slaughter Act—focus on the slaughter of animals raised for food. While the Federal Meat Inspection Act and the Poultry Products Inspection Act prioritize issues of food safety, however, only the Humane Methods of Slaughter Act prioritizes animal welfare. Moreover, of these laws on slaughter, only one—the Poultry Products Inspection Act—regulates how chickens and other birds are killed. The other two laws refer exclusively to cows, pigs, and sheep. While the Poultry Products Inspection Act does not protect chickens from abuse at slaughter, its enforcement as a food safety measure offers a glimpse into what these animals endure as they are processed into food.

The USDA is the government agency responsible for upholding these laws at the federal level, alongside state agencies for states that operate their own inspections. Since 1926, a division of the USDA has conducted inspections at [poultry slaughterhouses](#), and since 1981, the responsibility of inspecting slaughterhouses—and enforcing the laws on animal slaughter—has lived within a branch of the USDA called the [Food Safety and Inspection Service](#) (FSIS). Across the country, thousands of FSIS inspectors “[conduct daily inspection activities](#)” at both livestock and poultry slaughterhouses, “verifying domestic industry compliance with applicable food safety regulatory requirements.” In March, 2022, President Biden signed the [Consolidated Appropriations Act](#), which

stipulates “That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2022 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act.” Under the Consolidated Appropriations Act, the FSIS is required to employ, at minimum, 148 inspectors at a time during the fiscal year 2022 in order to cover the Humane Methods of Slaughter Act—though this cohort only inspects livestock facilities, not the 320 poultry facilities currently under federal inspection. It is unclear how many FSIS inspectors are assigned to poultry plants. These inspections are provided free of charge to any official slaughterhouse establishment.

While the USDA is responsible for overseeing laws like the Poultry Products Inspection Act, its oversight is both limited and lacking. As the Animal Welfare Institute observes in the third edition of their report on the Poultry Products Inspection Act—[*The Welfare of Birds at Slaughter in the United States: The Need for Government Regulation*](#)—the USDA’s oversight of the treatment of poultry at slaughter is “inadequate,” as evidenced by the remarkably few categories of violations that warrant enforcement in the first place, as well as by the remarkably few instances of violation that ultimately undergo enforcement. In other words, what the Animal Welfare Institute makes clear through their extensive research is that the USDA oversees just a fraction of the mistreatment birds endure at slaughter, and within that fraction, it takes action to stop the abuse of poultry in just a minority of cases.

Poultry Slaughter: Laws and Oversight

First introduced in the Senate by Senator Allen J. Ellender of Louisiana, passed in 1957 under President Dwight D. Eisenhower's administration, and amended four times (in 1962, 1968, 1982, and 1984), the Poultry Products Inspection Act requires that the USDA inspects all birds slaughtered for human consumption—a legal category that includes domesticated chickens, turkeys, ducks, geese, guinea fowl, squabs, and, as of 2001, ratites (flightless, long-legged birds like ostriches and emus). As laid down in the United States Code Annotated (USCA), these inspections are meant to catch and condemn so-called “adulterated” poultry products, which, the law states, are considered unfit for human food and therefore cannot be bought, sold, transported, or imported anywhere in the country (21 USCA § 453). “Adulterated,” in this case, refers to birds that:

- Contain poisonous substances;
- Are “filthy, putrid, or decomposed” or “for any other reason unsound, unhealthful, unwholesome, or otherwise unfit for human food;”
- Were “prepared, packed, or held under insanitary conditions” that “may have become contaminated with filth;”
- Were subject to radiation; or
- Died other than by slaughter.

In short, the law prohibits the “buying, selling, or transporting, in commerce, or importing, any dead, dying, disabled, or diseased poultry or parts of the carcasses of any poultry that died otherwise than by slaughter” (21 USCA § 460). As such, all birds raised for food must be killed specifically in the act of slaughter. It's illegal for birds to go to slaughter already dead, and, because poultry processing is a multi-step process—of which the actual slaughter is only one step, separate, for example, from stunning and defeathering—it's illegal for bird meat to be sold for human consumption if the bird died by means other than slaughter.



At approximately 1315h I observed the crates from trailer #28 and examined each deceased chicken. No obvious lesions or overt pathology was present, **BUT MANY BIRDS WERE STIFF AND GANGRENOUS. THE MORTALITY WAS HIGHER THAN I HAD PREVIOUSLY THOUGHT.** I also did not see any decrease in mortality with the crates of 8 birds. Many crates had a single live bird in them.

– at Birdsboro Kosher Farms Corp.
Birdsboro, Pennsylvania

BACKGROUND

Each year, FSIS inspects approximately 320 poultry slaughterhouses. Of course, not every poultry slaughterhouse in the US undergoes federal inspection by FSIS. Some states offer inspections at the state level, rather than just at the federal level. According to The National Agricultural Law Center at the University of Arkansas, 25 states run their own **poultry inspection programs**, which are required to meet requirements “at least equal to” those enforced by FSIS. The stipulation, here, is that chickens slaughtered at facilities inspected by state agencies can only be sold within the state (“intrastate”), whereas chickens slaughtered at facilities inspected by FSIS can be sold beyond state lines (“interstate”). Some of the states offering their own poultry inspection programs include: Alabama, Arizona, Illinois, Indiana, Iowa, Kansas, Maine, Minnesota, North Carolina, Oklahoma, South Carolina, Utah, Virginia, and West Virginia.

In some cases, FSIS partners with state agencies to handle inspections. The Talmadge-Aiken Act of 1982, named for US Senators Herman Talmadge and George Aiken, grants designated state inspectors the authority to enforce federal food inspection laws. According to the National Association of State Departments of Agriculture (NASDA), nine US states partner with the USDA to conduct federal inspections at so-called **Talmadge-Aiken plants**, or Federal-State Cooperative Inspection Plants. This partnership allows the USDA to have greater coverage, while also offsetting some of the costs of assigning federal inspectors to more remote locations.

In all cases, the minimum requirements enforced by FSIS—for poultry slaughter, processing, operations, labeling, sanitation, shipment, and inspections—apply to all state agencies. These are codified in the **Poultry Products Inspection Act**. Moreover, the vast majority of birds are under federal—not state—oversight. According to the USDA, “**over 99 percent**” of all poultry slaughtered for meat in the US is under federal inspection.



Additionally, another chicken carcass was found underneath the rollers leading to the west cage dumper. This was not a complete carcass. So after waiting for the rollers to be clear of cages, it was found that the remaining chicken carcass parts were up on the roller platform on the flat spaces between the rollers. The chicken parts above and below the rollers were shown to REDACTED who removed the pieces. **IT IS REASONABLE TO CONCLUDE THAT THIS CHICKEN DIED BY BEING CRUSHED UNDER THE CAGES AND NOT BY SLAUGHTER.**

—at Mountaire Farms of Delaware, Inc.
Millsboro, Delaware

PURPOSE

The Poultry Products Inspection Act exists for the sake of US citizens who consume chicken—not for the sake of the birds whose slaughter it regulates. That is, the law specifies acceptable poultry slaughter methods not in order to protect animal welfare but, instead, to protect public health. “Wholesome poultry products,” the Act begins, “are an important source of the Nation’s total supply of food.” Unwholesome or adulterated poultry, therefore, is “injurious” to “the welfare of the people.” In other words, the primary purpose of the law is, as a 2005 Congressional Research Service [report for Congress](#) notes, “to prevent adulterated or misbranded poultry and products from being sold as food, and to ensure that poultry and poultry products are slaughtered and processed under sanitary conditions.”

Ultimately, the USDA oversees poultry slaughter at the federal level—and it does so from a food safety perspective, rather than in order to protect against the inhumane handling of birds. The Animal Welfare Institute’s [report on the welfare of birds at slaughter](#) recounts the numerous efforts, over the last three decades, of lawmakers and advocacy groups—including the Humane Society of the United States, People for the Ethical Treatment of Animals (PETA), the Animal Welfare Institute, the Animal Legal Defense Fund, Farm Sanctuary, and Mercy for Animals—to require and regulate the humane slaughter of poultry in federal legislation. As a result of these collective efforts, and in the wake of a series of investigations that exposed slaughterhouse cruelty during the early 2000s, the USDA has made some changes to its operations.

First, the USDA acknowledged the link between food safety and animal welfare—in other words, that the inhumane treatment of animals can lead to a higher incidence of adulterated meat. During his time as Director of Advocacy and Policy for Farm Sanctuary, Bruce Friedrich wrote an article for a 2015 issue of the *NYU Environmental Law Journal*, [“Still in the Jungle: Poultry Slaughter and the USDA,”](#) which discusses the USDA’s 2005 Notice, “Treatment of Live Poultry before Slaughter,” which is, Friedrich notes, the “first and only notice in the Federal Register related to the treatment of poultry at slaughter.” In it, the USDA argues that “there is no specific

federal humane handling and slaughter statute for poultry,” yet the USDA also argues that “poultry products are more likely to be adulterated if, among other circumstances, they are produced from birds that have not been treated humanely, because such birds are more likely to be bruised or to die other than by slaughter.” In short, the USDA identifies a connection between food safety and animal welfare. As Friedrich points out, the USDA acknowledges that “cruelty increases the risk of adulteration,” yet in spite of this acknowledgement, Friedrich goes on, the USDA “has not promulgated a single regulation focused on decreasing adulteration by decreasing abusive treatment of poultry.” The USDA indicated that higher standards for animal welfare improve food safety—yet it refused to take action.

Second, although the USDA refused to introduce regulations that would protect birds from inhumane treatment—and bird meat from adulteration—it did introduce what the Animal Welfare Institute describes as a [“GCP oversight program”](#) meant to oversee slaughterhouses’ compliance with “Good Commercial Practices” based on welfare guidelines set forth by the National Chicken Council, a lobbying group for poultry producers. Beginning in January 2006, the USDA started instructing inspectors to document instances of noncompliance—yet it did so, the Animal Welfare Institute points out, “despite the fact that [GCP standards](#) had not been codified in regulation, and compliance with the standards was (and remains) strictly voluntary.”

Overall, the purpose of the Poultry Products Inspection Act remains tied to food safety and not to the humane treatment of animals. Its GCP inspection program is largely ineffective, both in achieving its own goals and in advancing animal welfare. According to a 2014 article by the Animal Welfare Institute:

“USDA [failed](#) to define GCP in regulation, however, opting instead to defer to weak industry guidelines. Furthermore, oversight of GCP in plants that handle birds is infrequent and uneven among USDA field offices. For example, only 21 percent of federal poultry plants received a formal GCP review by a humane slaughter veterinarian during a recent 18-month period, even though the department’s policy is to audit all plants. Moreover, there was no documentation of humane handling activities of any kind at approximately half of all federal poultry plants during that time.”

In short, the USDA’s GCP inspection program is neither evenly operated nor rigorously documented, leaving ample space for diminished food safety and egregious animal cruelty.

INSPECTIONS

In terms of [implementation](#), the law—as codified in the US Code of Federal Regulations (CFR)—provides **[specific instructions on the protocols and parameters of inspection](#)**, requiring slaughterhouses to maintain their facilities in a way that supports inspection, and granting inspectors both access to the facilities and the authority to report any violations ([9 CFR § 381.28](#)).

Slaughterhouses must be **[appropriately outfitted for inspection](#)**, providing office space for the inspector, level conveyor belts, adequate floor space, slip-resistant platforms, handwashing stations, clipboard holders, easy access to conveyor line stop/start switches, troughs large enough to catch “trimmings, dripage, and debris” as the poultry carcasses proceed down the length of the conveyor, and so on ([9 CFR § 381.36](#)).

Prior to slaughter—during what’s called “**[ante mortem inspection](#)**”—inspectors look first for birds who are “plainly showing” any signs of “disease;” birds who are “dead-on-arrival;” birds who are “seriously crippled” or “non-ambulatory,” commonly called “downers;” and birds who are showing signs of “drug or chemical poisoning” ([9 CFR § 381.71](#)). These birds are separated from birds who don’t show signs

of such conditions, and they are duly condemned. Diseased birds, however, are held “for further examination by an FSIS veterinarian” in order to ensure the disease doesn’t pose a significant health threat to humans ([9 CFR § 381.72](#)).

During the inspection of the slaughter itself, inspectors evaluate whether poultry are slaughtered “in accordance with **[good commercial practices](#)** in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding” ([9 CFR § 381.65](#)). While the law doesn’t explicitly define “good commercial practices,” it implicitly describes a widely-used method known as “**[electrical stunning](#)**” in which birds are stunned in an electrified water bath and subsequently slaughtered by throat cutting.

Methods of poultry slaughter are well-documented, including by the US Department of Labor's Occupational Safety & Health Administration (OSHA), which monitors worker safety in the poultry processing industry. According to OSHA, standard practice at poultry slaughterhouses generally exposes workers to “**many serious hazards.**” During live bird handling:

- Poultry slaughterhouse workers first move crates of birds from transport trucks to the conveyor system, often via **forklift.**
- Workers then empty the cages onto conveyor belts, either **by machine** or **by hand.** “As birds are dumped,” OSHA notes, “feather dander and fecal debris may become airborne and inhaled by employees,” exposing workers to diseases like “allergic alveolitis, cryptosporidiosis, histoplasmosis, hypersensitivity pneumonitis, psittacosis, and Newcastle disease.”
- As the birds move further down the line, a worker—known as a “live hanger”—“takes live birds from conveyors and **hangs them in shackles.**” Plants often employ multiple live hangers in order to keep up with fast production speeds.
- Once the birds are hung upside-down by their legs, they proceed down the conveyor line and pass through an electrified water bath—known as a “stunner”—intended to render them immobile and unconscious. However, as Mohan Raj and Sara Shields observe in a 2010 issue of *Journal of Applied Animal Welfare Science*, “Existing electrical water-bath stunner settings, particularly those used in US slaughter plants, are not necessarily based on sound scientific data that they produce a consistent, immediate stun, and research indicates that they are **not effective** in all birds.”
- Whether or not the birds are effectively stunned, they then proceed through a machine that's designed to sever their necks and cause them to die by exsanguination—bleeding out. If the automated blade misses, a “**kill room attendant**” monitoring the process steps in and “uses a knife to kill any birds missed by the machine.”
- From there, the birds enter a hot water bath—known as a “scalding”—intended to remove the dead birds' feathers.

INSPECTIONS

This entire process—shackling, stunning, killing, and defeathering—unfolds quickly. The maximum line speed for young chicken slaughter is **140 birds per minute (9 CFR § 381.69)**. However, the USDA **grants** waivers that allow slaughterhouses to run at **175 birds per minute**, as long as the slaughterhouses can provide data from microbiological tests demonstrating that they can maintain safe microbiological standards even at higher line speeds. A number of companies—including **Tyson Foods and Pilgrim's Pride**—have opted in to doing so, though any plant can have its waiver revoked if it fails to meet FSIS Salmonella performance standards.

In order to accommodate inspections, kill line speeds are slowed but not stopped. The number of birds an inspector evaluates on the slaughter line depends on the species (young chickens or turkeys), the weight of the bird (heavy or light), the number of inspection stations requiring evaluation, and other variables left to the inspector's judgment—a more extended inspection might be needed, for example, in order to accommodate the “health conditions” of a particular flock, potential contamination, and so on (**9 CFR § 381.67**). At maximum, an inspector might evaluate 25 young chickens per minute, each bird situated six inches apart on the conveyor. **At this rate, inspectors spend fewer than three seconds with each bird.** With turkeys, an inspector might evaluate as many as 31 per minute, each bird shackled 24 inches apart, meaning inspectors spend roughly two seconds on each bird (**9 CFR § 381.68**).

Once the birds have been **slaughtered**, they are removed from the kill line and the carcasses are rehung on a new set of shackles on the **evisceration line**, where the dead birds will go on to be **opened** and have their **necks broken**.

Following slaughter—during “**post mortem inspection**”—inspectors monitor the evisceration line, where they examine bird carcasses, taking note of the “outside, inside, and viscera” as each bird passes down the processing line (**9 CFR § 381.76**). At this stage, an “**arranger**” or “**presenter**” arranges each bird for USDA inspection, before the bird's **lungs and kidneys**

are vacuumed from the body cavity. Depending on the processing system, these birds might be inspected at a rate of 35 or 70 birds per minute, depending on whether there are one or two inspectors present. Carcasses found to be in a state of **decomposition**, or to have diseases like **tuberculosis**, or to contain **contaminants** like paints or poisons, are **condemned** through processes like steam treatment or incineration. If **tumors, parasites, or bruises** are found, only the affected parts or organs will be condemned if the inspector believes the rest is salvageable.

In summary, **the USDA conducts inspections in order to condemn birds who are dead-on-arrival, diseased, contaminated, or slaughtered by means other than by exsanguination (9 CFR § 381.90)**. The latter—improper slaughter—is one of the most common causes of noncompliance. In addition to ensuring that birds die by the intended means—that is, in the very act of slaughter by throat cutting—**inspectors must also ensure that the slaughterhouse's operations are sanitary, uncontaminated, and free of pathogens**. They do so by monitoring temperatures in different facilities and freezers, as well as in the frozen carcasses themselves; by tracking how water is used to chill or wash the raw carcasses; and by collecting and analyzing samples for microbial organisms (**9 CFR § 381.65**).

VIOLATIONS

When violations of good commercial practice (GCP) arise, the law stipulates that each “inspector, agent, representative, or employee of the Inspection Service shall report, in the manner prescribed by the Administrator, all violations of the Act and noncompliance with the regulations of which he has knowledge” (9 CFR § 381.28). According to the FSIS, adherence to GCP is “a process control issue and not a bird-by-bird performance standard issue” (FSIS Directive 6110.1). In other words, the goal of the inspection is to determine whether “whether the establishment’s poultry slaughter system is functioning in a way that is out of compliance with 9 CFR 381.65(b) and thus not operating in accordance with good commercial practices.” Inspectors are not there to evaluate a facility’s animal welfare standards, nor are they there to ensure that there are zero slaughterhouse violations. Rather, inspectors are there to ensure that the plant is, on the whole, in control of its slaughter processes. If FSIS “observe a single bird entering a poultry scald tank while still breathing,” for example, they need not respond with a “regulatory control action.” If, however, FSIS personnel “can demonstrate that an establishment has lost process control and there is an ongoing pattern or trend of birds dying otherwise than by slaughter,” then they must take action to document the violation.

Documentation of violations takes the form of a “Noncompliance Report (NR).” which, according to FSIS, “is to be completed whenever inspection program personnel determine that an establishment has failed to meet one or more regulatory requirements, explaining the nature of the regulatory action.” Following the instructions in FSIS Directive 5000.1, inspectors must “notify plant managers of problems by a written Noncompliance Report,” and, once notified by inspection program personnel of documented noncompliance, “the establishment must comply with regulatory requirements by correcting the noncompliance or contesting the validity of the finding of noncompliance on the NR.” FSIS also notes that, “When **documenting noncompliance**, IPP are to use their observations, and the tools available to them, (e.g., associated NRs, Memorandum of Interview (MOI)), as a means to develop a concise, supportable position that demonstrates the system is ineffective and no longer supports food safety.”



I observed a live hang employee repetitively hanging birds in the shackles in a slamming, exaggerated, forceful manner. As I stood monitoring the actions, the employee was seen lifting the birds above the shackle at a level higher than the nearby hangers and hitting the legs into the shackles with force **CAUSING A NOTICEABLE POUNDING SOUND WITH EACH BIRD, AND AN INCREASED LEVEL OF EXCITEMENT AND DISCOMFORT TO THE BIRDS.**

– at Peco Foods, Inc., Tuscaloosa, Alabama

VIOLATIONS

Inspectors may also, or instead, issue a “**Memorandum of Interview (MOI)**,” which captures a broader range of failures that don’t necessarily rise to the level of regulatory noncompliance. According to the FSIS, inspectors “are to write NRs for GCP noncompliance only when they can demonstrate that an establishment has lost process control,” with its “handling practices resulting in the production of adulterated product” (**FSIS Directive 6110.1**). However, if inspectors “cannot support a loss of process control by an establishment, they are to document poultry mistreatment in MOIs.” For example, inspectors need not issue NRs for slaughterhouse employees who are “breaking the legs of birds to hold the birds in the shackle, squeezing them into shackles or otherwise mishandling birds while transferring them from the cages to the shackles.” These examples “do not necessarily describe prohibited activities and noncompliance,” the FSIS clarifies, “but can still warrant documentation through an MOI.” (FSIS Directive 6110.1). Inspectors are also advised to issue MOIs rather than NRs if they find that “birds are frozen inside the cages or frozen to the cages themselves,” or if they find that “birds are dead from heat exhaustion.”

In addition to providing directives for slaughterhouses to take immediate steps to correct the noncompliance, these reports—both NRs and MOIs—also work to “**prevent its recurrence**” by leaving an official record. “When deficiencies occur repeatedly or when the plant fails to prevent adulterated product from being shipped, FSIS takes action to control products and may take an action to **withhold or suspend inspection**”—meaning that the plant would not be allowed to function. According to FSIS, “Slaughter facilities cannot conduct slaughter operations if FSIS inspection personnel are **not present**.” Violations of the law—the selling and buying of adulterated poultry meat—carry a fine of \$1,000 or up to one year of imprisonment. If violations involve fraudulent intent, the punishment rises to a fine of \$10,000 or up to three years in prison (**21 USCA § 461**).



At 0702 hours I entered the picking room and observed that kill line #1 was stopped (birds were on the line). I did not know how long it had been stopped for. I went to check on the birds in the kill room, where **I OBSERVED THAT ALL OF THE BIRDS IN THE (OPERATING) STUNNER HAD THEIR HEADS SUBMERGED IN STUNNER LIQUID.** The establishment’s protocol is to empty or lower the stunner if the kill line is stopped. The backup kill associate was sitting there and was not doing anything to address the birds in the stunner or before / at the kill machine.

– at Perdue Foods, LLC, Salisbury, Maryland

THE RELEASE OF THE SLAUGHTERHOUSE VIOLATIONS

Factory farming is a notoriously secretive industry. Historically, the US agriculture industry has sought—and successfully received—powerful legal protections that prevent whistleblowers from documenting and sharing its practices with the public. On top of laws like these, federal agencies like the USDA have been extremely reluctant to proactively disclose records of federal inspections at slaughterhouses.

Ag-gag Laws

So-called **“ag-gag” laws** punish anyone who secretly photographs or videotapes agricultural sites like farms, feedlots, and slaughterhouses without first obtaining the permission of the owner. Since the 1990s, ag-gag legislation has swept through a number of states, beginning with Kansas (1990), Montana (1991), and North Dakota (1991). While ag-gag laws have also cropped up in other states, from Idaho to Utah to North Carolina, these laws are often ruled unconstitutional.

Supporters of this legislation—including conservative groups like the American Legislative Exchange Council (ALEC)—claim that such laws help “to limit and **remove barriers for agricultural production**, trade, and consumption” by allowing farmers to pursue their business free from “burdensome regulations.” Public and governmental scrutiny would, they argue, be detrimental to “productive commerce.” In simpler terms, Cody Carlson writes for *The Atlantic*, “The laws’ proponents say that they’re needed to protect farmers from ‘**vigilantes**’ and ‘vegetarian people who are trying to kill the animal industry.’”

Opponents of ag-gag laws, by contrast, maintain that **ag-gag laws obstruct transparency, conceal potential wrongdoing, contribute to a “chilling effect” on investigations into public health and food safety, and stifle the freedom of expression protected by the First Amendment.** As public health scholars Caitlin A. Ceryes and Christopher D. Heaney have noted, ag-gag legislation has the express intention to “**limit public access to information** about agricultural production practices,” despite growing concerns about “hazardous working conditions, treatment of animals, air and water pollution, and land application of biological waste.” Moreover, ag-gag laws have startling implications for freedom of speech. Amidst challenges

to North Carolina’s ag-gag law in 2012, a committee of journalists submitted an amicus brief to the Fourth Circuit Court of Appeals, arguing that the “very purpose” of the law is “to **chill speech** from sources to reporters, thereby obstructing journalists’ ability to report on matters of the utmost public concern, including food safety, the treatment of workers at agricultural facilities, and the treatment of animals at research facilities.” At stake, for reporters as well as for scholars, are matters of truth, accountability, and free speech—in addition, of course, to matters of animal welfare, worker rights, environmental health, and food safety. “Videotaping at factory farms wouldn’t be necessary if the industry were properly regulated,” *New York Times* columnist Mark Bittman notes. “**But it isn’t.**” Because of ag-gag laws, industrial agriculture is comfortably insulated from the kind of public scrutiny that might spur healthy change. As law professor Justin F. Marceau puts it, an “**Ag Gag regime**” subjects whistleblowers like Upton Sinclair to criminalization—at the expense of justice. After all, Sinclair’s 1906 novel *The Jungle* didn’t just expose the dire conditions in meatpacking plants—it prompted sweeping reforms to an ailing industry.

Animal Welfare Institute and Farm Sanctuary v. United States Department of Agriculture and Food Safety and Inspection Service

While ag-gag laws continue to protect agricultural facilities, contributing to a culture of secrecy and suppression within industrial agriculture, the USDA publicly and proactively disclosed records of slaughterhouse inspections in January 2022.

The move to do so came as a result of a three-year lawsuit against the USDA and FSIS. In 2018, two animal advocacy nonprofits, the Animal Welfare Institute and Farm Sanctuary, filed a [complaint](#) against the USDA and FSIS, arguing that the government agencies had violated the Freedom of Information Act, a law enshrining the right of the public to information, by routinely refusing to release—and proactively disclose—records of slaughterhouse violations pursuant to the Humane Methods of Slaughter Act and the Poultry Products Inspection Act, which the Animal Welfare Institute and Farm Sanctuary had [frequently requested](#). As the Animal Welfare Institute notes, the Freedom of Information Act “requires federal agencies to proactively post records that are subject to frequent requests.” These records, the Animal Welfare Institute and Farm Sanctuary argued, constitute “key records” of FSIS’s enforcement of the very laws it is tasked with upholding. These records are important, not only because they provide evidence of noncompliance with both the Humane Methods of Slaughter Act and the Poultry Products Inspection Act, but also because they make it possible to enforce future compliance and hold slaughterhouses accountable to satisfying regulatory requirements. The USDA and FSIS attempted to have the complaint dismissed in 2019—but the court [denied](#) the request for dismissal. In late 2021, the parties arrived at a [settlement](#). While USDA and FSIS admitted to no wrongdoing, the agencies agreed to proactively post the records online on a quarterly basis at least through 2024.

While public access to the slaughterhouse records is, currently, only temporary, their disclosure is a sign of progress in a notoriously secretive industry. Moreover, access to the records offers important insight into slaughterhouse operations, as well as into the extent and nature of common violations.

The settlement that the Animal Welfare Institute and Farm Sanctuary reached with the USDA is “a huge win for transparency and accountability,” as [Farm Sanctuary](#) puts it. The USDA’s proactive disclosure of records makes it possible for the public to gain important—potentially life-changing—insight into poultry slaughter, without submitting Freedom of Information Act requests, as the Animal Welfare Institute and Farm Sanctuary had done for years in order to access the USDA’s records of the handling of poultry at slaughter since the inauguration of the GCP inspection program in 2006. A full account of their work, as well as the work of other organizations aiming to make the slaughter of birds more humane, is available in the Animal Welfare Institute’s report, [The Welfare of Birds at Slaughter in the United States: The Need for Government Regulation](#).



BIRDS MISSED BY THE MECHANICAL KILL MACHINE WERE REPETITIVELY, ROUTINELY AND CONSISTENTLY BEING ALLOWED TO PASS UNCUT INTO THE PROCESS

thereby sending numerous birds into the establishment production processes that died by means other than slaughter.

– at Tyson Foods, Inc., Nashville, Arkansas

What the Data Reveals

Strictly speaking, the USDA data on slaughterhouse records reveal specific incidents of regulatory noncompliance, as observed and documented by FSIS inspectors who conducted site visits at poultry processing plants. This report considers records taken during a six month period in 2021, from April through September. Providing information on the names of the slaughterhouse establishments, the locations of the premises, and the dates of the inspections, as well as, when applicable, descriptions of noncompliant activities, **the USDA records offer telling snapshots of the poultry slaughter process: where it happens, how often it undergoes inspection, which facilities fail to comply with federal law, and what kinds of things tend to go wrong—from mechanical failure to careless handling to improper slaughter.**

For all that these records contain, however, they also omit a great deal. Because the laws governing poultry slaughter only regulate the manner of the bird's death and the condition of the dead bird—that is, that the bird must die by slaughter and that the bird must not be adulterated, contaminated, or diseased—the USDA records fail to capture the many injuries birds legally endure within the US food system. For example, during live-shackle slaughter, birds often suffer from **dislocated and broken bones** as workers forcefully clap their legs into the metal shackles in order to keep up with rapid line speeds. Additionally, birds cope poorly with being restrained upside-down. According to Dr. Leonie Jacobs, a researcher at Virginia Tech, “Gravity causes abdominal organs to increase pressure on the heart and respiratory system (because poultry do not have a diaphragm), which increases the work that the heart and respiratory system do” and can cause “**excessive stress.**” Ultimately, the dominant methods of poultry production in the US are not regulated in such a way that protects the animals themselves from harm. As such, the data does not speak to the breadth and depth of animal abuses sanctioned by the government.

According to the data for inspections conducted between April 1, 2021 and September 30, 2021 (the most recent period publicly posted on the **FSIS website**, alongside **other records** dating back to 2017), FSIS conducted **56,471 inspections** at **300 poultry**

slaughterhouses over the course of 182 days. Overall, FSIS recorded **17 instances of noncompliance** (documented as “Noncompliance Records,” or NR) and captured **164 separate instances that merited documentation** (documented as “Memoranda of Interview,” or MOI).

The largest operations all received either Noncompliance Records, Memoranda of Interview, or both:

9,266

inspections at
**34 TYSON FOODS
SLAUGHTERHOUSES**
(2 NR, 13 MOI)

6,963

inspections at
**25 PILGRIM'S PRIDE
SLAUGHTERHOUSES**
(17 MOI)

3,366

inspections at
**12 SANDERSON FARMS
SLAUGHTERHOUSES**
(6 MOI)

3,318

inspections at
**12 PERDUE FOODS
SLAUGHTERHOUSES**
(11 MOI)

1,739

inspections at
**7 KOCH FOODS
SLAUGHTERHOUSES**
(12 MOI)

WHAT THE DATA REVEALS

The slaughterhouses with the highest number of Noncompliance Records (NR) were both located in New York. NY Livestock Market Inc., in Brooklyn, received 4 NR out of 156 inspections, while Two Brothers for Wholesale Chicken, Inc., in Jamaica, received 4 NR out of 200 inspections.

The slaughterhouse with the highest number of Memoranda of Interview (MOI) was located in North Carolina. House of Raeford Farms, in Rose Hill, received 13 MOI out of 518 inspections. The slaughterhouse with the next highest number of memoranda of interview was located in Georgia. Norman W. Fries, in Claxton, received 11 MOI out of 354 inspections.

The number of times
an inspector observed
A BIRD BEING BOILED ALIVE:
68

The number of
times an inspector
FOUND LIVE BIRD
AMONG DEAD BIRDS:
50

The number of times
an inspector found at least one
BIRD DEAD-ON-ARRIVAL (DOA):
33

While the numbers alone don't necessarily paint a portrait of rampant noncompliance, it's helpful to keep in mind that:

- These numbers reflect a limited six-month window;
- Each individual violation can point to a situation in which dozens, hundreds, or even thousands of birds are improperly handled;
- They depend on the discretion of individual FSIS inspectors;
- Many of the memoranda of interview describe instances of noncompliance despite not being officially classified as such;
- Operating processes like line speeds are slowed for inspections, decreasing the number of birds improperly stunned, boiled alive, and so on; and
- The task of inspection is limited by financial and human resources, such that inspectors only witness a fraction of any given slaughterhouse's operations.

WHAT THE DATA REVEALS

Perhaps more informative than the quantity of violations, **the inspectors' written accounts offer a powerful, if grim, account of poultry slaughterhouse operations:**

- In numerous cases, inspectors observe violations extremely soon after they begin their inspections.

"On picking line 1," one inspector at a Tyson plant notes, "within one minute of continuing my check I observed one live bird of average size, still breathing with no visible neck cuts, entering the scald vat. The bird was hanging normally with its head straight down blinking its eyes and still breathing. Approximately 5 birds later another live bird was observed of average size with no visible neck cuts, entering the scald vat and blinking its eyes while still breathing."

- Frequently, inspectors find instances of noncompliance at the moment of slaughter, when, for example, a live bird enters—and dies in—the scalding tank intended for defeathering, rather than dying during throat cutting. In some cases, the inspectors witness the bird moving, blinking, or showing signs of alertness in real time before entering the scalding tank. In other cases, during post-mortem inspection, inspectors notice that the bird either has no cuts, indicating that the blade missed, or that the bird appears reddish in coloring, indicating that the bird did not die by bleeding out.

"Within the first minute or so of my observations of birds coming out of the bleed tank and approaching the scalders," one inspector at a House of Raeford plant recounts, "I saw a live bird with no cut on its neck. I pointed it out and both plant employees spotted it as well as it came up and over the drip pan protected walkway. As the bird approached the scalding tank, the

secondary killer unsuccessfully tried to remove the bird from the shackle. Both plant employees had sufficient time to realize there was a problem and stop the line but did not do so. This live bird entered the scalding tank and died by means other than slaughter."

- Multiple inspectors describe operational errors that suggest in some cases extreme negligence.

At a Butterfield Foods Company slaughterhouse, an inspector describes encountering "2552 dead on arrival birds out of 6000 on the trailer," likely due to heat stress, with the temperature "in the 90's degrees Fahrenheit."

Meanwhile, at a Perdue Foods plant, the inspector discovers that "kill line #1 was stopped" while "all of the birds in the (operating) stunner had their heads submerged in stunner liquid. The establishment's protocol is to empty or lower the stunner if the kill line is stopped. The backup kill associate was sitting there and was not doing anything to address the birds in the stunner or before / at the kill machine." Against protocol, the backup kill associate appears to have failed to prevent birds from drowning in the stun bath while the kill line was stopped.

At a Tyson Foods plant, an inspector finds multiple live birds with "broken necks and uncut throats," indicating that they had failed to be slaughtered by the blade. The inspector alerts management, who "immediately began trying to adjust the height of the head puller and discovered that it had been welded in place and was no longer adjustable." In other words, the equipment itself had been rendered inoperable and, therefore, unable to circumvent the problem of improper slaughter for all birds of a certain size. The inspector states, "I informed establishment supervision that their process was out of control and would be documented." They go on: "If USDA had not found this noncompliance, loss of process control would have persisted in the slaughter process."

These examples only just begin to describe the scope and scale of slaughterhouse violations at US processing plants.

APPENDIX

This appendix contains a complete list of the Poultry Good Commercial Practices inspection task datasets compiled on December 20, 2021 from inspections conducted by inspection program personnel (IPP) between April 1, 2021 and September 30, 2021.

The records compiled here are organized alphabetically by the name of the establishment and indicate:

- The total number of inspections conducted between April 1, 2021 and September 30, 2021;
- The inspections that revealed instances of regulatory noncompliance;
- And the full texts of all accounts—labeled “Noncompliance Record Description” (indicating a specific incident of regulatory noncompliance) or “Memorandum of Interview”—documented by IPP, whenever available.

This data is also available on the USDA’s Food Safety and Inspection Service “[Inspection Task Data](#)” website.

Adams Turkey Farm

Westford, Vermont

of inspections: 40

Agri Star Meat and Poultry, LLC

Postville, Iowa

of inspections: 128

Memorandum of Interview, July 8, 2021:

At approximately 12:20 I entered the poultry kill room and observed birds on the kill belt near the entrance tunnel stacked multiple birds deep. The kill belt at the time was not functioning and maintenance was at the far end of the belt working. As the belt became functional and was moved into the room it became evident that a large section of the belt had been stacked up to four birds deep and most of the lower layer birds had been smothered. All told, 317 dead birds were removed from the belt after the affected section was brought into the kill room. After speaking to the kill belt and dumper belt operators it became evident the incident occurred because the kill belt operator continued to try running the kill belt when it was clearly not functioning. Because the dumper belt is operated by the same lever, this caused the dumper belt to continue dumping birds on the same section of kill belt. Meanwhile, the dumper belt operator did not stop the dumper belt until the kill belt was stacked nearly to the level of the dumper belt. I relayed my findings to Assistant REDACTED and REDACTED. I pointed out that both belt operators should be trained how to handle instances when one or both belts malfunction, and should also have means of and be responsible for communicating with one another to prevent smothering of birds.

Memorandum of Interview, August 12, 2021:

At approximately 1430hr I was informed by an REDACTED that there had been a pileup in poultry kill resulting in smothered birds. In talking to poultry kill and maintenance management, it appears that there was a malfunction of the kill belt and the employee training on the dumper belt was not informed to leave the dumper belt off while maintenance was performed. Approximately REDACTED birds were smothered on the kill belt as a result. This incident is of similar cause to one documented on 7/8 in MOI HRJ4206070908I in which over REDACTED birds were smothered due to failure of communication between the kill room and the dumper during a breakdown and maintenance on the kill belt. I relayed my findings to REDACTED.

Allen Harim LLC

Millsboro, Delaware

of inspections: 239

Alnoor Halal Poultry Market

Brooklyn, New York

of inspections: 92

Memorandum of Interview, April 2, 2021:

On Friday April 2, 2021, IIC met with REDACTED to discuss the delivery of the live birds in the morning. ..IIC arrived to Al Noor poultry at 0600 to find 40 crates of live birds (light fowl) left out on the street unattended. It was 32 degrees. Delivery truck drivers cannot drop birds off unattended and leave. ..Please address delivery procedures with the delivery companies and their drivers. ..Per REDACTED drivers' must wait until plant personnel arrives to unload them inside the facility. ..Thank you for your cooperation.

Noncompliance Record Description, April 14, 2021:

On Wednesday April 14th at around 10:40AM during routine daily GCP tasks, REDACTED observed light fowl flapping around alive inside the barrels. This is a violation of 381.65 (b) as birds must bleed out thoroughly in the cones before being placed into the barrels. Ismail was notified of the noncompliance. Please ensure all birds are deceased before placing them into the barrels. Failure to comply with GCP can result in further enforcement actions.

Amick Farms LLC

Laurel, Mississippi

of inspections: 262

Memorandum of Interview, May 12, 2021:

REDACTED..Wayne Farms, MS..525 Wayne Drive..Laurel, MS 39440..REDACTED,..At approximately 2040 hours on May 12, 2021, the following less than Good commercial Practices (GCP) incident was observed at Wayne Farms in Laurel, MS. One (1) alert, live young chicken with no cut to its neck, breathing, and blinking from approximately 500 bird random sample entered the scald tank. REDACTED, was verbally notified of the incident at approximately 2053 hours. ..A second verification check of an approximate 500 bird random subgroup at approximately 2134 hours did not have any live bird(s) entering the scald tank. This incident was determined to be an isolated event and not a loss of process control or systemic event. ..REDACTED was advised a GCP Memorandum of Interview would be issued to management documenting these events...Respectfully,..REDACTED, Laurel, MS 39440..DREDACTED..Cc:..REDACTED..REDACTED..REDACTED

Memorandum of Interview, May 28, 2021:

REDACTED ..Wayne Farms, MS ..525 Wayne Drive ..Laurel, MS 39440 ..REDACTED, ..At approximately 1633 hours on May 28, 2021, the following less than Good commercial Practices (GCP) incident was observed at Wayne Farms in Laurel, MS. One (1) alert, live, young chicken with no cut to its neck, its head raised, breathing, and blinking from approximately 500 bird random sample entered the scald tank. REDACTED, was verbally notified of the incident at approximately 1644 hours. ..A second verification check of an approximate 500 bird random subgroup at approximately 1731 hours did not have any live bird(s) entering the scald tank. This incident was determined to be an isolated event and not a loss of process control or systemic event. ..REDACTED was advised a GCP Memorandum of Interview would be issued to management documenting these events. ..Respectfully, ..REDACTED, Laurel, MS 39440 ..REDACTED ..Cc:..REDACTED..REDACTED..REDACTED

Amick Farms LLC

Batesburg, South Carolina

of inspections: 308

Amick Farms LLC

Hurlock, Maryland

of inspections: 266

Anco Poultry Processing

Garnett, Kansas

of inspections: 33

Au Bon Canard Foie Gras, Inc.

Caledonia, Minnesota

of inspections: 3

Ayrshire Farm Management, LLC

Upperville, Virginia

of inspections: 4

B & R Meat Processing

Winslow, Arizona

of inspections: 23

B&B Poultry Co., Inc.

Norma, New Jersey

of inspections: 125

Baffoni's Poultry Farm Inc.

Johnston, Rhode Island

of inspections: 152

Belmont Meats LLC

Paradise, Pennsylvania

of inspections: 26

Birdsboro Kosher Farms Corp.

Birdsboro, Pennsylvania

of inspections: 78

Memorandum of Interview, July 27, 2021:

On July 26, 2021, at Establishment #45134, Birdsboro Kosher Farms, at approximately 3:00pm, I, REDACTED. REDACTED, was observing slaughter operations in the receiving/throat cutting area. I saw an excessive amount of deceased birds on the floor. The pile covered at least half the kill floor and carcasses were stacked on top of each other. The carcass barrels on the floor were also full. I approximated



around 250 carcasses. None of the carcasses showed evidence of bleeding as if a rabbi had rejected them after the neck cut. It was a hot day (perhaps nearing 90°F) and upon touching a carcass recently tossed from a cage I determined the body temperature to be excessive. There were no other visible lesions or signs of illness. I looked out in the truck unloading area and the chickens on the top layers of cages were either panting or already dead. The high mortality was consistent with heat exhaustion. When I had performed antemortem on these chickens at 6:00am they all appeared healthy and normal with no visible lesions/morbidity or mortality. There were fans blowing on four of the six trucks, but the misters are inoperational. I immediately contacted REDACTED, REDACTED. He explained to me that he pulls the most heat vulnerable trucks of birds into unloading first in the morning to prevent this but maybe some of the trucks later in the day waited too long in a queue. We immediately contacted REDACTED, Head of Purchasing with my concerns. He said the growers were over loading the cages relative to the size of the birds and he would investigate and reply to my concerns in writing.

Memorandum of Interview, July 27, 2021:

On July 26, 2021, at Establishment #45134, Birdsboro Kosher Farms, at approximately 3:00pm, I, REDACTED. REDACTED, was observing slaughter operations in the receiving/throat cutting area. I saw many (approximately 30) live birds loose on the floor in the throat cutting area. As I was assessing the situation, I observed a REDACTED starting to pick up the live birds to be returned to the cage line for slaughter. He picked up the birds by their necks and flung them into the open cages. I immediately stopped him and contacted REDACTED, REDACTED about the mistreatment. He spoke to the employee on the spot. Further birds were caught correctly, by their feet.

Memorandum of Interview, September 13, 2021:

On Thursday, September 9th at approximately 0615h I, REDACTED, was performing antemortem on chickens loaded on trailer #28. I noticed an unusual amount of mortality on some of the lower crates, specifically the right front quadrant, but no morbidity was noted. I brought this to the attention of the REDACTED, REDACTED, and told him I'd like to be notified when the trailer is brought in for slaughter as I wanted a closer look at the chickens. I contacted the District REDACTED, REDACTED. REDACTED with my concerns. I then contacted REDACTED, the purchasing agent who directed me to his son, REDACTED ("REDACTED"), as he was indisposed in the hospital. REDACTED investigated and said there had initially been too many chickens to a crate (10) but the catchers corrected that to 8/crate. Since these chickens came up from Virginia they had been tested for Avian Influenza. REDACTED shared the results with me, and the birds were negative. At approximately 1315h I observed the crates from trailer #28 and examined each deceased chicken. No obvious lesions or overt pathology was present, but many birds were stiff and gangrenous. The mortality was higher than I had previously thought. I also did not see any decrease in mortality with the crates of 8 birds. Many crates had a single live bird in them. At the point where I estimated at least 200 dead birds and the truck was about ¼ unloaded I called for a halt to slaughter. I then contacted the REDACTED again and we agreed that the significant mortality, even without obvious signs of illness in the live chickens, was cause for an APHIS investigation. Trailer # 28 was returned to the loafing shed. An APHIS veterinarian, REDACTED. REDACTED, arrived and we performed a necropsy on a carcass. Again, no obvious pathology was noted. Oro-pharyngeal swabs were taken on dead and live chickens from the lot. The trailer remained on quarantine until the test results were obtained the next day. All tests were negative, so the trailer of chickens was released. REDACTED chose to remove them from the premises as slaughter for that day had already ceased.

Bo-Bo Poultry Market Inc

Brooklyn, New York
of inspections: 152

Brummel Poultry Processing

Rock Falls, Illinois
of inspections: 72

Brushy Prairie Packing, Inc.

LaGrange, Indiana
of inspections: 2

Burgundy Pasture Poultry LLC

Hillsboro, Texas

of inspections: 122

Butterball, LLC

Ozark, Arizona
of inspections: 271

Memorandum of Interview, June 9, 2021:

On Wednesday June 9, 2021, at approximately 0820, while walking through the holding sheds with, REDACTED and REDACTED, we noted three trailers with panting turkeys that were showing signs of respiratory distress. The turkeys did not have fans turned on in their shed. Management was called to the area and USDA was told by, REDACTED, that the fans are not hooked up yet in these sheds and are usually on at 65°F. The temperature outside at the time noted was over 65°F. The trailers listed below have the approximate time they entered the holding sheds. .. LT48- entered shed at 0604 .. LT54- entered shed at 0447 .. 555024- entered shed at 0452 ..The three trailers were promptly moved to sheds with functioning fans. ..REDACTED was informed of the forthcoming MOI.

Noncompliance Record Description, August 26, 2021:

On August 26, 2021, at approximately 1036 hours, while walking through the pinning room, REDACTED, noted that there were four red birds on the table, that appeared to be cadavers. There were two leads in the area as she walked to the kill room, she could hear one of the leads was trying to get the backup killers attention by yelling at him and then walking to his station. REDACTED asked the other leads



what was going on and why there were so many cadavers coming out. The lead replied that she was going to get her a supervisor. The lead that went and talked to the backup killer came to REDACTED while she was waiting for a supervisor and stated that it was too hot. REDACTED was staying by the pinning area, waiting for a supervisor, and counted at least six more red birds coming out of the scalders. The pinning employee was getting the birds out of the shackles and throwing them in the drain. Two of those birds ended up on the drain cover. REDACTED went and looked at the birds on the drain cover and noted that there was no cut on their necks. At no time during this incident was the kill line stopped by the plant. When Superintendent REDACTED arrived, REDACTED informed him that there were too many cadavers coming out of the scalders. REDACTED asked him why the kill machine was not killing these birds and he informed her that the size of the birds varies and that is why they have a backup killer. REDACTED informed REDACTED. REDACTED that she was going to report the incident to her supervisor and that an MOI might be written. I, REDACTED, spoke with REDACTED about the incident and she witnessed at least 10 cadavers while performing her Good Commercial Practice Task. REDACTED described the birds to me as having a deep red coloration to their skin indicating they were still breathing while entering the scald tanks and had incomplete exsanguination. These carcasses are cadavers as they died from a cause other than slaughter. REDACTED noticed 2 of the birds did not have any cuts on the neck. I spoke with REDACTED. REDACTED to ensure that this is an isolated incident. The kill machine was missing these birds due to the size variation. I spoke with REDACTED and Operations REDACTED to confirm this establishment does have a program for cadavers and they also perform GCP checks every 2 hours to ensure they do not get over 2% per REDACTED birds passing through the kill machine without proper cuts. According to my calculations this would be 6 cadavers. If during any check performed, they get over 2 % then the establishment executes corrective actions. During the establishment weekly meeting I informed Operations REDACTED and REDACTED that a non-compliance would be forthcoming. The establishment's failure to handle the birds in accordance with Good Commercial Practices violated 9 CFR 381.65(b).

Butterball, LLC

Mount Olive, North Carolina
of inspections: 392

Butterball, LLC

Carthage, Missouri
of inspections: 136

Butterball, LLC

Huntsville, Arizona
of inspections: 130

Butterfield Foods Company

Butterfield, Minnesota
of inspections: 130

Memorandum of Interview, June 9, 2021:

On June 9, 2021, while conducting a GCP task in P215, I noticed a large number of dead birds on trailer 121. Most of the dead birds were on the right side of the trailer. When the trailer was unloaded there was a total of 2552 dead on arrival birds out of 6000 on the trailer. The temperature the day before was in the 90's degrees Fahrenheit. The company holds chickens both in a shed with fans on all sides and when that is full out on a dirt lot. When I left the premises the night before I noticed trailers parked on the lot without any heat abatement on them. I did not specifically see trailer 121 out there. This morning when I came in, I noticed trailer 121 was out on the dirt lot without any heat abatement on it. The company stated that the trailer came in the afternoon before, but they do not know for sure where it was held during that time. They were shifting trailers into the shed from the lot. With the way the trailers are placed on the dirt lot a higher number of DOA birds on the right side would indicate that they received more sun from the west and were likely on the dirt lot in the afternoon and overnight. The company stated that they would not be loading birds until the night until the heat subsides.

Cal Poly Meats

San Luis Obispo, California
of inspections: 2

Cargill Meat Solutions

Springdale, Arkansas
of inspections: 71

Cargill Meat Solutions

California, Missouri
of inspections: 140

Campo Lindo Farms

Lathrop, Missouri
of inspections: 71

CARGILL MEAT SOLUTIONS

Dayton, Virginia
of inspections: 250

Case Farms of North Carolina, Inc.

Dudley, North Carolina
of inspections: 306

Memorandum of Interview, June 30, 2021:

Est. P19128, Case Farms of NC, 6.30.21, approximately 1115 hours...Attendees: REDACTED, REDACTED..At approximately 1108-1109 hours, while performing a Good Commercial Practices verification at the kill step I, REDACTED, observed an alert chicken with its head up looking toward me. The bird missed the stunner and the automatic kill blade. The back-up killer was walking toward the bend in the line to cut the neck of a chicken that the Live Hang Lead had just pointed out to him. While addressing the 1st chicken, he did not see the 2nd chicken. I pointed at the live bird and observed the Live Hang Lead attempt to stop the kill line by hitting the button, however

the line kept moving and the chicken could no longer be reached. I immediately moved to the scalding entrance. At approximately 1111 hours, with the Live Hang Lead next to me, I observed the live chicken approach the scalding entrance. The chicken did not exhibit any bleeding wounds, was alert, and held its head up while looking around. I pointed to the chicken and informed the Lead as I observed the live chicken enter the scald tank. I explained to the lead what I just observed and I immediately went to the end of the kill line after the pickers to wait for the chicken. The Lead accompanied me. I asked how long it would take the chicken to travel through the scalding and I was informed about 3 minutes. The lead then went to the stop button for the line and waited. At approximately 1114, I observed the chicken exit the pickers and notified the Lead at which point he stopped the kill line. The chicken was almost to the head puller. As the lead approached, I noted the chicken did not have any wounds associated with the kill blade or the head puller prior to the scalding. The entire carcass was red with a gradient from lighter red near the feet, legs, and ventral portions, to a deep, engorged, red through the neck and head. The lead attempted to remove the chicken however he could not. He moved the line forward enough to retrieve it, albeit after it went through the next head puller. At that point the head did come off the chicken. I retrieved the head from the condemn barrel and waited for the chicken carcass. Once removed, I took both the carcass and the severed head to an old station in the evisceration salvage department. I asked the lead to contact REDACTED. Shortly thereafter, REDACTED approached and I showed him the carcass and explained to him everything I observed. I notified REDACTED that a GCP MOI would be issued due to the live bird entering the scald tank. I also informed REDACTED I would need corrective actions. REDACTED said that he would provide them later this afternoon. REDACTED proceeded to live hang where he placed another person in the back-up kill position and took the original back-up killer to meet with him. While waiting for further information on corrective actions, I observed the new back-up killer and observed him successfully remove all heads from chickens that missed the automatic kill blade. After observing the back-up killer for several minutes, and determining the process was under control, I left the area to locate a manager. At approximately 1130 hours, I notified REDACTED of the incident and that an MOI was forthcoming. REDACTED thanked me and proceeded to investigate the incident. I met with REDACTED at approximately 1230, and he notified me that the back-up killer will be retrained. REDACTED said that the carcass was condemned. REDACTED also said that he would have maintenance adjust the equipment including the head puller prior to the scalding. I cautioned REDACTED on the use of the head puller on live birds prior to the scalding due to the concern that a different animal welfare concern may occur in an attempt to address the incident of missing the kill blade and/or back-up killer. REDACTED acknowledged my concern. The PPIA (21 U.S.C. 453(g) (5)), and 9 CFR 381.90, provide that poultry carcasses showing evidence of having died from causes other than slaughter are considered adulterated and must be condemned.

Memorandum of Interview, July 10, 2021:

On Thursday July 8, 2021 at 1305 hours while performing a routine Good Commercial Practices verification in the live hang area I, REDACTED, observed about 40-45 DOA's and live birds in a pile on the floor at the end of the hanging belt. The pile was up to the height of the belt and almost as wide as the staging area. When I noticed the pile, I observed an REDACTED leave the hanging line and began sorting the birds. I observed the employee hang between 8-10 live birds back on the line. He then started removing the DOA's from the pile and I observed at least 2 live birds which was under the DOA's. I noticed another employee walking by, and I asked, who is the supervisor for this area, and he pointed out the person which was picking up the birds, but I was never approached about the issue. At that time, I proceeded to the office to notify my supervisor REDACTED. REDACTED about the issue. REDACTED. REDACTED and I went back to the area and there was still a pile of birds which was already ready for disposal. Assistant REDACTED was notified that a GCP MOI was forthcoming. REDACTED. REDACTED met with REDACTED. REDACTED about the incident. The establishment determined that the pileup was due to several small sized birds entering the belt at the same time as the DOA's. Per the establishment's response, corrections have been implemented to ensure a pile up does not occur. An associate assigned to the removal of DOA's will only be assigned to that particular job continuously and another associate will be placed in the area to control other parts of the operation, such as condemn barrel removal. This will allow for a continuous removal and examination of all birds at the end of the hanging line with removal of DOA's in a timely manner. The PPIA(21 U.S.C. 453(g)(5) and regulations (9 CFR 381.65(b) also require that poultry be slaughtered in accordance with GCP.

Memorandum of Interview, September 2, 2021:

On September 1, 2021 at 0920, while I, REDACTED, was performing Good Commercial Practice verification at P-19128, Case Farms, Dudley, NC I observed a carcass entering the scalding with his head lifted and moving with eyes wide open. I notified REDACTED of my observations and he accompany me to the exit end of the pickers. I identified the carcass and REDACTED. REDACTED removed the carcass from the line. The head was a purplish red in color and the body was a pinkish tint color, the neck was cut on the side. I notified my REDACTED. REDACTED and REDACTED. REDACTED of my observations she explained to REDACTED. REDACTED that the neck vessels had not been cut. REDACTED. REDACTED, REDACTED. REDACTED and REDACTED. REDACTED went to the live hang area and observed that some of the heads were missing the blade and some were been cut on the side. Maintenance was notified and made adjustments to the equipment. It was also noted that the backup cutter was working extremely hard to catch the birds that hadn't been cut by the kill machine. Later in the shift, REDACTED. REDACTED observed a similar incident. Her observations are included: "On 9/1/21, at Establishment P19128, Case Farms of NC, at approximately 1439, I observed a live chicken enter the scalding while performing a Good Commercial Practice verification toward the end of shift. The chicken was alert and blinking the eye facing me and I could observe that it had a bleeding wound, but the wound was not sufficient to exsanguinate the chicken prior to the scalding entrance. REDACTED was nearby speaking with another manager so I notified him of my observation and proceeded to the end of the picking line to wait for the carcass to come through. At approximately 1443, I observed the carcass exiting the last picker and showed REDACTED. REDACTED the carcass with the purple congested head. REDACTED. REDACTED retrieved the carcass prior to the hock cutter. We proceeded to the evisceration floor where I examined the

carcass and noted there was a cut on the side of the neck, but the cut had not severed the jugular or carotid. I explained to REDACTED. REDACTED that while the chicken was cut by the kill machine, the cut was not sufficient to cause bleed out causing the live chicken to enter the scald tank. I further explained to REDACTED. REDACTED that an incident occurred earlier in the shift with REDACTED observing the same situation. The carcass from the previous incident was still available (under REDACTED Tag on ice) so I reviewed that carcass as well and demonstrated that the necks of both carcasses appeared the same, i.e., a side cut without severing the vessels. REDACTED. REDACTED and I discussed the back-up killer's inability to see the neck cut (due to the chicken back facing the BUK) and that an additional cut was not performed since blood would have been running from the chicken, i.e., the back-up killer would think the cut was sufficient. REDACTED. REDACTED said that he would consider decapitation at the kill machine to ensure that no further incidents occurred due to the line configuration and the physical inability to place the back-up killer where he could see the front of the neck as opposed to the back." The PIA (21 U.S.C. 453(g)(5), and 9 CFR 381.90, provide that poultry carcasses showing evidence of having died from causes other than slaughter is considered adulterated and must be condemned. The regulations also require that poultry be slaughtered in accordance with good commercial practices in a manner that results in thorough bleeding of the poultry carcass and ensures that breathing has stopped before scalding, so that birds do not drown. A copy of this MOI is provided to establishment management and a copy is forwarded to the REDACTED and REDACTED for review. c: REDACTED, REDACTED - REDACTED, Raleigh REDACTED, REDACTED - REDACTED, REDACTED

Memorandum of Interview, September 2, 2021:

On 9/2/21, at Establishment P19128, Case Farms of NC, at approximately 1254, I observed a live chicken enter the scalding. The chicken was blinking the eye that was facing me and was fully alert when it entered the scalding. It appeared there was an injury with some bleeding but this was insufficient to cause exsanguination. The REDACTED was nearby so I alerted him to the observation of the live chicken and proceeded to the picker exit. The lead contacted REDACTED and REDACTED. REDACTED. REDACTED remained at the picker exit with me. At approximately 1257, the carcass exited the picker and I notified the lead and REDACTED. REDACTED that the carcass just exited the picker. The carcass was removed prior to the hock cutter and taken to evisceration for examination. Shortly thereafter, REDACTED arrived. I explained to REDACTED. REDACTED that the same incident from yesterday occurred and demonstrated the minor flesh wounds (skin incision only) in the vicinity of the ear and the atlantoaxial joint. I further demonstrated that the jugular and carotid vessels were intact. There was hemorrhaging along the neck and the head was moderately congested with a deep purple-red color. On 9/1/21, the same incident occurred twice where the chickens were cut laterally with insufficient depth to cut vasculature. In response to those incidents the cut was deepened by raising the kill machine. However, the live chicken entering the scalding with similar injuries to the prior date indicate that raising the machine failed to correct the issue. REDACTED. REDACTED said he would need to consider further actions. Shortly thereafter, the kill machine was adjusted providing sufficient cuts to cause exsanguination prior to scalding. In accordance with the PIA and Agency regulations, live poultry must be slaughtered under good commercial practices whereby the poultry is properly bled out prior to entering the scalding to ensure live poultry do not drown. Further, poultry that die by means other than slaughter are considered adulterated and must be condemned. A copy of this MOI is provided to establishment management and a copy is forwarded to the REDACTED and REDACTED for review. c: REDACTED, REDACTED - REDACTED, Raleigh REDACTED, REDACTED - REDACTED, Wilson Circuit

Case Farms Processing, Inc

Canton, Ohio
of inspections: 245

Case Farms Processing, Inc.

Morganton, North Carolina
of inspections: 268

Case Farms, Processing

Winesburg, Ohio
of inspections: 306

Central Illinois Poultry Processing LLC

Arthur, Illinois
of inspections: 119

Central KY Custom Meats, Inc.

Liberty, Kentucky
of inspections: 13

Ciales Poultry, Inc.

Chicago, Illinois
of inspections: 43

Circle C Farm Abattoir & Butcher Shop, LLC

Felda, Florida
of inspections: 38

Clean Chickens and Co.

Elk River, Minnesota
of inspections: 34

Coastal Processing, LLC

Louisville, Georgia
of inspections: 128

Common Wealth Poultry Co

Gardiner, Maine
of inspections: 100

Cooks Venture Poultry Jay, Inc.

Jay, Oklahoma
of inspections: 120

Cooper Farms Processing

St. Henry, Ohio
of inspections: 255

Crescent Duck Farm

Aquebogue, New York
of inspections: 132

Creston Valley Meats

Creston, California
of inspections: 31

Culver Duck Farms, Inc.

Middlebury, Indiana
of inspections: 119



Dakota Provisions LLC

Huron, South Dakota

of inspections: 123

Memorandum of Interview, September 3, 2021:

At approximately 0500 while performing ante-mortem inspection, REDACTED observed a live bird on the ground beside trailer #096595. The trailer was located under the shed. Upon closer examination, REDACTED noticed an open cage door on the second from the front row of cages, the top tier of the top cage. This is approximately an 8-10 foot drop to the concrete below. The bird did not appear to have sustained any injuries. The open cage door was on the driver side and appeared fully functional. REDACTED. (Raw Manager) was immediately notified. The bird was placed into a lower cage and the open cage was closed. We discussed the open cage door and the consequences of doors not being shut when leaving the farms to the establishment. The establishment must employ humane methods of handling and slaughtering consistent with Good Commercial Practices in a way that minimizes injury to poultry.

David Elliot Poultry Farm Inc.

Scranton, Pennsylvania

of inspections: 116

Memorandum of Interview, July 23, 2021:

At around 10:20am on Friday July 23rd 2021 at REDACTED Poultry plant, I observed a bird catcher in the slaughter area carrying an escaped chicken by the neck for few seconds before handling it over to the slaughter handler. Afterwards, he walked to the cage conveyer and aggressively chucked a cage crate full of live chickens onto the conveyer rollers, causing the chickens in the crate to slam into each other once they landed on the rollers. The Plant Management was notified of this incident and asked to prevent future occurrences. FSIS reminds the plant that it is their responsibility to ensure the birds are handled in a manner that minimizes excitement, discomfort, and accidental injury before slaughter. Birds should not be handled by the neck, and their cages should not be aggressively manipulated. FSIS encourages establishments to develop and implement a systematic approach to ensuring poultry presented for slaughter are treated in a humane manner. The initial component of the approach is to assess the area where the problem occurred. The second component asks that establishments educate their employees about proper (USDA approved method) humane handling of escaped chickens by the legs (only) to prevent excitement, discomfort, and accidental injury. Finally, establishments should periodically evaluate their handling methods to ensure that their employees are treating animals in a manner that minimizes injury, excitement and discomfort prior to slaughter and that their methods ensure all poultry are slaughtered in accordance with 9 CFR 381.65 (b). The establishment is reminded that NRs for noncompliance with 381.65(b) and MOI for GCPs when finalized are posted for public review on the FSIS website and that the information associated with NRs and GCPs can be FOIA requested by individuals from the general public. The establishment is also reminded that establishments with PHIS access can respond to the MOIs and NRs in PHIS by using the response tab. Copies of this Memorandum of Interview (MOI) will be distributed to the establishment, inspection file and REDACTED per FSIS Directive 6100.3.

Dayton Natural Meats, LLC

Dayton, Oregon

of inspections: 24

DH Farms

Lexington, Texas

of inspections: 79

Diestel Turkey Ranch

Sonora, California

of inspections: 92

Dupont Market, Inc. dba Grimaud Farms

Stockton, California

of inspections: 133

EcoFriendly Foods

Moneta, Virginia

of inspections: 22

ENA Meat Packing Corp.

Paterson, New Jersey

of inspections: 47

Farbest Foods, Inc.

Vincennes, Indiana

of inspections: 134

Farbest Foods, Inc.

Huntingburg, Indiana

of inspections: 259

Farmers Pride Inc.

Fredericksburg, Pennsylvania

of inspections: 274

Fieldale Farms Corporation

Cornelia, Georgia

of inspections: 259

Memorandum of Interview, June 22, 2021:

On 6/21/2021, while performing Good Commercial Practices, I REDACTED observed approximately 700 dead birds piled in the Live Hang room. An estimated 300 were piled behind the hangers on Picking Line #2, 4-5 birds high and reaching the hangers waist. An estimated 400 were piled behind the hangers on Picking Line #1, 3-4 birds high and reaching mid-thigh. The birds were obstructing the hangers from being able to move, including being able to leave the hanging room. At 20:37, I informed REDACTED and REDACTED that both lines were to stop hanging. Employees began to move the dead birds away from the area that the hangers stood. ...A dumpster was brought in to dispose of the dead, as the pump to the rendering plant was malfunctioning. While disposing of the dead, I observed three live birds



pulled from the pile of dead birds around Line #1. Picking Line #1 was cleared and released at 20:44 and Picking Line #1 was cleared and released at 20:47. The live hang room was completely cleared at 21:10. ..At 21:00, I spoke to REDACTED. I explained the unnecessary distress and suffering while handling poultry related to the live birds being commingled with the dead birds and potentially smothering. I also explained that the hangers need a clear exit from the room in case of emergency...On 6/23/21, during the weekly establishment meeting, REDACTED stated that the larger number of DOAs was attributed to a rapid weather change in both temperature and humidity that afternoon and during our dinner break. He said that Live Haul will notify the back dock when they suspect a truck has a larger than normal number of DOAs and the back dock will prepare a dumpster to prevent back up of the disposal system.

Fieldale Farms Corporation

Murrayville, Georgia

of inspections: 222

Foster Farms

Turlock, California

of inspections: 145

Foster Farms

Livingston, California

of inspections: 532

Memorandum of Interview, May 10, 2021:

This MOI is intended to document the discussion I, REDACTED, had with REDACTED and REDACTED, about the Poultry Good Commercial Practices (GCP) incident that occurred on Friday, April 9th, 2021...While I, REDACTED, was performing a GCP task in Plant #2, I observed a live bird caught, by it's leg, on the Line #4 Dumping belt at approximately 0824 hours. I observed the bird was extremely dry in appearance and birds were landing on top of it as they dropped from the dumping belt. I asked the operator of the dumper not to dump any more birds onto the belt, as well as REDACTED also informed the operator not to dump anymore. REDACTED freed the bird from the belt, while REDACTED arrived at the area. REDACTED, REDACTED, and myself, observed the extreme dryness and patches of dry, dark yellow skin with missing feathers, as well as the lethargic head and eye movements of the bird. The bird was hung on the kill line, to continue through the slaughter process. ..I reminded REDACTED and REDACTED that the PPIA and Agency Regulations do require that live poultry are to be handled in a manner that prevents needless injury and suffering and in a manner that is consistent with good commercial practices...I recommended that the establishment review Federal Register Notice Vol. 70, No.187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter. I notified REDACTED that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended... Respectfully, ..REDACTED

Foster Farms

Farmerville, Louisiana

of inspections: 249

Foster Farms

Fresno, California

of inspections: 260

Foster Farms

Kelso, Washington

of inspections: 271

Memorandum of Interview, June 25, 2021:

On June 25, 2021 at Foster Farms (P6164a), at approximately 9:35 am, I REDACTED made the following observation while conducting a routine Good Commercial Practices (GCP) task. ..While I was observing birds enter the scalding, I noticed the end of the slaughter line approach immediately before the 1st shift lunch break. I observed that approximately the 5th-to-last bird passed the last head pulling machine and was still alive and fully alert. At this point there was no other establishment interventions between the bird and the scalding to prevent it from entering the scalding while still breathing. I stopped the line to prevent the bird from entering the scalding alive. I confirmed there was no bleed out cut to the bird's neck and that it was still alive and breathing. I tracked down a live hang employee, who removed the bird from the line and re-started the line. ..I notified REDACTED that an MOI would be documented for this isolated instance of a bird which would have been still breathing if I had not stopped it from entering the scalding. Poultry must be treated in a manner consistent with good commercial practices and must be slaughtered in a manner to ensure breathing has stopped before scalding. ..The topic was discussed with establishment management at the weekly establishment meeting at 1:35pm on the same day. The Day Shift Live Hang Supervisor notified me that he added an additional establishment personnel at the scalders to monitor for the presence of live birds for the rest of the shift.

Memorandum of Interview, June 29, 2021:

On June 29, 2021 at Foster Farms (P6164a), at approximately 12:55 pm, I REDACTED made the following observation while conducting a routine Good Commercial Practices (GCP) task. ..While I was walking back towards the scalding area, at the establishment pre-sorter stand I noted one carcass hung back with a cherry-red head, neck, and upper breast area and no cut to the neck, consistent with a cadaver. I continued walking back to the scalders. ..While I was observing birds enter the scalding, I observed one bird move past the last head pulling machine which was still alive and blinking. At this point there was no other establishment interventions between the bird and the scalding to prevent it from entering the scalding while still breathing. I stopped the line to prevent the bird from entering the scalding alive. The bird had blood on its neck but no deep bleed out cut and was still alert, responsive, and breathing. I pointed out the bird to REDACTED, who removed the bird from the line and re-started the line. I notified him that an MOI would be documented for this instance of a bird which would have been still breathing if I had not stopped it from entering the scalding. Poultry must be treated in a manner consistent with good commercial practices and must be slaughtered in a manner to ensure breathing has stopped before scalding. The establishment has recently had one other MOI written for the same issue (OIJ5012060925I) on 6/25/2021. ..The topic was discussed with establishment management at the weekly establishment meeting at 1:35pm on Thursday, July 1. Establishment management conducted formal retraining for 1st shift live hang personnel after the incident.

Memorandum of Interview, September 7, 2021:

On September 7, 2021 at approximately 8:50am, I REDACTED. REDACTED made the following observations while conducting a routine Good Commercial Practices (GCP) task at establishment P6164A. On the slaughter line after the neck-cutting machine, the establishment stations an individual as a back-up neck cutter for birds missed by the machine. I was observing this individual while he was at the far down-stream end of his station. A couple of birds in a row came which did not have neck cuts, which he successfully cut. As he was doing this, one bird without a cut neck was moving past his reach. I observed him forcefully grab this bird out of the shackle and throw it down into the corner of the room approximately 4 feet away from him, where it fell to the ground. The bird stayed on the ground with its head up, unmoving. I found the Day Shift REDACTED and notified him of my observations. He picked the bird off of the ground and brought it over to me, which was alive and alert with no neck cut. I observed him verbally counseled the back-up neck cutter individual, and he informed me that the individual would be retrained. I notified the Day Shift REDACTED that an MOI would be documented for an isolated incident of poultry mistreatment. I discussed the incident with the establishment's QC Manager at approximately 9:30am on the same day.

FreeBird Chicken

Fredericksburg, Pennsylvania
of inspections: 236

Garden Path Farms

Newburg, Pennsylvania
of inspections: 20

George's Processing, Inc.

Cassville, Missouri
of inspections: 272

Freedom Sausage, Inc.

Earlville, Illinois
of inspections: 7

George's Chicken, LLC

Edinburg, Virginia
of inspections: 272

Ga Dong Nai

Coupland, Texas
of inspections: 83

GEORGE'S FOODS, LLC

Harrisonburg, Virginia
of inspections: 255

George's Processing, Inc.

Springdale, Arkansas
of inspections: 267

Memorandum of Interview, April 19, 2021:

Verified trailers at 04:55 and dumping area at 8:30 hours. Inspected trailers on the lot, dumper station, hanging dock and killing area. .. MOI attached...On April 19, 2021 - at approximately 0840 am while inspecting trailers during GCP on lot building identified as staging shed # 4 - IIC was escorted by REDACTED; IIC observed that on truck ID#2321, two live birds were held in a cage inside an emptied trailer. REDACTED explained that at the time trailer ID#2321 was not part of the daily unloaded trailers for 04/19/2021 and proceeded to investigate in the Live Haul Office. REDACTED, and REDACTED provided the latest information for the trailer ID#2321. The last arrival for the unit with lot 1 and 2 from Ridgetop Farm was on Friday 4/16/2021 at approximately 12:47 pm. The unfinished unload for the trailer ID#2321 that day was done at 17:27 pm. ..The remaining two birds in the cage were held in the establishment for at least 72 hrs. without access to water or feed in the barn exposed to temperatures since Friday between 34-81°F. IIC inspected the birds for physical state, both animals were conscious, aware, and healthy looking, only slightly dehydrated. The Birds were turned to Live Hang for slaughter at approximately 8:50 am, IIC notified REDACTED, REDACTED of the forthcoming MOI- Informed REDACTED and REDACTED.

Memorandum of Interview, June 15, 2021:

On June 15, 2021 at approximately 13:55 while walking through the live receiving area near the offal trailer I observed a blue tote that contained approximately 100-150 dead chickens (DOAs). On closer examination I observed that there were 3 live chickens situated among the DOAs in the tote. I notified REDACTED, who was in the immediate area, of my findings. I observed as he immediately



directed live hang employees to remove the live chickens from the tote for humane euthanasia by cervical disarticulation. As the live hang employees were sorting through the tote they uncovered 2 more live chickens that had been underneath several of the DOAs. Live chickens that are covered by dead chickens have an increased likelihood of dying other than by slaughter (smothering) which reflects poor commercial practices for handling live poultry. During my conversation with REDACTED he told me that the employees involved would receive retraining on live bird handling. ..At 15:45 REDACTED showed me documentation confirming that the live hang employees involved had received retraining on the proper handling of live chickens.

Gerber Poultry, Inc.

Kidron, Ohio

of inspections: 79

Goffle Road Poultry Farm

Wyckoff, New Jersey

of inspections: 48

Golden Rod Broilers

Cullman, Alabama

of inspections: 129

Memorandum of Interview, April 6, 2021:

At 0730 on 4/6/2021, REDACTED observed the following findings during the humane handling GCP. In the picking room, line 3's back up killer was killing 6 birds per minute. REDACTED, was notified and corrections were made..At 0900, REDACTED verified that changes were made to decrease the amount of birds requiring the back up killer's services. The amount of birds decreased from 6 birds per minute to 3 birds per minute.

Memorandum of Interview, June 1, 2021:

On 5/28/21 at 7:07AM while completing the GCP task, REDACTED located less than ideal good commercial practices. When she first went to complete her task, she located 5 live birds off of the belt – 2 in the DOA pile and 3 around the feet of the live hang crew on line 1. On line 3, the back up killer was used on REDACTED birds a minute and 3 birds passed by with only one leg in the shackle. One line 1, one bird had 2 legs in the same slot of the shackle. REDACTED was notified and he explained that the bar needed to be raised on line 3 to keep the birds in the proper location and the live birds at the base of the belt were properly decapitated and the birds that were around the feet of the live hang crew were properly placed back onto the belt.

Memorandum of Interview, June 16, 2021:

At approximately 0711 on June 16, 2021, REDACTED observed less than Good Commercial Practices (GCP) while performing The Good Commercial Practices Verification task at the Golden Rod Broiler Plant in Cullman, AL. She observed, on line 2, a bird that was alert, not dull in mentation, with no observed cuts to the neck, and actively looking around as it entered the scalders. REDACTED was notified immediately of the findings and forthcoming GCP MOI documenting these events.

Memorandum of Interview, June 28, 2021:

At approximately 0739 on June 28, 2021, I, REDACTED, while performing the Good Commercial Practices Verification task at the Golden Rod Broiler plant in Cullman, AL, observed the following events. I observed a live bird, alert and actively looking around, with no observed cuts to the neck, enter the scalders on line 1. REDACTED was notified immediately of the findings and forthcoming GCP MOI documenting these events.

Great Lakes Poultry, Inc.

La Porte, Indiana

of inspections: 104

Griggstown Quail Farm

Princeton, New Jersey

of inspections: 120

Harrison Poultry, Inc.

Bethlehem, Georgia

of inspections: 127

Higley Hill Processing,

Wilmington, VT

of inspections: 4

Hinck Turkey Farm Inc

Neptune, New Jersey

of inspections: 3

Holmes Foods Inc.

Nixon, Texas

of inspections: 124

House of Raeford

West Columbia, South Carolina

of inspections: 280

House of Raeford - Wallace Div

Teachey, North Carolina

of inspections: 360

Memorandum of Interview, April 1, 2021:

P737 House of Raeford-Wallace Division, April 01, 2021 at 16:52 pm. In attendance: REDACTED and REDACTED...On Thursday, April 01, 2021 at approximately 16:45 I, REDACTED, began performing the Good Commercial Practices (GCP) task and met up with REDACTED to observe birds approaching the scalders for Line 1...Within roughly 3 minutes, I observed REDACTED remove 10 birds alive and without cuts on their necks just before entering the scalders. These birds could have died by means other than slaughter. I immediately notified REDACTED that this would be noted in a GCP MOI. I did not see any live birds enter the scalders. All of the birds removed from the line alive were then appropriately slaughtered. I continued to observe birds exiting the blood tank and approach the scalders for several more minutes and did not see more live birds. After completing the rest of the GCP task, as I walked past the scalders to exit the area, I did not see any live birds approaching the scalders. In my opinion in this situation, there was not a loss of process control. ..After completing the GCP task, I spoke with REDACTED and advised him of the GCP MOI. He later informed me that after discussing the event with REDACTED, the preventive measure would be to ensure that the first secondary killer has an extra knife. Further discussion revealed that this incident occurred as one secondary backup killer stepped down from the platform to take a break and another backup killer was stepping up to the platform to take over. There was an issue with swapping knives as well during this time. A meeting with supervisor, leads and backup killers will be documented discussing the need for an extra knife available to avoid a knife swap and possibly missing any live birds. ..It is the establishment's responsibility to ensure compliance with 9 CFR 381.65 (b) -poultry must be slaughtered in accordance with Good Commercial Practices and ensure that breathing has stopped prior to entering the scalders. ..This MOI will be forwarded to the District Office and the District Veterinary Medicine Specialist (DVMS) in case additional follow up is recommended...If you have any questions or concerns regarding this MOI, please feel free to contact me, or REDACTED...Respectfully,..REDACTED P737 REDACTED

Memorandum of Interview, April 2, 2021:

P 737 House of Raeford-Wallace Division ..In attendance: REDACTED; REDACTED; REDACTED ..At approximately 1420 on 04/02/2021, I, REDACTED, began a Good Commercial Practices task on Line 1 with an evis lead attending as plant management representative and a plant employee working as the second secondary killer standing just before the scalders. ..Within the first minute or so of my observations of birds coming out of the bleed tank and approaching the scalders, I saw a live bird with no cut on its neck. I pointed it out and both plant employees spotted it as well as it came up and over the drip pan protected walkway. As the bird approached the scalders, the secondary killer unsuccessfully tried to remove the bird from the shackle. Both plant employees had sufficient time to realize there was a problem and stop the line but did not do so. This live bird entered the scalders and died by means other than slaughter. It is the Establishment's responsibility to ensure birds are slaughtered in accordance with 9 CFR 381.65(b). ..I notified the evis lead that a GCP MOI would be issued and REDACTED immediately came to the area to watch more of the birds exiting the bleed tank. During the next few minutes, he successfully pulled another live bird with no cut on its neck off the line. I informed him directly that a GCP MOI would be issued because of the incident with the live bird entering the scalders, and since this was not the first GCP MOI issued this week, would he please call REDACTED over to discuss this event. While we waited, several more live birds were successfully pulled off the line. These birds were well spaced out in time. ..REDACTED offered as corrective action and preventive measure to demonstrate the establishment training the secondary killer in proper procedures. I watched them stop the line and remove an appropriately slaughtered bird and discuss technique with the plant employee. I then stood and watched and during the next 5 minutes about 4 more live birds with no cuts on their neck came through, and the plant employee appropriately stopped the line and removed each bird. I then watched for another 5 or 6 minutes while no live birds came through. It appeared process was in control as well. ..I informed REDACTED that while I was working a split shift and was about to leave for the day, that USDA inspectors would come back out later during this shift to verify that Good Commercial Practices regarding live birds not entering the scalders was still in effect. ..This MOI will be forwarded to the District Office and the District Veterinary Medicine Specialist (DVMS) in case additional follow up is recommended. ..If you have any questions or concerns regarding this MOI, please feel free to contact myself ..or REDACTED. ..Respectfully, ..REDACTED ..P737 REDACTED

Memorandum of Interview, April 24, 2021:

On Saturday April 24 2021 at approximately 1510 hours, I performed a Good Commercial Practice (GCP) task. REDACTED was standing at the picking Line, where the birds exit the blood pit, waiting for my arrival along with two employees, who were at the location where the birds cross over the walk path to enter the scald vats. ..The line speed was timed at or about REDACTED birds per minute(bpm) and this establishment has a validated line speed waiver and may operate the lines up to REDACTED bpm). About 1 minute into this check, I observed a bird still alive without any cuts to its neck and hanging by one leg, crossing over the drip pans that are extended over the walkway and about to enter the scald vats alive. The bird was alive, still breathing and moved its head as to trying to right itself. REDACTED was present and immediately removed the bird from the line to prevent the bird from dying by means other than an approved slaughter method. Immediately after observing REDACTED removed the live bird, another bird appeared hanging by one leg and still breathing. This bird was also removed along with a third bird that was hanging by one leg, but after removing it, it was determined that, that bird had properly been cut and was not alive. However, before I complete my observations, yet another bird was presented hanging by one leg, and still alive. I was able to determine that these birds were alive by the earlier mention method of, observing the birds still breathing, trying to right themselves and after removing from the line, that their eyes were open and blinking. ..Prior to performing this

GCP task, I observed the birds in the red condemned barrel located at the rehang table, which I found only birds that were discarded for Septicemia. There was no evidence that indicated where birds were DOA or slaughtered by unacceptable methods. ..I then notified REDACTED that this incident would be documented in a GCP MOI. After the live birds were removed, I continued to monitor the line for approximately one more minute, without ..any other issues of birds not being properly stunned, or improper cuts being made. A similar ..incident was documented on MOI# DHA3716045102G dated 04/02/2021. .. Respectfully, ..REDACTED

Memorandum of Interview, June 17, 2021:

P 737 House of Raeford-Wallace Division ..In attendance: REDACTED; REDACTED ..At approximately 11:11 on 06/17/2021, I, REDACTED, began a Good Commercial Practices task on Line 1 with an evis lead attending as plant management representative and a plant employee working as the second secondary killer standing just before the scalders. ..Within the first minute or so of my observations of birds coming out of the bleed tank and approaching the scalders, I saw two birds on one shackle, each held by one leg. The first bird approaching the scalders in the shackle clearly had its neck cut and was deceased. The second bird did not appear to have a cut on its neck and was actively looking around and opening and closing its beak, appearing to try to get its leg out of the shackle. I pointed it out and it appeared that both plant employees spotted it as well. As the bird approached the scalders, the live hang lead employee removed the first bird which was clearly dead from the shackle. I immediately pointed out that the live bird was still on the shackle. Both plant employees had sufficient time to realize there was a problem and stop the line but did not do so. The live hang lead employee appeared confused over the entire situation and shrugged, returning his attention to the line. I stopped the line as I was unsure if more live birds might be approaching the scalders. Evis management immediately attended me at Line 1 and verified that the live hang lead was trained to remove birds from the line and stop the line as necessary. This live bird entered the scalders and died by means other than slaughter. It is the Establishment's responsibility to ensure birds are slaughtered in accordance with 9 CFR 381.65(b). ..I notified REDACTED that a GCP MOI would be issued. I released regulatory control and agreed to the line starting again. I did not see any more live birds on line 1 nor did I see any while observing line 2 a few minutes later. ..This MOI will be forwarded to the District Office and the District Veterinary Medicine ..Specialist (DVMS) in case additional follow up is recommended. ..If you have any questions or concerns regarding this MOI, please feel free to contact me or REDACTED. ..Respectfully, ..REDACTED ..P737 REDACTED

House Of Raeford Farms

Rose Hill, North Carolina

of inspections: 518

Memorandum of Interview, June 4, 2021:

REDACTED, P-510 ..House of Raeford ..Rose Hill, NC 28458 ..REDACTED ..At approximately 0823hrs while performing the Good Commercial Practices Verification task, I observed a live bird about to enter the scalders. The bird at the time of my observation had normal rhythmic breathing, eyes open and blinking with the head elevated. REDACTED, who was present during my observation immediately removed the bird from the line before it could enter the scalders. After the bird was removed from the line, it was observed that there was no cut on the neck which would not have allowed the bird to bleed out properly. REDACTED gave the bird to REDACTED, who placed the bird back onto the kill line to allow it to go back through the stunner and the kill blade to allow proper bleeding. REDACTED stated that he would replace the backup cutter with a more experienced employee. In addition he stated that he would continue to work with the new backup cutter and remind him to pay attention to birds that have failed to be cut by the kill blade. I discussed my finding with REDACTED and REDACTED, notifying them of the MOI and the establishment's failure to comply with 9 CFR 381.65 (b) which states: Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding. REDACTED, was also notified my findings. ..There was a similar occurrence documented on 06/02/2021 on MOI RHB4803063002G. ..REDACTED this MOI will be forwarded to the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. ... If you have any questions or concerns regarding the above, please contact REDACTED or REDACTED. ..Respectfully, ..REDACTED P510

Memorandum of Interview, July 8, 2021:

At 0837 hours while conducting part of the Good Commercial Practice Verification Task in the cage loading area of the live receiving department, I observed a live bird in DOA bin. The bird was sitting on top of other birds in the DOA bin. It was alert, breathing, and looking around. It did not have denaturant on it and there was no visible cut on its neck. I showed the bird to the Live Receiving Supervisor, REDACTED, and discussed the concern. I also discussed the concern with 1st REDACTED, REDACTED. When a live bird is in the DOA bin there is a potential for it to be covered up by cadavers placed in the bin. This can result in death of the bird by suffocation and is not an acceptable form of slaughter. The bird was retrieved from the DOA bin and taken to the live hang area. REDACTED. REDACTED discussed the issue with the employee who had been working with the DOA bin. He also reported they would be monitoring the bin more closely throughout the remainder of the shift. The issue was also discussed with the REDACTED, REDACTED. A copy of this MOI will be forwarded to REDACTED. REDACTED, the REDACTED.

Memorandum of Interview, July 28, 2021:

At approximately 02:07hrs while performing the Good Commercial Practices Verification task, I REDACTED observed a live bird about to enter the scalders. The bird at the time of my observation had normal rhythmic breathing, wings flapping, eyes open and blinking with the head elevated. REDACTED. REDACTED, REDACTED was present during my observation and immediately stopped the line after the bird ex-



ited the brush cabinet but before it could enter the scalding and removed the bird from the line. After the bird was removed from the line, it was observed that there was a cut on the neck, but it was not effective to render the bird unconscious and to bleed out properly before it would have entered the scalding. The bird was placed back onto the kill line to allow it to go back through the stunner and the kill blade to allow proper bleeding. REDACTED. REDACTED, REDACTED stated that he instructed the backup cutters to cut deeper than they were making shallow cut. I discussed my finding with REDACTED 3rd Shift REDACTED. I recommended that REDACTED. REDACTED review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter and provided him a copy of this document. I notified REDACTED. REDACTED that this MOI will be forwarded to the District Office and the REDACTED (REDACTED) in case additional follow-up is recommended.

Memorandum of Interview, July 28, 2021:

On 07/28/2021 at 0558 hours I, REDACTED, REDACTED, REDACTED was conducting a Good Commercial Practices Verification task in the kill/picking area behind the evisceration department, when I observed a bird with its head elevated that was about to enter the scalding. I was accompanied by REDACTED. REDACTED, REDACTEDS, and REDACTED. REDACTED, REDACTED, who were present for their Good Commercial Practices Verification visit. The line was stopped and Floor Man, REDACTED removed the bird from the line. Upon further exam the bird had rhythmic breathing, was blinking, and was looking around. The bird had a cut on its neck, but it was not effective enough to render the bird unconscious and allow thorough bleeding out before it would have entered the scalding. REDACTED. REDACTED and REDACTED. REDACTED had also observed the bird and confirmed the findings. I discussed the findings with REDACTED. Per 9 CFR 381.65(b), poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to entering the scalding. The bird was returned to the live hang area and placed on the receiving line. This issue was also discussed with First REDACTED, REDACTED. REDACTED. REDACTED positioned an employee to monitor the birds on the line as they exited the blood tunnel, and he also discussed the issue with the back-up cutter. I saw no further issues while monitoring the birds on the line before they entered the scalding. The last occurrence of a similar issue at this establishment happened during nightshift on 07/28/2021 at approximately 0207 hours and was documented on MOI/RHB49020743281. A copy of this MOI will be forwarded to the REDACTED (REDACTEDS), REDACTED, REDACTED, and to the circuit REDACTED, REDACTED. If you have any questions you can contact me or the REDACTED, REDACTED. Respectfully, REDACTED, REDACTED

Memorandum of Interview, August 4, 2021:

At approximately 02:29hrs during the 3rd shift while performing the Good Commercial Practices Verification task, I REDACTED observed a live bird about to enter the scalding. The bird at the time of my observation had normal rhythmic breathing, eyes open and blinking and its head was elevated. REDACTED. REDACTED, REDACTED was present during my observation and immediately removed the bird from the line after the bird exited the brush cabinet but before it could enter the scalding. After the bird was removed from the line, it was observed that there was NO cut on the neck, its eyes were open with normal functions, had normal rhythmic breathing and if it was not for the performance of this GCP the bird would have entered the scalding conscious and breathing. REDACTED. REDACTED took the bird and placed it back onto the kill line to allow it to go back through the stunner and the kill blade to allow proper bleeding. REDACTED. REDACTED, REDACTED stated that he was switching out the employee backing up the kill blade. I discussed my finding with REDACTED 3rd Shift REDACTED. I recommended that REDACTED. REDACTED review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter and provided him a copy of this document. I notified REDACTED. REDACTED that this MOI will be forwarded to the District Office and the REDACTED (REDACTED) in case additional follow-up is recommended.

Memorandum of Interview, August 9, 2021:

At approximately 0531hrs while performing the Good Commercial Practices Verification task, before the brush cabinet but before the scald vat I observed a small size live bird entering the brush about to enter the scalding. The small bird at the time of my observation had its eyes open and blinking with the head elevated. REDACTED. REDACTED, REDACTED, who was present during my observation immediately stopped the line and removed the small bird from the line after the brush cabinet but before it could enter the scalding. After the bird was removed from the line, it was observed that there was an ineffective cut on the neck which would not have allowed the bird to bleed out properly before it entered the scald vat. REDACTED. REDACTED placed the bird back onto the kill line to allow it to go back through the stunner and the kill blade to allow proper bleeding. REDACTED. REDACTED stated that REDACTED. REDACTED stated that he would change out the employee backing up the kill blade. I discussed my finding with REDACTED 3rd Shift REDACTED. I recommended that REDACTED. REDACTED review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter and provided him a copy of this document. I notified REDACTED. REDACTED that this MOI will be forwarded to the District Office and the REDACTED (REDACTED) in case additional follow-up is recommended. Please be advised of MOI RHB0002081004G written on 8/4/2021 a preventive given of switching out the employee backing up the kill blade.

Memorandum of Interview, August 12, 2021:

At approximately 0651hrs on August 12, 2021 while performing the Good Commercial Practices Verification task, before the brush cabinet but before the scald vat I observed a small size live bird headed to the brush cabinet about to enter the scalding. The small bird at the time of my observation had its eyes open and blinking with the head elevated as to have it tucked under its chest. REDACTED. REDACTED, REDACTED and REDACTED, REDACTED were present during my observation. REDACTED. REDACTED removed the live bird

before it entered the brush cabinet. After the bird was removed from the line, it was observed that the bird's eyes were blinking with rhythmic breathing and its head still tucked under its chest. There was an ineffective cut on the neck which would not have allowed the bird to bleed out properly before it entered the scald vat. REDACTED. REDACTED placed the bird back onto the kill line to allow it to go back through the stunner and the kill blade to allow proper bleeding. REDACTED. REDACTED stated that he would adjust the height of the stunner to account for the smaller birds. I discussed my finding with REDACTED Manager. I recommend that REDACTED. REDACTED review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter and provided him a copy of this document. I notified REDACTED. REDACTED that this MOI will be forwarded to the District Office and the REDACTED (REDACTED) in case additional follow-up is recommended. Please be advised of MOI REDACTED written on 8/9/2021 a preventive given of switching out the employee backing up the kill blade.

Memorandum of Interview, August 16, 2021:

REDACTED. REDACTED, REDACTED, P-510 House of Raeford Rose Hill, NC 28458 REDACTED. REDACTED At approximately 1300 hours, while performing the Good Commercial Practices Verification task, I observed a live bird about to enter the scalding. The bird at the time of my observation had normal rhythmic breathing, eyes open and blinking with the head elevated. REDACTED. REDACTED, REDACTED, who was present during my observation immediately removed the bird from the line before it could enter the scalding. After the bird was removed from the line, it was observed that the skin was cut with a small cut on the neck which would not have allowed the bird to bleed out properly. REDACTED. REDACTED gave the bird to REDACTED. REDACTED, REDACTED who took the bird back to live hang to show it to the backup cutter. REDACTED. REDACTED placed the bird back onto the kill line to allow it to go back through the stunner and the kill blade to allow proper bleeding. REDACTED. REDACTED stated that he would have maintenance change out the kill blade and instructed the backup cutter to pay more attention to all birds going through. I discussed my finding with REDACTED. REDACTED and REDACTED. REDACTED, notifying them of the MOI and the establishment's failure to comply with 9 CFR 381.65 (b) which states: Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding. REDACTED. REDACTED, REDACTED, was also notified my findings. I also discussed my finding with REDACTED Manager. I recommended that REDACTED. REDACTED review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter and provided him a copy of this document. I notified REDACTED. REDACTED that this MOI will be forwarded to the District Office and the REDACTED (REDACTED) in case additional follow-up is recommended. There was a similar occurrence documented on 8/12/21 on MOI RHB3806083312G. If you have any questions or concerns regarding the above, please contact REDACTED. REDACTED, REDACTED, or REDACTED. REDACTED, REDACTED. Respectfully, REDACTED, REDACTED P510

Memorandum of Interview, August 17, 2021:

At approximately 02:06hrs on August 17, 2021 during the 3rd shift while performing the Good Commercial Practices Verification task, I REDACTED observed a live bird about to enter the scalding. The bird at the time of my observation had its head elevated and tucked up to its chest and its eyes open and blinking. REDACTED. REDACTED, REDACTED was present during my observation and immediately removed the bird from the line before the bird entered the brush cabinet but before it could enter the scalding. After the bird was removed from the line, it was observed that the skin was cut but no cut of the neck muscle therefore the cut was an ineffective on the neck, its eyes were open with normal functions, had normal rhythmic breathing and if it was not for the performance of this GCP the bird would have entered the scalding conscious and breathing. REDACTED. REDACTED took the bird and placed it back onto the kill line to allow it to go back through the stunner and the kill blade to allow proper bleeding. I then notified REDACTED. REDACTED, 3rd Shift REDACTED and REDACTED. REDACTED, REDACTED. REDACTED. REDACTED stated that he would counsel the backup cutters. I discussed my finding with REDACTED 3rd Shift REDACTED. I recommended that REDACTED. REDACTED review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter and provided him a copy of this document. I notified REDACTED. REDACTED that this MOI will be forwarded to the District Office and the REDACTED (REDACTED) in case additional follow-up is recommended. Please be advised of REDACTED written on August 16, 2021 for a similar GCP issues and a preventive given of; have maintenance change out the kill blade and instructed the backup cutter to pay more attention to all birds going through.

Memorandum of Interview, August 23, 2021:

At approximately 03:25 hrs on August 22, 2021 during the 3rd shift while performing the Good Commercial Practices Verification task, I REDACTED observed a live bird about to enter the scalding. The bird at the time of my observation had its head elevated and its eyes open and blinking. REDACTED. REDACTED, REDACTED was present during my observation and immediately removed the bird from the line after the brush cabinet but before the bird entered the scalding. After the bird was removed from the line, it was observed that the skin was cut but was an ineffective cut on the neck, its eyes were open with normal functions, had normal rhythmic breathing and if it was not for the performance of this GCP the bird would have entered the scalding conscious and breathing. REDACTED. REDACTED took the bird and placed it back onto the kill line to allow it to go back through the stunner and the kill blade to allow proper bleeding. I then notified REDACTED. REDACTED, 3rd Shift REDACTED and REDACTED. REDACTED, REDACTED. REDACTED. REDACTED stated that the gap for the kill blade was incorrect and he adjusted it. I discussed my finding with REDACTED 3rd Shift REDACTED. I recommended that REDACTED. REDACTED review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter and provided him a copy of this document. I notified REDACTED. REDACTED that

this MOI will be forwarded to the District Office and the REDACTED (REDACTED) in case additional follow-up is recommended. Please be advised of MOI RHB4801085717G written on August 17, 2021 for a similar GCP issues and a preventive given of; counsel the back-up cutters.

Memorandum of Interview, September 23, 2021:

At approximately 05:35 hrs on September 23, 2021 while performing a routine Good Commercial Practices Verification task, before the brush cabinet but before the scald vat I observed a small size live bird headed to the brush cabinet about to enter the scald. The small bird at the time of my observation had its eyes open and blinking with the head elevated as to have it tucked under its chest. REDACTED. REDACTED, REDACTED and REDACTED, REDACTED were present during my observation. REDACTED. REDACTED removed the live bird after the brush cabinet but before it entered the scald vat. After the bird was removed from the line, it was observed that the birds eyes were blinking with rhythmic breathing and its head still tucked under its chest. There was an ineffective cut on the neck muscle which would not have allowed the bird to bleed out properly before it entered the scald vat. REDACTED. REDACTED placed the bird back onto the kill line to allow it to go back through the stunner and the kill blade to allow proper bleeding. REDACTED. REDACTED stated that the kill blade was replaced and adjusted. I discussed my finding with REDACTED 3rd Shift REDACTED. I recommend that REDACTED. REDACTED review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter and provided him a copy of this document. I notified REDACTED. REDACTED that this MOI will be forwarded to the District Office and the REDACTED (REDACTED) in case additional follow-up is recommended. Please be advised of MOI RHB5202084623I written on 8/23/2021 for a similar GCP issue, and a preventive measure given was the kill blade height was incorrect and it was adjusted.

Memorandum of Interview, September 23, 2021:

At approximately 20:27hrs on September 23, 2021 while performing a routine Good Commercial Practices Verification task, before the brush cabinet but before the scald vat I observed a small size live bird headed to the brush cabinet about to enter the scald. The small bird at the time of my observation had its eyes open and blinking with the head elevated as to have it tucked under its chest and after it went through the brush cabinet, it was flapping its wings. REDACTED. REDACTED, REDACTED was present during my observation. REDACTED. REDACTED removed the live bird after the brush cabinet but before it entered the scald vat. After the bird was removed from the line, it was observed that the bird's eyes were blinking with rhythmic breathing and it was flapping its wings as to try and right itself. REDACTED. REDACTED placed the bird back onto the kill line to allow it to go back through the stunner and the kill blade to allow proper bleeding. REDACTED. REDACTED stated that he talked to the backups to the kill blade and told them to pay better attention to the birds and had them use new knives. I notified REDACTED. REDACTED 3rd shift REDACTED of the GCP issue with the live bird. I recommend that REDACTED. REDACTED review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter and provided him a copy of this document. This MOI will be forwarded to the District Office and the REDACTED (REDACTED) in case additional follow-up is recommended. This MOI is associated with MOI number REDACTED The preventive measure of replace and adjust the kill blade did not prevent a reoccurrence from happening.

Memorandum of Interview, September 30, 2021:

At approximately 03:35 hrs on September 30, 2021 during 3rd shift while performing a routine Good Commercial Practices Verification task, I REDACTED observed a live bird about to enter the scald. The bird at the time of my observation had its head elevated, its eyes open and blinking and was clucking. REDACTED. REDACTED, REDACTED was present during my observation and immediately removed the bird from the line after the brush cabinet but before the bird entered the scald. After the bird was removed from the line REDACTED. REDACTED and me could not find a cut on the bird's neck. Its eyes were open with normal functions, had normal rhythmic breathing and if it was not for the performance of this GCP the bird would have entered the scald conscious and breathing. REDACTED. REDACTED 3rd shift REDACTED arrived in the area and was shown the live bird. REDACTED. REDACTED took the bird and placed it back onto the kill line to allow it to go back through the stunner and the kill blade to allow proper bleeding. REDACTED. REDACTED, REDACTED stated that when the second back-up neck cutter goes to break someone will take his place on the line. I recommend that REDACTED. REDACTED review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter. A copy is being attached to this MOI for the establishment review. I notified REDACTED. REDACTED that this MOI will be forwarded to the District Office and the REDACTED (REDACTED) in case additional follow-up is recommended. Please be advised of REDACTED written on September 23, 2021 for a similar GCP issue and a preventive given of; REDACTED. REDACTED stated that he talked to the backups to the kill blade and told them to pay better attention to the birds and had them use new

House of Raeford Farms Inc.

Greenville, South Carolina
of inspections: 268

IHSAN FARMS, LLC

Princess Anne, Maryland
of inspections: 112

JCG Foods of Alabama, LLC

Collinsville, Alabama
of inspections: 253

House of Raeford Farms of LA

Arcadia, Louisiana
of inspections: 262

J-Bar Poultry Processing, LLC

New Plymouth, Idaho
of inspections: 62

JCG Foods of Georgia, LLC

Pine Mt Valley, Georgia
of inspections: 254

HVFG, LLC

Ferndale, New York
of inspections: 141

Jaindl Turkey Sales Inc

Orefield, Pennsylvania
of inspections: 48



knives.

Jennie-O Turkey Store

Melrose, Minnesota

of inspections: 386

Memorandum of Interview, April 7, 2021:

On April 5, 2021 at approximately 17:00 hours while performing a Good Commercial Practices Task I made the following observations. ...I observed the turkeys in the lairage area on trucks, and on the conveyor to the CO2 stunner, exhibiting signs of heat stress. All the birds were panting rapidly, and a few per cage were standing with their wings dropped and panting as well. After observing the birds inside, I went to observe the turkeys in the live haul shed. The turkeys outside appeared comfortable, as all the fans were on, however according to their posted instructions, the foggers are to be turned on when the outdoor temperature reaches 80 degrees. When I checked the temperature it read 80 degrees, and the foggers were not running. I notified REDACTED, of my concerns. He called the live haul supervisor but did not get a response and subsequently attempted to get into contact with REDACTED. After this, I asked REDACTED how he could keep the birds inside cooler and he responded he could unload one trailer at a time leaving the birds in the live haul shed for as long as possible. I then asked if he could turn on the side wall fans in order to provide airflow for the turkeys on the trucks. One was not working, and he had maintenance fix it. When the side wall fans were on, the birds continued to show signs of heat stress. There are two overhead vents/fans in the lairage area, but the air does not circulate around the turkeys on the conveyor and these birds also continued to exhibit signs of heat stress. The establishment must employ humane methods of handling and slaughtering consistent with Good Commercial Practices. Poultry are to be handled in a manner that prevents needless suffering. Employing humane methods of handling and slaughtering that are consistent with Good Commercial Practices increase the likelihood of producing unadulterated, quality product. I notified REDACTED of my findings and discussion with REDACTED. REDACTED informed me they will have an establishment meeting about the situation.

Memorandum of Interview, May 4, 2021:

On May 1, 2021 at approximately 14:00 hours while performing a Good Commercial Practices Task I made the following observations. ...While observing the turkeys in the live haul shed, I noticed they were exhibiting moderate signs of heat stress. The fans were on, however according to their posted instructions, the foggers are to be turned on when the outdoor temperature reaches 80°. When I checked the temperature it read 86°, and the foggers were not running. I notified the REDACTED, of my concerns. He mentioned that the refrigeration department is responsible for the foggers and contacted them on the radio. He said they would take care of it. After an hour had passed, I returned to the live haul shed to find that the foggers were still not being used and the temperature still read 86 degrees I then asked REDACTED, why the foggers are not being used as it is 86 degrees. He responded that the foggers were broken, and maintenance already had the part ordered. In order to verify they were going to fix the foggers, I then contacted maintenance who suggested I talk to live haul. After calling Live haul multiple times I was unable to verify they were going to fix the foggers. There was no plant management present at the time to discuss my findings with. The establishment must employ humane methods of handling and slaughtering consistent with Good Commercial Practices. Poultry are to be handled in a manner that prevents needless suffering. Employing humane methods of handling and slaughtering that are consistent with Good Commercial Practices increase the likelihood of producing unadulterated, quality product. I discussed with REDACTED of my findings and asked to see a work order or part invoice.

Memorandum of Interview, June 7, 2021:

On June 4, 2021 at approximately 17:00 hours while performing a Good Commercial Practices Task I made the following observations. ...I observed the turkeys in the lairage area (hang and kill) on trucks, and on the conveyor to the CO2 stunner, exhibiting moderate to severe signs of heat stress. All of the birds were panting rapidly, and many per cage were standing with their wings dropped and panting as well. After observing the birds inside, I went to look at the turkeys in the live haul shed. The outside temperature was approximately 95 degrees Fahrenheit. Even though the fans and misters were working properly, the turkeys in the live haul shed were moderately heat stressed. The turkeys in the top cages appeared to be most affected by the heat as the fans do not reach the top cages. About half of these fans were blocked with moderate amounts of turkey feathers and debris. After observing the birds in the live haul shed, I then returned inside to alert REDACTED of my concerns; in particular, the birds in hang and kill. We discussed with REDACTED different options for keeping the turkeys cool. After this discussion, the establishment acquired more fans to be directed towards the turkeys. After a short time; however, these fans were too much for the power breaker to handle and were not in use. The establishment must employ humane methods of handling and slaughtering consistent with Good Commercial Practices. Poultry are to be handled in a manner that prevents needless suffering. Employing humane methods of handling and slaughtering that are consistent with Good Commercial Practices increases the likelihood of producing unadulterated, quality product.

Memorandum of Interview, June 8, 2021:

On June 7, 2021 at approximately 19:00 hours while performing a Good Commercial Practices Task I made the following observations. ...I observed the turkeys in the lairage area (hang and kill) on trucks, and on the conveyor to the CO2 stunner, exhibiting moderate to severe signs of heat stress. All of the birds were panting rapidly, and many per cage were standing with their wings dropped and panting as well. Some cages were overloaded wherein birds were not able to rise. I voiced my concerns to REDACTED and he advised the hang and kill supervisor to spray the floors with water in front of the three working floor fans. REDACTED and I then went to observe the birds in hang

and kill, so I could explain my observations of heat stress and the necessity of finding a permanent acceptable solution to keep the turkeys cool. When we arrived, only part of the floor had been sprayed with water. Since the previous MOI IYW5815065907I written on 6-4-2021, the establishment has added three working floor fans to cool the birds on the CO2 conveyor and I asked for these fans to be moved closer to the birds, as they were approximately 20ft away. ..In the live haul shed, the birds were also exhibiting a moderate amount of heat stress. The birds in the top coops appeared to be most affected by the heat. They were panting heavily and many were standing with dropped wings. The outside temperature was approximately 93 degrees Fahrenheit according to their thermometer in the live haul shed. Approximately 25-50% of the fans in the holding shed were blocked by feathers and debris. Misters are available in the holding shed, but don't appear to be working as intended because of the lack of air flow with the fans. Since the previous MOI written on Friday, 6-4-2021 the establishment stated the fans would be cleaned over the weekend. The cleaning was either ineffective or not implemented. ..The slaughter data for 6-7-2021, in PHIS, showed a total of 514 Dead on Arrival (DOA) birds out of a total number of 80,746 turkeys received (0.63% DOA rate). The most DOAs came from Menagha, Lot# 9693, in which they had 301 DOAs out of 19,499 birds received which is approximately 1.54% DOA rate. When asked about the increasing DOA rates, the establishment commented that there was one load that was overstocked and they had already contacted the live haul department about the situation. ..This on-going concern is being discussed with establishment management daily. The establishment must employ humane methods of handling and slaughtering consistent with Good Commercial Practices. Poultry are to be handled in a manner that prevents needless suffering. Employing humane methods of handling and slaughtering that are consistent with Good Commercial Practices increases the likelihood of producing unadulterated, quality product.

Memorandum of Interview, June 8, 2021:

On June 8, 2021 at approximately 15:30 hours a meeting was held regarding Good Commercial Practices, in particular, heat stress in turkeys. ..The personnel in attendance were REDACTED, REDACTED and REDACTED. ..During this meeting we discussed the establishments further planned actions to mitigate the heat and lack of adequate ventilation in hang and kill. Their actions include putting a bay of fans on the wall on either side where the trucks are parked. They also mentioned unloading every-other pod off the truck to increase air circulation and finally, adding fans and possibly misters to the framing on the CO2 conveyor. We also talked about leaving the birds in the live haul shed for as long as possible as they are more comfortable. It has been observed in the past where the CO2 conveyor is full with pods and there is an additional truck inside. The trucks currently have one 20" fan to provide ventilation for a full load. I then voiced my concerns about the fans in the live haul shed being blocked by feather and debris, and the birds in the top cages experiencing greater heat stress because the fan does not reach the top. ..Following the aforementioned meeting, at approximately 16:00 hours on 6-8-2021 I performed a Good Commercial Practices task and made the following observations. ..On line 2, I saw the CO2 conveyor was full with pods of turkeys exhibiting moderate heat stress. 90% of the birds were panting rapidly, and many per cage were standing with their wings ..dropped and panting as well. In addition to the full conveyor, there was a full truck parked waiting to be unloaded. Since we just discussed this scenario in the above meeting, I immediately contacted REDACTED and asked him why they have a full conveyor and a full truck inside. He explained that there was a misunderstanding and he thought we talked about the trucks being parked immediately outside. I clarified the trucks should remain in the live haul shed for as long as possible as they are more comfortable outside with the fans and misters. I asked him to calculate the time it takes for the pods to go through the stunner to not have a full conveyor and full truck inside at the same time. REDACTED said that it was possible to time it where there would only be three full pods on a truck at a time. Since the previous MOI IYW5114063408I written on 6-7-2021 the establishment has added one more floor fan and two fan misters directed at the birds on the CO2 conveyor. The birds in front of the fans with misters appeared to be less stressed than the birds without a fan. ..In the live haul shed, the birds appeared to be comfortable, but the birds in the top coops appeared to be most affected by the heat and were panting rapidly with their wings dropped. The outside temperature was approximately 95 degrees Fahrenheit according to the thermometer in the live haul shed. There were two employees cleaning the fans. In addition to observing the birds I also noticed one bay of misters not working properly and one wall of fans not working with birds parked inside. I notified REDACTED of my findings. ..This on-going concern is being discussed with establishment management daily. I explained the importance of immediate actions as the forecast shows high temperatures for the next ten days. The establishment must employ humane methods of handling and slaughtering consistent with Good Commercial Practices. Poultry are to be handled in a manner that prevents needless suffering. Employing humane methods of handling and slaughtering that are consistent with Good Commercial Practices increases the likelihood of producing unadulterated, quality product.

Memorandum of Interview, July 2, 2021:

On July 1, 2021 at approximately 14:00 hours while performing a Good Commercial Practices Task, in first processing, I made the following observations. In one stack on the CO2 conveyor, there were two cages of birds each with numerous dead turkeys. These dead birds formed a layer on the bottom of the cages with live birds resting on top of them. Following these observations, I notified REDACTED (First REDACTED) of my findings. We discussed the stocking density of these cages, and I requested that those cages be tagged and counted. After the tagged cages exited the CO2, they were dumped and counted. The total count for the tagged cages were approximately REDACTED birds each. A normal stocking density is around REDACTED birds per cage for light hens. The slaughter data for 7-1-2021, in PHIS, showed a total DOA count for Lot #9801, Winter Creek Holles, was REDACTED out of REDACTED total birds. This is a DOA rate of 1.2%. The total DOA count for Lot #9800, Pearson C, was REDACTED out of REDACTED total birds giving a 1.6% DOA rate. The average DOA rate for p544 is 0.2%. A similar overstocking incident occurred on 6-7-2021 which is mentioned in MOI #IYW5114063408I. I discussed the

overstocking of cages with REDACTED (REDACTED Manager) and he informed me that Live Haul has been notified that their actions are unacceptable. The establishment must employ humane methods of handling and slaughtering consistent with Good Commercial Practices. Poultry are to be handled in a manner that prevents needless suffering. Employing humane methods of handling and slaughtering

Jennie-O Turkey Store

Faribault, Minnesota

of inspections: 277

Jennie-O Turkey Store Sales, LLC

Willmar, Minnesota

of inspections: 270

Jennie-O Turkey Store Sales, LLC

Barron, Wisconsin

of inspections: 256

that are consistent with Good Commercial Practices increases the likelihood of producing unadulterated, quality product.

Joe Jurgielewicz & Son, Ltd.

Hamburg, Pennsylvania

of inspections: 200

Memorandum of Interview, July 9, 2021:

At approximately 1000 hours while observing "Good Commercial Practices" REDACTED. REDACTED and myself observed the following: Employees who are pushing the duck to the conveyor for live hang were tossing the ducks approximately 3 feet to get the ducks closer to the conveyor. REDACTED. REDACTED immediately instructed the employee not to toss the ducks. This has been happening frequently, I have spoken to management many times about this exact issue. REDACTED was not in the area to inform him of the issue with the

Joyce Foods, Inc.

Winston Salem, North Carolina

of inspections: 49

Keystone Foods, LLC

Camilla, Georgia

of inspections: 236

of inspections: 127

Koch Foods LLC

Morristown, Tennessee

of inspections: 244

Kadejan, Inc.

Glenwood, Minnesota

of inspections: 74

Keystone Foods, LLC.

Baker Hill, Alabama

of inspections: 260

Koch Foods of Montgomery, AL

Montgomery, Alabama

of inspections: 252

Kam Fung Wong

Brooklyn, New York

of inspections: 154

King and Sons Poultry Service Inc

Bradford, Ohio

of inspections: 63

Koch Foods of Ashland, LLC

Ashland, Alabama

of inspections: 262

Keystone Foods, LLC

Albany, Kentucky

of inspections: 269

Kiryas Joel Poultry Processing Plant

Monroe, New York

tossing of the ducks. I myself also observed the unloading crew tossing the "slow/injured" into the back of the pick up truck from the unloading ramp.

Koch Foods of Gadsden, LLC

Gadsden, Alabama

of inspections: 248

Memorandum of Interview, August 12, 2021:

On 8/10/21 at approximately 0022 while performing the Good Commercial Practices Verification Task in Live Hang, I observed several birds on the floor and under the conveyor belt (Line 1 & 2). I looked at the end of the conveyor belt where live hang personnel put dead birds and I observed several live birds comingled with dead ones. I shined my flashlight on them, and the live hangers took the live birds and started hanging them. I proceeded to the scald vat 2 area and checked the condemn barrel. There, I found an alert, live bird comingled in with dead. The live bird was partially covered with fecal debris and feathers. I didn't see a supervisor around, so I notified the lead person for Line 1 and 2 about the live bird. Additionally, I observed carcasses in the condemn barrel with heads still intact, which is not in alignment with the establishments typical procedures of removing the heads of DOAs. I asked the lead person to find me the supervisor. After a few seconds, REDACTED showed up and I explained to him my findings and notified him of the forthcoming GCP MOI documenting these events. While I was talking to REDACTED, Superintendent REDACTED arrived and was also notified.

Memorandum of Interview, September 15, 2021:

At approximately 0535 while performing the poultry good commercial practices verification task, while walking on the catwalk above the dumping area, I observed two dead birds crushed under the back wall between the bottom part of the dumping cage and the belt where the bird are dumped onto to the belt. I then observed a live bird which was being pulled under by the belt to the location of the afore-

mentioned other two birds. This bird was caused undue excitement and at imminent risk for accidental injury or death. I immediately notified REDACTED of my observations and of the forthcoming GCP MOI. The two dead birds were removed and disposed of properly, and the one live bird was placed back onto the belt with the other live birds.

Koch Foods of Mississippi

Morton, Mississippi

of inspections: 268

Memorandum of Interview, July 28, 2021:

To: REDACTED, REDACTED, REDACTED At approximately 2111 hour on July 25, 2021, while performing a Good Commercial Practice Tasks I REDACTED observed a live bird breathing in the small bird bin in a pile of DOAs in the Live Hauling area. I immediately notified the Lead man REDACTED. He removed the bird from the DOA bin his head was up, his eyes open and he seemed alert. REDACTED. REDACTED euthanized the bird by manual cervical luxation. REDACTED was notified of my findings and was verbally informed of the issuing of this written noncompliance record.

Koch Foods, LLC

Chattanooga, Tennessee

of inspections: 264

Memorandum of Interview, April 14, 2021:

While performing the Good Commercial Practices Verification task and observing the birds enter the scalding room from 12:40 until 1:01, I, REDACTED, observed 4 live birds enter the scalding room on the 280 (fast) side. The line had been stopped on that side when I first started my observation. It started back up ~12:41. At 12:42, I observed the first live bird enter the scalding room. At 12:42:59, I observed the 2nd live bird enter the scalding room. At 12:45, the 3rd and at 12:51, the 4th live bird entered the scalding room. These birds had their necks and heads raised, eyes open looking, and two of them blinked. There were no observable cuts made to the necks of these birds. I continued to observe for 10 more minutes and did not observe any more live birds entering the scalding room. I left the scalding room and did not see a supervisor to notify of my findings in the scalding room or on the evis floor. I went to the front and informed REDACTED of my findings and of the forthcoming GCP MOI documenting these events.

Memorandum of Interview, April 23, 2021:

While performing the Good Commercial Practices task on April 22, 2021, I, REDACTED, observed 8 live birds enter the scalding room on the 280 line and 1 enter the scalding room on the 140 line. These birds entered the scalding room between 2240 and 2245. The birds on the 280 line were alive and alert with necks raised and eyes blinking. They had no evidence of cutting or bleeding. The one bird on the 140 line was alive and blinking with rhythmic breathing. It was improperly cut and not bleeding much. Its head was only slightly raised. There was no attendant on duty at the time. When the attendant arrived there were several more live uncut birds removed from the line before entering the scalding room. I informed REDACTED of the findings and the impending GCP MOI. ..REDACTED

Memorandum of Interview, May 5, 2021:

While performing a Good Commercial Practices Verification Task, I, REDACTED, observed two live birds enter the scalding room alert and blinking at approximately 0035. There was one on each line. Each bird appeared to be improperly cut and were still alert and blinking. There was an attendant present and removing live birds but was unable to keep up. I informed REDACTED, REDACTED, and REDACTED of the GCP violation and the impending GCP MOI.

Noncompliance Record Description, May 25, 2021:

On 3rd shift the night of May 25, 2021 at approximately 0015 hours while performing the Good Commercial Practices verification task, I, REDACTED, observed 24 live birds enter the scalding room on the 280 line. All of these birds were alive and uncut with heads up and blinking as they entered the scalding room. There was no plant attendant monitoring the lines before the scalding room. The first 3 birds entered the scalding room at 0015, the second group of 4 at 0017 and then they continued until 0024 when I went to the cutter and there was no back up cutter at the station. I proceeded to live hang and had the live hang supervisor stop hanging birds. I tagged out the line with US Reject tag #B37111001. There was no one in the area with a radio so I found night shift plant manager Johnny Sanders and informed him of the situation. I explained that the process was out of control and that live hang was tagged out and that a GCP non-compliance would be issued. I also informed him that a repeat GCP NR failure tonight, of the same root cause, would require District Management's approval, for removal of the tag. REDACTED came to explain the events leading up to the loss of process control and the GCP violations. The line had been stopped for repairs to a broken shackle and live hang and slaughter personnel were given a break. When the repairs were completed, they started the line to remove the birds still on the line. Live hang personnel began hanging birds again before the attendant and back up cutter returned from break. The plant response was to add an additional back up cutter to the 280 line and make sure that the attendant only monitors the line before the scalding room. They checked the salinity and voltage of the stunner. They will not allow the back up cutter to leave the line during breaks without a replacement. They will provide additional training to personnel and supervision in this area. I removed the tag after all of these measures were in place and continued to monitor throughout the evening. A follow-up verification check revealed no additional GCP deficiencies.

Memorandum of Interview, May 30, 2021:

While performing the GCP verification task at Koch Foods (P-7487) on 05/27/2021 at approximately 2315, I observed 1 live bird enter the

scalders on the 280 line. This bird was alive, alert and uncut with head up and blinking its eyes. It was part of a group of 5 live birds that approached the scalders. One of these 5 birds was improperly cut and the others were uncut and alert with heads raised and blinking. The attendant stopped the line and removed the other 4 birds. I notified REDACTED and REDACTED of my findings and of the impending GCP MOI. I continued to monitor the line throughout the night and observed 3 other live and uncut birds approach the scalders. They were removed by the attendant after stopping the line.

Memorandum of Interview, June 16, 2021:

I, REDACTED, while performing the Good Commercial Practices task at approximately 01:58 on June 16th, observed a total of 7 live birds enter the scalders on the 280 line. While all of the birds were alert with heads up, eyes open and blinking, five were uncut and two were improperly cut. During this time there was no attendant on the line and both lines head pullers were clogged with heads and other parts. After the first 5 birds went in to the scalders alive, I went around to the stunner and cutter to observe the process. I saw the first back up cutter cut three uncut birds and point to a fourth. The second back up cutter grabbed the bird, saw a spot of blood and let it go with out cutting it. I followed this bird through the system and observed it enter the scalders alive with head up, alert and blinking. I notified REDACTED of the impending GCP MOI. I returned to observe the line at approximately 04:00 and found 2 live birds on the floor that had been removed from the line. The attendant arrived shortly thereafter. There were 6 live birds that approached the scalders. The line was stopped for 5 birds and they were either removed or heads were pulled. One more live bird entered the scalders while the attendant was there. REDACTED came to observe the birds entering the scalders and saw more live birds approach the scalders. Adjustments were made to the cutter.

Memorandum of Interview, June 22, 2021:

While performing the Good Commercial Practices verification task at approximately 02:20 I observed a total of 6 live birds enter the scalders. On the 140 line there were 2 live and uncut birds with heads up and blinking as they entered the scalders. On the 280 line there were 4 live and uncut birds that were alert with heads raised and blinking as they entered the scalders. During the 8 minutes that I observed the line, the designated plant attendant was present, but was not able to keep the head pullers unclogged from heads and other parts, and did not stop the line to prevent the live birds from entering the scalders. I informed REDACTED of the GCP issues and the impending MOI. REDACTED went to personally monitor the lines. At approximately 03:35, I returned and performed an additional verification check for approximately 8 minutes and no more live birds entered the scalders.

Memorandum of Interview, July 8, 2021:

While performing the Good Commercial Practices verification task at approximately 0030, I, REDACTED, observed 2 live and uncut birds enter the scalders on the 280 line. Both birds were alert with heads raised and blinking with no observed cuts to the neck. There was no attendant on the line to monitor when the first bird went into the scalders alive, but attendant REDACTED was there when the second one went in. I notified REDACTED and night shift REDACTED of the GCP violation and the impending MOI. As part of the establishments corrective actions from GCP NR# SPG5301055526N/1, an attendant is to be posted in front of the scalders as a final intervention. As stated, there was no establishment attendant present at the pre-scald location during a portion of this GCP verification check.

Memorandum of Interview, July 28, 2021:

I, REDACTED, while performing the Good Commercial Practices verification task at approximately 0020, observed one live bird enter the scalders on the 280 line. The bird was alert with head raised and eyes blinking, with no observable cuts to the neck as it entered the scalders. There were two attendants and a supervisor present as the bird went in the scalders, but their attention was focused on the 140 line at the time. I pointed to the bird as it came through, but establishment interventions were unable to prevent it from entering the scalders. I informed night shift REDACTED of my findings and of the impending GCP MOI.

Memorandum of Interview, September 2, 2021:

On 9/2/2021 at approximately 0811 hours, I performed a Good Commercial Practice Verification Task prior to the scald tanks. During this task, I observed one young chicken out of a subset of 500 to be alive while entering the scald tank on the 280 system. The young chicken had lifted its head in a manner causing it to miss the second and third head pullers that were in my line of sight. The bird had its eyes open with no observable cut to the neck. A second verification check of approximately REDACTED birds was conducted prior to the scald tanks and there were no live birds observed entering the scald tanks during this retest. REDACTED was informed of the finding. I explained my observations and informed him that a Good Commercial Practice Memorandum of Interview (GCP MOI) was going to be documented and a copy forwarded to the appropriate personnel in the Jackson District Office. Respectfully submitted, REDACTED. REDACTED, REDACTED Cc: REDACTED. REDACTED, REDACTED; REDACTED. REDACTED, DM; REDACTED. REDACTED, DM; REDACTED. REDACTED, REDACTED

Koch's Turkey Farm

Tamaqua, Pennsylvania

of inspections: 201

Kraft Heinz Foods Company

Newberry, South Carolina

of inspections: 125

Memorandum of Interview, July 7, 2021:



At approximately 1148 hr. while examining live birds, I noted numerous dead birds on the trailers. The birds were overcrowded in the cages, resulting in birds dying in a standing position (Trailer 408). The birds were dry and obviously heat stressed as noted by the heavy panting, outstretched necks, and dead birds. I immediately proceeded to the shed area. The temperature was 88 degrees, and 75% of the bays did not have misters on or operating. The establishment program requires misters to be on at or above 80 degrees. Excessive dead birds were found in live hang (from one of the trailers with dead birds noted). At least 2 grey cartful's were accumulated in less than 30

Krehbiels Specialty Meats Inc

McPherson, Kansas
of inspections: 15

La Belle Farm Inc

Ferndale, New York
of inspections: 110

Lake Haven Custom Meat Processing, LLC

Sturgeon Lake, Minnesota
of inspections: 36

Lemay and Sons Beef, LLC

Goffstown, New Hampshire
of inspections: 3

Lincoln Premium Poultry

Fremont, Nebraska
of inspections: 216

LOCUST POINT FARMS, LLC

Elkton, Maryland
of inspections: 108

Mao Foods, Inc.

Los Angeles, California
of inspections: 67

minutes. All of these birds were dry, indicating that they had not had misters on them. REDACTED - I will follow up with REDACTED to see why the misters were not on.

Maple Leaf Farms, Inc.

Milford, Indiana
of inspections: 265

Memorandum of Interview, April 19, 2021:

At approximately 0500 on 4/19/21, I REDACTED observed a duck that was lifting its head and looking around about to enter the scalding. The duck was removed from the shackles and placed on a wheeled rack. The duck remained there for approximately 5 minutes in the rack. REDACTED came and took the duck and his plan was to re-stun the duck before re-sticking it. I told him not to re-stun it based on previous guidance a few years ago when the plant was experimenting with their stunner. For clarification, I checked with the District Veterinary Medical Specialist (DVMS), and re-stunning in this instance would be acceptable. It is most important to not allow recovery after having been stunned, and to re-stun or re-stick as soon as possible. Ducks that are pulled off the line because they have not bled out and are regaining consciousness before entering the scalding should be re-stunned or re-stuck as soon as possible.

Maple Wind Farm

Richmond, Vermont
of inspections: 44

Mar-Jac Poultry-AL

Jasper, Alabama
of inspections: 263

Mar-Jac Poultry-MS

Hattiesburg, Mississippi
of inspections: 263

Memorandum of Interview, May 17, 2021:

REDACTED..Mar-Jac Poultry, MS..1301 James Street Hattiesburg, MS 39401..REDACTED, ..At approximately 0346 hours on May 17, 2021, the following less than Good Commercial Practices (GCP) incident was observed at Mar-Jac Poultry in Hattiesburg, MS. One (1) alert, live, young chicken with no cut to its neck, its head raised and breathing from an approximate 500 bird random sample entered the scald tank on the North picking line which feeds evisceration line #1. REDACTED, was verbally notified of the incident at approximately 0350 hours. A second verification check of an approximate 500 bird random sample on the North picking line at approximately 0405 hours did not have any live bird(s) entering the scald tank. This incident was determined to be an isolated event and not a loss of process control or systemic event. REDACTED was advised a GCP Memorandum of Interview would be issued to management documenting these events. ..Respectfully, ..REDACTED, Hattiesburg, MS 39401..cc: ..REDACTED ..REDACTED ..REDACTED

Memorandum of Interview, August 5, 2021:

REDACTED
Complex Manager
Mar-Jac Poultry, MS
1301 James Street

Hattiesburg, MS 39401

REDACTED. REDACTED, At approximately 0513 hours on August 5, 2021, the following less than Good Commercial Practices (GCP) incident was observed at Mar-Jac Poultry in Hattiesburg, MS. One (1) alert, live, young chicken with no cut to its neck, it's head raised, breathing, and blinking from an approximate REDACTED bird random subgroup sample entered the scald tank on the North picking line which feeds evisceration line #1. REDACTED, Night Shift 1st REDACTED, and REDACTED, REDACTED Manager, were verbally notified of the incident at approximately 0515 hours. A second verification check of an approximate REDACTED bird random subgroup sample on the North picking line at approximately 0555 hours did not have any live bird(s) entering the scald tank. This incident was determined to be an isolated event and not a loss of process control or systemic event. REDACTED. REDACTED was advised a GCP Memorandum of Interview would be issued to management pending review by REDACTED. REDACTED. Respectfully, . _____ REDACTED. REDACTED II REDACTED, Hattiesburg, MS 39401 cc: REDACTED. REDACTED, DDM REDACTED. REDACTED, REDACTED. REDACTED, REDACTED

Memorandum of Interview, August 6, 2021:

REDACTED

Complex Manager
Mar-Jac Poultry, MS
1301 James Street
Hattiesburg, MS 39401

REDACTED. REDACTED, At approximately 0334 hours on August 6, 2021, the following less than Good Commercial Practices (GCP) incident was observed at Mar-Jac Poultry in Hattiesburg, REDACTED. One (1) alert, live, young chicken with no cut to its neck, it's head raised, breathing, and vocalizing from an approximate REDACTED bird random subgroup sample entered the scald tank on the North picking line which feeds evisceration line #1. REDACTED, Night Shift 1st REDACTED, and REDACTED, REDACTED Manager, were verbally notified of the incident at approximately 0335 hours. A second verification check of an approximate REDACTED bird random subgroup sample on the North picking line at approximately 0455 hours did not have any live bird(s) entering the scald tank. This incident was determined to be an isolated event and not a loss of process control or systemic event. REDACTED. REDACTED was advised a GCP Memorandum of Interview would be issued to management pending review by REDACTED. REDACTED. Respectfully, . _____ REDACTED. REDACTED II REDACTED, Hattiesburg, MS 39401 cc: REDACTED. REDACTED, DDM REDACTED. REDACTED, REDACTED. REDACTED. REDACTED

Mar-Jac Poultry, Inc.

Gainesville, Georgia
of inspections: 259

Marble City Meats LLC

Sylacauga, Alabama
of inspections: 36

Memorandum of Interview, August 17, 2021:

16 out of 45 of the establishment owner Turkeys died on the trailer during transport from field to slaughter. Trailer was backed up at poultry dock during lunch and REDACTED conducted an antemortem inspection at the end of lunch. upon conducting antemortem, REDACTED noticed several had already died and several more were in the process of dying. A clear count could not be determined at said time because the live turkeys were standing on top of the dead and dying. REDACTED inquired with establishment employees about dead turkeys and was informed that they were aware of the situation and they had already contacted establishment owner & Haccp Coordinator. After lunch establishment finished slaughtering the remaining 9 crates of chickens (between 81-108 birds) before starting turkey

MB Consultants LTD

South Fallsburg, New York
of inspections: 130

**Meat Science and Animal
Biologics Discovery**

Madison, Wisconsin
of inspections: 6

Mekong Fresh Meats, Inc.

Mosinee, Wisconsin
of inspections: 71

Meridian Meat Packers

Meridian, Idaho
of inspections: 32

**Michigan Turkey Producers
Co-op, Inc.**

Wyoming, Michigan
of inspections: 99

Midwest Poultry Processing LLC

Rutledge, Missouri
of inspections: 60

Misty Knoll Farms

New Haven, Vermont
of inspections: 70

Misty Lea Farm Poultry Processing

Pembroke, Kentucky
of inspections: 104

Morning Star Poultry

Fort Plain, New York
of inspections: 81

Mountaire Farms Inc.

Siler City, North Carolina
of inspections: 260

Mountaire Farms Inc.

Selbyville, Delaware
of inspections: 272

**Mountaire Farms Inc. - NC
Division**

Lumber Bridge, North Carolina
of inspections: 272

slaughter. Upon discussion with establishment owner, he stated that he believed that it was the heat and the overcrowded trailer that caused the several death. He further stated that they should have slaughtered Turkeys first before slaughtering chickens. unknown the total weight of the dead. REDACTED ensured that all DOA turkeys were removed and placed in inedible barrels and were not processed.

Mountaire Farms of Delaware, Inc.

Millsboro, Delaware

of inspections: 394

Memorandum of Interview, June 11, 2021:

At approximately 1820 hours on June 11, 2021, while REDACTED was completing GCP/Antemortem verification, the following was observed at Establishment P3. On the West cage dumper conveyors immediately before passing through the wall into the live hang area a chicken was observed to be caught under the side guide rails with its body on the outside of the divider and the wings on the inside of the divider. I showed this to REDACTED who removed the chicken. Upon retrieval, the chicken was examined and found to have torn breast, skin and feathers and was not alive. It is reasonable to conclude that this chicken died by being caught in this location and not by slaughter. ..Additionally, another chicken carcass was found underneath the rollers leading to the west cage dumper. This was not a complete carcass. So after waiting for the rollers to be clear of cages, it was found that the remaining chicken carcass parts were up on the roller platform on the flat spaces between the rollers. The chicken parts above and below the rollers were shown to REDACTED who removed the pieces. It is reasonable to conclude that this chicken died by being crushed under the cages and not by slaughter. ..Due to both of these observations, I informed REDACTED of finding both dead chickens and that I would be writing this MOI. ..It is recommended that establishment management review the Federal Register on "Treatment of Live Poultry before Slaughter", published September 2005 for FSIS recommendations concerning treatment of live poultry prior to slaughter. REDACTED was notified that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. ..Sincerely, ..REDACTED ..Mountaire Farms of Delaware, Establishment P3 ..29005 John J Williams Highway Millsboro, DE 19966

Memorandum of Interview, June 14, 2021:

At approximately 1919 hours on June 14, 2021, while REDACTED was completing GCP/Antemortem verification, the following was observed at Establishment P3. On the West cage dumper conveyors it was found that there was a chicken carcass in segmented parts scattered across the flat spaces between the rollers on the roller platform. It is reasonable to conclude that this chicken died other than by slaughter. This incident is identical to the second dead chicken found on June 11, 2021 and documented in the GCP MOI #OC-G3421065711G, as it occurred in the same area on the same equipment. Because of this identical finding, I had asked REDACTED to come out to the dumping area so that he could be shown where this was occurring. REDACTED and REDACTED were informed that I would be writing this MOI to document these observations...It is recommended that establishment management review the Federal Register on "Treatment of Live Poultry before Slaughter", published September 2005 for FSIS recommendations concerning treatment of live poultry prior to slaughter. REDACTED and REDACTED were notified that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. ..Sincerely, ..REDACTED

Memorandum of Interview, July 21, 2021:

At approximately 1719 hours on July 21, 2021, while REDACTED was completing GCP/Antemortem verification, the following was observed at Establishment P3. Out at the live haul sheds in the third truck stall from the litter dumpster a dead chicken was found that had a smashed head and neck. I showed this to REDACTED who removed the dead chicken from the truck stall. It is reasonable to conclude that this chicken died by being ran over, not slaughter. It is recommended that establishment management review the Federal Register on "Treatment of Live Poultry before Slaughter", published September 2005 for FSIS recommendations concerning treatment of live poultry prior to slaughter. REDACTED was notified that this MOI will be forwarded to the District Office and the REDACTED (REDACTED) in case additional follow-up is recommended. Sincerely, REDACTED, REDACTED Mountaire Farms of Delaware, Establishment P3 29005 REDACTED, DE 19966

Memorandum of Interview, July 26, 2021:

At approximately 1640 hours on July 26, 2021, while REDACTED was completing GCP/Antemortem verification, the following was observed at Establishment P3. On the west cage dumper conveyors immediately before passing through the wall into the live hang area a chicken was observed to be caught under the side guide rails with its body on the outside of the divider and its head and neck caught under the divider. The was no limb or breathing movement from the chicken at the time of the observations, and the skin and feathers were torn off one of the breasts by the movement of the conveyor. I notified REDACTED who had the chicken carcass removed, and when it was pulled from being caught in the side guide rails, the head had already separated from the body from the movement of the conveyor. It is reasonable to conclude that this chicken died by being caught in this location and not by slaughter. I also notified REDACTED that I would be writing this MOI. This incident is identical to the first dead chicken found on June 11, 2021 and documented in GCP MOI OCG3421061211I, as it occurred on the same location on the same conveyor. I also went and found Nightshift Production REDACTED to inform him of my findings and that I would be writing this MOI to document these observations. It is recommended that establishment management review the Federal Register on "Treatment of Live Poultry before Slaughter", published September 2005 for FSIS recommendations concerning treatment of live poultry prior to slaughter. REDACTED and REDACTED were notified that this MOI will be forwarded to the District Office and the REDACTED (REDACTED) in case additional follow-up is recommended. Sincerely, REDACTED, REDACTED

Memorandum of Interview, August 26, 2021:

At approximately 0856 hours while performing Good Commercial Practice Verification I observed 1 conscience live bird miss the kill blade on line 3. The establishment's back-up REDACTED missed the conscience live bird which then entered the scalders. First REDACTED was notified of the observation of a live bird entering the scalders. I then went to where the birds come out of the last picker while Superintendent REDACTED went to the kill blade area. I observed a cadaver, head intact with no cut to the neck, exit the picker which was removed by the hot rehang employee and placed in a condemn barrel. Upon further investigation I observed 2 additional cadavers (1 with head intact and no cut to the neck) in the condemn barrel. To verify that the process was under control, I returned to the kill blade area. As I was traveling to the kill blade area, I observed a 4th cadaver exit the 2nd picker of line 3 which was also observed by Superintendent REDACTED who removed the cadaver from the line and condemned it. At line 3 kill blade I observed 300 stunned birds go through the kill blade. Out of the 300 birds, 1 missed the kill blade and the back-up REDACTED performed the cut to the neck. I observed that 2 back-up kill employees were now in place on line 3. I then traveled to the hot rehang belts for lines 1 and 2 where I observed a cadaver in a stainless-steel bin. The cadaver's head and neck was intact, had received a cut across the head and no cut the jugulars. Superintendent REDACTED was notified and shown the observation. Two hundred birds on lines 1 and REDACTED birds on line 2 were observed to receive cuts to the neck with proper exsanguination. First REDACTED and Processing Production REDACTED were notified of the observation of birds dying other than by slaughter. The verbal preventive measure was that all back-up kill employees and employees that provide breaks will receive re-training and there will be a verification of training effectiveness that will follow. It is recommended that establishment management review the Federal REDACTED on "Treatment of Live Poultry before Slaughter", published September 2005

Munsell's Poultry Processing, LLC

Fowlerville, Michigan
of inspections: 87

Natural State Processing

Clinton, Arkansas
of inspections: 78

New Lee's Live Poultry Market Inc.

Brooklyn, New York
of inspections: 184

for FSIS recommendations concerning treatment of live poultry prior to slaughter. REDACTED. REDACTED was notified that this MOI will be forwarded to the District Office and the REDACTED (REDACTED) in case additional follow-up is recommended. Respectfully, REDACTED. REDACTED, REDACTED Mountaire of Delaware, REDACTED Millsboro, DE. 19966

NEW MARKET POULTRY, LLC

New Market, Virginia
of inspections: 134

Memorandum of Interview, June 20, 2021:

On 4/19/2021 at about 1328 hours, I responded to the summons of the food inspector at Line 1, station 2. The inspector retained for me two carcasses for my disposition. One of these carcasses was a verified cadaver bird that was not decapitated, had no incisions on its neck, a dark red to purple color about the head area, and a generalized bright red skin color. It is reasonable to determine that this carcass was produced by a chicken that entered the scalding tank while still breathing [9 CFR 481.65(b)]. In addition, I reviewed the condemnation lot sheets for the shift at 1548 hours and counted nine (9) cadaver dispositions between the food inspectors. One (1) of these besides the aforementioned cadaver was personally confirmed by myself. Earlier while performing a GCP verification check, I noticed around 1245 hours that the slaughter knife had a miss rate of 5%, which is beneath the establishment's written expectation of 2% misses tolerated in the animal welfare policy. ..It is reasonable to determine that an unusual amount of chickens for the 4/19/2021 day shift either did not die by regulations-approved slaughter or otherwise did not sufficiently bleed out before entering the scalding water. While the "spent" heavy fowl are known to be of poorer constitution than younger and lighter birds, it behooves the establishment to euthanize antemortem birds unfit for slaughter that would be likely to produce carcasses with cadaverous features owing to conditions such as cardiac insufficiency.

Memorandum of Interview, May 19, 2021:

Today (5/19/2021) at about 0905 hours, I was observing the unloading of crates/coops with live chickens in them onto the conveyor belts. I observed an establishment employee pulling the crates at the tops of the stacks to the edge of the crates beneath them and allowing them to free fall crashing onto the trailer floor below. The crates fell onto their short face before toppling lengthwise onto their long face and then being dragged onto the conveyor belt by another employee. The dropping of live birds in this manner is negligent. Avians generally and the older heavy fowl typically slaughtered this establishment particularly have hollow and fragile bones. It is easy for fractures, bruising, and soft tissue mutilation to occur from mishandling and represents poor adherence to a standard for good commercial practices in protecting product from avoidable condemnable and trimmable defects. While giving breaks this morning between 0730-0740 hours and 1030-1040 hours, I noticed that some keel fractures and inguinal bruises in the eviscerated carcasses appeared recent with light red blood not thickly clotted and clean breaks that had no signs of healing. A pattern of such correlating observations antemortem and postmortem will call the establishment's compliance with 9 CFR 481.65(b) into question and merit documentation as such... Additionally, while inspecting slaughter operations at 1420 hours, I saw that the blood from the killing knife area had mixed with water from the unplugged basin of a sink left running and was pooling about the traffic area next to the shackle line. I notified the area lead,

Jose Santana of the failure of the floor drain and observed him use a claw hammer to unclog it. 9 CFR 481.65(b), as previously notified, not only outlines acceptable means of slaughter and exsanguination requirements but requires the establishment to limit the spread of blood released by said exsanguination.

Memorandum of Interview, September 28, 2021:

On 9/28/2021 I performed antemortem inspection of the fowl of the second lot slaughtered. While doing so, I assessed the efficiency of the hanging, stunning, and exsanguination portions of slaughter. After counting 500 fowl past the knife and 200 before the knife and before the stunner, I calculated a success rate of 96% for the stunner and 91% for the knife. Two different food inspectors stationed at different lines, during this lot, condemned four REDACTED birds as cadavers. An earlier assessment of the system during the first lot with zero (0) cadaver condemnations operated at 100% stunner and 98% knife efficacy. The establishment's Animal Welfare Policy establishes an expectation of 98% stunner and 9% knife success. I find it reasonable to conclude that the loss in system efficiency contributed to the production of cadaver birds which either entered the scalding water while breathing or were not slaughtered in time to adequately bleed and therefore produced an indistinguishable carcass [9 CFR 381.65(b)]. The production of 4 cadavers in a lot of REDACTED birds is not egregious, but either an egregious amount of cadavers or a consistent pattern under similar conditions would merit citation of non-compliance with the relevant regulation.

New Stockton Poultry

Stockton, California

of inspections: 130

NGF Processing, LLC

Petal, Mississippi

of inspections: 17

Norman W. Fries, Inc.

Claxton, Georgia

of inspections: 354

Memorandum of Interview, June 21, 2021:

At approximately 1340 hours, while observing conditions in the live hang cage area in the poultry receiving department, I observed one (1) live, weak young chicken in a large vat that contained approximately one hundred (100) dead chickens. I observed denaturant was dispensed into this vat. I summoned REDACTED to notify him of this finding. I showed REDACTED the live bird inside the large holding vat. He had an employee remove the live bird from the container and transfer it to the live bird conveyor belt. He stated the bird must have jump up over into the holding bin from the walkway. The live bird was unable to hold his head up from his position in the container. The container top was approximately 18 inches above the walkway. ...I reminded REDACTED that the PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices and that they not die from causes other than slaughter. I recommended that REDACTED review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter.

Memorandum of Interview, June 22, 2021:

On 06/21/2021 at 18:05 I, REDACTED, while in the live hang room during a GCP verification task observed a total of five live birds in three different DOA cans. Three were normal sized, moribund, but still breathing. Two were very small, but alert. I informed REDACTED of my findings. All five birds were euthanized by rapid decapitation. Returning to the area at 23:09 I found two more live birds in a DOA can which I showed to REDACTED and REDACTED. One was very small, conscious, but very weak. It was euthanized by rapid decapitation. The other was normal sized, alert, but buried under other (dead) birds and would have been suffocated had it not been found. It was put back into production. Please be reminded that the PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices and that they not die from causes other than slaughter.

Memorandum of Interview, June 23, 2021:

On 06/22/2021 at 21:07 I, REDACTED, while in the live hang room during a GCP verification task observed two live birds in a DOA can. I informed establishment employee REDACTED of my findings. One was normal sized but moribund and stopped breathing before I could show REDACTED. The other was normal sized and alert and put back into production. Please be reminded that the PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices and that they not die from causes other than slaughter. Because similar observations were made on 06/21/2021, also be advised that repeated similar findings could result in further regulatory actions.

Memorandum of Interview, June 30, 2021:

Est. P6505, Norman W. Fries, Inc., dba Claxton Poultry Farms. April 27, 2021, approximately 16:30. In attendance: REDACTED, and REDACTED. The purpose of this meeting was to review the GCP failures of Monday and the continuing GCP failures of Tuesday at start of shift...On April 26, 2021, at approximately 1730, while conducting the Good Commercial Practice task I found ten (10) live birds in various places on the floor in between the stunner and pickers..One (1) cold, wet, and alert small chicken huddled on the floor in a puddle of water just past the backup killers for lines one and two, in front of the blood trough. I picked it up and took it to the backup killers before

it could run underneath the blood troughs or fall into an open drain..Two (2) young chickens just before the line 1 and 2 backup killers inside the first blood trough. I brought it to the attention of the backup for line three who alerted another employee that was able to retrieve them from the trough. ..One (1) chicken on the floor under the stunner for line three, soaking wet and cold but alert. I caught it and took it into the live hang room to prevent it from falling into the open drain under the line two stunner. I showed it to the live hang supervisor, REDACTED, who elected to euthanize it because it was too small..Three (3) chickens in three different dead-on-arrival (DOA) barrels in the live hang room, all from line 3. The first chicken was alert and responsive; I heard it squawk when a DOA was thrown on top of it by an employee which alerted me to its presence in the barrel. I proceeded to examine the other barrels and found two birds in two different barrels being smothered; they appeared weak and poorly responsive when removed from the barrels. I showed REDACTED my findings as I examined each barrel, and he removed and elected to euthanize them by rapid decapitation. He then had an empty all the DOA barrels for that line to ensure there were no other live birds. I counseled REDACTED that live birds in the DOA barrels could be smothered and that the PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices and that they not die from causes other than slaughter..While leaving the live hang area, I found a second small chicken on the floor under the line three stunner. As I was picking that one up to prevent it from falling in the open drain, I saw a small chicken in the open drain under the line two stunner that was drowning and retrieved that one as well. The drowning chicken was very weak and poorly responsive. I took both birds back into the live hang room to show REDACTED and asked him to come out to the stunning area so he could see where I was finding the birds. During this time, I noted a third bird on the floor under some machinery just passed the automatic knives. REDACTED retrieved that bird; it was alive but very weak. He elected to euthanize all three birds by rapid decapitation. I reiterated that the regulations state that birds not die from causes other than slaughter and emphasized that the open drain posed a risk for drowning should a bird fall in it. I explained that these birds were at risk of dying other than by slaughter and that if I continued to find birds in areas where they could die other than by slaughter or were at risk of injury, that I would take regulatory control action. He claimed that the small birds sometimes slip through the shackles and that is why I was finding birds in these other areas..REDACTED came to the office to speak to me about my findings. I reviewed them all with her and she said she would work with her team to come up with a plan. I asked her to please update me with any corrective actions they decide to implement so that I can monitor the effectiveness. REDACTED also came by the office later to speak to me about my findings and he said he would meet with the personnel to increase monitoring of those areas and refresh them on the procedures for DOAs..At approximately 2340, I walked to live hang to see how many birds were left. I glanced into the area of the backup killers and saw that they had all left. I also noticed two chickens caught in the line three head puller and there seemed to be some movement from them. On closer examination, I saw that a live chicken had its leg caught in head puller along with a dead chicken that had its head stuck. I was able to find a plant employee who remove both chickens. On examination, I saw that the live one had both legs broken and no cut to the neck. I took it to REDACTED, who elected euthanized the chicken. I went back into the area where I found the bird to ensure no other live bird had been left unattended and noted that there were several birds in the blood trough where I had found the two live ones earlier in the day. I observed them for signs of movement but did not see any...On April 27, 2021, shortly after start of shift (approximately 1450-1500), I did a routine walkthrough of evisceration and live hang. I saw several problems from the day before which remained unaddressed. ..Two (2) live chickens in the stunning room within two feet of the open drain, which was overflowing. One was on its back attempting to right itself, and one was laying down under some machinery. I walked into live hang to tell REDACTED of my findings. He told one of the workers to retrieve the birds. The worker said he had already gone into the stunning room to retrieve the bird, but I asked them both to come with me to review the situation. REDACTED and the worker saw the two birds I had found, and the worker also found a third bird on the floor near the cutout in the wall where the lines pass through from live hang into the stunning room. Due to their larger size and alert state, REDACTED elected to rehang the birds..One (1) small live chick standing in the bottom of a DOA barrel with two DOAs. The barrels had been pulled away from the tables, but one was placed directly under line 3. REDACTED suspects that the bird had fallen off the shackle and into the barrel. He elected to euthanize the bird due to its small size and repositioned the barrel so that birds could not fall into it...I reminded REDACTED that the PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices and that they not die from causes other than slaughter. I recommended that REDACTED review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter. I notified REDACTED that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended...Respectfully, REDACTED, P6505 Claxton Poultry Farms.

Memorandum of Interview, July 20, 2021:

At approximately 1335 hours, while observing conditions in the picking room area, I observed one (1) live, weak young chicken laying in the drip pan covered with coagulated blood. I observed the bird was labored breathing as the head was partially submerged in the coagulated build-up blood inside this drip pan. These conditions created distress to this live bird treated in the described manner. Since establishment contact personnel/supervisor/manager, REDACTED was standing beside me accompanying me upon these inspections, I notified and showed him the distressed live bird. The live bird was unable to hold his head up from his position in the drip pan. I reminded REDACTED. REDACTED that the PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices and that they not die from causes other than slaughter. I recommended that REDACTED. REDACTED review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter.

Memorandum of Interview, July 29, 2021:

On 07/26/2021 at 18:34 I, REDACTED, REDACTED, while in the kill room during a GCP verification task observed a very weak, but alive, bird in a pool of water/blood on the floor under the stunners/kill wheels. I informed REDACTED who retrieved and dispatched the bird by rapid decapitation. Had I not found the bird, it most likely would have drowned. At 20:20 I found three live birds - two very weak on the floor under the kill lines and one covered in blood in the blood trough under the kill wheels. All three were retrieved by REDACTED. REDACTED and dispatched by rapid decapitation. Please be reminded that the PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices and that they not die from causes other than slaughter.

Memorandum of Interview, July 29, 2021:

On 07/27/2021 at 22:31 I, REDACTED, REDACTED, while in the kill room during a GCP verification task observed a weak, but alive, bird in an open drain under the stunners. I found and informed REDACTED, but by the time we returned to the area, the bird had drowned. Doing follow-up GCP checks at 23:07 and 23:28, both times I found and showed REDACTED one live bird in a DOA can. Please be reminded that the PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices and that they not die from causes other than slaughter.

Memorandum of Interview, July 29, 2021:

On 07/28/2021 at 17:50 I, REDACTED, REDACTED, while in the kill room during a GCP verification task observed a very weak, but alive, bird on the floor under the stunners/kill wheels. I informed REDACTED who retrieved and dispatched the bird by rapid decapitation. At 19:34 I found a very small, weak bird on the floor under the kill wheel area. As there was no establishment personnel in the area due to the meal break, I retrieved the bird, found REDACTED and gave him the bird. It was dispatched by rapid decapitation. Returning to the area at 21:59, in the Live Hang Room I found a live bird in a DOA can which I showed to REDACTED. Please be reminded that the PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices and that they not die from causes other than slaughter.

Memorandum of Interview, July 29, 2021:

On 07/29/2021 at 21:45 I, REDACTED, REDACTED, during a GCP verification task while in the line 1/2 scald/pick room observed a very weak, but alive, blood-soaked bird on the floor near the backup killer station. I informed REDACTED who retrieved and dispatched the bird by rapid decapitation. Please be reminded that the PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices and that they not die from causes other than slaughter.

Memorandum of Interview, August 27, 2021:

On 08/23/2021 at 16:25 during a routine GCP task I observed a partially buried bird that appeared to be breathing in the DOA dumpster. Not finding a Supervisor in the immediate area, I asked REDACTED to radio for someone to meet me at the dumpster. At 16:29 REDACTED retrieved the bird from the dumpster. The bird was alert and responsive with no apparent injury/illness. The bird was, however, covered with denaturing solution. The bird was euthanized by rapid decapitation and discarded. Please be reminded that the PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices and that they not die from causes other than slaughter.

Memorandum of Interview, August 27, 2021:

Est. REDACTED, REDACTED (DBA Claxton Poultry Farms), August 27, 2021, 1232 hours. REDACTED. REDACTED, REDACTED, MSHS, REDACTED/REDACTED; REDACTED. REDACTED, Production Manager; REDACTED. REDACTED, Food Safety Supervisor; and REDACTED. REDACTED, Production Manager. While performing a Poultry Good Commercial Practices verification task, I observed a live bird inside the blood trough (Picking Room Lines 1 & 2) struggling to keep afloat in the pull of blood. I immediately notified Production Manager, REDACTED, who had the bird retrieved by the back-up killers for Lines 1 & 2. The bird was then properly and humanely handled according to good commercial practices. I also observed four birds with their legs caught between the cage dump conveyor and the outside part of the live hang conveyor system #2. The birds were already dead with their legs tightly trapped between the junction part of both conveyors on the left side. I immediately notified Production Manager, REDACTED, who had the dead birds removed and disposed. He also assigned an employee to perform frequent monitoring checks in the conveyors area to prevent any live bird from getting trapped until repairs could be made to the conveyors by the Maintenance Department. I also verbally notified Production Manager, REDACTED, and Food Safety Supervisor, REDACTED, of the findings. Please be reminded that the PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices and that they not die from causes other than slaughter. I recommend the review of Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter. A copy of this document is attached. REDACTED, REDACTED, MSHS, REDACTED/REDACTED Est. REDACTED

Northern Pride, Inc.

Thief River Falls, Minnesota

of inspections: 137

Memorandum of Interview, September 11, 2021:

About 4:45 A.M. while performing antemortem on trailer 16 I found a bird that had fallen through the cage it was in so that its lower half

was in the cage below. I showed REDACTED who was nearby and he got a ladder to help the bird. The birds reacted to him climbing up the ladder and the bird that was stuck climbed out of the hole in the floor.

Memorandum of Interview, September 13, 2021:

At 1:20 A.M. while performing antemortem I observed on trailer number 16 a hole present in a cage up top of the trailer. I made the plant aware of the issue last week and was told by REDACTED that it would be taken care of after the trailer was emptied.

NY Livestock Market Inc.

Brooklyn, New York

of inspections: 156

Noncompliance Record Description, April 15, 2021:

On 4/15/2021 at approximately 0640hrs, under supervision of REDACTED, in the slaughter room I observed the following noncompliance. A employee removing 6 live birds (young chickens) from the bleed cones and placing them in barrels. This is in violation of 9cfr-381.65(b). Which states "Poultry must slaughter in accordance with good commercial practices..." I also observed another employee smoking while slaughtering birds, this is in violation of 9cfr 416.5(a). Which states "All persons working in contact with product...must adhere to hygienic practices..." I immediately informed REDACTED of the non-compliance. Birds were placed back in cones and employees were reminded of the plants no smoking policy. The plant was informed that any continuation of this type of noncompliance, will lead to future enforcement action.

Noncompliance Record Description, May 19, 2021:

At approximately 0955hrs while inspecting the facilities the following non-compliance was observed: In the slaughter area it was observed that a number of birds were still moving in the holding barrels before the scalding. I immediately stopped all slaughter and had them remove every single bird in both barrels for examination. They resumed slaughter after management was informed and spoke to them. This is in violation of 9CFR regulation 381.65(b) which states: "Good commercial practices for all poultry slaughter..." Management was informed that this non-compliance will not be tolerated and if continued further enforcement will be applied.

Noncompliance Record Description, June 18, 2021:

At approximately 0800hrs while performing the Good Commercial Practices task for the Est. P45068, REDACTED observed the following non-compliance: In the slaughter area, the employees put the live birds into the barrels right after cut by skipping the bleed cones. I immediately stopped the slaughter and put the USDA retain tags (TAG #B37655592 and TAG #B37655591) to the 2 barrels which contain the live birds. The plant manager came right away and was informed about this non-compliance. Total 17 birds were discarded under the inspection of REDACTED. The production was resumed after the condemnation of the adulterated products. This is in violation of 9CFR regulation 381.65(b). Plant manager promise the proper killing procedures would be enhanced to the killing employees.

Noncompliance Record Description, August 5, 2021:

At approximately 0800hours on 08/05/21, while performing the Good Commercial Practice task for the EST. P45068, REDACTED has observed following non-compliance: -In the killing room, around 20 live birds were found in the barrels. The employees didn't wait for the birds to be completely bleed out before scalding. The production was paused by the REDACTED. These live birds were retained by the Tag #: REDACTED and REDACTED. The REDACTED, REDACTED, was informed and took actions right away. All retained birds were discarded under the inspection of REDACTED. The employees were educated the importance of the good commercial practice and the proper killing procedures should be enhanced according to the plant HACCP plan. REDACTED resumed the production after everything is in compliance.

OK Foods, Inc.

Heavener, Oklahoma

of inspections: 256

OK Foods, Inc.

Fort Smith, Arkansas

of inspections: 259

Memorandum of Interview, August 2, 2021:

From: REDACTED Subject: Good Commercial Practices Meeting Date: 08-02-2021 Meeting Time: 1020 hours Establishment: P-165S Attending: REDACTED. REDACTED USDA FSIS Attendees: REDACTED, REDACTED This MOI is to document my conversation with REDACTED in his office today, August 2, 2021 at 1020 hours. I told REDACTED, REDACTED that during my Good Commercial task today I observed a metal shield had been placed over the dumper belt, which made it impossible to observe whether or not cages of birds were being dumped on top of other birds on the belt. I also told him of my observation of the mirror that was previously used by the dumper control employee was now sitting on the ground away from the dumper belt. I went on to say that my concern was that USDA could not inspect the area, due to the only other route to inspect the area would be through the forklift safety area. REDACTED. REDACTED stated that the shield had been put in place to blacken the area out and that he would have to get with REDACTED to find a way for us to inspect the area. I

told REDACTED. REDACTED that due to this establishment not having prior issues of over-dumping the birds that it was not an immediate concern, but was still necessary for us to inspect the area. I then thanked REDACTED. REDACTED for his time.

Memorandum of Interview, August 3, 2021:

From: REDACTED Subject: Good Commercial Practices Meeting Date: 8-3-2021 Meeting Time: 05:23- 05:30 Meeting Locations: Outside by Dumper Belt, Evisceration Department Establishment: P-165S Attending: 00165S P Attendees: Superintendent REDACTED, REDACTED USDA FSIS Attendees: REDACTED, REDACTED This MOI is to document my conversations today, August 3, 2021 with REDACTED, REDACTED, and REDACTED, Superintendent while performing the Good Commercial task. At 0523 hours I told REDACTED. REDACTED that I had observed employees picking up live birds by the trucks and then followed through by observing the cage on the roller belts. I showed him that one of the cages on the belt did not have a door, exposing the birds. I asked if this was a common practice. He stated that it was. I then asked if the birds ever fell out onto the roller belt, which could lead to being rolled over. He stated that they do fall out sometimes. I

Otto's Poultry Inc.

Middleville, Michigan
of inspections: 48

Palmetto Pigeon Plant, Inc.

Sumter, South Carolina
of inspections: 64

Peco Foods, Inc.

Pocahontas, Arkansas
of inspections: 240

Ozark Mountain Poultry, Inc.

Batesville, Arkansas
of inspections: 264

Peco Foods, Inc.

Bay Springs, Mississippi
of inspections: 262

Peco Foods, Inc.

Batesville, Arkansas
of inspections: 259

told REDACTED. REDACTED that this was not a good practice. At 0530 hours I told REDACTED. REDACTED of my observations and conversation with REDACTED. REDACTED. REDACTED. REDACTED stated that he would get with the Live Hang employees and "change things to make sure that they put them into cages with doors from now on." I thanked REDACTED. REDACTED for his time.

Peco Foods, Inc.

Tuscaloosa, Alabama
of inspections: 250

Memorandum of Interview, September 13, 2021:

On Monday, September 13, 2021, at approximately 230 hours while performing a poultry good commercial practices verification task, standing in the live hang room, I observed a live hang employee repetitively hanging birds in the shackles in a slamming, exaggerated, forceful manner. As I stood monitoring the actions, the employee was seen lifting the birds above the shackle at a level higher than the nearby hangers and hitting the legs into the shackles with force causing a noticeable pounding sound with each bird, and an increased level of excitement and discomfort to the birds. There were no supervisors present nearby to notify immediately, so I continued the walk through and returned to find the nightshift back dock supervisor, REDACTED. REDACTED, in the area, and he was then notified of my observations. Upon my return to the live hang room, the behavior had discontinued. No additional GCP deficiencies were observed. REDACTED on duty, REDACTED. REDACTED, was then informed of the observations. He was advised on the following night that a GCP MOI would be forthcoming documenting these events.

Peco Foods, Inc.

Sebastopol, Mississippi
of inspections: 264

Pelleh Poultry Corp.

Swan Lake, New York
of inspections: 103

Perdue Foods LLC

Dillon, South Carolina
of inspections: 153

Memorandum of Interview, May 30, 2021:

At approximately 2002 hrs., on Sunday night, 5/30/2021, I was entering the establishment to begin standby duty. As I entered the door, leading to the front of the live receiving bay, I noted that there was a white wheeled vat, which was outside the doorway; checking inside the vat, I observed that there were approximately 6 – 10 dead birds, 1 living bird, and a red shovel. As my finding was observed, during the Memorial Day holiday weekend, it can be presumed that the bird has been in the vat, since 1st shift Evisceration ended on Friday afternoon, 5/28/2021. As the establishment was not operating, due to the Memorial Day holiday weekend observance, I called the guard, at the East (back) guard shack and informed her of my findings and that a plant personnel, such as REDACTED, 3rd shift, should be notified and informed of my findings; At around 2100 hrs. to 2115 hrs., I called the guard, at the East guard shack and inquired as to whether she had reached someone, she stated that though she had tried, she had not been able to reach anyone, who could take care of the bird. No one was available to euthanize this bird. ..The PPIA and Agency regulations require that live poultry be handled in a manner consistent

Perdue Foods LLC

Cromwell, Kentucky
of inspections: 265

Perdue Foods LLC

Perry, Georgia
of inspections: 245

PERDUE FOODS LLC

Georgetown, Delaware
of inspections: 431

with good commercial practices and that they don't die of causes other than slaughter. A copy of this MOI will be provided to District Veterinary Medical Specialist and the Frontline Supervisor, as well as to establishment management.

Perdue Foods LLC

Washington, Indiana
of inspections: 259

Perdue Foods LLC

Petaluma, California
of inspections: 134

Perdue Foods LLC

Mount Vernon, Washington
of inspections: 216

Perdue Foods, LLC

Milford, Delaware
of inspections: 506

Perdue Foods, LLC

Salisbury, Maryland
of inspections: 260

Memorandum of Interview, June 18, 2021:

Attendees:..REDACTED, Perdue Foods, LLC ..REDACTED, P-764 ..A meeting was held at 1700 hours in the USDA SPHV office of P-764, Perdue Foods, LLC in Salisbury, Maryland. I identified myself as REDACTED. REDACTED acknowledged and understood my official capacity through the conversation. ..The reason I called for this meeting was a poultry welfare observation that I made at 1632 hours, when I was performing a poultry good commercial practices task in the receiving area. I observed a bird that was moving atop a large pile of birds in the Dead-on-Arrival (DOA) dumpster (which is used for all dead-on-arrivals, euthanized sick/weak birds, and culled birds). The bird had blue denaturant dye on its outer surfaces. I immediately notified REDACTED, and he removed the bird from the dead bin and placed it into the sorting table area. The bird continued to have breathing movements, my observations of breathing confirmed that the bird was alive and not dead or exhibiting post-euthanasia neurological movements. Then REDACTED immediately euthanized the bird via cervical dislocation. ..I reminded REDACTED that the Poultry Products Inspection Act and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices and that they not die from causes other than slaughter. I attest that this memorandum includes all the information discussed during the meeting to the best of my knowledge. ..REDACTED (REDACTED at P-764)

Memorandum of Interview, August 20, 2021:

A meeting was held at 1041 hours in the office of REDACTED. REDACTED (1st processing REDACTED at P-764). Attendees included REDACTED. REDACTED, REDACTED. REDACTED (1st REDACTED), and myself (REDACTED. REDACTED, REDACTED and REDACTED at P-764). The meeting was held at my request to discuss my findings of a poultry welfare concern this morning (at 1018 hours) while performing a poultry Good Commercial Practices check. I found that a bird was moving and gasping, eyes open, in the Dead On Arrival (DOA) dumpster. The bird was denatured with blue dye and was located on top of a large pile of denatured, dead birds in the dumpster. I had notified the establishment associate who was in that area, and he immediately removed the bird from the dumpster and placed it on the sorting table. The establishment has a system in place whereby the euthanized birds are left in a sorting bin/table until they are no longer showing signs of movement. I discussed that it was very concerning to see so much movement and agonal breathing in a bird that was placed in the DOA dumpster and denatured. If it had not been fully dead yet, being placed in a dumpster with a large quantity of other birds could suffocate it. REDACTED. REDACTED and REDACTED. REDACTED said they have a new plan to try and prevent reoccurrence. They will install some barriers on the sorting table and have the euthanized birds placed behind these barriers on either side of the table. The birds will be required to stay in those areas for 5 minutes before being moved to the DOA dumpster and denatured.

Memorandum of Interview, September 21, 2021:

A meeting was held at 0732 hours in REDACTED. REDACTED office at P-764, Perdue Foods, LC. Attendees included myself (REDACTED. REDACTED, Supervisory REDACTED and REDACTED In Charge), REDACTED. REDACTED (Supervisory REDACTED), and REDACTED. REDACTED (acting REDACTED at P-764). The meeting was held to discuss my findings of a poultry welfare concern during my poultry good commercial practices inspection this morning. At 0702 hours I entered the picking room and observed that kill line #1 was stopped (birds were on the line). I did not know how long it had been stopped for. I went to check on the birds in the kill room, where I observed that all of the birds in the (operating) stunner had their heads submerged in stunner liquid. The establishment's protocol is to empty or lower the stunner if the kill line is stopped. The backup kill associate was sitting there and was not doing anything to address the birds in the stunner or before / at the kill machine. I immediately went to find a supervisor for the receiving department. Just rounding the exit end of the first scalding for line #1, I saw that there were a group of people surrounding and climbing a ladder. Two of those people included the receiving department supervisor, REDACTED. REDACTED, and one of the receiving department team leads, REDACTED. REDACTED. I got REDACTED. REDACTED attention and beckoned him into the kill room, pointing at the stunner. He suddenly realized what was needed and began to lower the stunner. At 0708 hours, I placed U.S. Rejected tag number B-45978753 on the kill line control lever (the line was already stopped due to malfunction / something hung up on the line) and spoke with REDACTED. REDACTED (2nd processing business unit leader), telling him I wanted to see if the birds in the stunner had died by means other than by slaughter. REDACTED birds were removed from the exit end of the stunner and placed on the floor, where I observed that they were not breathing or moving and were



completely limp (several minutes of observation). I observed the remaining birds in the stunner and saw none of them moving or breathing. There were REDACTED birds total, that had died by means other than by slaughter. I informed REDACTED. REDACTED that these birds were to be considered adulterated and should be condemned. I relinquished regulatory control of the kill line at 0715 hours. I reminded REDACTED. REDACTED that the Poultry Products Inspection Act and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices and that they not die from causes other than slaughter. I notified REDACTED. REDACTED that this Memorandum Of Interview would be forwarded to the REDACTED (REDACTED) in case additional follow-up is recommended. I attest that this memorandum includes all the information discussed during the meeting to the best of my knowledge.

Perdue Foods, LLC

Accomac, Virginia

of inspections: 262

Perdue Foods, LLC.

Rockingham, North Carolina

of inspections: 336

Memorandum of Interview, May 6, 2021:

On Thursday (May 6th, 2021) morning, at approximately 0100 hours, while performing a routine Poultry Good Commercial Practice verification, I REDACTED observed an uncut, live bird nearly enter the scald tank. With the aid of my flashlight, I observed the bird with a bent neck (which was uncut), its eyes were open and observed blinking. Immediately after this observation I alerted the back-up killer to stop the line before the live bird was submerged into the scald tank. With the line stopped, the back-up killer was able to cut the bird's neck. If I was not present, this bird would have entered the scald tank still breathing. .. Agency regulation require that the poultry be handled in a manner that is consistent with Good Commercial Practice, and that they do not die from causes other than slaughter. It is the establishment's responsibility to ensure that the birds are slaughtered in accordance with 9 CFR 381.65(b). ..Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding.

Memorandum of Interview, August 3, 2021:

REDACTED August 03, 2021 At approximately 0625 while conducting GCP task I noticed the following aggregates issue: At the DOA belt there was a bird cage setting at the end. In the cage there was a live bird that had it's beak stabbed by one of the cage bars. The bar went through the entire beak and impaled the bird to the bottom of the cage. I informed the line leader REDACTED as he too observed this aggregates situation and he released the bird. I then went to the supervisor's office and Informed REDACTED of this issue and stated that an MOI would be written concerning this issue. This activity is considered aggregates and goes against the plant's Good Commercial Practices and will be addressed in the next plant meeting. It is also advised that preventing the mistreatment of poultry decreases the chances of producing adulterated carcasses.

Memorandum of Interview, August 4, 2021:

On Wednesday (August 4th, 2021) morning, at approximately 12:45 am I (REDACTED. REDACTED) observed an uncut bird coming down the picking line in the evisceration department. I removed the bird from the picking line, right before it reached the auto transfer belt, to fully examine it. During my examination, I did not see a cut on the neck which prevented thorough bleeding; the head and neck were swollen and bright red in color. With the bird in my hand, I walked to the auto transfer belt, for evisceration line #1, which had a mobile rack used by the establishment to hang birds with short hocks. I hung the uncut bird on the mobile rack while I waited for a supervisor to report to the area. While waiting, I examined the carcasses on the mobile rack and four (4) exhibited similar findings to the one I removed from the picking line, no cut, with a red and swollen head and neck. After making these observations I determined all five REDACTED birds were not slaughtered in accordance with good commercial practices (GCP). Supervisors, REDACTED and REDACTED, reported to the area and were shown all the uncut birds and notified of the forthcoming MOI. At approximately 12:47 am I walked into the kill room due to the number of uncut birds observed on the evisceration floor. With my flashlight I verified that all birds entering the scald tank were properly cut/bled; REDACTED. REDACTED was in the kill room with me. During my verification, I observed one REDACTED bird nearly enter the scald tank still breathing. The bird was seen blinking, moving its head, neck and seemed aware of its surroundings. I was able to notify REDACTED. REDACTED before the live bird entered the scald tank, the line was immediately stopped, and the bird was removed; while the bird was being removed it became vocal which further validated that it was conscious/alive. Agency regulation require that the poultry be handled in a manner that is consistent with good commercial practice, and that they do not die from causes other than slaughter. It is the establishment's responsibility to ensure that the birds are slaughter in accordance with 9 CFR 381.65 (b). "Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding."

Memorandum of Interview, August 5, 2021:

On Thursday (August 5th, 2021) morning, at approximately 5:29 am I (REDACTED. REDACTED) observed two uncut birds coming down the picking line in the evisceration department. I removed the birds from the picking line, right before they reached the auto transfer belt, to examine the birds closely. During my examination, I did not see a cut on the neck which prevented thorough bleeding; the head and neck were swollen and bright red in color. After making these observations I determined both birds were not slaughtered in accordance

with good commercial practices (GCP). Supervisor, REDACTED, reported to the area and was shown the uncut birds and notified of the forthcoming MOI. Agency regulation require that the poultry be handled in a manner that is consistent with good commercial practice, and that they do not die from causes other than slaughter. It is the establishment's responsibility to ensure that the birds are slaughter in accordance with 9 CFR 381.65 (b). "Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding."

Memorandum of Interview, September 21, 2021:

The week of September 21, 2021, at 0237 hours while performing a Good Commercial Practices task at the DOA bin in the live hang area. I observed a bird inside of the bin still breathing, the breast area of the bird was moving up and down. I ask for a supervisor to come and observe my findings and REDACTED. REDACTED came out, I then ask the associate to remove the bird from the bin. The bird was place on the ground and we observed it for a few minutes, at this time we noticed that the bird's eyes were open, and it was trying to move. The associate stated that this was not the first bird to start back breathing that he saw one get up inside the bin and REDACTED. REDACTED ask the lead to find him someone else who knew what to do with the DOA birds. I then told REDACTED. REDACTED that I was going to give him an MOI for Mistreatment of the birds. I told him that this type of action can crush the bird and cause them to suffocate if placed in the bin still alive. A copy of this (MOI) Memorandum of interview was supplied to plant management.

Perdue Foods, LLC.

Lewiston Woodville, North Carolina

of inspections: 251

Memorandum of Interview, May 14, 2021:

On 5/14/21 at approximately 1100 hours while in the live hang area for Line#1 I, REDACTED, along with REDACTED, observed approximately 40-50 birds or more that where off of the live hang belt and running freely around the live hang room or on the DOA belt. The birds were huddled together and moving around the room especially when approached, but I saw approximately 10 birds near the picking room door, 10-15 birds near the offal exit door, and approximately 10 birds under the DOA belt, in the drain and next to the live hang-ers. Additionally, the entire DOA belt was filled with DOA birds and live birds. There were approximately 10-15 live birds on the DOA belt. I observed several live birds standing on top of the DOA birds on the belt and I observed at least 5-6 birds that were buried to some degree under the DOA birds on the belt. Of the live birds that were buried in the DOA birds I observed at least 2 birds that had their heads completely covered by DOA birds and appeared to be having difficulty breathing. Additionally, there was one small bird that was completely buried under fecal material and paws to the point that we did not know the live bird was there until an employee removed a thick layer of the fecal and paws off of the top of him; this bird also appeared to be having difficulty breathing. This determination was made by the fact that birds could be seen breathing heavily and rapidly and when they were uncovered; they began open mouth breathing. After they were uncovered for a short period of time their respiration rates appeared to slow and they stopped open mouth breathing. REDACTED entered the room approximately 1-2 mins before me and I was in the live hang room for approximately 30 seconds before REDACTED, entered the area and began retrieving the birds off the floor. He caught the birds that were running free on the floor and began removing the live birds from the DOA belt. We observed as he removed the buried birds from the DOA belt. At this time REDACTED, had entered the department and I informed him of what I just witnessed. I also found REDACTED and informed him of what I had witnessed. I informed REDACTED that this MOI is being documented because the live birds buried in the pile of DOAs would have likely suffocated without intervention. Additionally, I informed him that while the amount of loose birds was not a direct case of mistreatment it does create a less-than-ideal circumstance do to the fact that it creates the potential that one of the loose birds could get hurt/killed. I reminded REDACTED that the PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices. I referred him to Federal Register Notice Vol. 70, No. 187, which the establishment has been previously provided, and I recommended that he review it for FSIS recommendations concerning treatment of live poultry before slaughter. I notified them that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended.

Memorandum of Interview, August 25, 2021:

On Tuesday 8/24/21, I performed a Poultry Good Commercial Practices task. At approximately 1145 hours while examining the blue outside DOA bin for lines 2 & 3, I REDACTED observed one live bird inside the DOA bin. At the time of my observations the bird was in a sitting position with his neck up. When I tapped the side of the bin the bird moved and opened his eyes. I immediately had the establishment associate with a radio to have Shift Lead, REDACTED come to the area. I had REDACTED. REDACTED, REDACTED notified also. Upon further investigation with REDACTED. REDACTED, REDACTED she observed another live bird in the bin. This bird was sitting in the corner of the bin. Team Lead, REDACTED came out and was shown the two live birds in the DOA bin. The associate responsible for the area, removed the birds from the bin. The birds appeared healthy, so the birds were returned to live hang so they could go through the proper slaughter process. REDACTED came to the area was also informed of the findings. I verified that the bird was handled in a manner consistent with good commercial practices, I left the area with REDACTED. REDACTED. I reminded REDACTED. REDACTED that the PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices. I referred him to Federal Register Notice Vol. 70, No. 187. which the establishment has previously been provided. I notified him that this MOI will be forwarded to the District Office and the REDACTED (REDACTED) in case additional follow-up is recommended.

Phil's Farm



Hutchinson, Kansas
of inspections: 23

Pilgrim's Pride Corporation

Sumter, South Carolina
of inspections: 270

Pilgrim's Pride Corporation

Cold Spring, Minnesota
of inspections: 264

Memorandum of Interview, May 21, 2021:

Good Commercial Practices MOI 20 May 2021 ..While performing good commercial practices verification at P322 at 10:20pm, I observed the following in the live haul area by the stunners. ..On stunner line 1, a mod (481) had flipped on its long side, forcing all the birds in the mod trays to slide to one end and stack on one another. No fewer than 10 birds were observed to have fallen out of the mod and were 5 feet beneath the conveyor lines for the mod stacks. No fewer than 10 birds were observed to have fallen into the pit at least 15 feet from the mod. At least 5 of these birds that had fallen out were observed to not be moving or breathing and appeared dead. Live birds were observed to be hanging out between the top covering and the upper mod, and hanging by heads, wings or upside down by legs. A number of live birds appeared distressed with open mouth breathing, dilated pupils, vocalizing, and increased respiratory rates, and wing flapping. ..At 10:29pm, hoists began to be attached to the mod, and the mod was righted at 10:55pm. I witnessed at least 6 birds stop breathing and die during this time. After the mod was righted, attempts were made to gather the birds underneath the mod conveyor with catch poles and manually into the pit, and the 5 birds appearing dead were confirmed dead. I spoke with REDACTED regarding my concerns and observations of live bird handling. ..The mod was removed from the entrance conveyor and dead birds were removed from the mod while live birds were transferred to other mods for entrance to the stunner system. No fewer than 190 birds from this mod were collected and counted as dead. These carcasses were sent to offal and denatured as per the establishments program for DOA carcasses. ..Recorded by REDACTED P322

Pilgrim's Pride Corporation

Timberville, Virginia
of inspections: 274

Pilgrim's Pride Corporation

Moorefield, West Virginia
of inspections: 268

Pilgrim's Pride Corporation

Sanford, North Carolina
of inspections: 272

Memorandum of Interview, July 28, 2021:

On 07/27/2021 at approximately 11:15pm, I walked through the live hang room and noticed a large pile of dead on arrival (DOA) birds on a metal table. I looked closer and observed a live bird in respiratory distress and its head underneath two DOA birds. I showed a line lead my findings and asked him to call REDACTED. I immediately removed the head from underneath the dead carcasses, thus allowing the bird to breathe. Once REDACTED. REDACTED arrived in the area, I informed him of my findings. Additionally, I informed HACCP Superintendent REDACTED of my finding as well. The establishment culled the bird immediately. The establishment should prevent the mistreatment of birds before or during shackling or elsewhere in the slaughter operation, up until the kill step.

Memorandum of Interview, August 2, 2021:

On 07/29/2021 at approximately 10:21pm, REDACTED performed a Good Commercial Practice task and observed two live birds mutilated by the machinery of the automatic cage dumper. She immediately notified REDACTED and showed him her findings. By this time, the birds were dead, which REDACTED verified. REDACTED notified REDACTED of the incident. This is evident that birds died by other means than slaughter. Prior to this event, USDA has notified the establishment numerous times about mutilated birds on the floor underneath the cage dumper. The following is a list of documented instances when IPP observed mutilated birds under the cage dumper. This list does not include the verbal communications IPP have discussed with the establishment.

1. On 06/22/2021, IPP observed birds caught in the roller where the cage dumper meets the CAS system. The establishment decided to end the night early to repair the system. IPP notified REDACTED and REDACTED

· On 06/23/2021, REDACTED discussed with REDACTED and he explained the birds caught in the roller were dead on arrival (DOA) and were mutilated by the roller of automatic cage dumper.

· On 06/24/2021, IICs discussed this issue in the weekly HACCP meeting.



2. On 06/25/2021 at approximately 3:30 pm, IPP witnessed dead birds under and around the cage dumper and notified REDACTED of the issue. REDACTED went to the area and witnessed live birds fall out of the cage, through the machinery of the dumper and onto the floor. The establishment made repairs to the dumper. Once repairs were completed, IPP did not observe anymore birds falling out of the cage for the rest of the night.

3. On 07/26/2021 at approximately 3:30pm, IPP observed mutilated birds on the right side of the cage dumper. REDACTED emailed REDACTED about this incident. Approximately 10:47pm, IPP observed another mutilated bird on the right side of the cage dumper.

4. On 07/27/2021 at approximately 4:35 pm, IPP observed a wing (feathers attached to muscle) underneath the cage dumper. At approximately 9:35pm, IPP observed extremely mutilated birds under the cage dumper.

For all instances, IPP alerted a supervisor or the employee in charge of collecting birds that did not get dumped.

Poultry are to be slaughtered in a manner that ensures that breathing has stopped before scalding, so that the birds do not drown, and that slaughter results in thorough bleeding of the poultry carcass. Compliance with these requirements helps ensure that poultry are treated humanely.

A copy of this Memorandum of Interview was sent to the Raleigh District REDACTED.

Pilgrim's Pride Corporation

Douglas, Georgia

of inspections: 276

Pilgrim's Pride Corporation

Canton, Georgia

of inspections: 254

Memorandum of Interview, May 6, 2021:

On May 3, 2021 at approximately 1450 hours while performing Good Commercial Practice verification in the live hang department, I REDACTED observed a live chicken, evident by breathing, in the dead-on-arrival (DOA) barrel that contained half a barrel of DOA chickens. The chicken was on the top layer of DOA chickens in the barrel. I summoned REDACTED to notify him of this finding. Upon removal from the barrel, the chicken was alert and responsive. REDACTED and I went through the remaining chickens in the DOA barrel and no additional live chickens were observed. The chicken was euthanized by cervical disarticulation. ...During our meeting, REDACTED stated he believed the chicken had jumped from the DOA stand. I agreed it was possible since I observed the establishment employee picking up DOAs and removing the heads before placing in the barrel. The employee stopped adding chickens to the barrel when I started looking in it. I reminded REDACTED that the PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices (GCPs) and that they not die from causes other than slaughter. I recommended that REDACTED review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter and provided him a copy of this document. I notified REDACTED that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended...Respectfully...REDACTED ..P1284, Pilgrim's

Memorandum of Interview, September 10, 2021:

Est. P-1284, Pilgrim's, September 9, 2021, 1225 hours. In attendance: REDACTED. REDACTED, REDACTED; REDACTED, REDACTED; REDACTED Second REDACTED; REDACTED Manager. At approximately 1025 hours while performing a Poultry Good Commercial Practice (GCP) verification in the live hang area of the poultry receiving department, I (REDACTED. REDACTED) observed live hang personnel mishandling live birds. Specifically, I observed a REDACTED aggressively shackle several live birds by throwing birds at the shackle not only in front of him but also in front of the REDACTED next to him instead of carefully placing the birds in the shackle. I took immediate action and stopped the picking line and notified REDACTED. I met with REDACTED, REDACTED; REDACTED, Second REDACTED; REDACTED, REDACTED Manager and reminded them the Poultry Product Inspections Act (PIA) and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices. During our meeting, REDACTED. REDACTED along with REDACTED. REDACTED and REDACTED. REDACTED stated they investigated and determined the employee was aggressively hanging the live birds, informing me the employee was removed from the live hang department until further planned actions were implemented. I was also informed REDACTED conducted additional training with all live hang personnel in both English and Spanish in handling of live birds. I recommended REDACTED. REDACTED review Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N] for FSIS recommendations concerning treatment of live poultry before slaughter and provided him a copy of this document. I notified REDACTED. REDACTED and the management team that this MOI will be forwarded to the District Office and the REDACTED (REDACTED) in case addi-

Pilgrim's Pride Corporation

Chattanooga, Tennessee

of inspections: 258

Pilgrim's Pride Corporation

Russellville, Alabama

of inspections: 264

Pilgrim's Pride Corporation

Guntersville, Alabama

of inspections: 270

Pilgrim's Pride Corporation

Hickory, Kentucky

of inspections: 261

Pilgrim's Pride Corporation

Gainesville, Georgia

of inspections: 282

Pilgrim's Pride Corporation

Nacogdoches, Texas

of inspections: 252

tional follow-up is recommended. A plant response is requested. Respectfully, REDACTED. REDACTED, REDACTEDIIC, REDACTED P1284,

Pilgrim's Pride Corporation

Lufkin, Texas

of inspections: 262

Memorandum of Interview, May 8, 2021:

noted numerous broken legs at the hock/ lower tibia area. Poultry hangers need to be careful of how they are handling the live poultry

Pilgrim's Pride Corporation

Live Oak, Florida

of inspections: 264

Pilgrim's Pride Corporation

Ellijay, Georgia

of inspections: 256

Memorandum of Interview, May 20, 2021:

At approximately 21:28 on 5/20/2021 I was alerted to the following potential Good Commercial Practices violation by REDACTED. REDACTED removed a bird with the head still intact and no stick wound. The bird had obviously not been bled out. It was apparent to me that the bird had not been slaughtered in a manner that results in thorough bleeding of the carcass or of the bird still breathing when it entered the scalding. I initiated regulatory control action by contacting REDACTED of the anomaly so he could further investigate the cause of the loss of control in the establishment's Good Commercial Practices process. REDACTED had stated that the establishment was understaffed but that is not an excuse for this inconsistency of the PPIA and Agency requirements. A copy of this Memorandum of Interview will be shared with REDACTED and this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. Respectfully, REDACTED

Memorandum of Interview, August 23, 2021:

On 8/17/21 at approximately 2311 hours I (REDACTED. REDACTED) was performing GCP. While in live hang (A side) on line 2 I noticed a pile of DOAs stacked on top of each other on the rack directly behind the hangers. The rack is placed behind the hangers so they can put the DOAs on there and not on the floor. I know there is concern for live birds being accidentally placed with DOAs so I showed Lead REDACTED the issue. As I watched REDACTED remove several of the birds from off top of each other, I then noticed at the bottom of the pile a small live bird being smothered. This bird was underneath the other DOAs. The bird appeared to be being smothered due to the fact it could not get out from under the other birds that were piled on top of it. I then informed REDACTED to get his supervisor, I showed Live Receiving REDACTED the bird and informed him of my concerns. I asked REDACTED about the corrective actions that would be taken. He stated there would be correlations done with the hangers and inform them they should not be piling birds on top of each other. I stated an MOI would be written. The PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good

Pilgrim's Pride Corporation

Carrollton, Georgia

of inspections: 268

Pilgrim's Pride Corporation

Arcadia, Wisconsin

of inspections: 262

Pilgrim's Pride Corporation

Natchitoches, Louisiana

of inspections: 237

commercial practices and that they not die from causes other than slaughter.

Pilgrim's Pride Corporation

Mount Pleasant, Texas

of inspections: 364

Memorandum of Interview, May 14, 2021:

At approximately 2357 hour on the shift of May 12, 2021 while verifying operations in the evisceration department the following Good Commercial Practices concern was observed. I, REDACTED, observed 12 birds on the floor near the hock cutters, and on the floor near the area between the hock cutters and the entrance to the auto rehang area and drain. There were five birds that appeared to have heads attached filled with blood. Upon closer examination the birds had heads attached that were engorged with blood, without any evidence of a cervical cut that resulted in the heads and bodies appearing cherry red to purple. Cadavers are poultry that die from causes other

than slaughter and are condemned under 9 CFR 381.90 and requirements under Good Commercial Practices. These birds are not physiologically dead when they enter the scald vat. When submerged in the scald water, these birds drown and their physiological reaction to the heat is to dilate the vasculature in the skin and organs. This causes the skin to become cherry red to purple of the whole carcass or the lower regions of the carcass. On some occasions, only the neck will appear cherry red or purple. Cadavers are any birds that do not bleed out properly due to a poor or missed cut of the neck veins before they entered the scalders(s). This causes the entire carcass, paws and viscera to be unwholesome and condemned. ..I then looked through the yellow condemn barrel for line 2 rehang and observed that there were 4 cadavers in the barrel, two of the cadavers were cut but had not properly bled out. ..Next, I entered the kill area. At approximately 0004 hours, I observed a live bird with blinking eyes on the outside line progressing through the blood trough of the kill line to enter the scalders. There was no evidence of a cut from the kill blade, nor the backup kill step on the bird. The live bird was removed by USDA and presented to REDACTED, as he was exiting the Back Dock Supervisors office. The removed bird was located after the kill step (kill blade and the backup killer) and just before the scalders. Without USDA intervention, the live bird would have entered the scalders still breathing. REDACTED took the bird from USDA and hung the bird on the line between the stunner and the kill machine on line 2. REDACTED then had maintenance assess and adjust the kill blade. ..I met with REDACTED and discussed the planned corrective action. The corrective action provided was to have maintenance adjust the equipment and place another employee to assist at the backup kill step. I then performed a recheck and observed zero sensible birds prior to the scalders. ..Measures to prevent the needless suffering, discomfort, or death of poultry by means other than slaughter, must be met throughout the entire slaughter process. The establishment failed to ensure this bird was properly slaughtered (not breathing) and thoroughly bled out prior to the scalders. The establishment is reminded of the requirement to meet regulatory requirements of 9 CFR 381.65(b) which states in part, "Poultry must be slaughtered in accordance with Good Commercial Practices in a manner that resulted in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding." FSIS respectfully request that the establishment assess any opportunities or gaps that may have led to this observation to ensure the poultry are handled and processed in accordance with Good Commercial Practices.

Memorandum of Interview, May 25, 2021:

Est. P-584 Pilgrim's Pride Corp. ..May 24, 2021 ..In attendance: REDACTED and REDACTED ..At approximately 114 hours on the shift of May 24, 2021 while verifying Good Commercial Practices in the Kill room the following Good Commercial Practices concern was observed. REDACTED I observed a live bird with blinking eyes on the outside line progressing through the blood trough of the kill line to enter the scalders. There was no evidence of a cut from the kill blade, nor the backup kill step on the bird. Cadavers are poultry that die from causes other than slaughter and are condemned under 9 CFR 381.90 and requirements under Good Commercial Practices. The live bird was removed by USDA and presented to REDACTED, as he was exiting the Back-Dock Supervisors office. The removed bird by USDA was located after the kill step (kill blade and the backup killer) and just before the scalders. Without USDA intervention, the live bird would have entered the scalders still breathing. REDACTED took the bird from USDA and hung the bird on the line between the stunner and the kill machine on line 2. At 116 hours and 118 hours there were 2 more live birds progressing down the line after the back up kill step and prior to the scalders. The live birds were removed from the line by REDACTED. ..These birds are not physiologically dead when they enter the scald tank. When submerged in the scald water, these birds drown and their physiological reaction to the heat is to dilate the vasculature in the skin and organs. This causes the skin to become cherry red to purple of the whole carcass or the lower regions of the carcass. On some occasions, only the neck will appear cherry red or purple. Cadavers are any birds that do not bleed out properly due to a poor or missed cut of the neck veins before they entered the scalders(s). This causes the entire carcass, paws, and viscera to be unwholesome and condemned. ..At approximately 120 hours I met with REDACTED and discussed the planned corrective action. The corrective action provided was to place another employee to assist at the backup kill step for the remainder of the shift, and reduce the line speed to REDACTED BPM for the remainder of the shift. I then performed a recheck and observed zero sensible birds prior to the scalders. ..Measures to prevent the needless suffering, discomfort, or death of poultry by means other than slaughter, must be met throughout the entire slaughter process. The establishment failed to ensure this bird was properly slaughtered (not breathing) and thoroughly bled out prior to the scalders. The establishment is reminded of the requirement to meet regulatory requirements of 9 CFR 381.65(b) which states in part, "Poultry must be slaughtered in accordance with Good Commercial Practices in a manner that resulted in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding." FSIS respectfully request that the establishment assess any opportunities or gaps that may have led to this observation to ensure the poultry are handled and processed in accordance with Good Commercial Practices. ..On a previous MOI documented QLM4122053414I dated 05/12/21 for a failure of the establishment to prevent birds from entering the scalders. The corrective action given for the previous MOI was to have an additional back killer to ensure there are no birds entering the scalders was not implemented as stated. ..MOI QLM5104040012L dated 4/12/21; QLM1005041006L dated 04/06/21; QLM 1722031730I dated 03/30/21 was discussed in a weekly meeting to discuss failure of the establishment to effectively slaughter poultry and thoroughly bled prior to the scalders step. ..Copies of this Memorandum of Interview will be distributed to the establishment, Inspection file and the District Veterinarian Medical Specialist per Directive 6100.3. This issue will also be discussed at the next weekly meeting. ..Documented by ..REDACTED

Memorandum of Interview, July 13, 2021:

This Memorandum of Interview is being documented because of concerns USDA has for the Humane Handling of birds at P584. On July 12, 2021 at approximately 1330 hours, while performing Good Commercial Practices Verification at the Stunners, Live Hang Department, and Coop Dump Belts, the following humane handling concerns were observed: Upon entering the Live Hang Department, I encountered

23 live birds huddled on top of one another at the end of Live Hang belt #1. Four additional birds were observed on the floor either behind or beside the live hang team members. On the opposite end of the belt I observed 12 DOAs piled on the metal table with one live bird in the mix. On Line #2 belt, I observed paws and associated feathers and organic material piled under the metal table extending approximately 2' x 3'. This is considered a "smother" area and should be maintained in a manner to avoid a smothering concern. As I exited the Live Hang Department, I observed two swollen paws caught in an area of disrepair which resulted in an opening approximately 4 inches in length, in the lip/wall portion of conveyor belt #1. The paws were wedged so tightly that it was difficult for the coop dump operator to dislodge them. REDACTED was notified and shown the area of concern and notified of the other issues. While attempting to perform the broken wing portion of the GCP task, I observed wings either fluttering or flapping on REDACTED birds exiting the stunner from line 1 and REDACTED birds exiting the stunner from line 2. As the establishment is aware, proper stunning is verified by birds presenting past the stunner with wings tucked. It was also difficult to determine an accurate broken wing count as excessive numbers of birds presented with open wings that appeared "caught" or were contacting birds on adjacent shackles. USDA recognizes that stunning is optional, however, if the establishment chooses to incorporate stunners into their process, the equipment must work properly. REDACTED was notified of the concerns. USDA requests that the establishment ensure that Humane Handling Procedures are followed to minimize discomfort to the birds prior to and during the slaughter process. Documented by REDACTED, REDACTED.

Pilgrim's Pride Corporation

Enterprise, Alabama

of inspections: 255

Memorandum of Interview, August 8, 2021:

Tonight, early morning of August 6th 2021, during my evening Good Commercial Practices walkthrough at approximately ~0030hrs, on line 2, I saw a live bird coming down the line, passed the backup cutter. It was not stunned and had no signs of being bled. It was looking around, bright, and alert. I then observed the live bird go into the scald tank. I notified, REDACTED, evisceration supervisor of my findings and that I was writing a GCP MOI. REDACTED, REDACTED, also responded and was notified. Sincerely, REDACTED, REDACTED

Memorandum of Interview, September 8, 2021:

On September 8, 2021, at approximately 1231 hours; I observed Less than Good Commercial Practice at establishment P-638 Pilgrim's in Enterprise, AL. While performing a Good Commercial Practice verification task, I observed one (1) live bird enter the scalders on Picking Line #2. When I initially observed the live bird, the neck and head was not visible, and no blood was noted. I then bent down and was able to see a fully conscious bird holding its head and neck up along its dorsal surface. The bird's eyes were open and blinking, the head/neck were moving, and the bird was not stunned. The bird then entered the scalders on Picking Room line 2 scalders alive after bypassing the head puller which is the establishment's final intervention. I immediately left the head puller on Picking Line #2 and notified REDACTED of my findings and the documentation of this Memorandum of Information (MOI). In addition, REDACTED, REDACTED, HACCP Superintendent REDACTED, REDACTED and Shift REDACTED were notified of the observed events and of the forthcoming documentation of a GCP MOI. Respectfully Submitted, REDACTED. REDACTED, REDACTED c: REDACTED. REDACTED, REDACTED c: REDACTED. REDACTED, REDACTED

Pilgrim's Pride Corporation

DeQueen, Arkansas

of inspections: 349

Pilgrim's Pride Corporation

Mount Pleasant, Texas

of inspections: 478

Pilgrim's Pride Corporation

Marshville, North Carolina

of inspections: 286

Memorandum of Interview, July 25, 2021:

On Sunday (July 25th, 2021) night, at approximately 10:00 pm, while observing operations in the scald/picking room I (REDACTED. REDACTED) observed an uncut bird (that already passed through the scald tank – all feathers were removed) come down the picking line. I removed the bird from the picking line to fully examine it. During my examination, I did not see a cut on the neck which prevented thorough bleeding; the head and neck were swollen and bright red in color. After making these observations I determined this bird was not slaughtered in accordance with good commercial practices. The REDACTED, REDACTED, entered the area shortly after; he was shown the uncut bird and notified of the forthcoming MOI. Agency regulation require that the poultry be handled in a manner that is consistent with good commercial practice, and that they do not die from causes other than slaughter. It is the establishment's responsibility to ensure that the birds are slaughtered in accordance with 9 CFR 381.65 (b). "Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding."

Memorandum of Interview, July 28, 2021:

On Tuesday (July 27th, 2021) night, at approximately 11:10 pm, while observing operations in the scald/picking room I (REDACTED.

REDACTED) observed an uncut bird (that already passed through the scald tank – all feathers were removed) come down the picking line. I removed the bird from the picking line to fully examine it. During my examination, I did not see a cut on the neck which prevented thorough bleeding; the head and neck were swollen and bright red in color. After making these observations I determined this bird was not slaughtered in accordance with good commercial practices (GCP). The REDACTED, REDACTED, and Superintendent, REDACTED, were shown the uncut bird and notified of the forthcoming MOI. Agency regulation require that the poultry be handled in a manner that is consistent with good commercial practice, and that they do not die from causes other than slaughter. It is the establishment's responsibility to ensure that the birds are slaughtered in accordance with 9 CFR 381.65 (b). "Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding."

Pilgrim's Pride Corporation

Athens, Georgia

of inspections: 217

Memorandum of Interview, June 25, 2021:

At approximately 12:16 on 6/25/2021 I was alerted to the following potential Good Commercial Practices violation while I was giving break to the food inspectors on Line 2. I removed a bird with the head still intact and no stick wound. The bird had obviously not been bled out. It was apparent to me that the bird had not been slaughtered in a manner that results in thorough bleeding of the carcass or of the bird still breathing when it entered the scalding. At 12:36 that same day I encountered another bird that had been slaughtered without being bled out. According to the inspector I relieved this was not an isolated incident as he had seen several birds slaughtered in that manner. I initiated regulatory control action by contacting REDACTED of the anomalies so he could further investigate the cause of the loss of control in the establishment's Good Commercial Practices process. ..This is inconsistent of the PPIA and Agency requirements. ..I also spoke to REDACTED who contacted REDACTED. REDACTED arrived on the Slaughter Floor and conferred with REDACTED. It was determined that the full-time stick and the backup stick were out that day and the replacement was not skilled on the position. The sticker was removed and replaced with a more experienced worker. ..A copy of this Memorandum of Interview will be shared with REDACTED and REDACTED and this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. ..Respectfully, ..REDACTED

Memorandum of Interview, July 9, 2021:

While performing the Poultry Good Commercial Practices at 1310 hours on 07/08/2021, I, REDACTED observed that the establishment is still having an issue with cadaver birds on picking line #2 . I observed the cadaver birds while at the rehang table. This area is where the bird is transferred from the live hang metal shackles onto the plastic evis line shackles. I observed the cadaver pass through on the picking line and then the REDACTED remove the bird from the line and throw the bird onto the floor. Upon approaching the area where the bird had been discarded, I observed 2 more cadaver birds on the floor. The establishment has made marked improvement since the last document MOI regarding cadaver birds.

Pine Creek Processing LLC

Ridgeland, Wisconsin

of inspections: 98

Pine Manor Inc.

Orland, Indiana

of inspections: 264

Pitman Farms

Sanger, California

of inspections: 285

Memorandum of Interview, August 30, 2021:

On August 25th, 2021, at approximately 0720, REDACTED observed as establishment employees were throwing ducks from crates exiting the Gas Stunner to crates on the Kill Line, a distance of approximately 3 feet. He immediately got the attention of REDACTED and showed him the incidence. The ducks seemed sedated, as most were not moving, but were thrown a distance of approximately 3 feet with a height of approximately 3 feet as well. The ducks were not vocalizing but it was clear that landing onto the plastic crates or other ducks was unnecessarily rough. In consultation with REDACTED. REDACTED, REDACTED, REDACTED informed area REDACTED and REDACTED informed REDACTED that the behavior was unacceptable and needed to stop immediately. Upon being informed, REDACTED. REDACTED had employees halt the behavior and he informed REDACTED that employees will begin transferring the entire crate over to the Kill Line instead of transferring the birds. REDACTED. REDACTED, and later Product REDACTED as well, informed REDACTED that the plant is in CO2 conservation due to a widespread shortage. They are temporarily using only enough CO2 to sedate the birds and are relying on the

electrical stunner to humanely slaughter the birds.

Pitman Farms Inc. (Moroni Turkey Processing)

Moroni, Utah

of inspections: 114

Memorandum of Interview, April 28, 2021:

Memorandum of Interview ..to Discuss ..Mistreatment of Birds on a Trailer Involved in an Accident ..Pitman Farms Turkey / Est# P01049 ..Meeting Time: Thursday, April 29, 2021 at 0900 ..Attendees: ..USDA Establishment ..REDACTED REDACTED ..REDACTED REDACTED ..REDACTED ..This meeting was necessitated by observations made on Wednesday, April 28, in response to the arrival of a trailer of turkeys which had been involved in an accident during which the trailer left the roadway and landed on its side. ..According to plant management, trailer 78 was involved in a rollover accident at approximately 0100 on the morning of April 28. At approximately 0630 on the same morning, trailer 78 arrived at the establishment missing the rear third of the coops. Those coops had been detached in the accident and arrived at the establishment minutes later on a flatbed trailer. At 0645, while inspecting the trailer and the detached coops with the REDACTED, I observed that most of the coops had been distorted and partially crushed as a result of the accident, and many of the coop doors were bent and pinned shut. I observed both dead and live birds inside the coops. REDACTED noted it would require maintenance to open the coops. REDACTED agreed it should be a priority to get the birds unloaded and sorted, and he informed REDACTED, of that assessment on the phone in my presence. ..At approximately 0745, I observed the trailer and the detached coops had yet to be emptied, and there were no signs of impending action to do so. According to REDACTED, he had been informed he was not to bring the truck into the building due to it being a safety hazard, but he had no info on when and how they were going to address the birds. ..At approximately 0850, I observed the rear third of coops on a flatbed truck had been sorted and the healthy live birds had been transferred to another trailer waiting for slaughter. According to the REDACTED, the injured birds were being euthanized at the rendering facility and discarded along with the dead birds in that rear section. The remainder of the damaged trailer was still parked and unaddressed. According to REDACTED, due to the instability of the trailer and the need to cut open the damaged coops, management could not address it at that time out of safety concerns. He said they would bring the trailer into the hanging bay for accessibility to empty the coops. When asked when that would happen, Jaime said at the end of the slaughter day. REDACTED overheard the discussion and promptly corrected REDACTED and told me the establishment would do it at lunch between 1000 and 1100. According to REDACTED, the maintenance supervisor was in a meeting with OSHA this morning and was now available to oversee that exercise. ..Between 1000 and 1130, I observed as the trailer was brought into the hanging bay and unloaded. Live birds were hung on the shackle line to proceed to evisceration, and the dead birds were discarded. Several birds identified by employees to be seriously injured were euthanized using a handheld stunner that REDACTED notified me was designed for use with turkeys. ..During the weekly meeting on Thursday, April 29, REDACTED voiced his objection to the MOI for egregious concerns because the trailer presented a safety issue, which, according to REDACTED, prevented them from taking prompt action. Although this type of accident has happened previously at this establishment, management did not have a plan in place to address the injured birds promptly and safely. ..This memorandum serves to document what was observed and discussed and provide the Denver district office with information concerning the operations being conducted at this establishment. A copy of this memorandum of interview was provided to establishment management, and the signed original will be placed in the USDA files. ..REDACTED

Plainville Brands, LLC

New Oxford, Pennsylvania

of inspections: 144

Poultry Processing of Atlanta

Loganville, Georgia

of inspections: 15

Prestage Foods, Inc.

St Pauls, North Carolina

of inspections: 131

Pure Pasture Packing, LLC

Sedalia, Missouri

of inspections: 34

Quail International Inc.

Greensboro, Georgia

of inspections: 4

Reichardt Duck Farm, Inc.

Petaluma, California

of inspections: 92

Rettland Farm LLC

Gettysburg, Pennsylvania

of inspections: 99

RUMBLEWAY FARM

Conowingo, Maryland

of inspections: 6

SANDERSON FARMS, INC

St Pauls, North Carolina

of inspections: 264

Sanderson Farms, Inc.

Summit, Mississippi

of inspections: 264

Sanderson Farms, Inc.

Bryan, Texas

of inspections: 271

Sanderson Farms, Inc.

Laurel, Mississippi

of inspections: 260

Sanderson Farms, Inc.

Moultrie, Georgia

of inspections: 269

Memorandum of Interview, September 8, 2021:

At approximately 0837 while performing Poultry Good Commercial Practice, I, REDACTED observed a REDACTED pick up a carcass in



which one of them was still distressed breathing and throwing them in the disposable chute without following proper establishment policy to pull their head (in order to provide decapitation) nor making sure it was not viable.

Sanderson Farms, Inc.

Waco, Texas

of inspections: 308

Sanderson Farms, Inc.

Kinston, North Carolina

of inspections: 273

Sanderson Farms, Inc.

Palestine, Texas

of inspections: 257

Noncompliance Record Description, April 1, 2021:

At approximately 1844 hours, 1st of April 2021, I, REDACTED observed the following while performing Poultry Good Commercial Practices (GCP) verification task in the live hang room: Approximately 15 DOA birds on the floor comingling with live birds on the floor between the back wall and line 3 and 4 hanging operations, as well as DOA birds by the exit/entrance door leading up to the shoot where they dump the DOA birds. I notified REDACTED and REDACTED of my forthcoming NR. Establishment failed to comply with regulation 9 CFR 381.65(a) which states: "Operations and procedures involving the processing, other handling, or storing of any poultry product must be strictly in accord with clean and sanitary practices and must be conducted in a manner that will result in sanitary processing, proper inspection, and the production of poultry and poultry products that are not adulterated" Please see MOI # RQE3721042101G

Memorandum of Interview, April 29, 2021:

At approximately 0508 hours on 04/28/2021 I noticed REDACTED picking birds up off the floor to put in the DOA container and he was not using the neck cutter. The supervisor told me he didn't know he was supposed to. ..At approximately 1038 hours I, REDACTED, entered live hang and observed several alive and dead birds (approximately 20-30 birds) throughout the area, I observed a pile of birds up against the wall behind the live hang table up against the wall. Then I went over to watch the cage dumper. I saw the birds being dumped on top of the previous birds that hasn't yet cleared out of the way. I notified REDACTED about the issues and he said he will take care of it. At approximately 1151 hours I went into live hang to follow up with the previous issues and saw approximately 20 dead /live birds scattered on the floor. Then went over to look at the cage dumper and noticed birds being dumped on top of each other before the previous birds cleared out. I notified REDACTED, of the issues again and he said that is not acceptable and he would get right on it

Memorandum of Interview, April 29, 2021:

At approximately 1129 hours on 04/29/2021 while performing the GCP Task. I went into live hang and noticed the cage dumper not letting the birds clear out of the way before he dumped the next cage. I notified REDACTED, of what I observed he took care of the issue immediately. This was previously discussed on 04/28/2021 with REDACTED over the same issue.

Memorandum of Interview, July 29, 2021:

On July 29th, 2021, I REDACTED, was performing my Good Commercial Practices Task and walked back to the holding area for the bird at approximately 1100 hours and noticed that the misters were not on and the birds were showing signs of distress. I noticed too many to count were panting and three to four Dead on Arrival (DOA) in the live trailers. The temperature was 88 degrees Fahrenheit with a real feel of 101 degrees Fahrenheit. I notified REDACTED and REDACTED that the misters were not on. They notified the proper person of the misters and the misters were then turned on. According to the pre-requisite program, the misters are to be turned on at 78 degrees Fahrenheit, but it is not required. The birds were showing clear signs of distress

Sanderson Farms, Inc.

Hammond, Louisiana

of inspections: 173

Sanderson Farms, Inc. (Processing Div)

Hazlehurst, Mississippi

of inspections: 262

Memorandum of Interview, May 3, 2021:

On 4/30/21, at approximately 2045 hrs., REDACTED was performing her GCP, she noticed a couple of birds that went into the scald tank alive. She described that the birds she observed had their heads up, were looking around, vigorously flapping their wings without evidence that their necks had been cut. I told her to find the supervisor and I will meet her at the scald tank. When I arrived REDACTED was present. The three of us watched over a period of approximately 10 minutes and I observed eight birds go into the scald tank alive with similar behavior as described previously. A couple of birds were hung by one shackle, their heads, looking around vigorously flapping their wings as they went into the scald tank. I instructed REDACTED to put a US Rejected tag on the live hang shackle, Tag NO. B41216545 (at that time the line had been shut off by the plant). I also informed REDACTED, REDACTED, REDACTED and SREDACTED, of my findings. REDACT-

ED and I had a brief meeting about Friday's Events earlier this afternoon. A copy of this MOI will be forwarded to appropriate personnel in the Jackson District Office...Respectfully submitted, ..REDACTED ..cc: REDACTED ..REDACTED .. REDACTED..REDACTED

Sanderson Farms, Inc. (Processing Div)

Collins, Mississippi

of inspections: 259

Memorandum of Interview, June 1, 2021:

At approximately 1106, on 06/01/2021, while doing a GCP task, I observed one (1) live chicken enter the Outside Scalder. It was alert, lifting its head, and attempting to right itself with no observed cuts to the neck or observed bleeding. I did not observe any additional live

Sanderson Farms, Inc. Tyler Processing Division

Tyler, Texas

of inspections: 506

Schiltz Foods, Inc.

Sisseton, South Dakota

of inspections: 18

Sensenig Turkey Farm LLC

Lititz, Pennsylvania

of inspections: 90

Scotts Hook & Cleaver Inc.

Scotts, Michigan

of inspections: 7

birds enter the Scalder. I informed REDACTED, and REDACTED, of the observation and of the forthcoming GCP MOI, documenting this incident.

SHENANDOAH VALLEY ORGANIC

Harrisonburg, Virginia

of inspections: 133

Memorandum of Interview, July 8, 2021:

At approximately 14:00 while performing a GCP task in the live hang area, I observed two dead birds on the top layer of birds in the DOA barrel with signs of trauma (blood on the feathers; major areas where the skin had been torn off; a large amount of intestine protruding from the cloacal area on both birds). Both were still somewhat warm to the touch. From these observations, it is clear that both birds died by a cause other than slaughter while at the establishment. REDACTED was present with me and observed these conditions. At 14:12, I spoke with REDACTED to inform him of this incident, and at approximately 14:20, I informed Corporate REDACTED Manager and Process Engineer REDACTED by phone. A copy of this MOI will be sent to the Raleigh REDACTED.

Memorandum of Interview, July 28, 2021:

At approximately 10:08 in the live receiving area, I observed a very badly mutilated chicken carcass on the pavement about ten feet from the end of the conveyor at the exit end for the removal of emptied cages from live hang. I immediately notified REDACTED, who then removed the carcass. REDACTED inquired as to what had happened. The forklift driver told him that when he had picked up one of the empty cages, the carcass had fallen from the bottom of the cage. It had evidently become caught between the cage and the conveyor and had been mutilated and killed in this way, which means that this chicken died other than by slaughter on the premises. I informed REDACTED. REDACTED that I would be issuing an MOI for this incident. I also informed REDACTED, Corporate REDACTED Manager and Process Engineer, during the weekly meeting with establishment management at approximately 12:40. A copy of this MOI will be sent to the Raleigh REDACTED.

Memorandum of Interview, August 27, 2021:

At approximately 08:13, outside the entrance end of the live hang shed, I observed a large hole (approximately five inches in diameter) in one of the bottom drawers of the cage that had just been unloaded onto the conveyor. A live chicken had its head, neck, and part of its torso protruding from the hole. As the conveyor moved the cage forward, the head and neck of the chicken struck a vertical post adjacent to the conveyor and became caught between the post and the trailing edge of the hole in the drawer. I entered the live hang shed, and when this drawer had been removed from the cage and placed on the conveyor, I found a recumbent, insensible, injured chicken in the drawer at the location of the hole. A flap of skin on one side of the neck, about 2cm by 5cm, had been peeled back. I removed the chicken, placed it on a table, and asked a REDACTED to find the lead or supervisor. As I waited, the chicken began convulsing. REDACTED and REDACTED arrived at approximately 08:15, and I showed them the chicken and described what I had observed. By this time, the chicken

Shining Comb Poultry

Romulus, New York

of inspections: 3

Sierra Nevada Poultry

Sacramento, California

of inspections: 55

Simmons Prepared Foods, Inc.

Gentry, Arkansas

of inspections: 261

had stopped convulsing and had expired. The establishment disposed of the carcass with the DOAs. I informed REDACTED. REDACTED that I would be documenting this incident on an MOI. I also informed REDACTED. REDACTED (Corporate REDACTED Manager and Process Engineer) of the incident and the forthcoming MOI at approximately 08:30. A copy of this MOI will be sent to the Raleigh REDACTED.

Simmons Prepared Foods, Inc.



South West City, Missouri

of inspections: 243

Noncompliance Record Description, April 9, 2021:

On the morning of April 9, 2021 at approximately 0340 hours while performing a directed Good Commercial Practice verification after observing birds at the rehang table area having died other than by slaughter. I observed 5 birds going into the scalders alive in less than 1 minute. I immediately took a regulatory control action and notified a plant employee to have them stop hanging birds on kill line #2. After corrective actions of raising the kill blade I observed too many small birds miss the stunner, miss the kill station, and overwhelm the backup killers allowing live poultry to enter the scald tank alive. At approximately 0356 I observed the 2nd back up killer miss a bird, I notified REDACTED to slow the kill line by 10%. Dropping the kill line speed to REDACTED. They were able to maintain process control at that speed. After the establishment changed to a new lot, I verified the process was still in control and released the line speed at approximately 0440 hours to full production. A U.S. rejected tag was not used as I remained in the area and maintained visual control. This noncompliance is being associated to VCF0900030508 dated 03/8/2021, for failure to prevent live birds from entering the scald tanks. The establishment's further planned action or the corrective action and preventive measures of repositioned backup killers on kill line 2, Communicated with live hangers and re-emphasized not hanging smaller birds and /or one leg birds that can miss the automatic knife were either not implemented or ineffective in preventing recurrence of the previous noncompliance. All GCP issues are documented in weekly meetings.

Sing Wah Live Poultry Mkt Inc

Brooklyn, New York

of inspections: 153

Southern Hens, Inc

Moselle, Mississippi

of inspections: 126

Memorandum of Interview, April 9, 2021:

On 04/07/2021 at approximately 0725 hours, the following less than Good Commercial Practice (GCP) incident was observed at P17766, Southern Hens Inc., Moselle, MS while performing the routine PHIS GCP verification task. In the back-dock area, I, REDACTED, witnessed several crates of live birds actively tossed from a trailer onto the conveyer belt by a Southern Hens employee. The crates were then observed to then bounce off the conveyer belt onto the lateral side onto the ground. Several birds escaped the tossed crates and 1 was observed to be wedged between two moving crates on the conveyer belt. The wedged bird was vocal and flailed around. Aluminum 'slides' were in the area but were not being utilized. ..REDACTED, was brought over to the area of the back dock. I informed him of the details that I observed and stated that this was a less ideal management of the live birds. Plant management was informed of forthcoming GCP MOI at that time.

Memorandum of Interview, April 15, 2021:

On 04/14/2021 at approximately 1633 hours, the following less than Good Commercial Practice (GCP) incident was observed at P17766, Southern Hens Inc., Moselle, MS while performing the routine PHIS GCP verification task. In the back-dock area, I, REDACTED, witnessed a crate of live birds actively tossed from a trailer onto the conveyer belt which then fell to the opposite trailer stall on the ground by a Southern Hens employee. Several birds escaped the tossed crate and 3 were observed to be wedged between the crate and the ground and observed vocalizing and thrashing around. Aluminum 'slides' were in the area but were not being utilized at that time. ..REDACTED, was brought over to the area of the back dock. I informed him of the details that I observed and stated that this was a less ideal management of the live birds. Plant management was informed of forthcoming GCP MOI at that time.

Noncompliance Record Description, April 15, 2021:

At P-17766 Southern Hens; on Thursday, April 15, 2021 at approximately 1138 hours, I, REDACTED, observed the following noncompliance. While performing a good commercial practices verification, I observed multiple cadaver birds being removed at the sorting station and condemned by plant personnel. I then proceeded to the kill line and observed 2 back up cutters after the automatic cutter, one of which were standing right in front of the scalders entrance (away from his stop button) and was not sufficient to keep live birds from entering the scalders. At this time, I observed 3 live birds with no observable cuts to the neck enter the scalders. Between 1140-1145 I called for REDACTED, and we observed 4 more live birds entering the scalders without any cuts (not properly bled out). When tapping the heads prior to the scalders, the birds blinked and had a neck withdrawal reflex. Multiple live birds continuing to get past all establishment preventive measures in place and entering the scalders exemplified a loss of process control. REDACTED had the line stopped to ensure the remaining few birds were properly cut, since there were only maybe 20-30 birds remaining on the kill line prior to the scalders and hanging had stopped for lunch break. When production resumed the establishment had an additional back up cutter and they were all positioned near appropriate stop buttons. REDACTED, and I observed these corrections, and verified that the establishment had restored process control. REDACTED was notified of the non-compliance and of the forthcoming documentation documenting these events.

Memorandum of Interview, May 25, 2021:

On 05/24/2021 at approximately 1617 hours, the following less than Good Commercial Practice (GCP) incident was observed at P17766, Southern Hens Inc., Moselle, MS while performing the routine Good Commercial Practices verification task. In the picking room area, I, RE-



DACTED, witnessed 8 live birds on the floor sitting amongst 14 dead bird carcasses, several decapitated heads and a mixture of blood and water on the floor. The observed live birds were still actively breathing, blinking, and responsive to outside stimuli (flapping around, running, and vocalizing) when manipulated. Next, inside the stunner room, I observed approximately 2 other live birds sitting among 6 other bird carcasses on the floor beneath the stunner. The 2 live birds were flapping around and vocal when the plant employee attempted to secure them. .REDACTED, was brought over to the area of the picking room. I informed him of the details that I observed and stated that this was a less ideal management of the live birds. Plant management was informed of forthcoming GCP MOI at that time.

Memorandum of Interview, June 1, 2021:

On 06/01/2021 at approximately 0819 hours, the following less than Good Commercial Practice (GCP) incident was observed at P17766, Southern Hens Inc., Moselle, MS while performing the Good Commercial Practices verification task. In the picking room area, I, REDACTED, witnessed 2 live birds going into the scalders. The first bird was verbally making noises and looking around and flapping its wings, the

Squab Producers Of California

Modesto, California

of inspections: 110

Table Trust Brands, LLC

Mifflintown, Pennsylvania

of inspections: 212

Texas Natural Meats

Lott, Texas

of inspections: 6

Sunleaf Farms

Mesa, Washington

of inspections: 54

Tecumseh Poultry, LLC

of inspections: 143

second bird was observed looking around and trying to upright itself, and there were no observable cuts made to the neck. REDACTED, was informed of my observation, and of the forthcoming GCP MOI documenting these events.

The Best Dressed Chicken, Inc.

Ward, South Carolina

of inspections: 282

Memorandum of Interview, April 21, 2021:

At approximately 1700 hours, while observing conditions outside of the live hang area, I observed one (1) chicken inside of a yellow USDA condemn barrel that contained two (2) dead on arrival (DOA) chickens. I summoned REDACTED to notify him of this finding. REDACTED immediately removed the live bird from the barrel and handed it to one of the live hang employees to be hung on the evisceration line. I reminded REDACTED that PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices and they they not die from causes other than slaughter. I notified REDACTED that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. Respectfully, REDACTED P47016 The Best Dressed Chicken.

Memorandum of Interview, June 28, 2021:

On the evening of June 28, 2021 at approximately 23:30 hours at establishment P47016-The Best Dressed Chicken, REDACTED notified me of an incident of 7 cadavers she discovered. The first bird was on the evisceration line. She pulled the bird from the line noted the bright red color, with head still attached and no cut mark on the neck. In the process of looking for a supervisor, she went to the picking room where she noted 2 more cadavers that had no cut marks on neck. She also saw that most of the shackles in live hang had 3-4 sets of paws stuck in them. She went outside to and told REDACTED of the issue. He immediately stopped live hang. Checked the equipment and assigned employees to manually unload the feet. I, REDACTED observed the live hang line for several minutes once live hang resumed. The birds were being stunned appropriately, the neck cutter was functioning properly, there was a back up cutter in place. All birds entering the scalders were thoroughly bled. I stopped to discuss the situation with REDACTED who is the REDACTED tonight as REDACTED left early. He described the issue with the paw unloader not functioning and how the birds hung on top of unloaded paws were not aligned properly for the cutting apparatus...In my opinion, the establishment responded promptly and appropriately to the issue. My concern is that the paw unloader has not been functioning optimally. Last night, employees had to manually remove paws. With this history, management should be actively checking on its performance and employees should know not to hang birds on top of unloaded paws. The back up cutter should have a way to stop the line or notify supervisor when he/she can not keep up.

Memorandum of Interview, June 30, 2021:

At approximately 03:30 hours on June 30 while I was observing effectiveness of the corrective actions for the ZT failure on the evisceration floor, I notice birds from live hang were coming sporadically and then stopped altogether. Upon further investigation, I went outside to the live hang door and found REDACTED directing employees in the area. There was a pile of dead birds completely obstructing the exit to live hang. When I asked what happened, I was told that the belt had stopped running and the operator of the cage dumper did not notice and continued to dump birds. There were more than 5 barrels of birds that died by means other than slaughter. REDACTED supervised that birds were picked up by hand, one at a time in case any were any live birds were present. Some employees attempted to exit the room by stepping on the pile of birds. REDACTED stopped them promptly. I went to the stand where the cage operator works and noted that it is very difficult to see what is on the belt once the cage is in position. IPP had observed the individual operating the dumping machinery early in the shift and noted that he was very gentle in his handling of birds that remained in cages. I discussed the situation with REDACTED and REDACTED and was assured that they would be re training employees and would address the issue with visibility, possibly by installing a mirror.

Noncompliance Record Description, July 6, 2021:

While performing a GCP task at P47016 (The Best Dressed Chicken) during the third shift beginning the evening of July 6 and extending into the morning hours of July 7, 2021, I observed the following issues which ultimately led in the issuance of a noncompliance and a regulatory control action: At 22:39 while observing a fecal zero tolerance check in the back right corner of the evisceration room near the rehang table, I noted a re hang employee discard a cadaver into the condemn barrel behind him. I proceeded to check the barrel where I found 5 cadavers 3 of which still had the head attached and no cervical cut present. I immediately went outside and into the feather picking room where I could observe stunning, killing machine and scalding. I saw REDACTED. REDACTED (third shift REDACTED) and another employee looking at the kill machine through the cut out in the front right corner of the feather picking room. I observed the live hang line for 10 minutes from a position where the line comes around a turn and heads for the hock cutter. It was 22:44 when I began looking for cadavers. During this period, I observed 4 bright red carcasses with the head still present which were a deep purple color that had no cervical cut present and 15 other cadavers. At 22:50 live hang stopped hanging birds, but I continued to watch as the remainder of birds passed my position and noted 3 more cadavers. At 22:54, once there were no more birds on the shackles, I went outside and had a discussion about my observations with REDACTED. REDACTED. I showed him the tally of cadavers I had recorded on my notepad. I also made him aware that REDACTED on July 6 first shift had made observations of several cadavers. He told me that the normal back up killer was gone and that he had stopped the line to add another back up killer and talk to them. At 00:23 while in the evisceration room near the rehang table, I saw employees discard 3 cadavers into the condemn barrels. I went to the barrel to extract the birds. 1 carcass still had the head attached with no cervical cut. Again, I proceeded to the feather picking room to monitor the live hang line. I watched from the point where the line turns and goes to the hock cutter from 0:36-0:41 and counted 6 more cadavers. 3 with the head still attached and either a superficial laceration in the skin or no cut at all. I did note at this time that several of the shackles passing by had more than 1 set of hocks stuck in them. This had been an issue documented in a MOI last week that was deemed to be the cause of improper alignment in the kill machine. The establishment had corrected this issue by having 2-3 employees manually removing paws that were missed by the unloader. So, I went around to live hang to see how many employees were removing paws from the shackles and found only 1 employee. At 1:40-1:55 REDACTED observed 7 cadavers while monitoring the live hang line in the feather picking room. He counted 5 that had the heads still attached with no cervical cuts. At 3:04-3:09 I returned to the feather picking room to monitor for cadavers and observed 4 more. 2 had heads still attached with a superficial cut that had not transected the vein. I observed the stunned birds approaching the kill machine. I noted several instances where the drooping wing of the bird behind would get drawn into the wheel with the head of the bird in front of it which could be preventing the proper cut. I double checked that there was a back up killer in place and checked the line speed was at REDACTED birds per minute. I went to tell REDACTED. REDACTED of my findings, but he was busy dealing with other equipment issues. I did note while on the evisceration floor at that time, the lead trimmer took a cadaver to his office to show him. At 6:09-6:14 I returned to the feather picking room to monitor for cadavers. I saw 2 cadavers during this time frame. At 6:18 while standing directly in front of the kill machine, I noted a bird that was hanging by one leg who was fully conscious. As it approached the guide rails for the killing machine, its free leg not its head was directed to the slicing blade. That leg was cut approximately half-way through the bone above the hock. The bird proceeded away from me towards back up killers. At this point, I saw another conscious bird hung by only 1 leg approaching the guide rail for the killing machine. It was approximately REDACTED birds behind the first conscious bird. This bird, as well had its free leg directed to the rotating blade instead of the head and suffered a half thickness cut to its leg just above the hock while fully conscious. The first bird was now on the line behind me and was still fully awake with head retracted up towards its body. I saw it blinking as it rounded the corner avoided the head puller and went into the scalding alive. The second bird then went by in a similar manner. I notified employees in live hang to stop hanging and proceeded to apply U.S. Rejected tag number B38 093365 to the bird dumper. I found REDACTED. REDACTED to notify him of my actions and told him of the incident. I also informed REDACTED. REDACTED (first shift REDACTED) of the noncompliance and regulatory control action. The establishment was not in compliance with 9CFR 381.65(b) which requires that poultry be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of carcasses and ensure that breathing has stopped prior to scalding. The slaughter process was not in control despite any corrective measures the establishment took, cadavers persisted throughout the shift.

Memorandum of Interview, August 3, 2021:

On Tuesday August 3, 2021 at approximately 2215, I was observing the start REDACTED on the evisceration floor and noted gaps in the birds being hung. I went to check the status of the live hang line by looking through the door to the feather picking room which is in the hallway across from the REDACTED office and noticed that there were only a handful of birds hung although the line was running. I proceeded to walk out the building to observe live hang. I saw 6 barrels of dead chickens and a pile about knee high of dead birds at the end of the live hang conveyor with an employee picking them up individually and filling up a 7th barrel. I immediately found REDACTED. REDACTED to inquire about the situation. He said the belt had stopped running and the cage dumper continued dumping birds. The employee operating the cage dumper this evening was an individual I had not seen before tonight, so I asked if he had been trained. I was told by REDACTED. REDACTED that he was an experienced dumper who had worked here before. REDACTED. REDACTED said that the employee was not aware that the belt had stopped running because he couldn't see and something about a brake lever that may need to be repaired. I issued MOI OFG 28010620301 on 06/30/2021 for a similar issue and was told that the establishment would implement a way to prevent this from happening again, possibly installing a mirror. There has not been a mirror installed to date. This MOI serves as written notification that the PPIA and FSIS regulations require that live poultry be handled in a manner that is consistent with Good

Commercial Practices and that they do not die from causes other than slaughter. This MOI will be forwarded to the District Office and the REDACTED in case additional follow up is recommended.

Memorandum of Interview, August 24, 2021:

At approximately 2215 on Tuesday night, I was on the evisceration floor monitoring the start of production and noted that maintenance personnel came to get REDACTED. REDACTED and led him outside in a hurry. I followed the establishment employees outside to the dumper where I noted an employee stepping into the bay where the chicken cages are dumped while REDACTED. REDACTED and the maintenance personnel were working below and just inside the door to the live hang line. I could hear the chickens squawking, so I climbed to the top of the dump platform to see what was occurring. The employee was standing knee deep in chickens and making his way toward the back. Another employee joined the first one in the bay and they both were reaching down and moving chickens back toward the front of the bay. I observed for several minutes. I descended the stairs and walked around to where the hangers station is located. I found 3 barrels of dead chickens and a pile of dead chickens extending out the door and up to the level of the conveyor belt. 1 employee stepped on the pile of dead chickens to exit and then another employee stepped on the pile to gain access to the belt. A live chicken was then mistakenly tossed onto the pile of dead chickens as hangers resumed hanging and tossing more dead chickens on the pile. I picked up the live chicken so he would not get buried alive under the carcasses and handed him to the hanger. While in the same location, another employee began picking up the dead chickens and putting them into a 4 th barrel. I counted 29 dead chickens fill the barrel. In my estimation, there were still at least another REDACTED birds in the pile. REDACTED. REDACTED was still attending to repairs and personnel, so I found REDACTED to discuss the situation with the dumper employee not being able to see that the live hang conveyor had stopped running and proceeding to dump more birds on top of the live birds already in the bay and belt. I issued MOI OF-G3220819031 on August 3, 2021 for the same exact cause with the same employee. This MOI serves as written notification that the PPIA

The Hillshire Brands Company

Storm Lake, Iowa
of inspections: 459

Tip Top Poultry, Inc.

Marietta, Georgia
of inspections: 209

The Ohio State University

Columbus, Ohio
of inspections: 2

To-Ricos, Ltd.

Aibonito, Puerto Rico
of inspections: 125

and FSIS regulations require that live poultry be handled in a manner that is consistent with good commercial practices and that they do not die from causes other than slaughter. This MOI will be forwarded to the District Office and the REDACTED in case additional follow up is recommended.

Turkey Valley Farms, Inc.

Marshall, Minnesota
of inspections: 221

Memorandum of Interview, June 9, 2021:

Est. 7669p Turkey Valley Farms, June 9th, 2021 ..At approximately 1150 hours, while performing a Good Commercial Practices verification task, I observed 1 out of 100 carcasses showing signs of consciousness (blinking eyes, raised head, and wing movement) proceed onto the scald tank. The establishment was running a clean-up load from one of the barns. There was a significant degree of variation in the bird size with several of the birds being very small. The bird that was observed proceeding into the scald tank with signs of consciousness was so small that with its head lifted it completely avoided the secondary stunner. REDACTED, was notified immediately. REDACTED immediately went to the killer and informed him that if he was having difficulties keeping up due to variation in bird size, he should stop the line if needed. He also said that if significant variation in bird size was observed, the stunner would be adjusted to accommodate the smaller sized birds. A recheck of 200 carcasses was conducted at 1200 hours with no carcasses showing signs of consciousness.

Memorandum of Interview, July 13, 2021:

Est. 7669p Turkey Valley Farms, July 13th, 2021 At approximately 1250 hours, while performing a Good Commercial Practices verification task, I observed 1 out of 100 carcasses showing signs of consciousness (blinking eyes, raised head, and wing movement) proceed onto the secondary stunner. The bird made initial contact with the stunner while its head was raised and then lifted its head further to avoid being stunned and was observed to proceed into the scald tank. REDACTED, REDACTED, was notified immediately. REDACTED. REDACTED then raised the height the secondary stunner to ensure better contact with the birds. A recheck of 200 carcasses was conducted at 1258 hours with no carcasses showing signs of consciousness. As similar incident of a bird showing signs of consciousness entering the scald tank was previously observed and documented in an MOI on 6/9/2021.

Memorandum of Interview, July 16, 2021:

Est. 7669p Turkey Valley Farms, July 16th, 2021 At approximately 0445 hours while conducting antemortem inspection, cracked flooring was observed on live haul trailer #201. The crack in the flooring created a gap large enough that a turkey had gotten its foot wedged in the opening. I informed REDACTED, REDACTED, of my observations from this mornings antemortem inspection. On Thursday, 07/15/2021,

during the weekly USDA meeting with the establishment, I informed REDACTED. REDACTED that while I was conducting antemortem inspection that week, three live haul trailers were noted to have floor damage. This included trailer #201. However, the damaged flooring noted on Thursday was in a different area from the damage observed this morning. After the weekly meeting REDACTED. REDACTED had contacted Grow-out Manager, REDACTED. REDACTED, who said they would try to get some pictures of the damage so that they could have a better idea what was observed and get needed repairs done.

Memorandum of Interview, July 26, 2021:

Est. 7669p Turkey Valley Farms, July 26th, 2021 At approximately 0445 hours while conducting antemortem inspection, cracked flooring was observed on live haul trailer #201. The crack in the flooring created a gap large enough that a turkey had gotten its leg caught in the opening. I informed REDACTED, REDACTED, REDACTED, REDACTED, and REDACTED, REDACTED, of my observations. REDACTED. REDACTED said that he would tag and hold trailer #201. Damaged flooring was also noted on trailers #187 and #185. On Thursday, 07/22/2021, during the weekly USDA meeting with the establishment, I informed REDACTED. REDACTED that while I was conducting antemortem inspection on Wednesday 07/21/2021 broken flooring was observed on live haul trailers #204 and #201. The same damaged flooring was noted in a previous weekly meeting on Thursday 07/15/2021. Additionally, a GCP MOI was documented on Friday 07/16/2021 where a bird had become caught in the same broken flooring on trailer #201. The flooring had not been repaired and the coups were still being used to hold birds. The establishments verbal corrective actions included communicating with the Grow-out Manager, REDACTED. REDACTED, and taking pictures of the damaged flooring to ensure repairs were made. The corrective actions were either not implement or were not sufficient to prevent recurrence.

Two Brothers for Wholesale Chicken, Inc.

Jamaica, New York

of inspections: 200

Noncompliance Record Description, July 27, 2021:

At approximately 8:30 am on July 27, 2021, REDACTED. REDACTED was performing a GCP task in the slaughter area of Two Brothers Wholesale Poultry. I noticed that 5 chickens were in the barrel and still moving. They were not yet dead and other birds were being piled on top of them. I immediately notified the employees that were slaughtering and had the birds returned to the bleeding cones until they had completely bled out and stopped moving. The employees did so. I notified REDACTED about the non compliance. He understood the issue and was then observed talking to the employees. This is a non compliance with CFR 381.65(b) that states, "Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding." No product unsafe product entered into commerce as a result of this non-compliance.

Noncompliance Record Description, July 30, 2021:

At approximately 9:05 am on July 30, 2021, REDACTED. REDACTED was performing a GCP task in the slaughter area of Two Brothers Wholesale Poultry. I noticed that 4 chickens about to enter the scalding were still moving. In the barrel near the cones was another barrel with 3 chickens that were not yet dead and other birds were being piled on top of them. There was no management present. I immediately notified the employees that were slaughtering and had the birds returned to the bleeding cones until they had completely bled out and stopped moving. The employees did so. This is a non compliance with CFR 381.65(b) that states, "Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding." This was an identical situation to the subject of an NR from July 27, 2021. No product unsafe product entered into commerce as a result of this non-compliance.

Noncompliance Record Description, July 30, 2021:

At approximately (09:15) hours on July 30, 2021, I observed the following noncompliance with 9CFR 381.65 while performing good commercial practice for poultry slaughter: In the scalding room, the chicken still move in the barrel. I immediately notified the employee working in scalding room. He took the bird back to the bleeding cones. I told the plant management supervisor that breathing has stopped prior to scalding. No product unsafe product entered into commerce as a result of this non-compliance.

Noncompliance Record Description, September 21, 2021:

At approximately 1 pm on September 21, 2021, REDACTED. REDACTED was performing a GCP task in the slaughter area of Two Brothers Wholesale Poultry. I observed that at least one chicken's throat was cut and then placed directly into the barrel to be carried to the scalding. The chicken was struggling to fly and attempting to get out of the barrel. It was difficult to see, but it appeared that at least one or two more chickens were moving in the barrel. There was no management present. I immediately notified the employees that were slaughtering and had the birds returned to the bleeding cones until they had completely bled out and stopped moving. The employees did so. I later discussed the situation with REDACTED who agreed and understood that this was acceptable. His corrective action is to

Tyson Foods

Monroe, North Carolina
of inspections: 601

Tyson Foods Inc

Union City, Tennessee
of inspections: 262

Tyson Foods Inc

Sedalia, Missouri
of inspections: 247

Tyson Foods Inc

Dexter, Missouri
of inspections: 286

more closely supervise the employees. This is a non compliance with CFR 381.65(b) that states, "Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped prior to scalding." This was similar to other situations that have been the subject of several other NRs. No product unsafe product entered into commerce as a result of this non-compliance.

Tyson Foods Inc

Forest, Mississippi
of inspections: 263

Memorandum of Interview, April 22, 2021:

On April 21, 2021 at approximately 2108 hours, while performing a part of the Good Commercial Practices Verification task, I, REDACTED was observing birds entering the picking room on picking line #2, and I observed a live bird go into scalding. The bird's eyes were blinking, and it was alert and the wings were flapping. There were no observable cuts made to the bird's neck. I notified REDACTED of my observations and forthcoming GCP MOI documenting these events. I additionally notified REDACTED of my observations, and she notified REDACTED and REDACTED of the observed events and forthcoming documentation. ..Respectfully submitted, ..REDACTED ..Food Safety and Inspection SERVICE, USDA FSIS ..713 S. Pear Orchard Rd. ..Ridgeland, MS 39157 ..cc: REDACTED ..REDACTED ..REDACTED ..REDACTED ..REDACTED ..REDACTED ..REDACTED

Memorandum of Interview, July 15, 2021:

On July 15, 2021 at approximately 2053 hours, while performing a portion of the Good Commercial Practice Task as I, REDACTED was observing the birds entering the scalding in the Picking room area in the Establishment's Evisceration department. I observed a single live

Tyson Foods Inc.

Humboldt, Tennessee
of inspections: 55

Tyson Foods Inc.

Shelbyville, Tennessee
of inspections: 269

Tyson Foods, Inc

Broken Bow, Oklahoma
of inspections: 243

Tyson Foods Inc.

New Holland, Pennsylvania
of inspections: 242

Tyson Foods, Inc

Green Forest, Arkansas
of inspections: 255

Tyson Foods, Inc

Dardanelle, Arkansas
of inspections: 234

bird enter the scalding tank for Picking Line # 2, the live bird was small, and no cut was evident on the bird's neck area. The bird was alert at this time. Upon closer examination of the bird in question, it was still intact with no cut to the neck area or anywhere else on the bird. I informed GPM REDACTED, and REDACTED. _____ REDACTED, REDACTED, REDACTED

Tyson Foods, Inc

Carthage, Mississippi
of inspections: 263

Memorandum of Interview, August 26, 2021:

At approximately 0424 hr. on August 26, 2021, after the establishment pre-operational inspection and before the start REDACTED, I (REDACTED) performed a Pre-Operational Sanitation verification task. The following was observed on the back dock area: there were two live birds in the large blue DOA vat placed underneath the DOA belt. The vat contained approximately three inches of water with numerous feathers. The live two birds were alert, with their eyes open, looking around, and flapping their wings. QSI REDACTED was present and observed the birds in the vat. REDACTED. REDACTED reached in the DOA vat with a stainless-steel hook and removed the live birds. These birds were left from the previous shift. QSI REDACTED was notified of the forthcoming REDACTED CC: DM REDACTED DDM REDACTED DDM REDACTED DDM REDACTED. REDACTED. REDACTED

Tyson Foods, Inc.

Glen Allen, Virginia
of inspections: 360

Tyson Foods, Inc.

Pine Bluff, Arkansas

of inspections: 378

Tyson Foods, Inc.

Blountsville, Alabama

of inspections: 260

Memorandum of Interview, April 16, 2021:

On Friday, April 16, 2021 at approximately 1032 hours I, REDACTED, performed a good commercial practice verification task in the picking room. I positioned myself at a point where I can directly view both lines entering the scald vats. On picking line 1, within one minute of continuing my check I observed one live bird of average size, still breathing with no visible neck cuts, entering the scald vat. The bird was hanging normally with its head straight down blinking its eyes and still breathing. Approximately 5 birds later another live bird was observed of average size with no visible neck cuts, entering the scald vat and blinking its eyes while still breathing. I located REDACTED who radioed for REDACTED. Once REDACTED arrived in the picking room, I notified him of my observations. I performed a recheck observation of the line for compliance at approximately 1038 hours; I did not observe any live birds entering the scald vat at this time. After management assessed the incident, I had a brief discussion with REDACTED and REDACTED about their assessment and their further planned actions. I informed them again of my observations and of the forthcoming GCP MOI documenting these events. REDACTED stated that monitoring for the remainder of the shift would be increased in addition to adding a third back up killer. ..Sincerely, ..REDACTED ..REDACTED ..cc REDACTED- District Veterinary Medical Specialist .. REDACTED .. REDACTED - AL

Memorandum of Interview, July 6, 2021:

On July 6th, 2021 at 21:11 while performing the Poultry Good Commercial Practices Verification Task, I observed a live bird enter the scalding on picking line one. I was standing between picking line one and two observing the birds immediately prior to entering the scalding. I was able to clearly observe the entire neck to verify there was no cut. Additionally, I observed the bird holding its head up, looking around, and blinking its eyes. I immediately notified REDACTED, the REDACTED, of my findings and of the forthcoming GCP MOI documenting these events.

Memorandum of Interview, September 28, 2021:

On Monday, September 27, 2021 at approximately 141 hours I performed a good commercial practice verification task in the picking room. I positioned myself at a point where I can directly view both lines entering the scald vats. On picking line 1, within two minutes of arriving, I observed one live bird of average size, still breathing with no visible neck cuts, entering the scald vat. The bird was hanging normally with its head slightly tucked, blinking its eyes, and still breathing. I asked the line lead to radio for a Supervisor. I informed REDACTED. REDACTED, Live/Evis General Production Manager and Shift Manager, REDACTED. REDACTED, of my findings and of the forthcoming GCP MOI documenting these events. After plant management assessed the situation, REDACTED. REDACTED stated that monitoring for the remainder of the shift would be increased in addition to making adjustments on the head pullers. Sincerely, REDACTED, REDACTED1st Shift - REDACTED, REDACTED c REDACTED, REDACTED- REDACTED-, REDACTED - REDACTED, REDACTED - Deputy District Manager - AL

Tyson Foods, Inc.

Springdale, Arkansas

of inspections: 259

Tyson Foods, Inc.

Nashville, Arkansas

of inspections: 260

Memorandum of Interview, May 19, 2021:

On May 19 at approximately 1226 hours, REDACTED, REDACTED and I, REDACTED were performing a Good Commercial Practice PHIS regulatory Verification task at the Holding/Cooling shed. In attendance, was REDACTED, REDACTED, REDACTED and REDACTED. We observed a bird on trailer 23110 crushed and suffocated between a damaged, lifted, bent floor and the wire in a tier of the cage that caused the death of this bird. This constitutes a mistreatment of poultry and represents less than GCP that requires live poultry be handled in a manner that is consistent with good commercial practices and that they not die from causes other than slaughter. I notified REDACTED that a GCP MOI will be issued to the establishment, also a copy sent to the District Veterinarian Medical Specialist and a copy retained in the FSIS file. A copy of the FSIS Directive 6110.1 issued 7/3/18 Verification of Poultry Good Commercial Practices will be given to him during the upcoming establishment awareness meeting.

Noncompliance Record Description, June 7, 2021:

On June 7, 2021 at approximately 21:05 hours, I, REDACTED, while on my way to perform Good Commercial Practices (GCP) task, found the following GCP noncompliance in the picking room : a shackled bird was vigorously flapping on slaughter line 2 between the first and second head puller heading for the entrance of the scald vat. I went to check the bird for consciousness/sensibility and found the bird had a broken neck, no blink response, no response to handling the head and its neck was uncut. The birds entered the scalding flapping weakly after missing the second head puller. After I turned from assessing the first uncut flapping bird, I noticed a second uncut bird after

the first head puller flapping vigorously. When I checked the second bird, I again found a broken neck, lack of blinking, lack of response to handling and an uncut neck. Immediately after assessing the second uncut flapping bird, a third and fourth flapping bird exited the first head puller with similar broken necks and uncut throats and lack of responsiveness. I took a regulatory control action of stopping the slaughter line 2 and tried to locate or contact establishment management by having a floor lead call them using a radio. When management arrived, I explained my observations to REDACTED and REDACTED. REDACTED immediately began trying to adjust the height of the head puller and discovered that it had been welded in place and was no longer adjustable. When relinquished regulatory control, immediately, a live conscious uncut bird bypassed the head puller by pulling its body up out of the bunched-up birds feeding into the first head puller with establishment supervision present to witness these observations. REDACTED removed the live bird from the slaughter line. While REDACTED was removing the first live, conscious uncut bird from the line, I pointed out two more live, conscious, uncut birds to REDACTED, which he then removed. Both REDACTED and REDACTED removed another live uncut bird each for a total of 5 live, conscious, uncut birds that would have otherwise entered the scald vat and drowned. I informed establishment supervision that their process was out of control and would be documented and asked what corrective actions they intended to take. REDACTED stated that the Back Up Killer would be removed and re-trained before he could work that position again. REDACTED stated that he had ordered Maintenance to cut the head puller equipment free of the welds that was preventing adjustment of the equipment. REDACTED and I waited approximately five more minutes and did not witness any further live, conscious, and uncut birds exiting the blood tunnel to enter the scald vat. As I returned from performing GCP task, my path took me back past the blood tunnel where I noticed another live conscious uncut bird past the first head puller heading for the scalders. I took another regulatory control action of stopping the kill line 2, and instructed the floor lead who came to investigate to remove the bird from the shackle which was past the last head puller and starting the decline into the first scald and radio for management. Immediately after the floor lead removed the live bird from the line, the Back Up Killer started the line again without permission, violating regulatory control. I immediately stopped the Kill line 2 and instructed the Back Up Killer not to restart the line. When REDACTED and REDACTED arrived, I described the situation, they witnessed the live uncut bird and the empty shackle, and I informed them of the seriousness of personnel circumventing a USDA regulatory control action. REDACTED stated that he would need to go ahead and remove the Back Up Killer for re-training. REDACTED immediately arranged for a Back Up Killer replacement. I allowed the line to be re-started and REDACTED removed an additional 2 live conscious uncut birds from kill line 2. I watched for an additional 5 minutes without observing any more live uncut birds exit the blood tunnel to enter the scald vat. If USDA had not found this noncompliance, loss of process control would have persisted in the slaughter process. The observations of live and conscious birds just prior to entry into the scald vat shows noncompliance with 9 Code of Federal Regulations (CFR) 381.65(b) . Birds missed by the mechanical kill machine were repetitively, routinely and consistently being allowed to pass uncut into the process thereby sending numerous birds into the establishment production processes that died by means other than slaughter which does not meet 9 CFR 381.65(b) . Additionally, using equipment to cause injuries to poultry is not in accordance with good commercial practices and therefore does not meet 9 CFR 381.65(b). Birds that die by means other than slaughter are, by regulatory definition, Cadavers which are condemned under 9 CFR 381.90 .

Tyson Foods, Inc.

Wilkesboro, North Carolina

of inspections: 263

Memorandum of Interview, April 22, 2021:

Today April 22, 2021, at approximately 1400, while performing a Good Commercial Practices check at the entrance to the kill hole, I observed a live bird heading towards the entrance to the scald on line #1. The bird had its eyes open, was breathing and holding its

Tyson Foods, Inc.

Seguin, Texas

of inspections: 455

Tyson Foods, Inc.

Corydon, Indiana

of inspections: 229

Tyson Foods, Inc.

Monett, Missouri

of inspections: 232

head upright and appeared alert and responsive. I proceeded down to the scald entrance and observed the bird enter the scald still breathing. At the time I observed the bird just prior to entering the scald, there was not enough time to stop the line to prevent it from entering the scald. The bird had its eyes open and was jerking its body excessively. I did not observe any evidence of cuts on or around the neck of the bird. I notified REDACTED of the nonconformance to the good commercial practices and of the resulting MOI.

Tyson Foods, Inc.

Noel, Missouri

of inspections: 274

Memorandum of Interview, May 20, 2021:

At approximately 1330 hours, on May 18, 2021, while verifying in the Live Dock area I observed the following: ..A Tyson team member was standing on top of the incoming conveyor belt where the belts transfer to the live hangers. REDACTED, and three other team members were pushing down on the bottom of the incoming conveyor belt with their feet. Another team member was along the wall, tossing live poultry carcasses at the feet of the team member that was standing on top of the conveyor belt. I observed a heaping pile, approximate-



ly 60 or more, of DOAs in the middle of the live hang lines one and two with two live birds near the pile moving about. The pile of DOAs were surrounding the feet of the team members that were in the area. I did not observe the DOAs being addressed to clear the area. I notified REDACTED, the concern of how the live birds coming in were being handled and being tossed toward the other team member that I observed and the loss of process control to address the excessive amount of DOAs that had and continued to accumulate. I explained that live birds should be handled properly as to not harm them. REDACTED acknowledged this and informed the team members to stop and get down from the incoming conveyor belt and to also quit tossing the live poultry carcasses. I notified REDACTED of my observations at approximately 1335. ...I then returned to live dock with REDACTED at approximately 1340 and observed team members from kill line two, where the hangers stand, kicked approximately ten DOAs from into the middle of the room and other team members were observed stepping on top some of the DOA carcasses. At this time there was a heaping pile of too many to count DOAs on the ground in the middle of lines one and two, a heaping pile of DOAs on the table and the DOA belt. ...REDACTED discussed with REDACTED the loss of process control regarding the DOA carcasses and the handling concerns that were observed. I notified REDACTED that the discussion regarding these concerns would be documented in an MOI.

Tyson Foods, Inc.

Vienna, Georgia

of inspections: 249

Tyson Foods, Inc.

Robards, Kentucky

of inspections: 261

Memorandum of Interview, July 28, 2021:

On Wednesday, July 28, 2021, while observing operations in the Evisceration rehang area with REDACTED. REDACTED, I noted approximately 15 cadavers in the one-legger bin of Line 1. This was right after the establishment started hanging birds for 2nd shift and the start of the carcasses were entering the inspection floor. I also noted cadavers were still entering the rehang area at regular intervals and removed from the line by the rehang attendant. I immediately went to observe if any live birds were entering the scalding on Line 1 at the location of the establishment's last intervention of a head puller. While observing the line at 1445 hours, I observed a bird with eyes open, blinking, and looking around at its surroundings enter the scalding. No further deficiencies were observed for the remainder of the check. I notified GPM REDACTED of my observations and of the forthcoming GCP MOI documenting these events. He stated the back-up killer was new and that he would get him additional help.

Tyson Foods, Inc.

Cumming, Georgia

of inspections: 215

Tyson Foods, Inc.

Grannis, Arkansas

of inspections: 269

Tyson Foods, Inc.

Center, Texas

of inspections: 304

Noncompliance Record Description, April 5, 2021:

On 4/5/2021 at approximately 1520 hours while performing a GCP Task, I observed at the Rehang Station seven birds that had been deposited in the condemn barrel without neck cuts. All seven birds had intact neck epidermises. At this time, REDACTED, and REDACTED, were shown the findings and notified of the forthcoming GCP noncompliance. It was apparent that all seven of these birds had not been properly bled and had entered the scalding still breathing. REDACTED immediately investigated the incident and determined the root cause to be a maladjusted cut blade. As a corrective action he adjusted the cut blade and reduced the line speed to REDACTED birds per minute. This had the effect of reducing the number of birds that had previously missed the cut blade from REDACTED birds per REDACTED birds per minute down to REDACTED birds per REDACTED birds per minute. The preventative measure submitted by the REDACTED was an immediate retraining of the two involved back up neck cutters. 9 CFR 381.65(b) states, "Poultry must be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and ensure that breathing has stopped

Tyson Foods, Inc.

Springdale, Arkansas

of inspections: 204

Tyson Foods, Inc.

Albertville, Alabama

of inspections: 257

Tyson Foods, Inc.

Carthage, Texas

of inspections: 321

prior to scalding". The Establishment is reminded that NRs for noncompliance and MOIs related with 9 CFR 381.65(b) when finalized are

posted for public review on the FSIS website, and the information contained within the NRs and MOIs for GCPs can be FOIA requested by individuals from the general public. The Establishment is also reminded that they are responsible for providing their own MOI responses through PHIS. Copies of this Memorandum of Interview will be distributed to the Establishment, inspection file, and the District Veterinary Medical Specialist per FSIS directive 6100.3. The issue will be discussed at the next weekly meeting. REDACTED

Tyson Foods, Inc.

Clarksville, Arkansas

of inspections: 208

Memorandum of Interview, June 30, 2021:

On 6/29/21 at approximately 1838 hours I observed concerns while performing my Good Commercial Practice task. While observing kill line A at the kill machine I observed 53 birds missed by the kill machine during 3 ½ minutes of observation. I also observed during this check a bird that was missed by the kill machine that was also missed by the backup killer. On line A the head puller is located after the scalders. Therefore, the bird that was not killed by the backup killer would inevitably enter the scalders still breathing. During this same check there were two occurrences in which the backup killer had to stop the line and move the legs of 3 birds that had a leg in two different shackles. ..I then notified REDACTED of my findings who immediately went to make adjustments and speak with live hang. I performed a retest at approximately 1852 hours, in the presence of REDACTED, which resulted in 15 birds missed by the kill machine. I notified REDACTED of my findings on both checks. ..I performed another retest at approximately 2100 hours which had 26 missed by the kill machine and the line had to be stopped twice due to birds hung by only one leg. I then notified REDACTED of my findings and he and REDACTED made more adjustments. ..At approximately 2150 hours I performed another retest of Line A kill machine that passed with 4 birds missed. ..The large number of birds missed by the kill machine and the improper hanging of birds creates an opportunity for live birds to be missed and enter the scalders still breathing.

Tyson Foods, Inc.

Hope, Arkansas

of inspections: 259

Tyson Foods, Inc.

Waldron, Arkansas

of inspections: 261

Memorandum of Interview, July 29, 2021:

July 28, 2021 Good Commercial Practices Memorandum of Information On July 26, 2021 evisceration line 2 had an issue with the hock cutting machinery at the evisceration rehang table at approximately 10:43 and line 2 was stopped completely. At 10:47 several supervisors and managers entered the picking room to remove carcasses that were still attached to the paws, due to the machinery failure at the rehang table. At 10:48, FSIS went to check on the birds in the electrical stunner and found that the stunner was still full of chickens. FSIS found that the chickens at the ends of the stunner had struggling, labored breathing and their heads half submerged in the stunner water. FSIS could not see the heads of the chickens stuck in the middle of the stunner, as their heads were submerged completely under water. FSIS immediately went to find the supervisor for the area. The supervisor was found removing slaughtered carcasses from the line. FSIS asked the supervisor what the plan was for the live chickens that were in the stunner, since the line was not operational. After being reminded, the supervisor walked back to the stunner area, then set up a ladder and began removing the chickens from the shackles that were in the stunner. The chickens were retrieved by the supervisor on the ladder and given to live hang employees, who took the chickens to the shackle room to remove their heads (to ensure that any chickens that were still alive were euthanized) before placing them in condemn barrels. Most of the birds retrieved from the stunner had drowned and were dead. FSIS also pointed out REDACTED birds that were trapped in the head cutting guide bars, just before the automatic blade. Water was pouring over the heads of these five birds (used to reduce friction of the automatic blade and keep guide bars from clogging) resulting in the birds struggling to breathe. The backup killer had already euthanized the chickens after the stunner all the way to the entrance of the guide bars, but the birds trapped in the cutting guide bars had not been euthanized the supervisor was shown the 5 birds. The supervisor asked for the backup killer's knife and cut their necks, to euthanize the 5 chickens. If FSIS had not intervened, the REDACTED would not have removed the chickens from the stunner or the head cutting guide bars. After 5 minutes of down time, birds recovered from the stunner were dead due to drowning. Allowing these chickens to drown caused undue suffering/pain/mistreatment and death by means other than slaughter, which is not consistent with good commercial practices. As per Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter, the Food Safety Inspection Service (FSIS) strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by the Good Commercial Practices (GCPs) as described by industry guidelines." My observations are consistent with less than good commercial practices. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the District Office. Respectfully submitted on July 28, 2021 Supervisory REDACTED (REDACTED) REDACTED. REDACTEDP768 Tyson Foods, Inc. Waldron, AR Cc. REDACTED, REDACTED. REDACTEDDDM, REDACTED. REDACTEDDVMs, REDACTED. REDACTED

Tyson Foods, Inc.

Temperanceville, Virginia

of inspections: 268

Memorandum of Interview, August 30, 2021:

On Friday, 27 August 2021, at 1705 hrs I walked into the live hang area and saw that the DOA belt was completely full, heaped up with multiple layers of dead birds and overflowing on to the floor. There were live birds to numerous to count on the floor, on the stands and under the stands in the live hang area. I came to the DOA belt and immediately noticed what appeared to be a live bird buried in among the DOAs. I immediately stopped the hang line. In the process of clearing the DOA belt there was found a total of 3 live birds that were completely buried in DOA birds. I sorted through the belt to make sure there were no more live birds present. REDACTED was completely full so it had to be taken out and emptied before the DOA belt could be emptied. REDACTED. REDACTED, General Production Manager for

Underground Slaughter LLC

Walling, Tennessee

of inspections: 46

Wabash Poultry Processing

Forrest, Illinois

of inspections: 44

Wayne Farms LLC

Decatur, Alabama

of inspections: 273

Vineland Poultry LLC

Vineland, New Jersey

of inspections: 78

Wayne Farms

Pendergrass, Georgia

of inspections: 263

Wayne Farms LLC

Albertville, Alabama

of inspections: 269

VPGC, LLC

Hinton, Virginia

of inspections: 137

Wayne Farms LLC

Danville, Arkansas

of inspections: 280

1st Processing, was present as he was hanging birds on the line due to being short of hangers. He was told that an MOI would be issued for Good Commercial Practice For Poultry Slaughter failure. Birds were in danger of dying other than by establishment documented slaughter procedures. This situation was twice found and addressed earlier in the week with both shifts GPMs and was discussed during the weekly establishment meeting this week. The DOA belt was cleared and the live birds on the floor and on the stands were returned to the live hang belt and the belt was released at 1714 hrs. REDACTED. REDACTED, REDACTED, was told of the Good Commercial Practice For Poultry Slaughter failure and that an MOI would be issued.

Wayne Farms LLC

Dothan, Alabama

of inspections: 259

Memorandum of Interview, April 13, 2021:

April 13, 2021 ..This morning, at 4:14am, while performing a good commercial practices verification task on line 2, I observed a live bird enter the scalding. The bird was not stunned and had no signs of being bled. It was looking around, bright, and alert. The bird passed both head pullers and I observed the live bird go into the scald tank...I notified REDACTED and REDACTED, of my observations and of the forthcoming GCP MOI documenting these events.

Memorandum of Interview, April 29, 2021:

April 29, 2021 ..This evening, at approximately 9:00pm, during my evening GCP walkthrough, on line 1, I saw a bird riding on the top of the shackles. It was not stunned and had no signs of being bled. It was looking around, bright, and alert. The bird passed both head pullers and I watched the live bird go into the scald tank. ..I notified REDACTED, and REDACTED of the event. ..I notified both supervisors that I was writing a GCP MOI.

Memorandum of Interview, June 1, 2021:

June 1, 2021 ..This morning, at approximately 3:39am, during my morning GCP walkthrough, on line 2, I saw a bird riding on the top of the shackles. It was not stunned and had no signs of being bled. It was looking around, bright, and alert. The bird passed both head pullers and I watched the live bird go into the scald tank. ..I notified REDACTED, of the event. ..I notified REDACTED that I was writing a GCP MOI.

Wayne Farms LLC

Jack, Alabama

of inspections: 266

Memorandum of Interview, July 13, 2021:

At approximately 1316 hours on Friday July 9, 2021 at Wayne Farms, LLC P-7485 in Jack, AL, I observed the following Less than Good Commercial Practice. While observing the dead-on-arrival (DOA) bin outside of live hang for lines 1 and 2, I observed one (1) bird that was respirating but I could not visualize the head region due to it being covered by a DOA bird and litter debris. I informed REDACTED, the lead covering for the supervisor. REDACTED. REDACTED removed the DOA bird from the DOA debris. The bird was live and conscious and was alert and looking around. REDACTED. REDACTED returned the bird to live hang. REDACTED. REDACTED brought the live hang floor personnel to the live hang office to investigate the situation. First REDACTED came to the office and was notified of the Less than Good

Commercial Practice observation of a live bird comingled with DOA birds and the potential for bird death due to suffocation. I notified REDACTED. REDACTED of the forthcoming Good Commercial Practice Memorandum of Interview (MOI). REDACTED. REDACTED informed me that the bird found in the DOA bin was suspected to have fallen off the shackle and onto the DOA conveyor belt; the cover over the belt had slid forward creating a large opening which could allow a bird fallen from the shackle to land on the DOA belt. Additionally, the belt was operating in the on position when not in use rather than locked in the off position. Personnel were made aware of the cover that had slid forward and maintenance will make the cover immobile so that it cannot slide forward in the future and allow birds to fall onto a moving DOA belt. Discussions will also be held with personnel regarding the conveyor belt being in the locked off position when not in use. Respectfully Submitted, REDACTED. REDACTED, REDACTED CC: REDACTED. REDACTED, DDM CC: REDACTED. REDACTED, REDACTED CC: REDACTED. REDACTED, REDACTED CC: REDACTED. REDACTED, REDACTED

Wayne Farms, LLC

Dobson, North Carolina

of inspections: 268

Memorandum of Interview, July 23, 2021:

On 7/23/2021, at approximately 1135 hours, while performing a Good Commercial Practices task in the Kill Room, I noted a bird pass by the back-up killer uncut heading towards the scalders. At the time of my observation, the bird had normal rhythmic breathing, eyes open and blinking with the head elevated. Immediately prior to the bird entering the scalders, I stopped the line approximately 45sec into my check and showed Maintenance REDACTED the bird. The bird had its eyes open, was attempting to hold its head upright and appeared alert and responsive. I did not observe any evidence of cuts on or around the neck of the bird. REDACTED. REDACTED removed the bird from the line and gave the bird to REDACTED. REDACTED. REDACTED had the bird cut by the back-up killer and allowed it time to expire

Wayne Farms, LLC

Union Springs, Alabama

of inspections: 268

White Oak Pastures Inc.

Bluffton, Georgia

of inspections: 85

Windy Meadows Family Farm

Campbell, Texas

of inspections: 90

Weaver Meat Processing

Hartselle, Alabama

of inspections: 39

Whitewater Processing Co.

Harrison, Ohio

of inspections: 128

Wing Lee Farms

Chino, California

of inspections: 133

West Liberty Foods, LLC

West Liberty, Iowa

of inspections: 145

Wilkes Abattoir, LLC

North Wilkesboro, North Carolina

of inspections: 1

Wisdom Natural Poultry

Haxtun, Colorado

of inspections: 38

Westminster Meat Packing Inc.

Westminster, Vermont

of inspections: 6

Williamsburg Packing Company Inc.

Kingstree, South Carolina

of inspections: 54

Working H Meats, LLC

Friendsville, Maryland

of inspections: 15

before restarting the line. I discussed my concerns with REDACTED. REDACTED and informed him that had USDA not intervened, this bird would have died by means other than slaughter. Following this conversation, I repeated my Good Commercial Practices task to verify that the number of stunned birds and manually killed birds were appropriate in addition to ensuring all birds were properly bled out before entering the scalders. I found no additional nonconformances. PPIA and Agency regulations require that live poultry be handled in a manner that is consistent with good commercial practices (GCP), and that they do not die from causes other than slaughter. It is the establishment's responsibility to ensure that birds are slaughtered in accordance with 9 CFR 381.65(b).

Zorro Leasing LLC

Fresno, California

of inspections: 251

Memorandum of Interview, June 2, 2021:

This MOI is intended to document the Poultry Good Commercial Practice incident that occurred at P7632 on Tuesday, June 1, 2021 at approximately 1135 hours. ...At approximately 1135 hours, while performing GCP Task, I, REDACTED observed the following: approximately 150 birds piled up at the end of the serpentine belt, and on the ground surrounding the belt. This pile was overflowing off the serpentine belt and piled to the point that the birds on the ground were leveled with the said belt. This pile contained live and DOA (dead on arrival) birds. I immediately approached REDACTED to communicate this piling of live and dead birds. At this time, REDACTED arrived and began immediate corrective actions by removing and disposing of the dead birds by putting them into the DOA gondola. I observed him pulling three live birds out of the DOA gondola and placing them back onto the live hang area. These live birds were on top of the pile of DOA birds. I immediately informed REDACTED of the forthcoming MOI. REDACTED and REDACTED were informed of the concern immediately after the incident occurred. I informed REDACTED of the establishment's responsibility to handle live birds in a manner consistent with

good commercial practices and to prevent needless injury/suffering. ..REDACTED and I met with REDACTED on 6/1/21 at 1330 hours to discuss the MOI. REDACTED explained that the last two trailers of birds that had arrived had an excessive amount of DOA's and the Lead could not handle the influx of birds. We advised him that preventing the mistreatment of poultry decreases the chances of producing adulterated carcasses. We asked about the preventative measures the establishment will take to avoid reoccurrence. We also discussed the establishment's Animal Welfare Program criteria. Per the establishment's Animal Welfare Program, "Zero loose birds in yard and no excessive loose birds in live hang. No live birds in DOA bins." ..Per Docket No. 04-037N -Treatment of Live Poultry Before Slaughter(2005)-FSIS reminds all poultry slaughter establishments that, under the Poultry Products Inspection Act (PPIA) and Agency regulations, live poultry must be handled in a manner that is consistent with good commercial practices, which means they should be treated humanely. FSIS considers humane methods of handling animals and humane slaughter operations a high priority and takes seriously any violations of applicable laws and regulations. Although there is no specific federal humane handling and slaughter statute for poultry, under the PPIA, poultry products are more likely to be adulterated if, among other circumstances, they are produced from birds that have not been treated humanely, because such birds are more likely to be bruised or to die other than by slaughter. ..CC: REDACTED ..CC: REDACTED ..CC: REDACTED ..CC: REDACTED ..CC: REDACTED