

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M44779	Faulkner Meats	VMV13080 51724G	24MAY2018	04C02	Livestock Humane Handling	Finalized	<p>May 22, 2018 The Livestock Humane Handling task was performed at approximately 1400 at Faulkner Meats, Taylorsville, KY. Two market swine were observed in the alleyway without access to water. FSIS Directive 5930.1 Rev 4 states "Under 21 U.S.C. 610(b), slaughterers of livestock must comply with the Humane Methods of Slaughter Act (HMSA). The HMSA applies to the slaughter of cattle, calves, horses, mules, sheep, swine, and other livestock. (Poultry slaughter is not included.) The HMSA applies at custom exempt facilities." As the establishment performs custom exempt and federal inspection slaughter, this MOI was issued as the animals in question had not been declared for federal inspection. This continues a recent trend in water availability in the holding pens. MOIs were issued for observations made May 1, 2018 and May 8, 2018.</p>

District	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M7356	Harmon Brothers Meats, Inc.	IJK4705055 530G	30MAY2018	04C02	Livestock Humane Handling	Finalized	<p>May 29, 2018 The Livestock Humane Handling task was performed at approximately 1100 EDT at Harmon Bros. Meats, Warsaw, KY. The following observations were made by the SVMO in the holding pens: A pen containing approximately 34 sheep/lambs/goats was found to be without access to water. One lamb was found in a moribund state-lateral recumbent; non-responsive-and had to be humanely euthanized. A pen of mature sheep held overnight had insufficient room for all animals to lie down. A holding pen floor was covered in a soupy manure/inedible hay mixture; no animals were in the pen at the time. The animals observed had not been declared for Federal Inspection. The establishment conducts both custom exempt and federal inspection slaughter activities. Directive 5930.1 revision 4 states in part, "Under 21 U.S.C. 610(b), slaughterers of livestock must comply with the Humane Methods of Slaughter Act (HMSA). The HMSA applies to the slaughter of cattle, calves, horses, mules, sheep, swine, and other livestock. (Poultry slaughter is not included.) The HMSA applies at custom exempt facilities." As the animals had not been presented for federal inspection, the above cited Directive justifies the issuance of this MOI in place of a non-compliance record. The establishment is reminded the holding pens are to be maintained in good repair and are to have adequate footing to prevent slips and falls. Not only does the observed condition of the holding pen contribute to insanitary conditions, it increases the likelihood of slips and falls. The establishment is encouraged to recall a recent meeting with the Jackson District Office chain of command in which such observations were a topic of discussion.</p>

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90	M44779	Faulkner Meats	VMV27130 65308G	08JUN2018	04C02	Livestock Humane Handling	Finalized	<p>June 8, 2018 The SVMO made the following observations at approximately 1400 EDT while performing the Livestock Humane Handling task at Faulkner Meats (M44779), Taylorsville, KY: A pen holding three calves was found to have an approximately 3 inch floor covering of liquid manure and hay (inedible) and no access to water; a pen holding a large boar (roughly 500 lb.) was found to have a liquid manure floor covering and no access to water; and a pen holding numerous lambs (TNTC) was found to be overcrowded--there was insufficient room for the lambs to lie down. The animals in question had not been presented for federal inspection; the establishment performs both custom exempt and federal inspection slaughter activities. Directive 5930.1 Revision 4 states that the HMSA, The Humane Methods of Slaughter Act, applies to custom exempt slaughter activities, thus the issuance of this MOI and not a non-compliance record. This continues a recent trend in water availability in the holding pens. The establishment is reminded of the title 9 CFR 313.1 and 313.2 regulations which state in part that, "livestock pens, driveways and ramps shall be maintained in good repair"; "Floors of livestock pens, ramps, and driveways shall be constructed and maintained so as to provide good footing"; and "Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed. There shall be sufficient room in the holding pen for animals held overnight to lie down." The establishment is encouraged to address the condition of the holding pens to prevent the creation of insanitary conditions and reduce the likelihood of slips and falls causing harm to the livestock.</p>

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90	M7356	Harmon Brothers Meats, Inc.	IJK4006062 322G	22JUN2018	04C02	Livestock Humane Handling	Finalized	<p>June 21, 2018 Harmon Bros. Meats (M7356), Warsaw KY performs both custom exempt and Federal Inspection slaughter activities. Directive 5930.1 Revision 4 states " [U]nder 21 U.S.C. 610(b), slaughterers of livestock must comply with the Humane Methods of Slaughter Act (HMSA). The HMSA applies to the slaughter of cattle, calves, horses, mules, sheep, swine, and other livestock. (Poultry slaughter is not included.) The HMSA applies at custom exempt facilities."</p> <p>While performing the Livestock Humane Handling task the SVMO observed a holding pen containing 13 sows/large hogs without access to water; the pen had a cattle size water trough laying on its side and a half-moon shaped trough empty. The establishment is once again reminded that livestock is to have access to water, drinkable water, at all times. Either corrective actions for previous incidents are ineffective or are not being implemented to prevent recurrence. The animals observed while performing this task had not been declared for Federal Inspection, thus the basis for this MOI versus a non-compliance record.</p>

District	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M7356	Harmon Brothers Meats, Inc.	IJK4105074 010G	10JUL2018	04C02	Livestock Humane Handling	Finalized	<p>July 9, 2018 While at Harmon Bros. Meats (M7356) Warsaw, KY, the Livestock Humane Handling task was performed at approximately 1215 hrs. EDT. Observations made by the SVMO included the following: A holding pen of market swine/roaster pigs in the barn since last week was found to have a soupy manure covered floor, a small quantity of questionable drinkable water, and one pig with an orbital wound—appears to have lost an eye and the surrounding tissue traumatized. A holding pen of mature sheep in the barn since last week (or longer) was found to have several sheep ambulatory disabled amongst the normal population. Some were observed carrying limbs to the point of being tripod; some crippled to the point of being barely able to rise and walk. An empty holding pen was observed with a clogged drain thereby creating a “manure pond” in the pen and into the adjacent alleyway. The observations were brought to the attention of Plant Manager Roy Palmer. The establishment is reminded of Title 9 CFR 313.2(d)(1) which states “Disabled animals and other animals unable to move shall be separated from normal ambulatory animals and placed in the covered pen provided for in §313.1(c).” Also, Title 9 CFR 313.1(b) states “Floors of livestock pens, ramps, and driveways shall be constructed and maintained so as to provide good footing for livestock.” The soupy manure floor covering not only increases the likelihood of slips and falls; it creates insanitary conditions, as does the ponding in the alleyway. The establishment performs both federal inspected and custom exempt slaughter activities. The animals observed today had not been declared for federal inspection. However, Directive 5930.1 Revision 4 requires custom exempt facilities to comply with the Humane Methods of Slaughter Act (HMSA). The Federal Meat Inspection Act (FMIA) requires custom exempt</p>

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								<p>facilities to handle animals humanely as well. Since these animals had not been declared for federal inspection, the establishment is receiving this MOI in place of a non-compliance record. This continues a recent trend in similar observations and noted in MOIs dated April 19, 2018, May 11, 2018, May 30, 2018, and June 22, 2018.</p>
90	M7464	F.B. Purnell Sausage Co., Inc.	CMN22100 80409G	09AUG2018	04C02	Livestock Humane Handling	Finalized	<p>August 9, 2018 While performing the Livestock Humane Handling task at Purnell Sausage Co. (M7464), Simpsonville KY, the following observation was made by the SVMO at approximately 0935 hrs. EDT: Plant personnel were observed driving sows from the holding pen into the sweep apparatus which leads to the restrainer where the sows are electrically stunned. Due to too many sows being driven into the sweep, several sows were observed upon the backs of others, sows were scrambling about the sweep, loud vocalization, and one sow observed falling from the back of another, landing lateral on the floor. Title 9 CFR 313.30(a)(2) states, "The driving or conveying of the animals to the place of application of electric current shall be done with a minimum of excitement and discomfort to the animals. Delivery of calm animals to the place of application is essential to ensure rapid and effective insensibility." (b)(6), as well as (b)(6) were notified of this observation. The issuance of this MOI is to inform the establishment, thereby granting due process. If this incident had escalated to the point of animals being driven over other animals, or numerous animals falling to the floor, or had animals been pushed as, in effect, being dragged, the minimum documentation would have been a non-compliance record. If animals had been driven over a "down" animal, the potential for a more serious regulatory action exists.</p>

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90	M44779	Faulkner Meats	VMV13070 72811G	11JUL2018	04C02	Livestock Humane Handling	Finalized	<p>July 10, 2018 Faulkner Meats (M44779), Taylorsville, KY performs both custom exempt and federal inspection slaughter activities. The following observations were made by the SVMO at approximately 1200 hrs. EDT: A holding pen containing three mature boars weighing 500+ pounds each was found without access to water; the bottom of a plastic drum being used as a water trough was laying on its side in the pen. Additionally, a holding pen containing hogs of various sizes had soupy manure/bedding covered flooring and another holding pen containing calves and goats had sloppy manure/hay covered flooring.. The animals had not been declared for federal inspection. However, Directive 5930.1 Revision 4 states custom exempt facilities are subject to the HMSA (Humane Methods of Slaughter Act). Also, the Federal Meat Inspection Act (FMIA) requires custom exempt facilities to handle animals in a humane manner. The regulations are specific pertaining to water access in the holding pens (9 CFR 313.2(e)) and the maintenance of flooring (9 CFR 313.1(b)). This continues a trend in water availability in the holding pens. The establishment is receiving this MOI in lieu of a non-compliance record as the animals had not been presented for federal inspection.</p>

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90	M40246	Loretto Butcher Shop	BZE421408 2507G	07AUG2018	04C02	Livestock Humane Handling	Finalized	<p>August 7, 2018 While performing the Livestock Humane Handling task at Loretto Butcher Shop (M40246), Loretto KY, the SVMO observed a large barrow weighing approximately 500lb. and a mature sheep, together in a holding pen. The animals in question lacked access to water as the bottom portion of the plastic drum being used as a water trough was empty. The animals had been declared for custom exempt slaughter; the establishment was doing both Federal Inspected slaughter and custom exempt slaughter this day. That being said, Directive 5930.1 Revision 4 states: Under 21 U.S.C. 610(b), slaughterers of livestock must comply with the Humane Methods of Slaughter Act (HMSA). The HMSA applies to the slaughter of cattle, calves, horses, mules, sheep, swine, and other livestock. (Poultry slaughter is not included.) The HMSA applies at custom exempt facilities. Also, the FMIA (Federal Meat Inspection Act) requires custom exempt operations to handle animals humanely, i.e. animals have access to water in the holding pens. Therefore, the issuance of this MOI is based upon the fact the animals observed above were declared for custom exempt slaughter; otherwise this observation would have been documented in a non-compliance record.</p>

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90	M44779	Faulkner Meats	VMV30110 95713G	13SEP2018	04C02	Livestock Humane Handling	Finalized	<p>September 13, 2018 While performing the Livestock Humane Handling task the SVMO made the following observation at Faulkner Meats (M44779) Taylorville KY: At approximately 1030 hours EDT a truck was found to be parked at an angle to the unloading chute, creating an approximately 12 inch gap at the widest point between the chute and the truck. Plant personnel first unloaded goats, then proceeded to unload cattle. A Jersey animal was observed to fall when a front limb fell into the gap, and then became recumbent. Plant personnel were instructed to stop. A second, sight impaired bovine proceeded to walk over top of the down Jersey, then down the chute. The Jersey managed to get up and proceed down the chute. The sight impaired bovine reversed direction, came up the chute and fell into the gap, becoming entrapped between the chute and the truck; the bovine began vocalizing and thrashing about. After some time, plant personnel placed a rope about the neck of the entrapped bovine and attempted to drag the conscious bovine out of the gap and back onto the unloading ramp. In the process of trying to free the animal, the unloading ramp collapsed and the animal fell approximately three feet to the ground. The establishment does not have a Robust Systematic Approach to Humane Handling. The SVMO placed U.S Rejected Tag No. B19963403 on the unloading area and U.S. Rejected Tag No. B19963404 on the knock box and contacted the District Office for further guidance. Establishment owner Mitchell Warren was informed of this regulatory control action. After the taking of the regulatory control action and discussion with chain of command, Mr. Warren informed personnel all animals on the truck, as well as all animals in the barn, as being custom exempt. Directive 5930.1 Revision 4 states "that slaughterers of livestock must comply</p>

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								<p>with the Humane Methods of Slaughter Act (HMSA). The HMSA applies to the slaughter of cattle, calves, horses, mules, sheep, swine, and other livestock. (Poultry slaughter is not included.) The HMSA applies at custom exempt facilities.”</p> <p>The custom exempt status of the animals is the basis for the issuance of this MOI. A copy of Directive 5930.1 Revision 4 was delivered to the establishment.</p>

Table: MOIs in Response to FOIA2019-143

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M44779	Faulkner Meats	VMV20111 05324G	24OCT2018	04C02	Livestock Humane Handling	Finalized	On Tuesday, October 23, 2018, IPP were verifying conditions in the holding pens of the barn at Faulkner Meats (M44779) Taylorsville, KY. A goat was found lateral recumbent in a holding pen at approximately 1030 hrs. EDT; the goat was alive but was diagnosed to be in a moribund state ("U.S. Condemned") by the SVMO. The SVMO instructed IPP the goat needed to be euthanized based upon its condition. IPP informed the establishment of the condition. Plant personnel euthanized the goat by cutting its throat, allowing it to expire by exsanguination. The cutting of the throat is not considered an acceptable method of euthanasia in a federally regulated facility. The owner of the establishment considers all animals held in the barn to be custom exempt, thus the basis for this MOI.
90	M44779	Faulkner Meats	VMV27131 03830G	30OCT2018	04C02	Livestock Humane Handling	Finalized	October 30, 2018 The verification of livestock holding pen conditions was made by the SVMO at Faulkner Meats (M44779) Taylorsville, KY. A pen with approximately 37 lambs/sheep was found at approximately 1400 hrs. EDT to be without access to water; the bottoms of plastic drums (2) being used for watering troughs were dry. While the owner of the establishment considers all animals in the barn to be custom exempt, per FSIS USDA Directive 5930.1 revision 4, the Humane Methods of Slaughter Act applies and all livestock are to have access to water in the holding pens at all times. Because the animals have yet to be declared for Federally Inspected Slaughter, they are considered Custom Exempt at the point of discovery and as such this Custom Exempt MOI was issued instead of a non-compliance record.

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90	M44779	Faulkner Meats	VMV37071 12921G	21NOV2018	04C02	Livestock Humane Handling	Finalized	<p>November 20, 2018 Federally inspected slaughter activities regularly occur at Faulkner Meats (M44779) Taylorsville, KY on Tuesdays of each week. While verifying conditions in the barn, the SVMO made the following observations in a holding pen at approximately 1330 hrs. EST: A holding pen containing approximately 20 head of swine varying in size from roughly 20 pounds to over 500 pounds were found to be without water; the 50 gallon plastic drum converted to a gravity fed waterer was observed lying on its side in the corner of the pen. Secondly, the floor was covered, near its entirety, in approximately one inch of soupy, liquid manure; if all animals were to lie down simultaneously, some would have to lie in the liquid. The above animals had not been declared for Federal Inspection at the time of these observations; the owner of the establishment considers all animals in the holding pens to be custom exempt until such time as they may be declared for federal inspection. FSIS USDA Directive 5930.1 revision 4 states the Federal Meat Inspection Act (FMIA) and the Humane Methods of Slaughter Act (HMSA) applies to custom exempt operations. The lack of water access and the absence of pen maintenance raise humane handling concerns, and also in the case of the latter, create insanitary conditions. The basis for the issuance of this Custom Exempt MOI instead of a non-compliance record is the fact the swine had not been declared for Federal Inspection. This observation continues a recent trend in humane handling concerns.</p>

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90	M44779	Spencer County Butcher Block	VMV26081 11627G	27NOV2019	04C02	Livestock Humane Handling	Finalized	<p>On Tuesday, November 26, 2019 Spencer County Butcher Block (M44779) Taylorsville, KY engaged in federally inspected slaughter activities. The Supervisory Veterinary Medical Officer (SVMO) made the following observations in the holding pens while performing the livestock humane handling activities tracking system (HATS) task at 1530 hrs. EST: - The swine pen was found to have approximately 75% of the floor covered in roughly one inch of liquid feces; the cut-off bottoms of plastic drums were likewise coated in feces and contained a small volume of some type of black liquid (feces?); the bedding covering the remaining 25% of the floor was wet. - Multiple sheep pens were found with roughly 2-3 inches of packed manure and no visibly clean bedding. The animals in question had not been declared for federally inspected slaughter. The establishment considers all animals in the holding pens to be custom exempt until declared for federal inspection. However, the establishment is once again reminded that the Federal Meat Inspection Act (FMIA) and the Humane Methods of Slaughter Act (HMSA) applies to custom exempt animals per USDA FSIS Directive 5930.1 revision 4. Similar recent custom exempt MOIs were issued July 9, 2019, July 26, 2019, and September 20, 2019. (b)(6) (b)(6) was made aware of these observations and the forthcoming documentation.</p>

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90	M44779	Spencer County Butcher Block	VMV35171 24111G	11DEC2019	04C02	Livestock Humane Handling	Finalized	<p>Spencer County Butcher Block (M44779) Taylorsville, KY engaged in federally inspected slaughter activity on December 11, 2019. The (b)(6) (b)(6) made the following observations at 1030 hrs. EST while performing the livestock Humane Handling Activities Tracking System (HATS) task:</p> <ul style="list-style-type: none"> • A pen of 5 beef calves was found without access to water; no visible means of watering the animals was observed. • Above a pen of beef calves a foam insulation panel was hanging precariously. • A pen containing sheep and goats too numerous to count (TNTC); these animals held overnight had questionable room to lie down. • A pen of sheep and goats was found to have one dead goat. • A pen holding swine was found to have approximately 50% of the flooring covered in 1-2 inches of soupy manure; approximately 25% covered in wet bedding; and approximately 25% in borderline acceptable bedding. The bottoms of plastic drums being used as feed troughs contained some type of "slop" as a food source. Two swine were observed ambulatory disabled amongst the normal population; one possibly having a hip injury, the other a swollen rear distal extremity with an open wound and walking three-legged lame for the most part. While the animals involved with the above observations are considered custom exempt by the establishment until presented for federally inspected slaughter, the establishment is once again reminded that the Federal Meat Inspection Act (FMIA) and the Humane Methods of Slaughter Act (HMSA) applies to custom exempt animals per USDA-FSIS Directive 5930.1 revision 4. MOI #VMV50121116261 dated November 26, 2019 was the most recent documentation concerning custom exempt livestock. The above

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								<p>observations were brought to the attention of [REDACTED] who was likewise informed of the documentation of these findings.</p>
90	M44779	Spencer County Butcher Block	VMV35101 25727G	27DEC2019	04C02	Livestock Humane Handling	Finalized	<p>Spencer County Butcher Block (M44779) Taylorsville, KY engaged in federally inspected slaughter activity on December 26, 2019. The remaining livestock in the holding pens that did not receive ante-mortem inspection by IPP are considered custom exempt by the establishment. That stated, at approximately 1400 hrs. EST the Supervisory Veterinary Medical Officer (SVMO) made the following observation: the swine pen holding swine of various sizes and too numerous to count was found to have standing liquid feces of approximately one inch in depth covering roughly one-fourth of the floor, soupy feces covering roughly one-fourth of the floor, and the remainder of the floor covered with recumbent swine. Some of the swine were observed lying on the fringe of the recumbent pile in the soupy manure portion of the floor. The condition of the bedding where the swine were lying could not be evaluated at the time of observation. The three bottoms of cut-off plastic drums were observed covered in feces and contained liquid material consistent with that covering the floor. [REDACTED] [REDACTED] was notified by IPP of this observation and the forthcoming documentation. Per Directive 5930.1 revision 4 the Federal Meat Inspection Act (FMIA) and the Humane Methods of Slaughter Act (HMSA) applies to custom exempt livestock. The above observation continues a recent trend in humane handling issues involving custom exempt animals at the establishment.</p>

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M44779	Spencer County Butcher Block	VMV42050 14403G	03JAN2020	04C02	Livestock Humane Handling	Finalized	<p>Spencer County Butcher Block (M44779) Taylorsville, KY engaged in federally inspected slaughter activity January 2, 2020. The Supervisory Veterinary Medical Officer (SVMO) made the following observation at approximately 1030 hrs. EST: swine in the swine holding pen were found to be without access to water. The swine pen was observed to hold animals of varying size (20 lbs. to over 500 lbs.). Water was conveyed to the holding pen via a pipe extending from the ceiling to a "T" with a nipple waterer on each end; the nipples were suspended roughly 24 inches from the floor (somewhere between knee and hip high on a human). The SVMO observed a small black pig (estimated 20 lbs.) near the nipple waterers eagerly trying to drink the water that was falling from the mouth of a larger pig capable of reaching and drinking from the nipples; the nipple waterers were the sole water supply for the holding pen. Numerous pigs in the 20-30 lb. range were observed in the pen. (b)(6)</p> <p>(b)(6) was informed of this observation and the forthcoming documentation. (b)(6) placed a drum with a nipple waterer at a level reached by the smaller pigs in the pen. The establishment considers all animals held in the holding pens to be custom exempt until the time declared for federal inspection. The above animals had not been declared for federal inspection at the time of observation. Directive 5930.1 revision 4 states that the Federal Meat Inspection Act (FMIA) and the Humane Methods of Slaughter Act (HMSA) applies to custom exempt animals. The above observation continues a recent trend in the handling of custom exempt animals at the establishment; conditions in the holding pens involving custom exempt animals have been documented in MOIs dated November 27, 2019, December 11, 2019, and December 27, 2019.</p>