



Animal Welfare Institute

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August 9, 2018

Paul Kiecker, Administrator (Acting)
Food Safety and Inspection Service
US Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250-3700

Re: Poultry mistreatment during transport and holding

Dear Mr. Kiecker:

In May 2016, the Animal Welfare Institute (AWI) brought to the attention of your office our concerns regarding intentional abandonment of birds—often during extreme weather—in the holding areas of poultry slaughter plants. AWI provided six examples, occurring between 2013 and 2015, where large numbers of birds died while being held over for extended periods at slaughter plants. Because AWI requested that FSIS make changes to its policies, our letter was classified as a “petition,” and no action was taken.

AWI recently reviewed poultry Good Commercial Practice (GCP) records for 2016 through early 2018, and while doing so we identified more than 50 instances where birds were knowingly mistreated, either at the slaughterhouse or en route to the slaughterhouse. This included incidents where birds were loaded in high temperatures without the use of fans or misters; birds were transported in low temperatures without covers on the trucks; birds were held at the slaughterhouse without protection from extreme heat or cold; and birds were held for days without food, water, and adequate shelter.

FSIS has cited a number of plants for failure to protect birds from extreme heat during transport and holding, including Pilgrim’s (Establishment P17340), Mar-Jac Poultry (Establishment P517), Tyson Foods (Establishment P622), Simply Essentials Poultry (Establishment P34668), David Elliot Poultry Farm (Establishment M7559), and Kralis Bros. Foods (Establishment P1019), which had one incident where 3,200 of 9,600 birds were found dead in their cages at the time of unloading. FSIS has also cited plants for failure to protect birds from extreme cold, including Tecumseh Poultry (Establishment P20251), Empire Kosher Poultry (Establishment P1015), and Pelleh Poultry (Establishment 44121), where 1,200 birds froze to death in their cages. Plants were also cited for holding birds for lengthy periods in several cases, including one incident at Koch Foods (Establishment P509) that resulted in 3,000-4,500 out of 9,000 birds dying other than by slaughter.

We are aware that FSIS recently issued Directive 6110.1, *Verification of Poultry Good Commercial Practices*, which consolidates relevant information from the 2011 FSIS directive on ante-mortem and post-mortem poultry inspection (Directive 6100.3) and an expired FSIS notice on writing poultry GCP records. Both of the directives acknowledge that specific situations may exist where the establishment’s mistreatment requires notification of state officials. In these cases, inspection personnel are to prepare a Letter of Concern (LOC) to send to the plant’s management and appropriate state officials.

However, AWI's review of GCP records suggests that agency personnel are not following the LOC directive as written. Of the more than 50 abandonment/neglect incidents identified by AWI, only one appears to have triggered preparation of a Letter of Concern. FSIS issued a LOC to Pilgrim's plant in Nacogdoches, TX (Establishment P206) for a summer 2017 incident where 1,490 birds on one truck died before arrival at the slaughter plant because catching personnel did not employ proper heat abatement measures when loading the birds. According to records received by AWI through FOIA, this is the only LOC issued by FSIS for bird mistreatment since December 2014.

During the intervening time, FSIS has cited a number of plants multiple times for egregious mistreatment of birds:

- FSIS cited Norbest LLC in Moroni, UT (Establishment M751) on at least seven occasions for holding birds for more than 24 hours without food and water, and in some cases, without shelter from inclement weather. In one case, Norbest held birds for 53 hours before slaughter.
- Pilgrim's in Mt Pleasant, TX (Establishment P584) was cited for transporting birds under extreme cold without adequate protection. In one case, this mistreatment resulted in 3,569 birds dying, and in another instance, 9,879 birds died.
- Pilgrim's other Mt Pleasant, TX, plant (Establishment P7091) also had multiple incidents, including one where 1,519 birds died after being held over beyond the acceptable time limit.
- A Pilgrim's plant in Natchitoches, LA (Establishment P5787) reported high dead-on-arrival (DOA) numbers, including one incident where more than 34,000 birds were DOA on a day with a wind chill factor of 19 degrees.
- Inspectors cited Simmons Prepared Foods in Decatur, AR (Establishment P550) multiple times for subjecting birds to heat stress by parking the trucks that were carrying them in the sun.
- FSIS also cited Pilgrim's in Guntersville, AL (Establishment P192) for parking trucks carrying birds in full sun on hot days; in one instance, 2,550 out of 5,250 (49%) birds died.
- Inspectors at Butterfield Foods Company in Butterfield, MN (Establishment M248B) cited the plant for high DOAs during cold weather, including one instance where 50% of the birds froze to death during transport.
- Finally, an excessive number of birds died at Southern Hens in Moselle, MS (Establishment P17766) in two incidents a week apart where the company held birds in severe summer heat for 20 and 18 hours, respectively.

FSIS did not issue a LOC in any of the above cases.

Many of the incidents reviewed by AWI appear to qualify as violations of the animal cruelty statute of the state in which they occurred. For example, Arkansas defines the offense of cruelty to animals as knowingly (1) subjecting any animal to cruel mistreatment, (2) killing or injuring an animal without legal privilege or consent of the owner, (3) abandoning an animal without providing for the animal's continued care, (4) failing to supply an animal with a sufficient quantity of wholesome food and water, (5) failing to provide an animal with adequate shelter, or (6) carrying in any motorized vehicle an animal in a cruel or inhumane manner.

The definitions of animal cruelty set forth in the Arkansas statute are similar to those found in many other states. In these states, the presence of any one of the conditions constitutes a violation. Some of the incidents described in GCP records, however, involved all or nearly all of these conditions. Most of

the states where these incidents occurred have statutory exemptions for “generally accepted animal husbandry practices.” However, through issuance of a GCP record, FSIS personnel have determined that the behavior in question does not qualify as accepted husbandry practice.

Unfortunately, FSIS directives do not provide guidance to inspection personnel on what types of incidents warrant notification of state officials, or what information is to be conveyed to state officials. Moreover, the directives do not mention that certain incidents—such as those involving abandonment of animals and failure to provide food, water, and shelter—may violate state animal cruelty laws.

It is likely that many local and state officials are unaware that FSIS does not take any enforcement action in response to an egregious instance of bird mistreatment. It is important that FSIS inform state officials of this fact. Letters of Concern should encourage the relevant agency to investigate whether the incident in question is a violation of the state’s animal cruelty law and if criminal prosecution should be considered. FSIS should issue these letters to all plants that abandon or otherwise neglect birds in an egregious fashion and all plants that have a record of repeated violations of good commercial practices.

AWI is disappointed that your agency has failed to address instances of intentional abandonment and/or neglect of birds at slaughter establishments or in transit to slaughter. It is very disturbing to our organization and its supporters that poultry has so little value to the USDA that mistreatment—and the resulting pain and suffering—of thousands of individual birds at one time is perceived to be of no significance. Public opinion surveys suggest that consumers of poultry products share the same concerns.

Your agency has the ability to prevent the needless suffering of animals destined for slaughter. We implore FSIS to address this problem.

Sincerely,

A handwritten signature in black ink, appearing to read "Dena Jones", with a stylized, cursive script.

Dena Jones
Director, Farm Animal Program

Enclosures

cc: Mr. William Smith, Assistant Administrator, Office of Field Operations
Ms. Roberta Wagner, Assistant Administrator, Office of Policy and Program Development

EstNbr	Date	MOI Agenda
P5787	25JAN2016	On January 22, 2016 at approximately 12:15 PM I noted there was a larger number of dead on arrival birds (DOAs) than usual. The day was cold and a brisk wind was blowing. I checked the live receiving area again at approximately 2:30 PM and the number of DOAs had greatly increased. The temperature at that time was 41 degrees but with a 21 mph wind from the NNW factored in, the wind chill was 32 degrees. The wind was blowing so hard that the fans were turning even though they were not on. The birds appeared cold, lethargic and miserable. The total number of DOAs from lots 2 and 3 for that day was 4,678 (lot 2 had 4415 out of 84544 and lot 3 had 263 out of 23407). It is difficult to determine if the birds are dying in transit or during holding time in the live receiving area. The plant has put in place some green slats on the sides that cover about half of the front part of the sides of the cages. Once the birds reach the plant they do not have any additional protection from these windy cold conditions. Earlier in the month on January 5, 2016 at approximately 0930 I noted an increase in DOAs. The day was cold and there was a brisk wind blowing. I noted the plant had all the fans running as well. The birds on the trucks appeared cold, lethargic with fluffing feathers and shivering. I called (b) (6), to the live receiving area to see if something could be done. The establishment elected to turn the fans off. When I rechecked the birds later, the level of DOAs had decreased. This is to emphasize that it is the Agency's expectation and the responsibility of the Plant to protect birds from adverse weather conditions (hot or cold). The establishment is also expected to adequately protect the birds from unnecessary discomfort, suffering and death by means other than slaughter. It seems that the measures put in place by the plant so far have proved to be inadequate to protect the birds from dying by means other than slaughter. Some better form of protection must be provided so that these birds do not die from cold weather and exposure. This memorandum of interview will be entered into PHIS, forwarded to the Front Line Supervisor and to the Dallas District Office (District Veterinary Medical Specialist). (b) (6) P5787 Natchitoches, LA
P5787	24MAR2016	On March 24, 2016 at approximately 0523 hours, I was performing a Good Commercial Practices check in live hang/receiving when I observed two small birds on the (b) (4) side just inside the door into the picking room from the live hang area lying on the floor spattered with blood and in a shallow pool of bloody water. They were still breathing but weak and moribund. There was no one in the area to monitor the condition of these birds. I went into the live hang area office and asked who was in charge of the area. An employee then called for (b) (6). At approximately 0525 hours, (b) (6) came to the area and I showed him the two birds that were in danger of dying by means other than slaughter. He picked them up and they were properly euthanized. I then pointed out 2 loose birds on the ground under the (b) (4) line dump system and 1 under the (b) (4) dump system. These birds were picked up and everything was corrected by 0533 hours. USDA expects that no live birds should be put in any type of conditions so as to put them in danger of dying by means other than slaughter. It is expected that birds be treated humanely at all times and in accord with good commercial practices. The establishment is also expected to adequately protect the birds from unnecessary discomfort, suffering and death by means other than slaughter. USDA expects effective measures to be taken that will ensure this does not occur again. This memorandum of interview will be entered into PHIS, USDA inspection file, distributed to the establishment, forwarded to the Front Line Supervisor and to the Dallas District Office (District Veterinary Medical Specialist) per FSIS Directive 6100.3. (b) (6)

EstNbr	Date	MOI Agenda
P584	28JAN2016	At approximately 2349 hours on 1/21/2016, while performing the Good Commercial Practice task, I observed the following conditions at Establishment P584, Pilgrim's Pride, Mt Pleasant, TX. The Dead on Arrival (DOA) bins on both lines were completely full. There were numerous DOA's lying around the bins from lines 1 and 2. I immediately, notified my Supervisor (b) (6) of my findings. Upon further observation of the DOA bins, I did not see denaturant on the birds in the west bin (line 1). The Back Dock Supervisor was instructed to stop adding additional birds until he applied charcoal denaturant on one ones already in the bin. At 0017 hours 1st (b) (6) was verbally notified of my findings and my intent to issue a MOI for the excessive number of DOAs. The temperature was 38° F at the beginning of the shift and was 35° F, with a wind chill of 25° F, at the time I observed the large number of DOAs. The cages on the trucks had wood panels that partially covered the cages; there was also an empty cage on the trailer with broken wires, which was removed and sent for repair. Some birds were standing on top of each other and those that could, were huddled up in the front of the cage, behind the wood panels. (b) (6) stated that the birds were arriving from the state of Arkansas at 2213 hours until 2343 hours from (b) (4), and that the extreme weather conditions caused a drastic increase in the number of DOAs coming in on the transportation trucks. By the end of the shift, there were a total of 3569 birds that were dead on arrival. This MOI serves to remind the Establishment that the PPIA and Agency regulations do 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 Establishment Management 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 them a copy of this document. This MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. As a reminder, all Good Commercial Practice NRs and MOIs are now available to the public through the Freedom of Information Act. Respectfully (b) (6) P584 Pilgrim's Pride-West
P7091	20JAN2016	On 01 19 2016 at approximately 1600 hours while conducting Good Commercial Practices verification activities, a tan DOA bin was seen off to the left of the live hang waiting to be removed by rendering. Upon inspection of the DOA bin, a live bird was observed to be sitting on top of the other birds in the bin. Another live bird was found under it. No other birds were observed in the top two layers, but the remaining birds could not be inspected. (b) (6) was verbally notified and shown the conditions. He stated the birds were from D/s because the heads and not been removed. It is common practice to remove all heads from birds on N/s before they are placed in the DOA bin. He was asked to notify (b) (6) and Plant Manager Jaimme Willis and ask them to come to the area. (b) (6) and P/m Jaimme Willis were notified of the findings. They were reminded that placing a live bird in a DOA bin is inconsistent with the USDA recommendations concerning Good Commercial Practices. (b) (6) removed the birds to be humanely euthanized (b) (6) asked (b) (6) if he would get an employee to inspect the bin to ensure no remaining live birds were on the bottom layers. The bin was re-inspected by (b) (6) and (b) (6). Rapid decapitation was performed on each bird remaining in the bin, in accordance with establishment's current policy. The establishment is asked to ensure employees handling live animals are aware of the need to check all animals for life before they are condemned as dead. The establishment is also reminded it is important to treat poultry in a way that minimizes accidental injury to include proper sorting of live and dead birds in the Live Hang/Receiving areas, as well handling prior to euthanasia. In addition, employing humane methods of handling consistent with Good Commercial Practices can help produce an unadulterated product. Copies of this Memorandum of Interview (MOI) will be distributed to the establishment, inspection file and District Veterinary Medical Specialist per FSIS Directive 6100.3. Establishments are reminded they should respond to MOIs through PHIS. Documented by (b) (6)

EstNbr	Date	MOI Agenda
		minimizes injury, excitement and discomfort prior to slaughter and that their methods ensure all poultry are slaughtered in accordance with 9 CFR381.65 (b). USDA is requesting the establishment investigate this issue, particularly in regards to the design/build of the equipment in relation to the size of the birds processed at the establishment, as well as the activities that take place before the birds reach the area of concern, e.g. the point of hanging. The establishment is respectfully asked to establish and implement effective preventive measures to avoid future occurrences. Copies of this Memorandum of Interview (MOI) will be distributed to the establishment, inspection file and District Veterinary Medical Specialist per FSIS Directive 6100.3. The establishment is reminded that NRs for noncompliance with 381.65(b) and MOIs for GCPs, when finalized, are posted for public review on the FSIS website. In addition, the information associated with NRs and MOIs can be FOIA requested by individuals from the general public. The establishment is also reminded that responses to GCP MOIs and NRs can and should be uploaded into PHIS by designated Pilgrims Pride employees with access to PHIS. Documented by (b) (6)
P7091	05FEB2016	On February 3, 2016 at 0600 hours, while performing a GCP task, two birds were found dead on the floor just prior to entering the stunner. They had died by being pulled apart in the curve of the picking line. (b) (6) was immediately notified of the situation. He immediately notified (b) (6). The line was slowed to (b) (4), (b) (6). (b) (6) opted to stop the line and remove the metal and plastic guard/shield (and steel plates) that had been put up during the previous night shift. The line was stopped from 0610 to 0622 hours. (b) (6) informed USDA that the shield did not need to be there and that the shield was the problem. It appears that the metal plates that were installed with the guard the night before had caught the birds as they came around the curve in the picking line. Upon removal of the guard, an establishment employee was detailed to that area of the picking line to monitor for any further potential problem. (b) (6) informed USDA that the employee would remain at that position for the remainder of the shift. There had not been any other incident other than birds being agitated at the initial turn in the picking line (which resulted in excessive wing movement). After the 9:30 break, line speed was released back to the establishment, with the understanding that there would be continuous monitoring of the situation and a plant employee would remain at the picking line. At 1004 hours, (b) (6) informed USDA that maintenance had put a canvas curtain up around the birds, however, it had been removed because they did not have a cable or bar to prevent the canvas from potentially contacting the birds. He informed USDA that maintenance would install a bar and rehang the canvas curtain.
P7091	15MAR2016	On 03 14 2016 at approximately 2030 hours while conducting Good Commercial Practices activities in the Live Hang area, I observed an increased number of birds being discarded as DOA carcasses. I observed several birds to be open mouth breathing on the dump belt. I notified (b) (6) of my concern that the birds may be overheated while being stored pre-hanging. On inspection of the Live Haul holding shed, birds in cages at Bay #4 were observed to be open mouth breathing in multiple sections of the holding cages on the truck staged in that area. Further investigation showed four fans were inoperable in the 4th bay area (Fans 2, 3, 5, 9). Fan number one (1) was off, and was turned on by (b) (6) who was present at the time). It was considerably warmer in that portion of the holding area, than in the rest holding area. (b) (6) was notified of my concern with Good Commercial Practices. The establishment is reminded in addition to the regulations found in 9CFR 381.65(b). FSIS encourages establishments to develop and implement a systematic approach to ensuring poultry presented for slaughter are treated in a manner that minimizes excitement, discomfort, and accidental injury. The initial component of the approach is to assess the areas where handling problems may occur. 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 CFR381.65 (b). Copies of this Memorandum of Interview (MOI) will be distributed to the establishment, inspection file and District Veterinary Medical Specialist per FSIS Directive 6100.3. Documented by (b) (6)

District	EstNbr	EstName	MOI#	Date	Description
90	P509	Koch Foods LLC	IPG480204 5726G	26APR2016	At the start of the overnight shift beginning on April 25th 2016, I observed less than good commercial practices in the live hang area. Trailer 466 from the (b) (6) farm had been held over from the prior shift and contained an excessive number of DOA birds. Investigation showed that the trailer had arrived at the establishment at 4:54 AM on 4-25-16 and was held over when the 3rd shift ended at 5:30 AM. The trailer reportedly contained 9000 birds. It was kept in the holding shed through the first (processing) shift and through the second (sanitation) shift. At approximately 9:00 PM at the start of third shift when the truckload of birds was processed, an estimated 3000-4500 birds were DOA. These birds were sorted into the DOA bin. The bin was emptied three times during processing of this load of birds. Live (b) (6) estimates that the bin holds 1000 to 1500 birds when filled. By this estimate, between 33 and 50% of the birds on the trailer died on the truck before slaughter. (b) (6) was notified of the need for a meeting and that an MOI would be written. A meeting was held in the USDA office at 0130 AM 4-26-16 to discuss this issue. (b) (6), (b) (6), (b) (6), and (b) (6) attended. No representatives from first shift were available. According to Koch management, an overloaded trailer would ordinarily be processed first. It is not known why this did not occur in this instance. As per Federal Register Notice Docket NO. 04-037N dated September 28, 2005, "Treatment of Live Poultry Before Slaughter," the Food Safety Inspection Service 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. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the Jackson District Office. Sincerely, (b) (6)

District	EstNbr	EstName	MOI#	Date	Description
40	P7091	Pilgrim's Pride Corporation	SBF242205 0126G	26MAY2016	On 05 17 2016 and 05 18 2016 the establishment experienced a significant amount of downtime due to an issue with the offal drainage system. As a result, there was a significant number of Live Haul trucks held over for the next days' production. On 05 18 2016 at approximately 2130 hours, (b) (6) observed conditions in the Live Haul holding shed. There were 20 trucks with an "E" designation indicating they were on hold for the East Plant. There were three trucks with a "W", indicating they were for West Plant operations. On 05 18 2016 (b) (6) asked Plant Manager Wesley Smith for a report providing the times in which the trucks in the Live Haul shed had arrived on 05 18 2016. She was provided with a Back Dock Report for 05 18 2016 N/s which listed three trucks that had been dumped before the shift ended at approximately 1600 hours. The truck numbers were 2767, 2792, and 2770. On 5 19 2016, (b) (6) asked for a report detailing the times the trucks arrived at the plant on 05 18 2016 and the corresponding time that the chickens slaughtered. She was told that information would have to come from Accounting, and the department was closed. On 05 20 2016, (b) (6) asked for a report detailing the time the trucks arrived at the establishment for D/s and for N/s on 05 18 2016 and the times the chickens were slaughtered. She was provided a report that contains several pieces of information. On review of FSIS Form 6510-7 for 05 19 2016, (b) (6) noted 1,519 DOAs were reported on the D/s slaughter report. After speaking with Plant Manager Wesley Smith and (b) (6) the information gathered indicates that on 05 18 2016 the establishment exceeded the maximum 15-hour holdover time for birds presented for slaughter. For example, truck number E202758 arrived at the facility at 0359 (am) hours on 05 18 2016 ("TUS" or time on scale). Using the Back Dock Report for 05 18 2016, there is no record of the truck presenting for slaughter at the establishment on either shift. On 05 19 2016, Truck #E2022758 presented for slaughter at 0703 hours. In another example, Truck # E2022770 arrived at the establishment at 0425 hours on 05 18 2016. It presented for slaughter at 1506 hours on N/s (6 cages) on 05 18 2016 and again on 05 19 2016 at 0452 hours on D/s (16 cages). Truck # E2022769 arrived at the establishment at 1037 on 05 18 2016. The truck presented for slaughter on 05 19 2016 at 1104 hours. The information reviewed was cross checked using Grower name, Arrival Time, Bird weight, Truck #, Farm#, and DOA#. In addition (b) (6) and (b) (6) stated the Tuesday 05 17 2016 catch corresponds to the Wednesday 05 18 2016 slaughter report. Finally, the columns marked "Catch Crew" show the time in which the birds were caught and placed on the trucks. The establishment canceled houses after the 1511 catch crew. The corresponding truck E2022792 arrived at the establishment at 1943 hours. Operations ended at P7091 at approximately 1600 hours on 05 18 2016. The times described for several of trucks arriving at the establishment on 05 18 2016, indicate the bird holdover time exceeded the maximum hold time of 15 hours as stated in the establishment Animal Welfare Plan. USDA understands the information requested is not regulatory, and asked for clarification on how to properly read and match the documentation provided. Although the information is not regulatory, USDA is concerned with the adherence to Good Commercial Practices, as documented in the establishment Animal Welfare Plan. USDA also understands that taking birds back into the

District	EstNbr	EstName	MOI#	Date	Description
					field for re-housing is stressful, and is done in extreme circumstances. USDA is concerned that proper preparation, including on 05 18 2016, and considering the issue with the drain was ongoing for two days, may have prevented this occurrence. The establishment is reminded that FSIS encourages establishments to develop and implement a systematic approach to ensuring poultry presented for slaughter are treated in a manner that minimizes excitement, discomfort, and accidental injury. The initial component of the approach is to assess the areas where handling problems may occur. Establishments should have, and implement as needed, an emergency plan that addresses animal welfare in the event of an emergency shutdown. 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). USDA has also noted a recent uptick in the number of MOIs for Good Commercial Practices, specifically related to mishandling of live poultry. USDA has also discussed with the establishment the previous MOI history, and the issues with changing conditions related to bird size, specifically those related to heat stress. USDA is requesting the establishments evaluate their handling methods to ensure animals are being treated in a manner that minimizes injury, excitement and discomfort prior to slaughter. Copies of this Memorandum of Interview (MOI) will be distributed to the establishment, inspection file and District Veterinary Medical Specialist per FSIS Directive 6100.3. Documented by (b) (6)
40	P19688	Sanderson Farms, Inc.	KJA442106 4001G	01JUN2016	On May 31, 2016 at approximately 2200 hours, a live bird was observed in the enclosed cage dump area standing adjacent to an open section of the drain. Upon closer evaluation, two live birds were observed in that drain beneath the conveyor belt within that enclosed area. The water within the drain was not moving at that time. One bird was observed with a wing flapping in and out of the water while the other bird was observed protruding its neck upward in a motion to stay above water. The water began flowing steadily again as (b) (6) was informed. (b) (6) and (b) (6) attempted to search for the two live birds within the drain further downstream with no visualization of the live birds. The drain empties into an offal trailer. (b) (6) and Plant Manager Jeff Black were also notified. The presence of live, conscious birds within the drainage system is not consistent with good commercial practices. Live birds received by the establishment must not die of causes other than slaughter. Measures to prevent the needless suffering, discomfort or accidental injury/death of poultry throughout the entire slaughter process failed to do so in this incident.

District	EstNbr	EstName	MOI#	Date	Description
90	P1307	Mar-Jac Poultry-AL	KIL361406 5206G	06JUN2016	At approximately 07:45, while performing a Antemortem/Good Commercial Practices/Mishandling check, I observed less than Good Commercial Practices in the live poultry area. There was a trailer containing cages of birds that were involved in a truck accident during transport to the plant which had numerous birds that were dead, injured and/or dying. The truck was parked under the live holding shed, but was not in the queue to be slaughtered immediately. I notified (b) (6) and she stated that according to (b) (6), they could not slaughter the birds until the insurance company had come to perform their investigation. I informed (b) (6) that it is inhumane to allow the birds to sit on the trucks for hours at a time, while suffering from their injuries. She stated that she would let the Complex Manager know what I had said and get back with me. At approximately 08:30, (b) (6) stated that they planned to have some employees remove the live birds from the cages, place them into other cages so that they could be slaughtered. At approximately 10:00, I went to the live poultry area and observed that the trailer had been moved to an area outside of the live shed, and several employees were working on separating the dead from the live birds. When I went back at approximately 13:00, I observed that there were still 14 of the 22 cages still on the truck with live/injured birds still in the cages with dead birds. I asked (b) (6) why it was taking such a long time to remove the live birds, and she stated that they had been working on it, but did not have enough help to do it faster. I noted that by this time, the temperature outside was 84 degrees, and the birds had been sitting on the trailer without shade or heat relief measures for at least four hours. At that time, I informed (b) (6) that the establishment would be receiving a Good Commercial Practices (GCP) MOI for mishandling/mistreatment of the injured birds. The Poultry Products Inspection Act (PPIA) and Agency Regulations do require that live poultry be handled in a manner that is consistent with good commercial practices. The establishment has received a copy of Federal Register Notice Vol. 70, No. 187, published September 2005 [Docket No. 04-037N]. cc: (b) (6) (b) (6), (b) (6) Dr. Larry Davis, Deputy District Manager Dr. David Thompson, Deputy District Manager Dr. Donald Coley, Deputy District Manager

District	EstNbr	EstName	MOI#	Date	Description
80	P622	Tyson Foods	NLB381206 5413G	13JUN2016	The purpose of this Memorandum of Interview is to document the events on June 13, 2016 related to the large quantity of dead-on-arrival (DOA) chickens discovered during live hang operations. The establishment has determined that this event occurred off-site. However, it is expected that measures are taken during grow out operations to reduce the number of birds dying prior to approved methods of slaughter. In addition, from a veterinary standpoint, conveying these dead birds along highway systems should be avoided. At approximately 0530, while performing ante-mortem inspection on chickens, the following situation was observed. After inspecting multiple trucks outside, I walked into the live-hang area. There were many large piles of dead birds on the floor and live-hang platform on Line 1. The number was eventually found to be approximately 2,075 birds from one grower as stated by (b) (6) on June 13, 2016. The daily Farm Condemnation sheet given by the establishment for the day shift stated the number of birds presented for slaughter as 133, 583 birds. For Lot 1 on the Poultry Condemnation Certification (FSIS Form 9061-2) for that day, a total of 35, 278 birds were presented for slaughter and 2,066 birds were DOA. A few dead birds were examined by myself in the live-hang area. There was no evidence of swelling on the heads, nor were there any discharges. Birds were normally colored and of a variety of body conditions. Most were well fleshed. Dead birds were found to be slightly cooler than expected for a very recently deceased bird. No excessive swelling of the body was seen. Live birds on the live-hang conveyer belt were able to stand and ambulate; many were panting. No neurological symptoms were seen in these birds. Live birds from this lot were not seen to have markedly abnormal viscera or condition on USDA post-mortem inspection. At the time of ante-mortem inspection, this large amount of DOAs was not observed on trucks. The fans and misters were turned on and facing the trucks. The ambient environmental temperature was warm. Some birds were seen panting and there were few visible dead birds. In the live hang area, the establishment employees were working to clear the large amount of DOAs and I did not see any live birds under the pile of DOAs. At that time, I asked (b) (6) about what had transpired. At that time, (b) (6) notified me that the establishment decreased the amount of birds dumped on the belt to ensure no overcrowding of the birds and proper sorting out of the DOAs. In addition, (b) (6) was collecting the information about the situation. No DOAs were found to have entered the establishment upon USDA post-mortem inspection. At approximately 0815, (b) (6) informed me that no issue was found at the plant. According to the establishment, all of the birds arrived on six different trucks that morning between 0201 through 0556. A plant employee was contacting the farm to investigate the cause. The general cause, told to me by (b) (6), is that it appeared many had dermatitis and the stress of catching and transport combined with the warm morning may have led to this situation. These birds were reported to be from House 1 from the grower (b) (6). As previously stated, the establishment had fans and misters switched on and slowed the dumping of birds onto the conveyer to properly sort the birds. Further occurrences originating off-site will be documented and retained on file.

District	EstNbr	EstName	MOI#	Date	Description
90	P17766	Southern Hens, Inc	SSN031506 0717G	17JUN2016	On June 16th, 2016 at approximately 1100 hours I, (b) (6) inspected trailer #312 located in Live Shed #1. The ambient temperature in the live shed was 90oF according to the thermometer in the shed, and the fans and misters were turned on and functioning. I observed heavy breathing (panting) in the birds on Trailer #312. I observed no other signs of illness or disease, and I did not observe any dead birds (DOAs). According to establishment records, trailer #312 arrived on the premises at 1001 hours on 6/16/2016 and was unloaded at 1632 hours on 6/16/2016, and contained 7 DOAs out of 5150 head unloaded. This equates to 0.1% DOAs and approximately 6 hours holding time on the official premises prior to slaughter. On June 16th, 2016 at approximately 1715 hours I inspected trailer #278, located in Live Shed #1. According to establishment records, this trailer originated from the same farm as trailer #312, located in Robards, Kentucky, and arrived on site at P-17766 at 1503 hours. I observed heavy breathing (panting) in the birds on Trailer #278. I observed no other signs of illness or disease, and I observed two DOAs. On June 17th, 2016, at approximately 0830 hours, I observed as trailer #278 was unloaded. At the time of my observation, approximately half of the coops were still on the trailer waiting to be unloaded, and I directly observed approximately 2 DOA birds visible in coops on the trailer. I observed as the birds were removed from coops in live hang, and I observed the disposal of DOA carcasses from this trailer. According to establishment records, there were 401 DOAs on trailer #278. This equates to 7.8% DOAs. This trailer was on the official premises for approximately 20 hours prior to slaughter. Subjecting poultry to prolonged holding times prior to slaughter, especially during severe summer heat, may result in poor animal welfare and increased mortality. I recommend establishment management 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. FSIS encourages those involved in the slaughter of poultry to abide by Good Commercial Practices. Respectfully, (b) (6) P-17766
90	P1307	Mar-Jac Poultry-AL	KIL500406 5420G	20JUN2016	At approximately 0405 while performing Ante-Mortem and Animal Welfare verification at line #1 cage dump, I observed the cage dump operator kicking two live chickens from the cage platform onto the dump belt below. The chickens vocalized and flailed their wings in distress as they were being kicked. I immediately notified (b) (6) of my observations. Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry Before Slaughter", encourages those in the poultry slaughter industry to abide by Good Commercial Practices. In order to ensure that poultry are handled and slaughtered in a manner that is consistent with good commercial practices, poultry should be treated in such a manner as to minimize excitement, discomfort, and accidental injury throughout the slaughter process. My observations are not consistent with this guidance. A copy of this Memorandum of Interview (MOI) will be forwarded to appropriate personnel in the District Office. Respectfully submitted on June 20, 2016 (b) (6) cc: Mr. Perry Davis, DDM (b) (6) (b) (6)

District	EstNbr	EstName	MOI#	Date	Description
90	M17250	Tyson Foods, Inc.	UQI570806 3922G	22JUN2016	Wednesday, June 22, 2016 Ante mortem performed on lot 2 @ 6:30 am. Noted cages appeared to have more birds per cage. Normal heads per truck average 5500 birds per truck load; this past week range from 5940 - 6600, averaging 6270 per truck. DOA trailer had just been changed, so I was not able to note the number of DOAs but when asked "in passing" the area supervisor said that DOA numbers had been "up and down". There has definitely been a "heat wave" in the area with high humidity over the past few weeks. The establishment has implemented their programs to reduce stress of the chickens by using fans and misters and truck placement in the staging and holding sheds. I later met briefly with the plant manager and brought my observations to his attention. These observations were in addition to comments made during the weekly plant meeting. During that meeting the bird condition of the flock yester
90	P7487	Koch Foods, LLC	SPG162106 3323G	23JUN2016	On June 22, 2016, around 2230 (b) (6) and FLS for Chattanooga Circuit, performed scheduled GCP task. While observing live chickens leaving stunner on picking line #1 (b) (4)), we noticed two live birds on the floor under blood tunnel. SPHV decided to inform a supervisor from (b) (6), and in the meantime one alive chicken fell into floor drain and was swept away into offal area. Another live bird was removed from the floor. Brief response from Live Hanging Supervisor stated that the door leading from live hanging section into killing/bleeding room were left wide open to allow some chickens roam into that room. FSIS Docket No. 04-037N, Treatment of Live Poultry before slaughter, states that under the Poultry Products Inspection Act and Agency regulations, live poultry must be handled in a manner that is consistent with good commercial practices. In order to ensure that poultry is handled and slaughtered in a manner that is consistent with good commercial practices, poultry should be treated in such a manner as to minimize excitement, discomfort and accidental injury throughout processing. I notified (b) (6), of the observed deficiency during a brief meeting on June 23, 2016, at his office. Also, he was informed about GCP MOI documentation that would be forthcoming. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the Jackson District Office. Sincerely, (b) (6) at 07487-P/2
90	P19514	Tyson Foods, Inc.	UMF19200 65024G	24JUN2016	MOI rescinded, NR will be issued instead.

District	EstNbr	EstName	MOI#	Date	Description
50	P1019	Kralis Bros. Foods, LLC	QCJ0506060724G	24JUN2016	On June 22, 2016 three trailers of white spent laying hens arrived from Germantown, Ill. farms. They arrived between 9-11pm to the holding barns at Kralis. plant 1019P. These birds were brought to the live hang area on the morning of 6-23, 2016 for slaughter. At that time as the cages were unloaded it was discovered that one trailer in particular had a large amount of DOA birds. This would be trailer load 5 for the day. Of a total of 9,600 birds it was found that 3,200 were dead in the cages. One trailer had 350 DOA and 375 DOA on another. Birds arrived to the plant on Wed pm and temperatures were in the mid 60's. All panels were removed from the truck at arrival and fans were on at appropriate times. In discussing the events with Mr. Jay Boggs plant manager no particular reason could be determined to explain the large death loss for the one trailer. Later on the day of 6-24 it was found that a truck had to sit for some time in Ill the afternoon of 6-22 on the way to Kralis. Evidently the birds were affected by the heat as they waited for repair.

District	EstNbr	EstName	MOI#	Date	Description
90	P17766	Southern Hens, Inc	SSN590806 5924G	24JUN2016	According to establishment records, on June 21, 2016, trailer #308 arrived on the official premises at 0918 hours and was unloaded for slaughter at 1345 hours. Trailer #308 contained 5,000 birds of which 76 were dead at the time of unloading (1.5% DOA). Trailer #308 was on the official premises for approximately 4.5 hours prior to slaughter. According to establishment records, on June 21, 2016, trailer #302 arrived on the official premises at 1332 hours, and was from the same farm and location as trailer #308. I observed as trailer #302 was unloaded for slaughter on the morning of June 22, 2016, at approximately 0730 hours. According to establishment records, trailer #302 contained 4,952 birds, of which 248 were dead at the time of unloading (5% DOA). My direct observations support the accuracy of this data. Trailer #302 was on the official premises for approximately 18 hours prior to slaughter. Subjecting poultry to prolonged holding times prior to slaughter, especially during summer heat, may result in poor animal welfare and increased mortality. I recommend establishment management 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. FSIS encourages those involved in the slaughter of poultry to abide by Good Commercial Practices. Respectfully, (b) (6) P-17766
90	P17766	Southern Hens, Inc	SSN151106 0028G	28JUN2016	Southern Hens, P-17766 June 28, 2016 0830 hours On June 28, 2016, at approximately 0825 hours the following poultry mistreatment was observed by me, (b) (6) and (b) (6). A chicken was observed travelling out of live hang on the coop conveyer belt. The chicken was compressed between the empty coops and the side (bumper) of the conveyer belt. The chicken travelled approximately 6 feet along the belt and then fell onto the floor below, where it landed in a puddle of water approximately one inch deep. The chicken was alive as evidenced by breathing (rhythmic chest movements), blinking, and a small movements of the wings and legs. There was blood in the chicken's mouth. The bird was weak and did not lift its head out of the puddle. I notified Mr. Mark Ferry, Plant Manager, regarding my observations. Mr. Ferry stated that the puddle would be eliminated by pouring and grading new concrete in the area. Mr. Ferry stated that he would investigate ways to address the gap between coops and the side of the conveyer belt. The root cause of loose birds in general was not addressed by plant management at the time. The topic of such corrective actions and preventive measures will be discussed in the next weekly meeting and any discussion of such will be captured in the associated Memorandum. The design and maintenance of equipment in areas of the establishment where live birds are handled may result in poultry mistreatment and the death of birds by means other than slaughter. I recommend establishment management 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. FSIS encourages those involved in the slaughter of poultry to abide by Good Commercial Practices. Respectfully, (b) (6)

District	EstNbr	EstName	MOI#	Date	Status	Description
40	P7091	Pilgrim's Pride Corporation	SBF481907 2407G	2016-07-07	Finalized	On 07 06 2016 at approximately 1548 hours, (b)(6) observed birds to be covered in a dark colored material, similar to caked dirt and/or litter. The birds were also open mouth breathing and showing signs of heat stress. There were several DOAs on the truck parked at the dock (Trailer ending with #2777). (b)(6) spoke with (b)(6) and (b)(6) concerning the conditions of the birds. The grower was (b)(4) for the entire shift. At approximately 1930 hours while observing conditions in the Live Hang area, a large number of DOAs were observed to be presented for slaughter. There were approximately 40 DOAs on the floor in the Live Hang area (in two piles), and the hangers were steadily piling dead birds on the floor for disposal. Live Hang operations were stopped temporarily to allow the individuals sorting and disposing of the birds to maintain control of the process (the DOA container was full and needed to be replaced). (b)(6) spoke with (b)(6) and (b)(6) concerning the number of DOAs presenting for slaughter, specifically the concerns with heat stress and DOAs over the past several days. She walked the plant-side holding area with (b)(6) and (b)(6). There is concern that the airflow in this area is not sufficient to minimize heat stress during periods of extreme weather conditions (such as those associated with substantial heat). While in the area, (b)(6) and (b)(6) discussed the lack of fan-blown air when standing directly in front of the staged trailers. (b)(6) notified (b)(6) that he'd spoke with (b)(6) concerning a method to improve the airflow from several fans in the live holding area. He stated the belts were loose on two fans in the holding area to the right of the bird dumper. In addition, (b)(6) asked if modification could be made to create a positive air flow through the area. In addition, review of the Back Dock Report for N/s indicates the latter cage may have been overfilled. The establishment stated during an exit meeting the number of birds per cage would be reduced to approximately 16 birds or less during periods of high heat. The establishment is

District	EstNbr	EstName	MOI#	Date	Status	Description
						reminded in addition to the regulations found in 9CFR 381.65(b). FSIS encourages establishments to develop and implement a systematic approach to ensuring poultry presented for slaughter are treated in a manner that minimizes excitement, discomfort, and accidental injury. The initial component of the approach is to assess the areas where handling problems may occur. 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 CFR381.65 (b). Copies of this Memorandum of Interview (MOI) will be distributed to the establishment, inspection file and District Veterinary Medical Specialist per FSIS Directive 6100.3. Documented by (b)(6)

Table: Noncompliance Records(NRs) for FOIA 2017-0086

EstNbr	EstName	NR#	Date	Task	Regs	Description
P192	Pilgrims Pride Corporation	OOB58 140849 09N	08/05/2016	04C05	381.65(b)	On Friday 8/5/16 the following noncompliance for Good Commercial Practices was observed. Two trailers arrived at the establishment at approximately 3:45pm and were parked by the truck scales in the yard. This location is in full sun where there is no shade, fans or misters. It was a hot day and the live birds needed relief from the heat. The live receiving employee notified the person who calls in the trucks at 3:51pm that there was limited shed space. At approximately 9:45pm when the establishment unloaded these same trucks they were overwhelmed with DOA birds. During their efforts to manage the sudden increase in dead birds, the DOA conveyor belt broke and management stopped hanging on that line for repair and clean-up. The number of DOAs for trailer #540 was 1,500 birds out of a total 5,400. The number of DOAs for trailer #800 was 2,550 out of a total 5,250. The mortality rates for the trucks were 27% and 49%, respectively. This incident constitutes a process out of control with large numbers of birds dying on the regulatory premises. The establishment failed to manage its process at key steps, which include effective communication with live haul personnel, providing measures to alleviate heat stress, and managing the order in which trucks are in the que for slaughter. This is a violation of 9CFR 381.65(b) which states in part, "Poultry must be slaughtered in accordance with good commercial practices."

District	EstNbr	EstName	MOI#	Date	Status	Description
35	P550	Simmons Prepared Foods, Inc.	XWN46140 94923G	2016-09-23	Finalized	On Friday September 23, 2016, at approximately 1040 hours, I went to the cooling sheds to perform an antemortem/good commercial practices check. I observed that there were two trailers full of birds sitting in the sun outside the cooling shed as all the bays in the shed were full with trailers of chickens. I walked around the trailers to observe the condition of the birds on the trailers. Many of the birds were panting and seemed to be distressed, as evidenced by the fact they were moving around instead of resting quietly. In comparison, the chickens on the trailers in the cooling shed with fans and misters blowing on them were not panting and were resting quietly. As I walked back towards the plant to find someone to notify, I saw Mr. Bryce Landers, complex manager, and notified him of the situation. He assured me they would get the chickens moved into a bay or would drive them around until a bay was available. The outside temperature was in the mid-80s at the time of this incident. A copy of this Memorandum of Interview will be provided to establishment management and a copy placed in the official USDA file. (b)(6) (b)(6)

Table: Noncompliance Records(NRs) for FOIA 2017-0086

EstNbr	EstName	NR#	Date	Task	Regs	Description
M751	Norbest, LLC (Moroni)	MMK48 141206 28N	12/27/2016	04C05	381.65(b)	Beginning Saturday December 17, 2016 through Friday December 23, 2016 I, (b)(6) have observed multiple occurrences of trailers of live birds being held over without food, water or adequate shelter for inclement weather for more than 24 hours to be slaughtered. There was one trailer with an estimated 3,000 live birds which arrived at approximately 2:00 am on Saturday December 17, 2016. These birds did not get slaughtered until Monday December 19, 2016. There were eight trailers with an estimated 11,000 live birds which arrived between 10:30pm on Sunday December 18, 2016 and 7:20 am on Monday December 19, 2016. Six of these trailers with approximately 7,600 birds did not get slaughtered until Wednesday December 21, 2016. Two of these trailers with approximately 3,600 birds did not get slaughtered until Thursday December 22, 2016. There were three trailers with an estimated 2,100 live birds which arrived between 3:30 am and 5:00 am on Wednesday December 21, 2016. These three trailers of birds did not get slaughtered until Friday December 23, 2016. Due to a combination of underlying disease (conjunctivitis, edematous heads and nasal discharge), dehydration, starvation and inclement weather conditions, I have observed an increase in the number of birds dying on premises by means other than slaughter. This noncompliance is in reference to 9 CFR 381.65(b). As per FSIS Notice 44-16 the establishment lost control of its process for handling birds, and thus is not operating in accordance with good commercial practices, when there is the repeated occurrence of birds: a. Dying otherwise than by slaughter; b. Not being appropriately bled out; or c. The birds are being intentionally and repeatedly mistreated by establishment personnel. On Tuesday December 27, 2016 I verbally informed (b)(6) and Scott Whitman (Vice President of Operations) that I would be issuing a noncompliance for holdover of live birds for more than 24 hours during the past week of operations. A review of the establishment's noncompliance records reveal there are no noncompliance records within the past 90 days to be able to link for same root cause.

Table:Memorandums of Interview (MOIs) in response to FOIA 2017-00274_July 14, 2017.

EstNbr	EstName	Task_Code	MOI#	Date	Description
P20251	Tecumseh Poultry, LLC	.	PBM05150 40127G	2017-04-27	Good Commercial Practice Mistreatment MOI at Est. 20251P (b) (6) and (b) (6) met with (b) (6) at 0815 hours on April 27, 2017 to discuss the mistreatment of young chickens described below: On April 26, 2017, at approximately 0520 hours, while performing ante-mortem inspection of birds on Organic trailer T-15, I, (b) (6), observed several dead and dying young chickens. The young chickens were wet and the outside temperature was 38 degrees Fahrenheit with an 18 mile per hour wind speed. I contacted the (b) (6) and requested more information on the trailer. Via E-mail, (b) (6) informed me that the trailer of birds was from Iowa. The trailer arrived to the establishment covered. There were 112 DOAs and there were birds from two different lots on the trailer. I explained to (b) (6) that allowing birds the die by other means than slaughter is not consistent with GCPs. (b) (6) will look into it and contact transportation about it. The meeting was adjourned at 0840 hours.

Table: Humane Handling Memorandums of Interview (MOIs) for 04C05 from Jul-Sep 2017

EstNbr	EstName	Task	MOI#	Date	Description
P550	Simmons Prepared Foods, Inc.	04C05	XWN29120 73617G	2017-07-17	Today, July 17, 2017 at approximately 1050 hours, while performing a Good Commercial Practices check in the cooling shed area, I observed that two trailers full of chickens were not parked in the cooling shed but instead were sitting outside in the sun. I observed that the birds were panting and appeared to be distressed by the heat. The temperature was approximately 89 degrees F, with a heat index making it feel like 94 degrees. I notified (b) (6) of the situation and informed him that if there were no bays available for the chickens to be pulled into the cooling shed, the trucks needed to be driven around to keep the air moving through the cages until space could be found to pull them in. On Tuesday, July 18 2017 I also discussed this situation with (b) (6) and emphasized that in the extreme summer heat we are having at this time, leaving chickens sitting in the sun is not an acceptable Good Commercial Practice. A copy of this Memorandum of Interview will be provided to establishment management and a copy placed in the official USDA file. (b) (6) Badge (b) (6)

Table: Humane Handling Memorandums of Interview (MOIs) for 04C05 from Jul-Sep 2017

EstNbr	EstName	Task	MOI#	Date	Description
P206	Pilgrim's Pride Corporation	04C05	KCC551507 5920G	2017-07-20	At approximately 2230 hours, while performing Good Commercial Practices, I observed two large piles of DOAs totaling approximately 200 birds in the live hang area. The DOAs were steadily being removed from the live hang conveyor belt. The picking lines were slow to accommodate the rate at which the DOAs were entering live receiving. The live hang foreman and additional live hang employees were in the process of removing the DOAs but they soon became overwhelmed and stopped killing on this line. At this time I went outside to observe the establishment dumping the cages. The cages from this farm, Lot 4 - (b) (4), were approximately 1/3 - 1/2 full of DOAs. At this time, no communication was made to USDA regarding any emergency that occurred during transport. When questioned, (b) (6) and (b) (6) were not aware of any issues that occurred with this trailer or farm. On the Poultry Lot Sheet (FSIS Form 6510-7) it shows that there were (b) (4) heads in the lot and there were 1490 DOAs. This is a (b) (4) DOA rate. I discussed this with (b) (6). He stated that they ran approximately 8 trucks from this farm and there was only 1 truck that had a large number of DOAs. This is indicative of an issue that arose during transport regarding this one truck. After consulting with (b) (6), I informed (b) (6), Tonya Byers (Plant Manager), and (b) (6) that they would be receiving a GCP MOI documenting the increased number of DOAs observed from this farm. On 07/19/2017 (b) (6) reached out to Pilgrims Corporate Management to identify if they were aware of the issue and informed them of the findings. USDA requested the establishment conduct an investigation into the issue. On 07/20/2017 she was informed that an issue had occurred at the farm concerning the catch equipment (in regards to the fans) and that there had been an issue with the driver of the truck in question. She also spoke with Plant Manager Tonya Byers and was told that the establishment had since implemented corrective actions to include hiring additional drivers and working with the Live Bird operation to decrease the number of birds loaded into the cages. She informed Plant Manager Byers that the information should be provided in response to the MOI being issued by

Table: Humane Handling Memorandums of Interview (MOIs) for 04C05 from Jul-Sep 2017

EstNbr	EstName	Task	MOI#	Date	Description
					(b) (6). The establishment is reminded that they are encouraged to develop and implement systems that ensure poultry presented for slaughter are treated in a manner that minimizes accidental injury and/or death and that they die by a means consistent with Good Commercial Practices. This includes an assessment of areas where handling problems may occur, such as during transport. When issues are identified, the establishment is expected to take corrective actions immediately. Establishments should have, and implement as needed, an emergency plan or notification system that addresses animal welfare in the event an emergency or unusual circumstances during transport arises. This concern was discussed with the establishment in response to another transport related incident that occurred on 4/24/2017 in which a large number of birds were killed during a traffic incident and transported to the official establishment commingled with live birds. In regards to that incident, USDA was not notified of the issue before the truck arrived and the establishment delayed sorting of the birds. Noncompliance record KCC2016044525N/1 was issued. Copies of this Memorandum of Interview (MOI) will be distributed to the establishment, inspection file and District Veterinary Medical Specialist per FSIS Directive 6100.3. Documented by (b) (6) Establishment management response: Pilgrim's Pride is committed to the humane treatment, handling, and processing of poultry in a manner that is consistent with Good Commercial Practices and has established a comprehensive animal welfare program to ensure that birds are handled with concern for animal welfare through all phases of grow out, transport, and slaughter. This letter is in response to the above mentioned LOC where our plant failed to prevent birds from dying by means other than proper slaughter. On July 18th, 2017 Plant Management was notified of a deficiency of good commercial practices. The conditions observed were as follows: excessive DOAs in the live hang area and on a cage trailer from (b) (4) Complex Management immediately conducted an investigation of the event and determined the findings were due to the following: The use of fans and misting at the farm to reduce the heat stress for the birds was not in affect at the time of loading. The root cause was determined to be that there were an insufficient number of fan truck drivers at the time of

Table: Humane Handling Memorandums of Interview (MOIs) for 04C05 from Jul-Sep 2017

EstNbr	EstName	Task	MOI#	Date	Description
					loading. This created a shortage of fans/misters at the farm when the cage trailer was loaded. The Complex Management team met and discussed the findings. Measures have been implemented to ensure that the number of birds per load will be seasonally adjusted to reduce heat stress. We have hired additional fan truck drivers to ensure that a sufficient number of fan/mister systems are available during the loading of birds. We are hiring fan operators for correct fan operation and bird misting to reduce heat stress on the farms. Proper fan and mister operation, in conjunction with reduced stocking density in the cages will prevent further reoccurrence. Pilgrim's management personnel will also be available during catching operations to ensure best practices are used at all times. Complex management is confident that these preventative measures will correct any potential deficiencies going forward. All corrective actions have been implemented as of 7/24/17. After the implementation of the above measures, the Live Operations manager and Complex manager have monitored several farms at catch verifying that proper fan operation and misting procedures are being followed. We are confident that this issue has been permanently addressed and that there will be no further incidents of this type.



United States Department of Agriculture

July 21, 2017

Pilgrim's Pride Corporation
Establishment P-206
PO Box 930910
Nacogdoches, TX 75961

SENT VIA EMAIL
CERTIFIED - RETURN
RECEIPT REQUESTED
7016 0600 0000 6419 1533

Attention: Mr. Wesley Smith, Operations Manager

LETTER OF CONCERN

The Food Safety Inspection Service (FSIS) Dallas District Office (DDO) has concerns regarding your ability to implement adequate Good Commercial Practices (GCPs) during transportation and slaughter; resulting in inhumane practices and insanitary conditions at Establishment P-206, Pilgrim's Pride Corporation, Nacogdoches, Texas.

On July 18, 2017, at approximately 10:30 p.m., while performing Good Commercial Practices (GCP), (b) (6), observed two large piles of Dead on Arrivals (DOAs) totaling approximately 200 birds in the live hang area. The DOAs were steadily being removed from the live hang conveyor belt. (b) (6) states the picking lines were slow to accommodate the rate at which the DOAs were entering live receiving. The live hang foreman and additional live hang employees were in the process of removing the DOAs but they soon became overwhelmed and stopped killing on this line. At this time (b) (6) went outside to observe the establishment dumping the cages. The cages from this farm, Lot 4 - Myrtle Sample Farm, were approximately 1/3 - 1/2 full of DOAs. (b) (6) questioned (b) (6), and (b) (6) about the situation. Both stated they were not aware of any issues that occurred with this trailer or farm.

The Poultry Lot Sheet, FSIS Form 6510-7, showed there were (b) (4) heads in the lot and 1490 DOAs; (b) (4) DOA rate. (b) (6) discussed this with (b) (6) who stated that they ran approximately 8 trucks from this farm and there was only 1 truck that had a large number of DOAs; indicating an issue that arose during transport regarding this one truck. After consulting with (b) (6), (b) (6) informed you, Ms. Tonya Byers, Plant Manager, and (b) (6), that the establishment would be receiving a GCP Memorandum of Interview (MOI) documenting the increased number of DOAs observed from this farm.

On July 19, 2017, (b) (6) contacted plant management to request an investigation of the incident. The following day she was informed that an issue had occurred at the farm concerning the catch equipment (in regards to the fans), and that there had been an issue with the driver of the truck in question. She also spoke with Ms. Byers and was told that the establishment had since implemented corrective actions to include hiring additional drivers and working with the Live Bird operation to decrease the number of birds loaded into cages.

Food Safety and Inspection Service
Office of Field Operations
Dallas District Office
1100 Commerce Street, Room 516
Dallas, TX 75242
Voice 214-767-9116 Fax 844-622-0080
An Equal Opportunity Provider and Employer

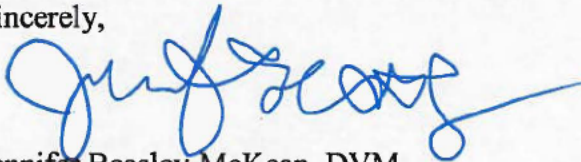
Pilgrim's Pride Corporation
July 21, 2017

As stated in Federal Register Notice, Docket No. 04-037N- Treatment of Live Poultry Before Slaughter, *The Food Safety and Inspection Service (FSIS) is reminding 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. 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.*

Please provide this office with a response, within five working days from your receipt of this Letter of Concern, to the issues noted and your systematic approach to assure poultry are treated in such a manner as to minimize excitement, discomfort, accidental injury, or death during transport, holding, and hanging to assure humane slaughter activities and prevent insanitary conditions. We will determine further action, if any, based upon your response.

If you have any questions, please contact me in the District Office.

Sincerely,



Jennifer Beasley-McKean, DVM
District Manager

cc:

(b) (6), Nacogdoches, TX
(b) (6), P-206, Nacogdoches, TX

Table: Noncompliance Records(NRs) for 04C02 from Jul-Sep 2017

EstNbr	EstName	NR#	Date	Task	Regs	Description
P17340	Pilgrim's	UQB58 150753 26N	07/25/2017	04C05	381.65(b)	On 07/25/2017 at approximately 1255 hours while performing a good commercial practices verification task IPP (SPHV (b) (6) and CSI (b) (6)) observed that the establishment lost control of its process for handling birds resulting in their dying from a means otherwise than slaughter, and hence failed to slaughter poultry in accordance with good commercial practices. Specifically, while performing verification activities, Inspector (b) (6) and I observed that the truck cooling shed bays (8) were at full capacity and that three trucks (two full and one partially filled) had been parked (immediately adjacent to one another) on the asphalt parking lot with no protection from the sun and without any source of ventilation or other means of cooling (water misters used in conjunction with fans for evaporative cooling). Upon further inspection, we observed another full trailer of birds (with no source of cooling/ventilation/misters) which had been parked on the interior line-up of empty trailers located on the asphalt trailer parking lot, and noted that 80-90 percent of the birds contained in that trailer were panting heavily. Upon closer inspection of the birds contained within the interior trailer, we observed that 80-90 percent of birds were showing significant heat stress, as evidenced by heavy panting, secondary to the high environmental temperature and humidity, and negligible ventilation. The aforementioned environmental conditions could best be described as stifling. Upon inspection of the birds in the trailer that were most exposed to direct sun, we observed a significant increase in heat related morbidity and mortality, as evidenced by gasping and heavy panting in greater than 90% of all birds on the trailer. We observed many birds that were staggering around and aimlessly jumping about in the in the cages while others were violently flapping their wings and gasping for air via an outstretched neck, in a final futile attempt to cool them themselves (evaporative cooling from the surface of the lungs). We also observed that numerous birds had had already succumbed to heat stress, and that others were somnolent or moribund. At the time the aforementioned observations were made the environmental temperature was in excess of 90 degrees Fahrenheit. Upon entering the hanging area (new side), I observed that the floor immediately behind the live hangers was littered (large accumulation of carcasses) with the carcasses of dead birds and that the live hangers were throwing dead birds off the hanging belt and onto

Table: Noncompliance Records(NRs) for 04C02 from Jul-Sep 2017

EstNbr	EstName	NR#	Date	Task	Regs	Description
						the floor. Upon further inspection, I observed that the back side of the hanging conveyor belt was similarly littered with the carcasses of dead birds. I also noted that the dead bin adjacent to the cage dump area was full. Inspector (b) (6) and I also noted that trailers loaded with empty cages (previously dumped) were present in the truck unloading areas despite there being trailers containing birds exhibiting heat stress parked on the asphalt parking lot with no protection from the sun. Upon entering the evisceration floor, I observed an increased amount of DOA birds which had been retained by on-line IPP for veterinary disposition, which I subsequently condemned post inspection. (b) (6) [REDACTED], was immediately notified (verbally) of the aforementioned noncompliance. She was advised that the establishment had failed to appropriately schedule the delivery of poultry to the establishment in such a manner so as to accommodate the volume of incoming trucks with their facilities' capability, and that the birds had endured needless suffering as a result of a lack of shelter/protection from the sun and lack of ventilation or other means of cooling. She was also advised that FSIS personnel had notified her regarding the above noted conditions when we observed that the establishment had failed to implement any readily apparent corrective actions in response to the aforementioned conditions. (b) (6) [REDACTED], was also notified of the noncompliance. Based upon my observations of the birds' condition and the establishment's failure to implement any readily apparent corrective actions (prior to FSIS notification regarding the aforementioned), I can say that a large number of birds died by a means other than by slaughter on the regulated premises as a result of the demonstrable loss of process control.

Table: Humane Handling Memorandums of Interview (MOIs) for 04C05 from Jul-Sep 2017

EstNbr	EstName	Task	MOI#	Date	Description
P192	Pilgrims Pride Corporation	04C05	OOB52140 73426G	2017-07-26	On Tuesday, July 25, 2017 at approximately 1726, while performing a Good Commercial Practices task, I observed a truckload of birds directly in the sun with no misters or fans. Upon closer examination, I observed approximately half of the birds exhibit labored breathing. (b) (6) was immediately notified. These observations are consistent with less than Good Commercial Practices. It is the responsibility of the establishment to ensure that all birds on their premises are treated in a humane manner. Federal Register 04-037N encourages those involved in the slaughter of poultry to abide by Good Commercial Practices.
P19514	Tyson Foods, Inc.	04C05	UMF10230 71813G	2017-07-13	MOI rescinded per DVMS

Table: Noncompliance Reports fpr GCP from 10/1/2017 - 12/31/2017

EstNbr	EstName	NR#	Date	Task	Regs	Description
						measures to the incident described above, (b) (6) and (b) (6) provided documented training sessions with all live-hang personnel (including the cage dumper) on proper handling of live chickens and DOAs. The trainings were conducted on Octo
P206	Pilgrim's Pride Corporation	KCC4413101725N	10/25/2017	04C05	381.65(b)	At approximately 0645, while observing operations at viscera sorting, I observed that some of the carcasses were slightly redder in appearance. The redness started at the flank and ran down the backs and sides of the carcasses to the neck area. I decided to observe the stunner and kill machine to assure they were functioning properly allowing proper bleeding of the carcasses. At approximately 0700 hours, I proceeded to the Live Hang area to observe operations there. Upon entering the area, I observed two large piles of DOAs, one on each line. The piles of DOAs covered an area approximately 5 feet and were about one foot high. (b) (6) had entered the area with me. Due to the number of DOAs on the Live Hang belt and the loss of process control (not meeting 9 CFR 381.65(a), the plant elected to stop hanging operations in order for the DOAs to be properly picked up and disposed of. While watching the employees gather the DOAs and disposing of them per 9 CFR 381.95, I observed that there were some birds in the piles that were still breathing (maybe 3 or 4). I also observed that the carcasses were wet, indicating that misters (normally used during hot weather to keep the birds cool) had not been turned off causing the birds to get chilled. I asked (b) (6) if these were carry overs loads from last night and he stated, "Yes". He could not tell me if misters at the holding shed had been left on all night. The environmental temperature in the area had dipped down into the 40s the night before. Therefore there was not reason for misters to be on overnight in the unloading area. At about 0730 hours, the DOAs had been removed from the area and hanging operations restarted. (b) (6) stated that they had an approximate total of 810 DOAs. Please refer to MOI# KCC5515073620I, dated 7/20/17 which was issued due to an excessive number of DOAs which occurred because of equipment and transportation problems which occurred at a farm. The facility was issued a Letter of Concern on 7/21/17 by the District Office because of this incident.

Table: MOIs in Response to FOIA2018-328

District	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								"Treatment of Live Poultry before Slaughter" 70 Fed. Reg. 56624 dated September 28, 2005, for FSIS recommendations concerning the treatment of live poultry before slaughter. This MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. Sincerely, (b) (6)
40	P206	Pilgrim's Pride Corporation	KCC1312012102G	2018-01-02	04C05	Poultry Good Commercial Practices	Finalized	At approximately 1000 hours after identifying three birds that appeared to be misbleeds, I observed a large number of DOAs piled on the floor in the Live Hang area. There were birds piled behind both hang lines (approximately 100 birds total) as well as birds piled approximately 2 feet high against the east wall. Upon closer observation, live birds (approximately 4-5) were observed interspersed in with the DOAs. Due to the loss of process control, regulatory control action was taken immediately by stopping both lines. (b) (6) and (b) (6) were notified. (b) (6) stated that he did not know if the birds had been transported for a long distance or had been at the complex for a long period of time. The area was experiencing cold temperatures. Regulatory control action was relinquished at approximately 1025 hours after all of the birds had been sorted and the area was cleaned.

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	P6638	Pilgrims Pride Corporation	UDG19180 15110G	2018-01-10	04C05	Poultry Good Commercial Practices	Finalized	On January 10, 2018, at approximately 1642 hours I observed Less Than Good Commercial Practice at establishment P-6638 Pilgrim's in Enterprise, AL. While performing a Good Commercial Practice verification task, I observed two trailers loads of live birds open mouth breathing. The trailer numbers were 220893 and 294 located under the live holding shed. The birds had their necks stretched and were rapidly breathing with their mouths open which are symptoms consistent with heat stress. The trailers had sides present on the cages which had been installed due to cooler temperatures in December 2017. The sides on these cages restrict air flow during transport and holding. There was minimal wind movement and the fans installed in the holding shed were not turned on. The air temperature at the time of my observation was 68 degrees. The stocking density to the cages based on lot information provided by the establishment was ^{(b) (4)} birds per cage. I informed ^{(b) (6)} of my findings as he approached me in the outdoor holding shed while I was performing my verification task. At the time, I asked ^{(b) (6)} what actions would be taken for the birds in distress and he stated they would turn the fans on to increase air movement. I informed ^{(b) (6)} and ^{(b) (6)} of the documentation of this Memorandum of Information (MOI) due to my findings. I reminded both members of management that the PPIA and Agency guidelines require live poultry to be handled in a manner consistent with Good Commercial Practices (GCPs) by making every effort to treat poultry humanely. I strongly encourage the establishment to review Federal Register Notice Docket No. 04-037N dated September 28, 2005, "Treatment of Live Poultry before Slaughter" for recommendations

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								concerning treatment of live poultry before slaughter. A copy of this MOI will be forwarded to the Jackson District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. Respectfully submitted, (b) (6) cc. (b) (6); (b) (6)

Table: Noncompliance Reports in Response to FOIA2018-328

09:14 Tuesday, May 29, 2018 115

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P584	Pilgrim's Pride Corporation	QLM22 140131 23N-1	01/12/2018	04C05	Poultry Good Commercial Practices	381.65(b)	On Friday January 12, 2018 establishment 00584P documented 9,879 Dead on Arrival chickens. On a typical day the number of DOA birds at this plant averages around 100. FSIS inspection personnel observed establishment personnel properly managing the incoming DOA's. (b) (6) and (b) (6) were both observed at the live hang and cage dumper area overseeing the condemnation of D.O.A.'s. At that time (b) (6) stated that the trucks with the high number of D.O.A.'s had been from a grower in Arkansas and had come in the previous night. It was determined later that the grower was (b) (4) in Arkansas. The local temperature at P584 Thursday night was below freezing and the high on Friday was in the mid 30's. During ante-mortem inspection of one truck load, very little movement was observed in the chickens and many of the visibly living appeared to be alive but unresponsive. The cages had half of their exposed outward facing ends covered with wooden panels and the other half of the outward facing end of each cage was open, aside from the wire cage itself. The D.O.A.'s were observed being culled and placed in 1500 lb. cardboard combos with charcoal denaturant applied. The carcasses showed no signs of dehydration or malnutrition or disease and appeared to be of the average size for young chickens. No D.O.A.'s were observed in evisceration this day by FSIS employees. Poultry that die by means other than slaughter are not being handled in a manner consistent with good commercial practices and fail to comply with 9 CFR 381.65(b). A similar instance that included almost 900 Dead on Arrival birds in cold weather occurred at this establishment on 01/03/2018 and was documented on 01/04/2018 with MOI number QLM4412010804g. Documented by (b) (6)	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P5787	Pilgrim's Pride Corporation	DEB121 401261 2N-1	01/12/2018	04C05	Poultry Good Commercial Practices	381.65(b)	#08 On January 12, 2018 shortly after the beginning of dayshift at 0600, a large increase in the number of Dead on Arrival (DOA) birds was noted. Massive amounts of DOAs continued throughout the day until the end of the shift. The day was cold and there was a brisk wind. At 0615 the temperature was 31 degrees F with a NW 18 MPH wind and a wind chill factor of 19 degrees F. It was also noted that some of the birds and the bottoms of the coups were wet. There was a reported total of 34,050 DOAs out of the (b) (4) birds brought into the plant; this represents a (b) (4) incidence of DOAs. These birds died by means other than slaughter before entering the live hang area. This is a noncompliance of 9 CFR 381.65(b). USDA expects birds to be properly protected from the elements such as severe cold and windy conditions so that they do not die in route to the establishment and/or while sitting on the parked trucks at the establishment. The occurrence of large numbers of DOAs is a noncompliance issue regarding good commercial practices. USDA did note that at the beginning of the shift the establishment showed due diligence in sorting through and separating the live birds from the DOAs once they had entered the live hang area. However, during a check at approximately 4:10 PM, I observed the plant emptying a coup of birds directly into an offal truck. I asked what they were doing and they assured me that the birds had been sorted through for any live birds and only DOA birds would be placed directly into the offal truck. There was a coup loaded up on a forklift that was next to be emptied into the offal truck. I stopped this coup and pointed out two live birds that were still inside the "sorted" coup. If these birds had been dumped into the offal truck they would have smothered thereby dying by means other than slaughter. The establishment resumed properly sorting through the remaining coups and ceased dumping them	CLOSED

Table: MOIs in Response to FOIA2018-328

District	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P529	Pilgrim's Pride Corporation	ODE19000 20009G	2018-02-09	04C05	Poultry Good Commercial Practices	Finalized	On February 4, 2018 at approximately 9:30 PM, while performing a Good Commercial Practices Verification Task, (b) (6), asked (b) (6) to report to the Live Hang Area. (b) (6) reported that the plant was experiencing a higher than normal amount of Dead on Arrival (DOAs) birds in the first load of the shift (Table 1. Inspection results for lot 36A, Poultry Cadaver Summary for District 25(not attached)). The floor by the dead bird augur from the Live Transfer System was strewn with approximately 50 dead chickens and more were being delivered to the augur every minute. Approximately 5 establishment employees were disposing of the dead carcasses. Gross examination of these birds revealed no remarkable pathology indicating a flock disease. The dead chickens I examined were cold to the touch and stiff. The breast temperature of four dead chickens was taken with a calibrated thermometer and ranged from 38 to 67 degrees F. The live birds I observed in the crates were slow moving and their heads were tucked back. Many appeared to be dead, as they were not moving or breathing. Post-mortem pathology observed in live slaughtered birds from this lot was unremarkable. Rates of Sep/Tox, Air Sacculitis, and Inflammatory Process etc., did not indicate any abnormal flock disease(s) (Table 1. Inspection results for lot 36A). The outside temperature was less than 0 degrees F (reported by www.weather.com) in Arcadia, WI and the plant reported that the birds had come from a grower close to (b) (4). (b) (4) is approximately (b) (4) miles from Arcadia, WI (reported by www.googlemaps.com). The mean temperature for the day in (b) (4) (reported by www.weather.com) was -6 degrees F with a maximum high of 2 degrees F. The maximum cold weather protective panels on livestock haulers were in place during transport

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								and holding of the birds. The plant ensured all dead birds were properly disposed of and the load was finished with no further incident. The plant subsequently reported that of the (b) (4) birds in lot 36A, 6,093 were DOA, a rate of (b) (4) (Table 1. Inspection results for lot 36A). This is above their normal rate of (b) (4) over the last year and the (b) (4) from the month of January, 2018 (Poultry Cadaver summary for District 25(not attached)). (b) (6) discussed this situation during the weekly meeting on February 6, 2018 with establishment management, Mr. Bruce Ford, Plant Manager at 10:00 am. The plant informed him they were investigating the incident to ascertain the cause and prevent it from happening again. (b) (6) informed Mr. Ford that this incident was concerning to him and he asked Mr. Ford what corrective actions and/or preventive measures the plant would be taking (or had taken) to ensure that this incident wouldn't happen in the future. Mr. Ford explained that the plant was investigating the incident further but provided that they had brought birds over from (b) (4) in the past when the temperature was around 0 degrees F with no notable incident. He said that they were planning on bringing over another lot next week from (b) (4) but they decided to cancel this lot until they could investigate this situation more thoroughly. Finally, Mr. Ford said that the establishment documented the animal welfare incident in their animal welfare plan. The establishment must employ humane methods of handling and slaughtering consistent with Good Commercial Practices in a way that minimizes injury to poultry. Poultry are to be handled in a manner that prevents needless injury and suffering. Employing humane methods of handling and slaughtering that are consistent with Good Commercial Practices increases the

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								likelihood of producing unadulterated product. Table 1. Inspection results for lot 36A. 1. DATE INSPECTED 02/04/2018 2. PLANT NO. P-529V-529 3. CLASS OF POULTRY Young Chicken 4. NO. HEAD IN LOT* 43015 5. LOT NO(S) (As stated by plant management) 36A ANTE-MORTEM INSPECTION CONDEMNED ON ANTE-MORTEM INSPECTION DEAD ON ARRIVAL 6. NO. HEAD * (b) (4) 7. WEIGHT * lbs. 8. NO. HEAD * (b) (4) 9. WEIGHT * (b) (4) lbs. POST-MORTEM INSPECTION CONDEMNED ON POST-MORTEM INSPECTION 10. CARCASSES (NYD) * (b) (4) 11. PARTS * (b) (4) 12. TOTAL NO. HEAD CONDEMNED/DISPOSED OF ** 1030 CONDEMNATION CAUSE NO. HEAD CONDEMNED CONDEMNATION CAUSE NO. HEAD CONDEMNED CONDEMNATION CAUSE NO. HEAD CONDEMNED Tuberculosis 0 Bruises 0 Inflammatory Process (IP) 0 Leukosis 0 Cadavers 28 No Viscera (NV) 0 Septicaemia and Toxemia 37 Contamination 0 Plant Rejects 963 Synovitis 0 Overscald 0 Miscellaneous 0 Tumors 1 Airsacculitis 1

EstNbr	EstName	Task_Code	MOI#	Date	Description
P20251	Tecumseh Poultry, LLC	.	PBM30170 61329G	2017-06-29	On 28 June 2017 at approximately 0815 hours, I, (b) (6) meet with (b) (6) to discuss the Good Commercial Practice mistreatment observed earlier that morning. On 28 June 2017 at 0759 hours while performing ante-mortem inspection in the South loafing shed, trailer T325 had six loose young chickens on it. The top module at the second level from the top had a broken door which was hanging down and pinned between the trailer's support post and the module. The Scale House employee was notified. And, the birds were caught and placed into another module without harm or added stress. The employee informed me that a plastic door would be placed in front of the opening to prevent the remaining chickens from falling out and the trailer would be unloaded first for that lot. As I continued ante-mortem inspection on trailer T325, 529 and T796, I observed a large number of dripping wet young birds. During the time the trailers were being transported uncovered to the establishment, there were thunderstorms in the area. The small young chickens (under 3 pounds) were dead or very lethargic and pale in color. The young chickens were from Lot Number: 4308179, Total Head: (b) (4) Total DOAs: 178 (24, 36 and 9 DOAs were on the three trailers). The Poultry Products Inspection Act and Agency regulations (9 CFR 381.65(b)) require that live poultry be handled in a manner that is consistent with good commercial practices (GCPs). Compliance with GCPs increases the likelihood of producing unadulterated product. Poultry are to be handled in a manner that prevents needless injury and suffering in order to produce a commercially marketable product. Establishment management may review Federal Register notice "Treatment of Live Poultry Before Slaughter", 70 Fed. Reg. 56624 (September 28, 2005) for FSIS recommendations concerning the treatment of live poultry before slaughter. This MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. Respectfully, (b) (6) Establishment P20251

Table: Memorandums of Interview (MOIs) for 04C05 from 10/1/2017 - 12/31/2017

District	EstNbr	EstName	MOI#	Date	Description
90	P1317	Wayne Farms LLC	QUI251612 0108G	08DEC2017	TO: Mr. BRYAN ELROD, Plant Manager Wayne Farms LLC. 700 McDonald Ave. Albertville AL, 35950 FROM: (b) (6) Dear Mr. Elrod, On December 8, 2017 at approximately 16:00 hours, while performing an Ante-Mortem Inspection and Good Commercial Practices at P-01317, Wayne Farms Albertville AL, I observed a live bird in the DOA barrel. The bird was lying on the bottom of the DOA barrel and being in eminent danger to be crushed and smothered by other birds when piling up on the top of each other. (b) (6) (b) (6), was notified about my observation. (b) (6) also observed the deficiency. I then notified (b) (6) (b) (6) of the observed deficiency, during a brief meeting held in USDA/FSIS office at approximately 16:45 hours. I also informed them that a GCP MOI documentation of our meeting and discussion of the observed deficiency would be forthcoming. FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, states 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. In order to ensure that poultry is handled and slaughtered in a manner that is consistent with Good Commercial Practices, poultry should be treated in such a manner as to minimize excitement, discomfort, and accidental injury throughout processing. Corrective and preventive measures addressing this incident are appropriate. I look forward to your response. A copy of this Memorandum of Interview will be forwarded to appropriate personnel in the Jackson District Office. (b) (6), (b) (6) Albertville AL, 35950
90	P17766	Southern Hens, Inc	SSN001012 2111G	11DEC2017	On December 8, 2017 @ approximately 0738 hours, I observed a less than good commercial practice while performing Ante-mortem inspection and a Good Commercial Practices check at Establishment P-17766. While walking from the back dock to the live holding shed, I noticed an uncovered live haul trailer sitting in the middle of the open area. The trailer (#273) had a full load of birds, several of which were DOAs. With no protection from extreme weather conditions, large amounts of snow were observed falling onto the coops. The temperature was ~30°F. (b) (6) (b) (6) was immediately notified of this finding. At 0747 hours, the trailer was relocated to the live haul shed. In accordance with FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, live poultry must be handled in a manner that is consistent with good commercial practices. In order for this to occur, poultry must be treated in a manner that will minimize excitement, discomfort and accidental injury throughout processing. A copy of this Memorandum of Interview will be sent to the Jackson District Office for further review. Thanks for your attention to this matter. Respectfully, (b) (6)

District	EstNbr	EstName	MOI#	Date	Description
60	M1015	Empire Kosher Poultry, Inc.	ARE031112 5028G	28DEC2017	Est. P01015, Empire Kosher Poultry, Inc., December 28, 2017, approximately 0410 hours. In attendance: (b) (6), (b) (6), (b) (6), (b) (6). At approximately 0340 hours while performing antemortem inspection in the live chicken bay, (b) (6) observed multiple dead chickens within the coops on a trailer. At that time she notified (b) (6) of her observations and told him that the chickens were suspect. She then notified (b) (6) of her observations and (b) (6) directed management to segregate the chickens for (b) (6) to check. When I, (b) (6), arrived at the plant at approximately 0410 hours the trailer of suspect chickens was not in the live bay. I notified (b) (6) to stop the chicken kill until I could observe the chickens and gather more information. (b) (6) indicated that the chickens were hold-over chickens from the end of the kill yesterday which totaled approximately 2,260 chickens. It was 10 degrees Fahrenheit outside when I arrived at the establishment. When the truck driver brought the trailer back into the bay I observed that it was a newer trailer that had curtains; the curtains were drawn back and (b) (6) did not know when the curtains were drawn back. Observations confirmed multiple dead chickens within the coops. I observed approximately 2-4 dead chickens per cage and there were 10 cages per coop. There were approximately 3 coops left on the trailer, 4 coops had already been sent through the process. (b) (6) stated that each coop held approximately 300 chickens. Therefore, I estimated it to be about 10-15% dead chickens. The other chickens were tightly huddled together and appeared depressed. These chickens received antemortem inspection yesterday and appeared healthy at that time. Due to the above indicated conditions, a foreign animal disease was not suspected. After corrective actions were proposed by (b) (6), I released the area to resume slaughter at approximately 0430 hours. (b) (6) stated that the grow-out team, who are responsible for the truck drivers, was notified last night to bring the hold-over birds into the live bay overnight. (b) (6) stated that the truck driver said he brought the birds up to the live bay but sanitation was cleaning so he took the birds back to the holding shed. (b) (6) stated that further corrective actions would include a discussion with grow-out and Plant Manager Mr. Tim Dowling would arrive at the plant at 0600 hours and could provide additional measures at that time. In the USDA weekly meeting with establishment managers yesterday, Mr. Dowling discussed Good Commercial Practices and the cold weather. He discussed keeping hold-over chickens in the live bay overnight to keep them warm and protect them from the weather as has been done in the past. Due to the discussion in the weekly meeting yesterday, managements awareness of good commercial practices, and managements past practices, this type of situation has not been an ongoing pattern with associated trends. I notified Mr. Dowling that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. UPDATE: Further corrective actions include (b) (6)

District	EstNbr	EstName	MOI#	Date	Description
					(b) (6) has been added to the establishment notification contact chain when there will be hold-over birds that need to go into the live bay overnight. Grow-out has been contacted and truck drivers instructed about the importance of animal welfare and notification of their supervisor when they cannot do something they are asked to do. In addition, establishment employees sorted the dead chickens from the remaining approximate 3 coops which totaled approximately 6% dead.

EstNbr	EstName	Task_Code	MOI#	Date	Description
					strongly encourages all establishments engaged in the slaughter of poultry to make every effort to treat poultry humanely and abide by Good Commercial Practices (GCPs) as described in industry guidelines. Respectfully, (b) (6) ██████████ Canton, MS 9024 1039 W. Fulton St. Canton, MS 39046 cc: Mr. Perry Davis, DM Mr. Don Coley, DDM Dr. David Thompson, DDM Dr. Larry Davis, DDM (b) (6) ██████████ ██████████
P517	Mar-Jac Poultry-MS	.	QOO15140 60615G	2017-06-15	Good Commercial Practices MOI: On June 15, 2017 @ approximately 1034 hours, I observed a less than good commercial practice while performing an Ante-mortem and Good Commercial Practices (GCP) check at P-17766. While performing the GCP, I noticed that a trailer under the unloading shed had numerous birds that were breathing rapidly and gasping with outstretched necks (distressed). The outside temperature was 82°F. The fans surrounding the bird trailers were blowing at full speed, but no misters were installed throughout the unloading shed. (b) (6) ██████████ stated that the misters are only located under the holding shed. A survey of the holding shed revealed that the misters were powered on; however, they had very little output. This could only be observed when the fans were not powered. In the on state, there was no mist observed or felt in any house. The holding shed was free of trailers for the remainder of the day since the last truck had been transported to the unloading shed. (b) (6) was also notified of this unacceptable practice. In accordance with FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, live poultry must be handled in a manner that is consistent with good commercial practices. In order for this to occur, poultry must be treated in a manner that will minimize excitement, discomfort and accidental injury throughout processing. A copy of this Memorandum of Interview will be sent to the Jackson District Office for further review. Thanks for your attention to this matter. Respectfully, (b) (6) (b) (6) ██████████

Table: Humane Handling Memorandums of Interview (MOIs) for 04C05 from Jul-Sep 2017

EstNbr	EstName	Task	MOI#	Date	Description
P7101	Tyson Foods, Inc.	04C05	LUC272208 3310G	2017-08-10	At approximately 2220 hours on August 8, 2017, while verifying the effectiveness of the establishment's adherence to good commercial practice requirements, I observed the following: (b) (6) (b) (6) was also present and observed the below because he was performing an assessment of my verification of their adherence to the regulatory requirements) On trailer #17756, the back two cages of birds contained so many birds that the birds were two deep (one bird sitting on top of another bird because there was just no room on the bottom layer of the cage) for at least ¾ of each section of each of the two cages. The cages were so packed full of birds that it was impossible to get a good look at the majority of the birds in the cage on the trailer. On the lower three or so levels at the edges of the sections of the cage that could easily be seen, I observed at least 12 dead birds and several other birds with purple colored combs and waddles that were struggling to breath because they were pushed so tightly against the side of the cage or had another bird on top of them. I also observed several birds that had skin abrasions and were bleeding because they were pressed against the sides and side of the cage had rubbed the skin to make it bleed. The lower cage of the two had one of the sections where the door was open and birds were sitting on the door but none were observed falling out of the cage or any other injury relating to the door not being properly closed. (b) (6) (b) (6) was with us and observed this also. (b) (6), and (b) (6) came to the area and were also notified of this issue. The dumpers were cleared of the other cages, the trailer was moved to the unloading area, a skip was placed in the line, and these two cages were dumped, the only action that would try to prevent any further birds dying by suffocation. The rest of the trailer was examined and no other cages were observed in this condition of overcrowding and a dead bird was observed here or there throughout the rest of the trailer but nothing like what was in these last two cages. All of the dead birds were condemned. There were approximately 336 dead-on-arrival birds from the two cages identified by the establishment for trailer #17756. Based on establishment documentation, the trailer was weighed at 2141 hours and our observations were at approximately 2220 hours, so the trailer had been on the lot for approximately 39 minutes in this

Table: Humane Handling Memorandums of Interview (MOIs) for 04C05 from Jul-Sep 2017

EstNbr	EstName	Task	MOI#	Date	Description
					condition. After the two cages were dumped onto the live hang line and the chickens that were alive were hung on the line, the establishment took its company break. During this time, the establishment notified FSIS personnel that all of the chickens had been caught for this shift, so no further action was taken at that time. I had to return to get ready to take the line after the company break, so (b) (6) observed the last trailers that came to the establishment and observed some of the sections of the cages were full on one layer, none were loaded so that piling up of chickens or suffocation was an issue. (b) (6) discussed with (b) (6) that he was not going to take action and stop the establishment's kill since this was a catching issue and all the chickens were caught for this shift. He discussed with (b) (6) that prior to him (b) (6) leaving for the night, the establishment would need to provide the actions it was taking to ensure that this issue did not reoccur. The actions provided included: "The Live Haul Manager, Live Production Manager, and Complex Manager were notified of the overcrowded cages observed on trailer #17756. Managers from the establishment will meet with the contracted catch crew to discuss this and ensure understanding of animal welfare expectations. Dead birds will not be loaded on the farm in the same cage with live birds. Catch crews will utilize head count per cage section to prevent overcrowding in the cages." (b) (6) discussed with (b) (6) that, while some of the dead birds could have been dead at the farm, based on the signs observed with the birds in the trailer and the way they were in the cages, the crowding of the cage sections/suffocation of chickens contributed to the number of dead carcasses observed in these two cages. Based on the above actions, no regulatory control actions were taken as a result of the observation of this issue. The next shift the same calendar day, the establishment provided (b) (6) information to demonstrate the actions were taken as provided the previous shift.

District	EstNbr	EstName	MOI#	Date	Description
25	M4653A	Agri Star Meat and Poultry, LLC	HRJ500912 2706G	06DEC2017	While performing ante-mortem inspection of poultry this week at Agri Star Meat and Poultry, I have made the following observations. Monday, December 4 - Upon my arrival at the facility at approximately 0430, eight chicken trailers were present. The sheds on official property were full with six trailers, while two trailers were outside the property across the railroad tracks. The temperature on that morning was in the 50s. Another trailer arrived by 0530 and was parked across the railroad tracks in the building which consists of a roof for protection. This arrival pattern was inconsistent with my understanding of a recent change in loading time schedules. Load times had recently been moved back to limit the amount of time birds spend on the trailers. DOAs = 75 Tuesday, December 5 - On arrival at the facility at approximately 0430, seven trailers were in sheds on the official premises, while two trailers were under the roof across the tracks. When traveling the trailers have tarps which roll down over the sides, but when parked these tarps are rolled up and off the sides of the modules. Each module has half of the outside ends covered by cardboard, which leaves the other half open. The temperature at the time was in the 20s with westerly twenty mile per hour winds. DOAs = 380 Wednesday, December 6 - When I arrived at the establishment around 0515, nine trailers were present, with three under roof across the railroad tracks. The tarps had been rolled up so I could see the chickens through the module sides. The temperature was in the teens with westerly ten mile per hour winds. The tenth truck arrived by 0545 with a partial load and was placed in the completely enclosed shed on official property. Many birds were piled together behind the cardboard portions and were less active with the decrease in temperature. Previously more birds would be against the visible sides of the modules or standing and moving about. Furthermore, the modules have solid floors which means the fecal material remains in the module leading to a wet floor and wet lower half of many birds. Runoff moisture from the trailers has been seen frozen on the edges of the trailer itself and occasionally the modules. At 0914 I purposefully went to the poultry unloading dock to examine a trailer. Upon arrival I was informed by a company employee that more dead birds were being seen after dumping a module than yesterday. For thirteen minutes I observed establishment employees as they unloaded one truck (#831, 5304 chickens). During this cursory inspection I saw one missing module section door, one wing trapped by a door and bleeding, one dead bird with his neck caught in a door, four birds continuously shivering, at least fourteen comatose birds, seven dead birds, frequent wet birds, and finally most birds were sitting in close groups or even on top of one another. DOAs = 176

EstNbr	Date	MOI Agenda
P7091	20MAR2017	On 03 20 2017 at approximately 1548 hours, (b)(6) while conducting a Poultry Good Commercial Practices task in the Live Haul holding sheds observed birds were also open mouth breathing and showing signs of heat stress in every trailer (those marked with an E for East plant as well as those marked with a W for west plant). There were several DOAs in the DOA hoppers outside of Live Hang (3 of the 4 hoppers were completely full) however, Live Hang has been kept in good orderly fashion with minimal DOA cadavers observed on the floor behind the hangers. The grower was (b)(6) for Lot 2, although, this task was started after the lot had switched from Lot 1 o (b)(6) to lot 2, therefore, not all of the DOA cadavers are from Lot 2. Last month (February), (b)(6) spoke with (b)(6) to let her know that he was going to talk with the growers and tell them to start lowering the numbers of chickens in the cases in preparations for the increased temperatures with Poultry Good Commercial Practice handling as top concern. In addition, (b)(6) has mentioned to (b)(6) about noticing airflow conditions in the Live Haul Holding Sheds last month on a high heat day. (b)(6) did have maintenance out and improve the conditions within the Live Haul Holding Sheds at that time. (b)(6) spoke with (b)(6) again on 03 20 2017 at approximately 1658 hours about the Live Haul Holding Sheds and the possibility of misters like those that are in the back dock holding area, he said he will ask about it and let (b)(6) know. The establishment is reminded in addition to the regulations found in 9CFR 381.65(b). FSIS encourages establishments to develop and implement a systematic approach to ensuring poultry presented for slaughter are treated in a manner that minimizes excitement, discomfort, and accidental injury. The initial component of the approach is to assess the areas where handling problems may occur. 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 CFR381.65 (b). Copies of this Memorandum of Interview (MOI) will be distributed to the establishment, inspection file and District Veterinary Medical Specialist per FSIS Directive 6100.3. Documented by (b)(6)
P1019	01MAR2017	This MOI is created to summarize the events of Feb 21, 22 and 24 concerning the discovery of large numbers of bruised birds. On February 21 three loads of spent hens totaling (b)(4) birds arrived from the (b)(4) at Holland, Michigan. Of those birds it was found that 990 were condemned because of bruising. The bruises were located on multiple locations. They varied from dark green color to dark blue. The majority of the green lesions were on the wings. On February 22 two loads of spent hens totaling (b)(4) were processed. There were 423 birds condemned because of bruising on these two trailers. Finally on February 24 one load of (b)(4) birds was processed. There were 164 bruises on this load. Each one of these events yielded a much higher percentage of bruised birds condemned than is seen on a normal day at (b)(4). In speaking with plant manager Jay Boggs he contacted the hauler of these birds and informed them of the situation at (b)(4). As of this point in time we are waiting to hear from the farm in Michigan as to the events occurring at the loading of these birds.
P1241	09FEB2017	At approximately 1540 hours while (b)(6) and (b)(6) were performing a Poultry Good Commercial Practices task, they observed a live chicken in the condemn barrel at the end of the transfer belt in the Live Hang Area. This condemn barrel is designated for dead chickens only, and no live chickens should be placed in this barrel. (b)(6) notified (b)(6) and (b)(6) of this finding, and he notified (b)(6) of the impending MOI.

Table: Humane Handling Memorandums of Interview (MOIs) for 04C05 from Jul-Sep 2017

EstNbr	EstName	Task	MOI#	Date	Description
P667	Mountaire Farms Inc.	04C05	KYN23060 84824G	2017-08-24	The purpose of this Memorandum of Interview is to document the events on August 18, 2017 related to the large quantity of dead-on-arrival (DOA) chickens discovered during a Poultry Good Commercial Task in the live hang operations. At approximately 1200 hours, I observed behind the live hang belt for kill line #2, four full condemn barrels of dead birds as well as a large pile of approximately 50-100 dead birds, with 5 to 6 live birds sitting on top of the pile of dead birds. I immediately notified (b) (6), of my observance. The live birds were retrieved and hung on kill line #2 and all of the dead birds were collected and condemned. At the time, (b) (6) said that the cause of the excessive amount of dead birds was that a belt broke causing the birds to be smothered. At 1330 hours a meeting was held between me, (b) (6) and (b) (6), to discuss this situation. (b) (6) reported that surveillance video showed that belts never stopped moving and that the birds that were observed to be dead in the live hang room were actually dead upon arrival and that they had not been smothered at the establishment. At approximately 1435 hours the Night Shift SPHV and I, requested to review the surveillance video to confirm the establishment's claim. After a discussion with the plant management of USDA's right to view the surveillance video, that the establishment was using as an adjunct to verify it's Good Commercial Practice compliance, it was determined by USDA that the video was inconclusive. It is expected that measures are taken during grow out operations and during transit to reduce the number of birds dying prior to approved methods of slaughter. In addition, transporting large amounts of DOA's on the highway should be avoided. 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 review of the Federal Register on Treatment of Live Poultry Before Slaughter for FSIS recommendations concerning treatment of live poultry before slaughter. A copy of this MOI will be forwarded to the District Veterinary Medical Specialist (DVMS) in the event additional follow-up is recommended.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
35	P165S	OK Foods, Inc.	LWA00060 15303G	2018-01-03	04C05	Poultry Good Commercial Practices	Finalized	On Tuesday, January 02, 2018, at approximately 0525 hours, while performing the Good Commercial Practices Task, I observed DOAs, too numerous to count. It was 17 degrees F. The trailers of birds had shield boards on the front end and back end of the end cages, and side shield boards on approximately 1/4 of each cage, leaving 3/4 of each cage exposed to the weather conditions. I met with (b) (6) about the conditions and my concern of numerous DOAs. I asked (b) (6) if there were additional ways to keep the birds warm. He stated that there wasn't. I met with (b) (6), to inquire of actual counts of DOAs. (b) (6) presented me with the record that indicated a high number of DOAs in the morning weather conditions, and quite a significant reduction as weather temperatures warmed. (b) (6) had also met with Plant Manager Amelia Lawhorn regarding this issue. He had requested information regarding the distance the birds were hauled and if the trailers were going to be tarped or if there were some other measures going to be implemented to protect the birds from the cold. She said that she would have to get with Live Haul for that information. She returned to the USDA office approximately 7AM Wednesday. She said that she was told that the birds had been hauled about 50 miles and that the trucks stopped for 15 minutes about half way to let the birds warm up. (b) (6) asked how stopping alongside the road would allow the birds to "warm up" when the temperature was in the mid teens. (b) (6) wasn't sure. She stated that she was relaying information that had been given to her. (b) (6) also asked about if/when measures were going to be taken to protect the birds from the cold. She said that they were going to begin adding boards to the outside of the cages. She said that they may have done some of

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								them. (b) (6) stated that as he was coming to work this morning (Wednesday, 1-3-18) he met two live haul trucks on their way out. He didn't see any protection on the cages of either trailer. However, they were empty.
90	P17766	Southern Hens, Inc	SSN441501 0031G	2018-01-31	04C05	Poultry Good Commercial Practices	Finalized	Good Commercial Practices MOI: On January 30, 2018 at approximately 1338 hours, (b) (6) and (b) (6) observed a less than good commercial practice while performing Ante-mortem inspection and a Good Commercial Practices check at Establishment P-17766. While performing a 500 bird count, a live, uncut bird was observed entering the scalders. The bird was lifting its head in an attempt to right itself as it approached and entered the first scalders. (b) (6) was immediately notified of this finding. In accordance with FSIS Docket No. 04-037N, Treatment of Live Poultry before Slaughter, live poultry must be handled in a manner that is consistent with good commercial practices. In order for this to occur, poultry must be treated in a manner that will minimize excitement, discomfort and accidental injury throughout processing. A copy of this Memorandum of Interview will be sent to the Jackson District Office for further review. Thanks for your attention to this matter. Respectfully, (b) (6)

EstNbr	Date	MOI Agenda
P39	08FEB2017	On Wednesday February 8, 2017, at approximately 1358 hours while performing a poultry good commercial practices task, I, (b)(6) observed one (1) sound bright alert and responsive bird in the condemn barrel with an estimated eight (8) DOA birds. (b)(6) was observing me perform my observations and he put the live bird back into production. I explained that I will document an MOI because it is not in accordance with good commercial practices, in that birds should not die from causes other than slaughter. I also discussed my finding with (b)(6) who explained he will monitor the barrels more closely. I provided a copy of the MOI to (b)(6) and explained that a copy of the MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended.
M44121	05MAR2017	At establishment 44121P, Pelleh Poultry, a meeting was held with (b)(6) at 15:00 to discuss good commercial practices and mistreatment of poultry. During ante mortem and prior to the start of slaughter operations while unloading the poultry crates from the receiving trailer many chickens were observed dead on arrival, (DOA). Later in the day it was determined that approximately 1,200 chickens had been received DOA. During the MOI meeting with (b)(6) he stated that the trailer had arrived at the establishment at around 04:38 A.M. The temperature outside was between 0 and 20 degrees fahrenheit during time of transportation and receiving. We determined that the chickens had froze to death with the majority occurring during transport. The trailer of chickens was protected with outside plastic or tarp, however it was insufficient to prevent the deaths of the chicken during extreme cold. The establishment does not have an inside protected truck and trailer bay to hold live birds thus, the load is delivered outside and left there prior to employees beginning work. I determined that the chickens had been mistreated while they are required to be handled in a manner that prevents needless injury or suffering. Preventing mistreatment of poultry decreases the production of adulterated carcasses. There is not an ongoing trend of birds dying otherwise by slaughter at the establishment and this appears to be a rare circumstance and incident due to the severe cold. The establishment contacted the flock owner, however I am unaware of the conversation that took place (b)(6) had no further comments to provide during the MOI. The establishment may go to their individual documents and add a response in the plant response text field or upload an attachment if they have access to E Authentication, PHIS account. I am not certain at the time if they have this access. Secondly, the establishment may provide a written response to this MOI in regards to the mistreatment of poultry if they decided to.
M45134	23JAN2017	On 01/23/2017 at approximately 1200 hours, while (b)(6) and I were performing Good Commercial Practice task in receiving area, we observed about 12 cages on a truck being held in the truck bay, were broken with a hole of 3-5 inches which is enough for passing heads and wings of chickens and expose them to injury. In the entrance meeting, we addressed this issue with (b)(6), and Mr. Urieta, Plant Manager. We clarified that damaged cages are not in accordance with Good Commercial Practice. The establishment stated that they had already addressed it and are going to implement a record keeping for monitoring of the cages.
M9977	14JAN2017	The first lot slaughtered on 1st shift 1/13/17, Lot 21 (holdovers), had 742 DOAs out of (b)(4) head, or (b) DOA's. It was heavily afflicted with air sacculitis. The house was begun the previous day, 1/12/17, on 2nd shift (Lot 1B) and the incidence of DOA's was only (b) %. While the high mortality can be attributed to the severe air sacculitis pathology, holding these birds overnight greatly increased the mortality from (b) on Thursday night to (b) on Friday morning. For the entire 1st shift of 1/13/17, there were (b) DOAs, which still exceeds the norm. It is a good management practice to avoid holding sick birds overnight for slaughter the next day. The establishment should take these factors into consideration when managing its slaughter operations.

EstNbr	EstName	Task_Code	MOI#	Date	Description
P146	Tyson Foods, Inc,	.	EJJ531004 3926G	2017-04-26	P 146 Tyson Poultry On April 25, 2017 at approximately 0515 while performing ante-mortem and Good Commercial Practice I observed while walking through the live hang area there were a large number of dead chickens on the DOA belt. This seems to be a constant finding when there are chickens left over from the night shift that did not get slaughtered. In checking I found there were (b) (4) chickens that were held over from the previous night. While continuing to perform ante-mortem and Good Commercial Practice on the live chickens on the trailers in the shed, I observed the chickens in the cages to be very depressed and cold looking. I could see there were some that had also died. These were also part of the numbers that were left from the previous night. I Inquired if there had been any equipment failure or a mechanical issue that caused this number of chickens not to be slaughtered and there was none. This seems to be a continual issue of too many chickens delivered to be slaughtered within the shift. The weather during the night was rainy and there was a cold damp air. The shed is open without any protection from the weather allowing these chickens to endure the elements of the weather. The chickens are held off feed prior to being caught and loaded into the cages on the trailers and have not had any water after they were loaded. Therefore these chickens had no food or water for approximately 12 to 24 hours. I have observed prior that when chickens are carried over from the previous day to bear the elements of the weather whether it is very cold or very hot there is an increase in the number of DOA's during my ante-mortem and GMP checks. Therefore my observation is that all this these chickens evidently died due by means other than the normal slaughter process. This issue had been discussed at the last weekly meeting and evidently no corrective measures have been taken to correct the issue.

Table:Memorandums of Interview (MOIs) in response to FOIA 2017-00274_July 14, 2017.

EstNbr	EstName	Task_Code	MOI#	Date	Description																								
P34668	Simply Essentials Poultry, LLC	.	000501106 4713G	2017-06-13	6-12-17 Stressed birds/DOAs At approximately 7:00 on June 12 in the holding shed for Establishment P34668, I observed the following conditions: four of six outward exhaust fans on the side of the building were operating, and of the four “walls” of fans along the docks within the shed, one wall had four of twelve fans operating; the other 3 walls had zero fans operating. The fans on the opposite (airflow inward) side of the structure were also non-functional. The fans that were running were the only ones that were hooked up to a power source. No misters were installed. A maintenance man who was filling the generators powering the fans said that no birds were held overnight and the fans are turned on as soon as birds start showing up in the early morning hours. At 7:00 it was not too hot in the shed with all of the bay doors open, but there was a distinct temperature/airflow difference in the cages directly next to operating fans and those that had a wall of cages blocking the breeze. Additionally, at this time there was still an open bay – if the shed was full, the bay doors closed, or the temperatures higher (as they were predicted to be for much of the week), I anticipate that the shed could rapidly become dangerously hot. In the CO2 stunning area, there were three of five fans along the wall running, two bay doors open, and a large industrial fan opposite the room from the other fans to move air, but it was nonetheless very warm. When I was in the area at 10:45, many of the birds on the truck were panting, and by the time the last of the birds were being unloaded at approximately 13:00, nearly all of the birds were panting/visibly stressed. There were ten trucks from one lot presented today. The numbers of deads from each load are as follows, with the first trucks arriving earliest (first truck approximately 4:00 in stunning area, last truck approximately 13:00): <table><tr><td>Truck #</td><td>1</td><td>5</td><td>2</td><td>18</td><td>3</td><td>19</td><td>4</td><td>30</td><td>5</td><td>41</td><td>6</td></tr><tr><td>Deads</td><td>87</td><td>7</td><td>244</td><td>8</td><td>179</td><td>9</td><td>361</td><td>10</td><td>389</td><td></td><td></td></tr></table> The issue of adverse environmental conditions resulting in DOAs has been raised in two previous MOIs and at the most recent weekly meeting. In fact, the establishment acknowledged in response to the 5-19-17 MOI that the non-functional fans were a contributing cause to a high mortality day; that response also stated that the fans would be hooked up promptly. It is unacceptable for birds to be held in stifling heat due to a longstanding lack of preparation for what are predictable	Truck #	1	5	2	18	3	19	4	30	5	41	6	Deads	87	7	244	8	179	9	361	10	389		
Truck #	1	5	2	18	3	19	4	30	5	41	6																		
Deads	87	7	244	8	179	9	361	10	389																				

EstNbr	EstName	Task_Code	MOI#	Date	Description
					weather conditions in this part of the country (b) (6)
P40183	Sanderson Farms, Inc.	.	PEH131604 3120G	2017-04-20	On 4/20/17 at 1549 while doing a GCP check, I was standing near the entrance of the scalding tanks. On line 1 I saw a live bird with no obvious neck cut, and holding its head back, coming to the corner about to enter the scalding tank. At approximately the same time, the back-up killer stopped the line and removed the bird, and restarted the line. At 1550, while observing line 2, I saw another live bird, in the same condition as the previously mentioned bird, several birds away from entering the scalding tank. I was not able to get the back-up killer's attention quick enough, and the bird entered the scalding tank. At that time I notified (b) (6) of the above issues and we observed birds coming out of the scalding tank on line 2. The cadaver did appear, and it had very typical appearance with bright red skin and no neck cut, and was removed from the line by (b) (6). According to 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. If this becomes a persistent finding due to loss of control of the process, A GCP noncompliance may be issued and further regulatory actions may result. At approximately 4:30 (b) (6) came to the USDA office and informed me that he will be monitoring the back up killer for the rest of the day, he had informed (b) (6) of the occurrence, and that he would have the appropriate documentation available in the QC office for verification by USDA. A copy of this MOI will be provided to the District DVMS in case further follow up is needed. Respectfully, (b) (6)

Table:Memorandums of Interview (MOIs) in response to FOIA 2017-00274_July 14, 2017.

EstNbr	EstName	Task_Code	MOI#	Date	Description
M7559	David Elliot Poultry Farm Inc.	.	SNA08070 61615G	2017-06-15	On June 14, 2017 at 1100hrs, a meeting was held with management; Mr. Moshe Fink, Mr. Yehudah Fink, (b) [REDACTED] and (b) (6) [REDACTED]. The purpose of this meeting was to discuss the large number of dead on arrival (DOA) chicken carcasses that occurred at this establishment on June 13, 2017. There were approximately 1,337 DOA carcasses out of the (b) (4) [REDACTED] broiler chickens intended for slaughter on this day. During the meeting management discussed the factors they believed may have led to the large number of DOAs- including, but not limited to- the high temperature and humidity (weather) and the density to which the birds were loaded into the crates for transport. In light of this event, management intends to take additional planned corrective measures, including proactively coordinating with the hauler that transports the birds when warmer outside temperatures are anticipated, to decrease the density/number of birds placed in each crate and thereby increasing air flow/cooling. Management also discussed the possibility of changing the location of the trucks after they arrive at the establishment from the farm (inside vs. outside) prior to production starting the following day or changing the times the trucks are loaded. IPP reminded management of their responsibility to ensure that live poultry are handled in a manner consistent with good commercial practices (GCPs) and that they do not die from causes other than slaughter per Agency regulations and the Poultry Products Inspection Action (PPIA). Management was also advised that in accordance with FSIS Notice 44-16 and as previously discussed, lack of adherence to GCPs could potentially result in a noncompliance record (NR). Management was notified that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case any additional follow-up is recommended.

District	EstNbr	EstName	MOI#	Date	Description
60	M7559	David Elliot Poultry Farm Inc.	SNA53071 12209G	09NOV2017	I, (b) (6), discussed with establishment owner Moshe Fink On November 8, 2017 while performing a Good Commercial Practices task at approximately 9:50am IPP observed several crates of chickens unloaded from the truck each containing approximately 1-3 birds that were all dead on arrival (DOA). At the conclusion of the day, it was determined that there were 270 DOAs out of the (b) (4) that arrived at the establishment for slaughter. The flock that arrived was relatively healthy with IPP condemning only 42 birds ((b) (4) showing systemic conditions. The increase in DOAs on this day was likely due to the effects of cold weather, as the temperature on this day reached an approximate low of 29F. The broilers weight ranged from 4.2lbs to 4.91 and the establishment tried to take a proactive approach as standard protocol to increase the number birds loaded into each crate to 15 due to weather conditions. Management stated the possible cause was the larger birds overheated and the hauler did not take the higher than average weight into consideration when loading the birds. I reminded Mr. Fink 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 Mr. Fink review the Federal Register on Treatment of Live Poultry before Slaughter, published September 2005 for FSIS recommendations concerning treatment of live poultry before slaughter, and provided him a copy of this document. I notified Mr. Fink that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended.
60	P18414	MB Consultants LTD	JYI4905113 210G	10NOV2017	On 11/10/2017 at approximately 0625 while (b) (6) was performing a good commercial practices check, one DOA turkey was discovered in the bottom cage with its neck pinned between the bottom cage and the cage above it. This would have occurred as the turkeys were loaded at the grower facility. The kill area supervisor was notified and will notify plant management.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
60	P1304	Farmers Pride Inc.	YVB500001 3405G	2018-01-05	04C05	Poultry Good Commercial Practices	Open	On 01/05/18 (shift started on 01/04/2018), at approximately 0119 hours, a night shift meeting was held at establishment 1304P, Farmer's Pride, Inc., located at 154 West Main Street, Fredericksburg PA, 17026. (b) (6) attended the meeting for USDA. (b) (6) , attended the meeting for the establishment. At approximately 0119 hours on 01-05-2018, I (b) (6) was conducting a GCP audit in the live receiving/live hanging area. While observing operations on the live hanging area, I noticed that the birds taken out of the coops and dropped onto the walking stand by the live hanging establishment employees, were making a rock like thump when they hit the stand. I proceeded to further investigate and noticed that most all of the feathers were missing from the belly of the birds and the birds were hard to the touch. A total of five to seven birds appeared to be frozen birds. Furthermore, two and one quarter barrels containing birds identified by plant management as DOA birds were present at the time of the audit. Discussion during this meeting focused on these observations during the GCP audit and on the prolonged period of abnormally low temperatures. Night time temperatures in Fredericksburg, Pennsylvania during the week of December 31, 2017 thru January 6, 2018 were in the single digits with daytime highs in the teens. In addition, the birds originated from a truck intended to be processed during day shift beginning on January 4, 2018 but was held over because of production delays until night shift of January 4, 2018 (approximately 11 hours). Moreover, there was a marked increase in the total number of birds listed by the plant as DOA and plant rejects identified in the lot that included the birds from the truck that was held over. Lot

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								#1 (DOA) = 38-Birds (Plant Reject) =453-Birds Lot #2 (DOA) =32-Birds (Plant Reject) = 238-Birds Lot#3 (DOA) = 65-Birds (Plant Reject) = 70-Birds Lot #4(DOA) = 43-Birds (Plant Reject) = 956-Birds

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M248B	Butterfield Foods Company	GXN19160 23523G	2018-02-23	04C05	Poultry Good Commercial Practices	Finalized	On 2/21/18, I performed ante-mortem inspection on truck 12 for Lot 3 at approximately 1120 hours. I observed that approximately 50% of the hens on the truck were dead and the carcasses were frozen solid. The dead, frozen birds were focused on the bottom half of the truck (bottom four rows of cages). Evaluation of the rest of the live birds noted no overt signs of disease, but many of the birds were not well feathered and on the thinner side. As the live birds on the upper half of the truck appeared cold, but healthy, I ante-mortem passed the lot. The establishment appeared to be doing a good job ensuring the frozen birds were not entering the facility, to prevent adulterated product; this was achieved by hangers sorting out DOAs from live birds during the hanging process and directing the DOAs to the white, inedible barrels below and hanging live birds for slaughter. However, the concern is with the number of birds frozen upon arrival at the facility and while being held at the facility prior to slaughter. This issue was discussed with Mr. Juan Cervantes (Plant Manager) at approximately 1130 hours 2/21/18, as I observed approximately half a trailer of frozen DOA birds presented for ante-mortem inspection. I asked Mr. Cervantes where Lot 3 birds were from and when they arrived at the establishment; he stated they were transported approximately 2 hours and arrived the day before at approximately 1300 hours (on 2/20/18). The slaughter of Lot 3 started on 2/21/18, at approximately 1150 hours and ended at approximately 1630 hours. Thus, the birds from Lot 3 were held on establishment premise for approximately 22 to 28 hours prior to being slaughtered; the temperature on the morning of 2/21/18 was in the single digits, (approximately 2F) and had risen to the teens (approximately 18 degrees) in the afternoon (Fahrenheit). A weather archive of average high/low temperatures in for

Table: MOIs in Response to FOIA2018-328

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								these dates in Butterfield, MN, can be found at www.accuweather.com At approximately 1230 hours, I observed the rest of Lot 3 trucks in the holding shed (Trucks 13, 19, and 15; a total of 4 trucks for Lot 3). While being held at the establishment prior to slaughter, the trailers of birds were kept paneled in a 3-sided non-temperature controlled building. Trucks 13, 19, and 15 were all completely paneled with every fourth panel pulled up at the top approximately 8 inches to allow for ventilation. At this time I could not visualize any of the birds. As the trucks entered the hanging room, I observed each one as it was unpaneled. Although these trucks did not exhibit the excessive percentage of dead, frozen birds as truck 12, there were consistently dead, frozen birds in the bottom 1 to 2 rows of each battery on every truck in this lot. Evaluation of the health status of the live birds on these trucks was consistent with truck 12, and passed for slaughter. I observed excessive DOA carcasses piled up in the hang room throughout the live hang process of Lot 3 and did not observe any live birds in the inedible white barrels/floor. All DOAs were denatured and rendered per regulatory requirements. The issue was further discussed with Mr. Cervantes at approximately 1600 hours on 2/21/18. He asked what the health status of the birds were on inspection, and I reported a high number of condemn rates due to septicemia/toxemia (approximately 7.5% due to all condemnable conditions except contamination and plant rejects, calculated on 2/22/18). I also pointed out that the cages are slatted, as I observed the majority of egg white/yolk and fecal/urinary excrement accumulating on the bottom caged birds which also contributes to the freezing process. I discussed that the birds were on the thinner side and not well feathered, but I was also

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								concerned that they had been in very cold temperatures on site for over 24 hours prior to slaughter. It was discussed that multiple factors may have contributed to these birds in particular being more affected by the cold, but the percentage of DOAs in Lot 3 was concerning. Mr. Cervantes stated that they are going to aim for loading trucks with (b) (4) birds or more to help maintain heat of the lot during cold conditions, as he had noted from his records that trucks with fewer birds than that had increased DOA percentages. Mr. Cervantes had recorded the total number of birds on truck 12 from Lot 3 from the daily kill schedule which was determined to be approximately (b) (4) birds. He also stated they were going to monitor each truck when they arrive on premise to assess the status of the birds going forward. (b) (6)) discussed in the weekly meeting on 2/22/18 that the trucking company was also contacted by plant management to discuss the issue regarding Lot 3 DOA numbers slaughtered on 2/21/18. After reviewing the daily totals on 2/22/18, the establishment reported 9,750 DOA birds out of a total count of (b) (4) birds (approximately (b) (4) DOA rate).

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M248B	Butterfield Foods Company	GXN31070 32309G	2018-03-09	04C05	Poultry Good Commercial Practices	Finalized	On March 8, 2018 at approximately 11:53 AM, while performing a Good Commercial Practices Verification Task I observed that the plant was experiencing a higher than normal amount of Dead on Arrival (DOAs) birds in the first load of Lot #2 (Truck #22). I requested (b) (6) accompany me to examine the truck and provide his impression of the condition of the birds on the trailer. Approximately 20 dead chickens were observed on the exterior two lower level cages of the trailer and on palpation approximately 12 were "hard" and "non-flexible". (b) (6) made the observation that here was what appeared to be a larger than "normal" quantity of eggs and waste on the bed of the truck indicating a possible longer amount of time in transit than usual accentuating the effects of the cold weather. While the plant staff went on beak and the truck was waiting to be unloaded, I requested (b) (6), and (b) (6), come to the unloading dock with me to examine the condition of the birds on the truck. Gross examination of these birds revealed no remarkable pathology indicating a flock disease. However, many birds had large unfeathered areas. The unfeathered areas revealed deeply reddened skin tissue suggestive of prolonged exposure to extreme temperatures. Many appeared to be dead, as they were not noticeably moving or breathing. Post-mortem pathology observed in live slaughtered birds from this lot was unremarkable. Cold weather protective panels on livestock haulers were in place during transport and holding until the birds were prepared for unloading. The plant ensured all dead birds were properly disposed of and the load was finished with no further incident. The plant subsequently reported that of the (b) (4) birds in lot #2, 330 were DOA. The DOA numbers from previously

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								unloaded trucks delivered prior to the unloading of Truck #22 ranged from 32 to 82 DOA per load. The establishment indicates they will fully employ humane methods of handling and slaughtering consistent with Good Commercial Practices in a way that minimizes injury to poultry. Poultry are to be handled in a manner that prevents needless injury and suffering. Employing humane methods of handling and slaughtering that are consistent with Good Commercial Practices increases the likelihood of producing unadulterated product. Similar GCP observations were made by (b) (6) on 2/23/2018 in an MOI, Subject: Poultry Good Commercial Practices / GXN5608022123I. We will discuss this situation during the weekly meeting on March 9, 2018 with establishment management to determine any additional corrective actions and/or preventive measures could be adopted in the future to minimize the possibility of a similar (or worse) incident happening in the future, especially when birds are held overnight in extreme weather conditions.

EstNbr	EstName	Task_Code	MOI#	Date	Description
P7669	Turkey Valley Farms LLC	.	RZB250505 1723G	2017-05-23	Est. 7669p, Turkey Valley Farms, May 25th, 2017. In attendance: (b) (6) and Steve Seward, General Manager On Monday 5/15/17 I observed that the breeder hen lot from Missouri had 118 out of 5184 head Dead-On-Arrival (2.28%). During the weekly meeting on 5/18/17 the establishment was notified of this finding and Mr. Seward emailed me on Friday stating that there were storms in Missouri (as well as Marshall, MN) the evening that the birds we loaded and traveling. He stated that he firmly believes the high DOA rate on Monday can be attributed to the storms seeing that birds came from the same flock on Tuesday and Wednesday with no DOA issues. I reviewed the last 5 months of PHIS information (January 1, 2017- May 25, 2017). There were 14 lots with DOA counts exceeding 1% of which 9 instances were breeder hens from various growers in Missouri, 2 were from the same flock of light hens from Nebraska, and the remaining 3 flocks were from Minnesota. During weekly meeting discussions, Mr. Seward informed USDA that the high counts were due to inclement weather. The following DOA counts were observed: 1/5/17: 5 out of 256 (1.95%) breeder toms from Minnesota 1/9/17: 160 out of 9,966 (1.61%) breeder hens from Missouri * 1/27/17: 177 out of 5,760 (3.07%) breeder hens from Missouri 2/3/17: 449 out of 38,368 (1.17%) light hens from Nebraska 2/8/17: 86 out of 7,018 (1.23%) breeder hens from Minnesota 2/9/17: 639 out of 34,772 (1.84%) light hens from Nebraska 3/9/17: 273 out of 4,999 (5.46%) breeder hens from Missouri 3/14/17: 39 out of 252 (15.47%) breeder toms from Minnesota 3/20/17: 111 out of 8,154 (1.36%) breeder hens from Missouri * 3/27/17: 137 out of 8,043 (1.70%) breeder hens from Missouri* 4/10/17: 223 out of 10,766 (2.07%) breeder hens from Missouri * 4/26/17: 101 out of 6,704 (1.50%) breeder hens from Missouri 5/15/17: 118 out of 5,184 (2.28%) breeder hens from Missouri * 5/25/17: 106 out of 4,346 (2.44%) breeder hens from Missouri On 5/25/17, a discussion with Mr. Seward was held. I informed him of the above dates and DOA numbers. He notified me that he has observed that the majority of issues are from flocks slaughtered on a Monday, these have been marked with (*) on the list. We discussed updating the GCP paneling procedures and conducting training for semi-drivers. Mr. Seward informed me

Table:Memorandums of Interview (MOIs) in response to FOIA 2017-00274_July 14, 2017.

EstNbr	EstName	Task_Code	MOI#	Date	Description
					that he would look to modifying their scheduling due to time of loading and/or inclement weather forecast.

EstNbr	Date	MOI Agenda
M751	20MAR2017	Memorandum of Interview to Discuss Birds Held Over for Slaughter Norbest Turkey / Est# P01049 Meeting Time: Monday, March 20, 2017 at 1025 Attendees: USDA Establishment (b)(6) (b)(6) This meeting was necessitated by an observation made in the bird holding area while performing a Good Commercial Practices task on Saturday, March 18. On Saturday, the establishment held over birds on trailer #81 for slaughter this morning. After slaughter ended on Saturday afternoon, I verified the trailer was parked in the holding area, a roofed structure on site. The same trailer was observed on Sunday. This morning, the trailer was the first one emptied, and the birds entered the plant for slaughter. According to the flock processing schedule from Saturday, the birds arrived here Saturday morning at 0120. They were finally slaughtered this morning beginning at 0600. As a result of the hold over, the flock had remained on site in coops on the trailer for a period of 53 hours. After receiving instructions from agency leadership, I met with (b)(6) to notify him personally of my observations. (b)(6) will investigate the matter further. (b)(6)
P20251	04JAN2017	On Wednesday, January 4, 2017, I, USDA (b)(6), met with (b)(6) to discuss what was observed in the loafing shed earlier that day. At 0525 hours on January 4, 2017 while performing ante-mortem inspection in the loafing shed, I, (b)(6), observed a dead bird on trailer T69. The bird was located on the driver's side, first module on the bottom row, 4th level. There were four broken wires, approximately 1 inch apart, bent inwards and at an angle creating an approximately 6 x 5 inch opening on the outside module panel. The bird's head was stuck between two of the broken wires. The other ten chickens in this module were not injured. There was no mark on the module indicating that it was damaged. I notified the establishment's (b)(6) what I observed. The scale operators perform a Leg/Head Audit on each trailer that enters the loafing shed. Trailer T69 arrived at 0100 hours. The modules are inspected by establishment and marked if damaged. As of December 27, 2016, the percentage of damaged modules was (b)(4) with the maximum limit being (b)(4). The marked modules are tracked or removed from service pending on the damage. The establishment will mark the module as damaged and have it repaired. Further investigation will be performed by the establishment to determine if any other actions need to be made. The Poultry Products Inspection Act and Agency regulations (9 CFR 381.65(b)) require that live poultry be handled in a manner that is consistent with good commercial practices (GCPs). Compliance with GCPs increases the likelihood of producing unadulterated product. Poultry are to be handled in a manner that prevents needless injury and suffering in order to produce a commercially marketable product. Establishment management may review Federal Register notice "Treatment of Live Poultry Before Slaughter", 70 Fed. Reg. 56624 (September 28, 2005) for FSIS recommendations concerning the treatment of live poultry before slaughter. This MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. Respectfully, (b)(6)

Table: Noncompliance Reports fpr GCP from 10/1/2017 - 12/31/2017

EstNbr	EstName	NR#	Date	Task	Regs	Description
M751	Norbest, LLC (Moroni)	MMK32 111218 29N	12/29/2017	04C05	381.65(b)	While performing a Good Commercial Practices task for a partial lot of birds which had been held overnight from the previous day's production, I (b) (6) observed the following noncompliance. A partial lot of medium hens (705 birds) entered slaughter at approximately 1530 on Friday afternoon, December 22, 2017. It was observed that 42 dead birds were discarded at unloading, another 26 were condemned for septon and at least one additional barrel of carcasses that had passed inspection but required trimming of lesions was discarded at the salvage station but not accounted for in the plant numbers. In comparison, the rest of that same lot of medium hens (b) (4) birds) which had been slaughtered on the previous day (Thursday, December 21, 2017) yielded 30 dead birds and 17 condemned for septon. The numbers, which were confirmed earlier this week, indicate the discards for dead and septon did significantly increase as a result of the holdover. According to plant records, the birds slaughtered late Friday, December 22, 2017, had arrived at the facility at 0102 on Thursday morning, December 21, 2017, and had thus been held on site for approximately 38 hours. In addition, the birds had been held overnight on the truck without shelter in temperatures that dipped below 10 degrees Fahrenheit and was noted to be 8 degrees Friday morning at 0845. The trailer was parked outside but not parked under the shelter which can accommodate approximately 12 trailers. According to (b) (6), the holdover occurred due to unscheduled downtime which made it impossible to process the birds as scheduled. Also according to (b) (6), holding birds next to the roofed storage structure but not under it is still within the designated storage area. (b) (6) could offer no explanation as to why the live hang bay which is an enclosed structure that can provide relative warmth and shelter from the weather and wind was not used to hold the trailer of birds. These findings constitute a failure to comply with 9 CFR 381.65(b). In addition, these particular findings and the trend of holding birds overnight and longer than 24 hours are contrary to the establishment's own SOP #307 Live Bird Holdover and the National Turkey Federation (NTF) Animal Care Best Management Practices upon which the firm bases their own program. MOI have been documented for the holdovers which have been occurring routinely at this establishment throughout the past year. I reviewed the incident again with (b) (6) this morning (December

Table: Noncompliance Reports fpr GCP from 10/1/2017 - 12/31/2017

EstNbr	EstName	NR#	Date	Task	Regs	Description
						29, 2017) and notified (b) (6), shortly thereafter that a noncompliance record was forthcoming for this incident. Although MOI have been previously documented for live bird holdovers, there is no previous noncompliance record to associate with this noncompliance.
P9332	Diestel Turkey Ranch	TBA271 712550 4N	12/04/2017	04C05	381.65(b)	On 12/4/17 at approximately 0845 hours I, (b) (6), and the Alameda DO DVMS, (b) (6) observed a conscious and breathing shackled turkey enter the scalding while performing Good Commercial Practice verification at the entrance to the scalding. The turkey was much smaller than the ones hanging from the shackles on either side. Once this bird came out of the picker, the skin was bright red, and the neck did not have a bleeding cut. The DVMS notified (b) (6), of the noncompliance. (b) (6) immediately went to correlate with the back-up cutter, and the DVMS observed the line for an additional 20 minutes (approximately 400 birds). No further uncut turkeys were observed. The establishment failed to thoroughly bleed out the turkey prior to entering the scalding. This observation is a noncompliance with 9 CFR 381.65(b), which states in part; Poultry shall be slaughtered in accordance with good commercial practices in a manner that will result in thorough bleeding of the carcasses and assure that breathing has stopped prior to scalding.

District	EstNbr	EstName	MOI#	Date	Description
15	M751	Norbest, LLC (Moroni)	MMK4817 124622G	22DEC2017	Memorandum of Interview to Discuss Birds Held Over for Slaughter Norbest Turkey / Est# P01049 Meeting Time: Friday, December 22, 2017 at 1245 Attendees: USDA Establishment (b) (6) (b) (6) (b) (6) (b) (6) This meeting was necessitated by observations made while performing a Good Commercial Practices task each day for the week of December 17, 2017. The establishment protocol concerning live birds held over is documented in both their Animal Welfare Program and also SOP #307 Live Bird Holdover. The written procedure pertains to an unscheduled live bird holdover due to a deviation such as a breakdown or shutdown and (b) (4) (b) (6) (b) (6) Norbest CEO, Matt Cook, is a member of the National Turkey Federation Executive Committee and should be familiar with those particular practices. Wednesday Holdover (approx. 3,000 birds) A trailer load of hens (truck #11) was held over from Wednesday morning to Thursday afternoon. According to (b) (6), the deviations in production causing the holdover were a late start with the chillers due to cleaning issues and lack of sufficient staff to run at designated and scheduled speeds. In addition, "birds for the next two (2) days are scheduled to be modified in accordance with this holdover." In addition, I observed several live birds in the hanging bay after slaughter ended on Wednesday afternoon. As discussed in a previous MOI dated December 15, company policy is hanging bay employees are supposed to visually check the bay at the end of each day so loose birds do not remain overnight. Employees obviously failed to monitor for them on Wednesday afternoon. Thursday Holdover (approx. 600 birds) A partial trailer load of hens (truck #71) was held over from Thursday morning to Friday afternoon. According to (b) (6), the holdover occurred due to unscheduled downtime which made it impossible to process the birds scheduled. The trailer was parked outside but not parked under the shelter which can accommodate approximately 12 trailers. The temperature last night dipped below 10 degrees and was noted to be 8 degrees this morning at 0845. No loose birds were observed in the hanging bay after slaughter ended yesterday or this morning. According to SOP #307 Live Bird Holdover, birds will be held in one of two locations, the live hang room (hanging bay) or the live haul trailer storage. The location chosen to park last night's holdover birds was next to the storage structure but not under the roof. According to (b) (6), next to the roofed storage structure is still the storage area. (b) (6) had no explanation as to why the live hang room which is an enclosed structure that provides relative warmth and shelter from the weather and wind was not chosen. In addition, their program states, (b) (4) (b) (6) Birds held over at this facility, including last night, are routinely held for more than 24 hours because production begins with toms and ends with the hens so hens held over don't usually

District	EstNbr	EstName	MOI#	Date	Description
					get killed until the following afternoon even though they had arrived early morning on the previous day. Other issues At approximately 0945, I observed the backup bleeder cutting necks in the bleed room. Most birds missing the cutter were hung by one leg thereby not properly hung to be cut by the bleed machine. I notified (b) (6) (b) (6), and he also spoke with the backup bleeder to confirm the problem. I counted 7 birds hung by one leg of an approximate 100 bird set. As documented in previous MOI, issues outside of mechanical breakdowns (a trend of lower line speeds due to quality of birds, zero tolerance failures, etc) may be historical and anticipated aspects of a particular poultry operation for a prudent establishment to consider when planning production. As was discussed previously, it is not a good practice nor is it in the establishment's interest to leave birds in public view outside the plant at night. A previous complaint was filed with the district office by an observer that concerned holdover birds. (b) (6) understood, therefore, that FSIS will continue to issue MOI for this matter. This memorandum serves to document what was discussed and also 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. (b) (6)
25	P579	Jennie-O Turkey Store Sales, Inc.	UIO471210 2005G	05OCT2017	I spoke to (b) (6) at approximately 1215 regarding two cadaver carcasses presented to USDA inspection at approximately 1045 and 1200 hours. Both carcasses had a purplish-reddish head, neck, and underside of the wings. One carcass had no cut at all, and one had a 1" cut in the neck skin that did not cut the underlying muscle. This has been a cadaver trend at 579P, and has been documented in MOIs and weekly discussions June 11, 2017/ MOI#UIO2811070119G, July 25, 2017/UIO5412081607I, August 8, 2017/ UIO4509072125I, and August 10, 2017/ UIO3407085210I, September 7, 2017/UIO5406093307I, September 8, 2017/UIO4014091918G), and September 25, 2017/ UIO2710090921I (b) (6) informed me that the establishment will be replacing its autokiller machine, which has been in use for decades. They are hoping this will solve this trend.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M751	Pitman Farms Inc. (Moroni Turkey Processing)	MMK1516 030316G	2018-03-16	04C05	Poultry Good Commercial Practices	Finalized	Memorandum of Interview to Discuss Birds Held Over for Slaughter Norbest Turkey / Est# P01049 Meeting Time: Friday, March 16, 2018 at 0945 Attendees: USDA Establishment (b) (6) This meeting was necessitated by observations made while performing a Good Commercial Practices task each day for the week of March 11, 2018. The establishment protocol concerning live birds held over is documented in both their Animal Welfare Program and also SOP #307 Live Bird Holdover. The written procedure pertains to an unscheduled live bird holdover due to a deviation such as a breakdown or shutdown and "is in conjunction with applicable best industry practices, notably National Turkey Federation (NTF) "Animal Care Best Management Practices, 2012." Tuesday Holdover (approx. 2,700 toms) Three full trailer loads and a partial trailer load of toms were held over from Tuesday morning to Wednesday afternoon. According to (b) (6), the deviations in production causing the holdover were "due to the delayed start from sanitation and the breakdown experienced with the chiller." Toms from this particular producer had a high incidence of airsacculitis, inflammatory process and synovitis which were associated with documented failures of an FPS check and a zero tolerance check as well as reduced line speeds on Tuesday. When unloaded on Wednesday for slaughter, company records show the three full trailers yielded 26, 23 and 24 dead birds in comparison to 5, 1, 6, 5, 3 and 3 for the other trailers which arrived from the same producer Wednesday and were slaughtered Wednesday. Line speed reductions occurred during the processing of those toms on Wednesday. Wednesday Holdover (approx. 1,000 toms) A

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								trailer load of toms (truck #74) from the same producer was held over from Wednesday morning to Thursday afternoon. According to (b) (6), "the holdover was necessitated by a picket breakdown and subsequent lower line speeds." Another FPS failure and reduced line speeds occurred during the processing of those toms on Thursday afternoon. During the weekly meeting on Thursday morning, the holdovers were discussed with Colby Mellor, the plant manager. A review of the matter included the condition of the toms coming from this particular producer, the dead counts on the holdover trailers Wednesday afternoon, and the failure of an FPS check and a ZT check and lower line speeds during the processing of these particular toms. Despite those findings, Thursday's slaughter schedule showed an increase from the planned (b) (4) toms to a scheduled (b) (4) toms plus the holdover trailer, all from the same producer. In addition, the hens planned and delivered for slaughter Thursday remained the same. Colby stated the scheduled numbers for Thursday's toms may have been an overestimation. On Thursday, all trailers of scheduled toms were delivered for slaughter. Colby later informed FSIS there would be an additional holdover of toms on Thursday evening, but the scheduled hens on Friday would be decreased to allow for the additional toms held over from Thursday. Thursday Holdover (approx. 1,800 toms) Three trailer loads of toms were held over from Thursday to Friday afternoon. According to (b) (6), the "birds are held due to slower than anticipated line speeds needed for the condition of the birds." Birds held over at this facility, including this week, are routinely held for more than 24 hours because production begins with hens and ends with the toms so the toms held over didn't get killed until the following afternoon even though they had arrived the

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								previous day. As documented in previous MOI, issues outside of mechanical breakdowns (a trend of lower line speeds due to quality of birds, zero tolerance failures, FPS failures, etc) may be historical and anticipated aspects of a particular poultry operation for a prudent establishment to consider when planning production. (b) (6) is going to review the matter further with Mr Mellor. According to (b) (6), production schedules are built for a roughly 5 week projection, and they can be modified long term or short term in response to holdovers; however, the short term modifications are more problematic to absorb thus contributing to the holdovers becoming a multiple day event. Also according to (b) (6) returning the birds to the farm may contribute to higher losses which compounds the problem. As was discussed previously, it is not a good practice nor is it in the establishment's interest to hold birds overnight. A previous complaint was filed with the district office by an observer that concerned holdover birds. (b) (6) understood, therefore, that FSIS will continue to issue MOI for this matter. This memorandum serves to document what was discussed and also 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. (b) (6)

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M751	Pitman Farms Inc. (Moroni Turkey Processing)	MMK4017 033423G	2018-03-23	04C05	Poultry Good Commercial Practices	Finalized	Memorandum of Interview to Discuss Birds Held Over for Slaughter Norbest Turkey / Est# P01049 Meeting Time: Friday, March 23, 2018 at 1245 Attendees: USDA Establishment (b) (6) This meeting was necessitated by observations made while performing a Good Commercial Practices task each day for the week of March 18, 2018. The establishment protocol concerning live birds held over is documented in both their Animal Welfare Program and also SOP #307 Live Bird Holdover. The written procedure pertains to an unscheduled live bird holdover due to a deviation such as a breakdown or shutdown and "is in conjunction with applicable best industry practices, notably National Turkey Federation (NTF) "Animal Care Best Management Practices, 2012." Tuesday Holdover (approx. 500 toms) A partial trailer load of toms (truck #96) were held over from Tuesday morning to Wednesday afternoon. According to (b) (6), the holdover was determined appropriate due to the unscheduled deviation from a late start due to sanitation contractor performance and our inability to process all of the birds scheduled. Birds held over at this facility, including this week, are routinely held for more than 24 hours because production begins with hens and ends with the toms so the toms held over didn't get killed until the following afternoon even though they had arrived the previous day. As documented in previous MOI, issues outside of mechanical breakdowns may be historical and anticipated aspects of a particular poultry operation for a prudent establishment to consider when planning production. According to (b) (6), production schedules are built for a roughly 5 week projection, and they can be modified long

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								term or short term in response to holdovers; however, the short term modifications are more problematic to absorb thus contributing to the holdovers becoming a multiple day event. Also according to (b) (6) returning the birds to the farm may contribute to higher losses which compounds the problem. As was discussed previously, it is not a good practice nor is it in the establishment's interest to hold birds overnight. A previous complaint was filed with the district office by an observer that concerned holdover birds (b) (6) understood, therefore, that FSIS will continue to issue MOI for this matter. This memorandum serves to document what was discussed and also 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. (b) (6)

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M751	Pitman Farms Inc. (Moroni Turkey Processing)	MMK2417 044820G	2018-04-20	04C05	Poultry Good Commercial Practices	Finalized	Memorandum of Interview to Discuss Birds Held Over for Slaughter Norbest Turkey / Est# P01049 Meeting Time: Friday, April 20, 2018 at 1600 Attendees: USDA Establishment (b) (6) (b) (6) This meeting was necessitated by observations made while performing a Good Commercial Practices task on Friday, April 20, 2018. The establishment protocol concerning live birds held over is documented in both their Animal Welfare Program and also SOP #307 Live Bird Holdover. The written procedure pertains to an unscheduled live bird holdover due to a deviation such as a breakdown or shutdown and (b) (4) (b) (6) Thursday Holdover (approx. 1,000 toms) A trailer and a partial trailer load of toms (trucks #78 and 59) were held over from Thursday morning to Friday morning. According to (b) (6), the deviation in production causing the holdover was “due to the late start experienced this morning in relation to Sanitation issues.” The start of operations in evisceration was delayed on Thursday morning due to deficiencies found during USDA preoperational inspection. It was observed that the partial trailer of toms was moved back to the storage area with many of the coops of birds remaining open. Live birds were observed on the ground under the trailer Thursday afternoon. Friday morning, when the trailer was brought into the facility, live birds were found outside where the trailer had been parked despite the supervisor’s affirmation that all birds had been collected and brought into production. The lead supervisor for the (b) (6) (b) (6) went back out and collected the loose

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								birds after I notified him not all had been gathered. Those birds would have remained loose in the trailer storage area until Monday's production at the earliest had they not been collected. As documented in previous MOI, issues outside of mechanical breakdowns (a trend of lower line speeds due to quality of birds, zero tolerance failures, preoperational deficiencies, FPS failures, etc) may be historical and anticipated aspects of a particular poultry operation for a prudent establishment to consider when planning production. As was discussed previously, it is not a good practice nor is it in the establishment's interest to hold birds overnight. A previous complaint was filed with the district office by an observer that concerned holdover birds. (b) (6) understood, therefore, that FSIS will continue to issue MOI for this matter. This memorandum serves to document what was discussed and also 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. (b) (6)

Table:Memorandums of Interview (MOIs) in response to FOIA-2019-18

EstNbr	EstName	Task_Code	MOI#	Date	Description
P218	Pilgrim's Pride Corporation	04C05	WOD1122 072323G	23JUL2018	On 7/23/2018, while performing the PHIS Good Commercial Practices task, I (b) (6) observed the following conditions at Establishment P218, Pilgrim's Pride in Lufkin, Tx. There were too numerous to count Dead on Arrival (DOA) birds entering the establishment. At the time of my observations establishment personnel were appropriately handling/sorting the dead birds and disposed of approximately nine yellow condemn barrels full of DOAs (over 300 birds). I proceeded to the outside back dock area where the birds are caged on truck trailers to verify that the fans and misters were all functioning properly. Upon inspection of the birds, there were multiple dead birds in the cages and the live birds could be seen panting excessively. With temperatures over 100 degrees for the day, the birds were dying of heat exhaustion. Although establishment management were handling the DOAs in a manner so as not to enter production and maintained process control this MOI is being documented because of the excessive amount of DOAs found at the establishment. Establishment management stated that the birds arrived from Hammock Farms and M&G Farms and that there was a total of 1500 DOAs. The establishment is reminded that it is important to treat poultry in a way that minimizes accidental injury and death prior to humane euthanasia. This includes the transportation, loading/unloading and storage of chicken before slaughter. Although, non-regulatory, USDA expects the establishment to employ handling methods consistent with Good Commercial Practices. Plant Management is asked to consider these USDA concerns and prevent future occurrences. Copies of this Memorandum of Interview (MOI) will be distributed to the establishment, inspection file and District Veterinary Medical Specialist per FSIS Directive 6100.3. Documented by (b) (6)

Table: MOIs in Response to FOIA2019-259

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	M7345	Butterball, LLC	AGA11100 11628G	28JAN2019	04C05	Poultry Good Commercial Practices	Finalized	On Thursday, January 24, 2019, three truck loads of lay one breeder hens, flock "PT", were scheduled to be run as the last birds of the day (day shift hours are 0946-1816). Each truck contained 1040 hens. The trucks arrived at 1053, 1141, and 1242, respectively. I observed them at approximately 1400 and did not note any abnormalities. According to establishment paperwork provided, the hens went off feed on January 23, although they were still looking into what time. Due to mechanical issues with the chiller, the establishment was unable to run the hens that day (January 24) and elected to carry them over to the following day (January 25). Normally, when birds are carried over, they are run first thing on night shift (b) (4); however, night shift does not run breeder hens, so the establishment decided they would be run first on day shift on January 25 (see email from (b) (6), communicating this to me). While making GCP observations at 1420 on January 25, I observed that these three truck loads of hens were still on the yard and had not been run yet. I also observed an increased number of DOAs from the previous day and numerous hens with large, exposed wounds that the hens surrounding them were pecking into. Fresh blood was visible on the beaks of these birds and splashed onto surrounding feathers. In two cases, the hens had managed to peck open a wound and pull out intestines and were pecking at the intestines splayed out in the cage of two separate hens. The birds were seen aggressively pecking at each other and at the feces/eggs in the cages. At this point, the hens had been off feed for approximately two days and on the yard for 26-28 hours, and had not had access to feed or water during that time. According to Butterball's "Animal Care and Well-Being Program", (b) (4)

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								(b) (4) I immediately proceeded inside and found (b) (6). I expressed my concerns with the birds being held at the establishment for a greater length of time than normal and that it was communicated to me yesterday that these birds would be run first on day shift and still had not been run. He said there had been some miscommunication due to changes in management/staffing and that the decision was made to run the hens last on dayshift, with the new breeders that had come in today, based on ease of product flow through the establishment. I expressed my concerns to him that the birds were being held without access to food or water and bird welfare needed to be taken into consideration. The birds did not end up being run until starting at 1715, or 31 hours from their arrival at the establishment. According to paperwork submitted on January 28, there were 38 DOAs (1.2%). The "Animal Care and Well-Being Program" states (b) (4) A similar situation occurred in October 2016 following Hurricane Matthew where birds were off feed/water for 60 hours before being killed. It was documented at the time in a meeting MOI on October 27, 2016 that our recommendation was to look at different options if a similar situation arose and the establishment said that they would take each on a case-by-case basis.

Table: MOIs in Response to FOIA2019-419

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
50	P45819	King & Sons Poultry Services, Inc.	IUY121104 1102G	02APR2019	04C05	Poultry Good Commercial Practices	Open	At approximately 0725 hours while evaluating birds on the production line heading to the scald tank as part of a GCP audit, (b) (6) observed a conscious, alert bird that had not been cut. (b) (6) immediately notified the stunning operator, who then promptly removed the bird from the shackle and rehung it in the shackling area upstream from where it had been. The bird was then stunned and cut. No other issues with mis-cuts or birds breathing as they entered the scald tank were noted during the observation period. (b) (6) discussed the incident with (b) (6).
35	P45912	Midwest Poultry Processing LLC	GLL080904 1409G	09APR2019	04C05	Poultry Good Commercial Practices	Finalized	April 8, 2019, approximately 1030 hours; outside temperature approximately 70 degrees F. While performing ante-mortem inspection on the loading dock, I observed approximately 200 DOA carcasses in the top layer of crates that had been covered with a black tarp during transport on a flatbed trailer. The tarp was removed just prior to antemortem; it appeared the birds died from heat exhaustion during their extended time under the tarp. I addressed live bird handling and good commercial practice procedures, particularly regarding the increasing outside temperatures with Irvin Martin, owner of Midwest Poultry, and provided Mr. Martin with a copy of Good Commercial Practices (GCP) Humane Handling Poultry for additional guidance. Mr. Martin had employees remove all condemned DOA carcasses before the start of slaughter. Mr. Martin said he is aware of the expectations discussed.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
40	P165H	OK Foods, Inc.	DAF49120 44116G	16APR2019	04C05	Poultry Good Commercial Practices	Finalized	On 4-15-19 the plant ended slaughter operations early at approximately 1235 in the live hang area. Birds from Evergreen Farm and Vira Farm had already been caught and brought to the plant or were in route before the plant ceased slaughter operations. The earliest birds from Evergreen Farm arrived at 0834 on 4-15-19 and the last trailer from Vira Farm arrived at 1248 on 4-15-19. Slaughter operations did not resume until approximately 0930 on 4-16-19 leaving these birds without food or water for an extended period of time (up to 25 hours). The establishment's Animal Welfare Plan contains the National Chicken Council Animal Welfare Guidelines and Audit Checklist for Broilers. Page 11 of the plan states (b) (4) Page 14 of the plan states (b) (4) . Both of these timeframes were exceeded. On the afternoon of 4-16-19, I met with Mr. J.P. Koch, Plant Manager and (b) (6) and discussed my concerns over the length of time these birds were kept on-site without food or water. Both men appeared to understand my concerns. They expressed that they were forced into holding these birds while they waited on decisions concerning a large quantity of product that was on hold at the establishment. The establishment delayed running the birds from Evergreen and Vira Farms to prevent any potential mixing of product from those farms with the product that was on hold.

Table: MOIs in Response to FOIA2019-419

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	P579	Jennie-O Turkey Store Sales, Inc.	UIO100405 4616G	16MAY2019	04C05	Poultry Good Commercial Practices	Finalized	I, (b) (6) was notified by (b) (6) at approximately 5:00 am this morning that the spotter dumped a truck containing a load of birds in the yard. When I arrived on the scene shortly after, I saw one of the trailers containing a full load of Turkeys (trailer # 1007) was tipped over and on its right side with the tractor up in the air (tires off the ground) about 6' in the air. I observed approximately 30-40 turkeys on the ground that had experienced injuries when the roof panels gave way from the top of the truck. I observed both injured and non-injured turkeys on the ground around the truck. Some turkeys were walking around as if nothing happened while others had varying degrees of injuries with some dead birds observed as well from the accident. (b) (6) and (b) (6) stated that because of the way the tractor and trailer were positioned that they deemed the area too dangerous for employees to enter and address or unload the birds as the tractor trailer could shift at anytime and potentially injure someone. The establishment taped off the area to prevent establishment employees and other personnel from entering until the area could be made safe for employees to enter and deal with the birds and clean-up the scene. I observed (b) (6) at the site monitoring employee safety. I was informed by (b) (6) that establishment employees were not trained to deal with situations like this, so, the loading crew and a tow truck company were called to come-in and deal with the situation. The loading crew was called at approximately 5:10 AM. The tow trucks didn't show until approximately 6:30 am. I observed the loading crew personnel start remove some of the birds that spilled out from the top row of the truck onto the ground after the tow trucks arrived. They also cut the front panels and cut the

Table: MOIs in Response to FOIA2019-419

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								roof panels and extracted the birds from the top row of the truck. Many of the ones that had fallen to the bottom had suffocated and were dead at time of removal. They were able to save some of the birds, but, most observed had died from suffocation. At approximately 08:35 AM, I observed that the tow trucks had righted the truck. I observed loading crew personnel cutting coop doors in order to gain access to the birds. Many of the birds on the down side of the truck had died due to suffocation by birds above. The loading crew along with the assistance of plant personnel removed all dead birds, which were condemned and denatured as required. Any birds that were alive were diverted for slaughter. At approximately 9:05 AM the loading crew was still working to sort birds (live birds from dead birds). The loading crew Supervisor informed me that they felt they would be able to transfer the live birds using the same trailer involved in the accident and would be placing the side panels back on the truck to contain the birds, since, the coop doors had been cut and removed; to prevent further injury to any of the birds during movement to the live hang area for slaughter. The establishment had addressed all the birds involved in the accident and cleaned-up the area by the end of 1 shift EVIS operations (12:45 pm). I reviewed the establishments GCP paperwork on 05/15/19 at approximately 12:00 pm and did not see any reference or documentation by the establishment surrounding the incident. The plant had listed 567 birds as plant rejects/condemns from the affected lot with most if not all presumed to be coming from the trailer of birds involved in this incident. The birds involved were Fay 3, Flock # 200696, Lot # 479, 5,616 birds/Lot. A typical truck holds approximately 850 to 880 turkeys. Based on this information USDA estimates that the

Table: MOIs in Response to FOIA2019-419

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								establishment lost a little over 60 % of the birds from the trailer due to suffocation or other traumatic injuries, with, most of the loss due to suffocation.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M34145	Kadejan, Inc.	JQU160806 2106G	06JUN2019	04C05	Poultry Good Commercial Practices	Finalized	On Wednesday June 5th, 2019 at 0830 hours while performing a Good Commercial Practices Task, during slaughter I observed that there were eight DOA's that the Establishment had separated from live birds at receiving. There were a total of nine batters in the storage area each batter holds fifteen drawers. Each cage is approximately three feet long by two feet wide by about 18 inches high. I observed a batter in the storage area with birds that were breathing heavy with their mouths open in the top row of cages and also in the next row down. The batter was in the building where the temperature seemed to be slightly higher than the outside temperature. There were only two fans, one of the fans was on the outside of the batters facing in toward the batters and there was also a fan in the center of the batters facing the batters, there was very little air movement in the storage area where the birds were. As I looked at the other cages I observed that approximately seventy percent of the birds were mouth breathing. The outside air temperature at that time was approximately 64° F. The temperature is expected to get up to around 84° F today. I went outside the building to observe the birds in the batters on the outside. The batters had been placed in a shaded area with a slight breeze. There were four batters on the West side of the building where they got the most shade. There were eleven batters on the North end of the building where there was still shade available. As it got later in the day the shade would give way to the sun and heat. In one batter I could see that there were at least five DOAs in two of cages outside located on the West side of the building. The birds were loaded so that not all the birds could lay down in the cage, some were forced to stand. This was because there was no room in the cage since the cage had no more room for the birds to lie down. By 1000 hours there had been 20 DOA's

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								separated from the incoming live birds. At the end of the day there were a total of 59 DOAs, 4262 trimmed birds and 16 condemned by USDA for a Total of 4337 birds in all. Birds must be loaded with room to lie down and not so tight that they are forced to stand. The birds must have room from overcrowding (especially in temperate or hot weather) to prevent diminished ventilation and heat stress. A lack of air low, ventilation, and sufficient space within a cage can lead to heat stress and the death of birds by means other than slaughter. The Establishment must employ humane methods of handling and slaughtering consistent with Good Commercial Practices in a way that minimizes injury to poultry. Poultry are to be handled in a manner that prevents needless injury and suffering. Employing humane methods of handling and slaughtering that are consistent with Good Commercial Practices increase the likelihood of producing unadulterated Product. The Establishment Management has stated they will send extra batters out on Thursday for Friday's slaughter, to give extra room to the birds and allow them better ventilation. Friday the two extra batters were sent out to the farm, allowing for more room for each bird. There were only nine batters inside the building the batters inside the building were staggered and spread further apart allowing the two fan to move air more affectively. There were four batters still outside on the north side of the building. These batters were also spread far enough apart to allow the breeze to get into the birds. Today's slaughter consisted of 1885 birds that were processed, 8 DOAs, and 19 birds condemned by the plant or USDA inspection for a total of 1912 birds in all today. The plant has ordered two more fans for inside the building and expect them to arrive some time next week.

Table: MOIs in Response to FOIA2019-419

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
05	M18909	Foster Farms	JDD282206 2012G	12JUN2019	04C05	Poultry Good Commercial Practices	Finalized	I met with (b) (6) for an exit meeting after my daytime GCP visit. The establishment was compliant to 9 CFR 381.65(b) during my observations. We discussed my concern about the high temperatures in the holding shed, where I observed one trailer load of light hen turkeys held prior to entering the shackle barn. Nearly all the birds were breathing with beaks open and at an increased respiratory rate, and a lot were standing up instead of resting in the cages. I observed approximately 4 hen turkeys that were resting on their keel and not panting. The multiple thermometers in the holding barn registered 95 degrees. The establishment has 4-5 fans per fan bank that cover 2 trailer-width sections. Water misters were on but there was minimal air and water flow on sides of the modules that were furthest away from the fans. Adequate measures for heat management are a concern for good commercial practices, and heat stress in turkeys can diminish meat quality on harvest. I have observed good climate management in other facilities. I recommended that the establishment veterinarian team evaluate the holding shed during hot weather to assess weather management. (b) (6) stated he would investigate this and consult with the corporate veterinarians.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								Office of Field Operations DO-90, Jackson Food Safety and Inspection Service, USDA 713 S. Pear Orchard Rd. Ridgeland, MS 39157 cc: Dr. Larry Davis, DM Dr. Damon Ranftle, DDM Dr. Donald Fickey, DDM Dr. Kermit Harvey, DDM
25	P529+V529	Pilgrim's Pride Corporation	ODE58121 23723G	23DEC2019	04C05	Poultry Good Commercial Practices	Finalized	On Wednesday 12-11-2019 at 0600, I (b)(6) was informed by (b)(6) that a mod of 360 birds was left on a truck from dayshift. The birds were left on a trailer at the holding shed for approximately 6-8 hours in temperatures below 10 degrees Fahrenheit. (b)(6) was notified about the mod. The mod was returned to the plant and ran immediately, resulting in 39 DOA's of the 360 birds ran. While gathering more information Thursday 12-12-2019, I determined the DOA's were not included on the daily summary report provided by the establishment; however, it was noted these were included on the original lot. That afternoon I contacted (b)(6) (b)(6) and we talked about what happened. I was told it was due to new personnel not following the procedure of verifying the farm weight less the plant weight (was outside of -250 to 890 pounds) after the truck weights were entered into Mtech (gross and tare). After our discussion of the incident, I informed (b)(6) that I would be documenting our discussion in a GCP MOI. The establishment must employ humane methods of handling and slaughtering consistent with Good Commercial Practices in a way that minimizes injury to poultry.

Table: MOIs in Response to FOIA2020-126

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M34145+P 34145	Kadejan, Inc.	JQU051110 3802G	02OCT2019	04C05	Poultry Good Commercial Practices	Finalized	At 0800 hours on October 2, 2019, while performing a Good Commercial Practice task I observed, one head caught in-between cage and frame work this number has dropped from earlier at this farm. There was one wing caught in-between the cage and framework. This happens on occasion when the cages are closed. There was one leg that had went through a hole in the bottom of the cage that had gotten wedged under the cage drawer and the framework. The Plant cleans these cage drawers after every use. I verbally informed (b)(6) of the situation.
25	M544+P54 4	Jennie-O Turkey Store	IYW550512 5927G	27DEC2019	04C05	Poultry Good Commercial Practices	Finalized	On 12/26/2019 at 1308 hours while performing ante-mortem inspection in the stun and hang area I observed the following: When I walked into the area there were 5 awake heavy hens in a wheelbarrow. An establishment employee was placing the birds into one of the batters that holds about 50 to 60 birds. I then proceeded to walk to the area where the stunned birds are hung on the line. There were 5 batters at the exit of the cage washer. The 3 center batters contained awake birds. The top of these 3 batters the birds were soaking wet and shivering. Mr. Jason Reuss the Plant Manager informed me that the CO2 stunner on line 2 had a malfunction resulting in the birds not being stunned after moving through the stunner. The malfunction was corrected by the time I arrived. Mr. Reuss informed me that one of the batter of birds had gone through the cage wash and had been sprayed by 50 degree Fahrenheit water while they were awake because the bypass mechanism failed. He informed me that the mechanism was corrected before the rest of the awake birds went through the cage wash. I informed Mr. Reuss that I would be writing this MOI for failing to protect the awake birds from being sprayed in the cage wash.

EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
P48304	Lincoln Premium Poultry	YOT29110 12504G	04JAN2020	04C05	Poultry Good Commercial Practices	Open	On January 3, 2020, Est. P48304 Lincoln Premium Poultry held approximately 30,500 young chickens overnight in the lairage area, after slaughter operations could not be completed within operating hours that day. These chickens were first placed in transportation modules around 4:00 a.m. on January 3rd. They were then held in the modules overnight at the establishment and were slaughtered beginning at 4:52 am on January 4th. While performing antemortem inspection on January 4th, I noticed a higher than usual number of deceased birds in the group that was held overnight. The chickens were crowded in some trays, and I observed them clustered towards the sides of the trays, with live birds resting on top of dead birds. I met with (b)(6) at 6:50 a.m. on January 4, 2020 to discuss the situation. The establishment suspects that there were more chickens than usual loaded into some modules. Two trailers of birds received on the afternoon of January 4th weighed 10,000-20,000 pounds higher than average weight. It is believed that the prolonged time being held in modules without access to food and water, in crowded conditions, led to the higher mortality rates. In total, 1,622 chickens were deceased out of the approximately 30,500 birds held overnight. This equates to a DOA rate of 5.3%. The average DOA rate for this establishment is approximately 0.4%. (b)(6) (b)(6) said that the establishment will be investigating why some of the modules were over-crowded with birds, so that it may be addressed directly at the farms where the birds are loaded. Chickens dying by means other than slaughter is not consistent with Poultry Good Commercial Practices. The Poultry Products Inspection Act and Agency regulations (9 CFR 381.65(b)) require that live poultry be handled in a manner that is consistent with Good

EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
							Commercial Practices (GCPs). The establishment is encouraged to maintain the standards of GCP through a systematic approach that focuses on treating poultry in such a manner as to minimize excitement, discomfort, and accidental injury the entire time that live poultry is held in connection with slaughter. Establishment management may review Federal Register notice Treatment of Live Poultry before Slaughter Fed. Reg. 56624 (September 28, 2005), for FSIS recommendations concerning the treatment of live poultry before slaughter. This MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. Sincerely, (b)(6)

Table: MOIs in Response to FOIA2020-260

EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
P165H	OK Foods, Inc.	DAF47080 13717G	17JAN2020	04C05	Poultry Good Commercial Practices	Finalized	On the afternoon/evening of 1-15-20 birds were caught and brought to the plant from Hannah Farm located in Waldron, Arkansas. The earliest load arrived at 1747. Due to water related issues, the establishment did not slaughter on the evening of 1-15-20 and did not resume normal operations until approximately 0715 on 1-17-20. These same birds are still on site and have been without food or water for an extended period of time (approximately 37 hours). The establishment's Animal Welfare Plan contains the National Chicken Council Animal Welfare Guidelines and Audit Checklist for Broilers. Page 11 of the plan states "Feed withdrawal must not exceed 18 hours prior to slaughter". Page 14 of the plan states "Holding times of live birds at the plant must be kept to the minimum consistent with good processing practices, with the maximum time from catching to slaughter recommended to not exceed 12 hours". Both of these timeframes were exceeded. On the morning of 1-17-20, I met with Mr. Jeremy Harwell, Assistant Plant Manager and discussed my concerns over the length of time these birds were kept on-site without food or water. Mr. Harwell understood my concerns and explained that the plant had requested that OK Farms live haul division return the birds to a farm on 1-16-20. However, this did not occur.

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M248B+P2 15	Butterfield Foods Company	GXN47160 25621G	21FEB2020	04C05	Poultry Good Commercial Practices	Finalized	Est. P215, Butterfield Foods Co., February 21, 2020, 0915 hours. In attendance: Dr. Melissa Hlavacek, SPHV; (b)(6) (b)(6) At approximately 0800 hours on February 20, I was informed by (b)(6) (b)(6), that the first trailer from Lot 2 was in the unloading room and ready for antemortem inspection. Upon arrival to the unloading room, I observed many hens frozen to the metal cages in the trailer. I also observed significant numbers of dead hens. Nearly every hen visible from the outside of the trailer on the bottom two rows was frozen solid, as were many hens throughout the trailer on the outside layers. The hens throughout the trailer were quiet and still. Some birds were observed shivering. The hens had almost no feathers. I observed similar conditions on the second trailer. Following my observations, I spoke with (b)(6), who informed me that the birds had traveled from Ohio to Minnesota. (b)(6) said all three trailers in Lot 2 were in the shed when he arrived in the morning but were not present the night before. The shed is three-sided and is not temperature-controlled. The panels were on all trailers during transport and during the wait period. Upon further discussions with (b)(6) (b)(6), he informed me that the three trailers arrived at approximately midnight, 0200 hours, and 0400 hours. The air temperatures in Ohio were around 30-40°F. The hens were slaughtered between approximately 0900 and 1200 hours. During the period between arrival and slaughter, according to the National Weather Service, the outside temperature at the St. James Municipal Airport (17 miles from Butterfield Foods) was between -8 and -17°F with a wind chill between -21 and -32°F. Upon review of the establishment's records on February 21, Lot 2 had 9,150 DOAs of 25,867 total hens (35% DOAs). I spoke with (b)(6)

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							(b)(6) at 0915 hours on February 21. He informed me that Lot 3 today was coming from the same supplier. They closed the front vents on the trailers, which are usually left open. If there are not improvements from closing the front vents, the establishment may discontinue accepting birds from the producer. After this discussion, I informed (b)(6) that our conversation would be documented in a GCP MOI. 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.