

Humane Handling Non-compliance Records 2005-2007

Circuit	EstNbr	EstName	CovDate
4027	02018 E	Dallas Crown, Inc.	2/3/2005
5005	15849 E	Cavel International	4/4/2005
5005	15849 E	Cavel International	4/13/2005
5005	15849 E	Cavel International	6/16/2005
4027	02018 E	Dallas Crown, Inc.	11/29/2005
4027	02018 E	Dallas Crown, Inc.	3/29/2006
4027	02018 E	Dallas Crown, Inc.	9/16/2006
5005	15849 E	Cavel International	10/9/2006
4027	02018 E	Dallas Crown, Inc.	12/22/2006
5005	15849 E	Cavel International	1/3/2007
5005	15849 E	Cavel International	1/24/2007
5005	15849 E	Cavel International	8/23/2007

Est Number	Date	Procedure	Report to	Notified	Description
2018 E	2/29/2005	04C02	Chris Soenen	Nancy 2, Jesus	While doing afternoon at 0645 on 02/29/05, I noticed that pens 3 and 4 didn't have drinking water. I notified the pen usher, Jesus. Mr. Jesus immediately notified the maintenance department. The reason the pens did not have water was because there was a fear that the low ambient temp would cause damage to the water system. It is my opinion that actions must be taken to insure that drinking water be available at all times even when the temp is below freezing. Heated water lines and heated water bowls may need to be employed. According to 9 CFR Ch. III 313.2(e) Animals shall have access to water in all holding pens and if held longer than 24 hours, access to feed. "Horses penned without water is inhumane. You are advised that you have a right to appeal this decision as outlined by 306.5 of 9 CFR.
2018 E	11/29/2005	04C02	Chris Soenen	Chris Soenen	While performing 06201 about 1300 today, I observed the ramp area leading to the knocking box. The side of the ramp adjacent to the knocking box door is rough and has sharp edges at the bottom. I notified Denny Vaughn and Chris Soenen. Section 313.1 of the regulations states that livestock pens, driveways and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals. The Federal Meat Inspection Act, Title 1, Section 2. "It is essential in the public interest that the health and welfare of consumers be protected by assuming that meat and meat food products distributed to them are wholesome, not adulterated, and properly marked, labeled, and packaged. "You are hereby advised of your right to appeal this decision as delineated by 306.5 of 9 CFR.
2018 E	3/29/2006	04C02	Chris Soenen	Chris Soenen	While accompanying Dr. Becker on a plant humane audit on 03/27/2006, I observed damaged areas of fence surrounding the over flow pen below the hill. The fence is constructed from heavy gauge wire fencing material which in some places has been broken allowing wires protruding toward the pen. Although I did not observe any of the horses in the pen at that time being injured by the wire, it is my opinion that the potential for injury is possible. I notified Mr. Soenen and the horses were removed from the pen. I also attached a U.S. Rejected tag no. B31230033 to the pen as Per CFR 416.6 and 500.2 (a) (1). Under part 313 - Humane Slaughter of livestock, section 313.1 (a) "livestock pens, driveways and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals." The Federal Meat Inspection Act, Title 1, Section 2. "It is essential in the public interest that the health and welfare of consumers be protected by assuming that meat and meat food products distributed to them are wholesome, not adulterated, and properly marked, labeled, and packaged. "You are hereby advised of your right to appeal this decision as delineated by 306.5 of 9 CFR.
15849 E	4/4/2005	04C02	James Tucker	James Tucker	At 2:25pm, after supervising the humane stunning and dragging of a horse that slipped over onto its back and was trapped in the alleyway to the stunning area, I remained in the anteroom pens to observe humane handling. I observed the plant manager, Raul Milan, herding horses into the alley way to the knock box. Nine horses were overcrowded in the alleyway causing undue excitement which was further exacerbated when two more employees from the kill floor began yelling and hitting these horses causing the one in the end of the line to slip and fall. This is a violation of 9 CFR Ch. III regulation 313.2(a) & (b) which state that animals will be handled with a minimum of excitement and discomfort. Also 313.1(b) requires floors to be maintained so as to provide good footing for livestock to prevent slipping and falling. I informed Mr. Milan of the violation of these regulations and advised him that all employees handling the horses must be trained in how to handle them humanely. Continued failure to comply with regulatory requirements could result in additional or administrative actions.
15849 E	4/13/2005	04C02	James Tucker	James Tucker	At 1:20pm while performing ante mortem examination, I observed actions that violate Regulation 313.2(a) & (b). Eight horses were in the alleyway leading directly to the knock-box. Only the last stop gate, the one behind the last horse present in the alleyway, was closed. The employee who is routinely assigned to work on the kill floor, handling the horses on the rails, was using a riding crop to whip the horse in the alleyway closest to the knock-box. This horse continued to move backward, away from the knock-box causing the other horses behind it to be overcrowded. As the whipping continued the horses in the alleyway became extremely excited. I immediately told the employee to stop but he did not listen to me. During this time, the last horse in the alleyway attempted to jump over the alleyway wall and became stuck over the top of the wall. Eventually it had shied around enough to fall over to the other side of the wall. I went to the kill floor to find the plant manager, could not find him, so I informed Roberto, in the holding room, to locate him and send him to the ante mortem pens immediately. Meanwhile two more horses fell down in the alleyway. The first was the second horse in line to the knock-box. It had fallen forward and the horse behind it began to walk on top of it as the downed horse struggled to get up. The second horse to fall was the fourth horse in line. It had tripped over backwards due to the overcrowding and was subsequently trapped and trampled by the fifth and sixth horse in line in their excitement to move forward as the one's closest to the knock-box were finally moved forward. At this time Raul Milan arrived and was informed of the situation. He was reminded that the plant's response to the ante mortem handling NR was to have only appropriately trained individuals handling the horses. The employee who was whipping the initial horse was not one of those trained. Finally I required the second downed horse to be immediately reviewed unconscious by a captive bolt stunner and dragged to the knock-box. Animals are required to be handled with a minimum of excitement and discomfort, and implements employed to move the animals shall be used as little as possible in order to minimize excitement according to 9 CFR Ch. III, regulation 313.2(a)&(b) respectively. A similar violation was noted on NR 16-2005. This document serves as written notification that your failure to comply with regulatory requirements could result in additional regulatory or administrative action.
15949 E	6/16/2005	04C02	James Tucker	James Tucker	At approximately 8:30 am today, while performing ante mortem inspection on 75 horses, I saw that there was no water in the water troughs in any of the ante mortem pens. The horse unloading had begun at approximately 6:00 am this morning and these horses in every ante mortem pen. The plug to the drain for the water trough on the east end of the room was not in place. I informed the plant manager, Raul Milan of the violation. He immediately provided water to the horses and stated that he would talk to the personnel who work in the ante mortem pens and have them increase their monitoring. 9 CFR Ch. III, regulation 313.2(e) states, "animals shall have access to water in all holding pens." These animals were provided no water at the time of my examination and therefore the establishment was in violation of the regulation.
2018 E	9/16/2006	04C02	Christophe Soenen / General Mgr	Chris Soenen	At approximately 11:45 am, I observed empty water troughs in all occupied horse pens below the hill. None of the horses had drinking water as none of the pens had water. I returned to the office and examined the daily husbandry log. One of the observations to be recorded is whether or not water is available. No observations had been recorded. The page was blank. Observations begin at 0730. The first sentence on the cover of the log is "All horses will always have a clean water supply." I took the log book to show Chris Soenen the empty page for today's observations. I reexamined the horses an hour later and water was coming into the water troughs. The troughs were not filled as the horses were drinking the water as fast as it entered the troughs. Regulation 313.2(c) says that "Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed." The Federal Meat Inspection Act, Title 1, Section 2, states "It is essential in the public interest that the health and welfare of consumers be protected by assuming that meat and meat food products distributed to them are wholesome, not adulterated, and properly marked, labeled, and packaged." Failure to adhere to Agency regulations and your establishment's plans may result in further administrative actions. You are hereby advised of your right to appeal this decision as delineated by 306.5 of 9 CFR.

15849 E	10/9/2006	04C02	Jim Tucker	Raul Milan	<p>At approximately 0745 after conducting the 65001 procedure, Doug Hoffman, an animal health technician with APHIS, notified me about a horse that was down on the last truck to enter the establishment's premises. This horse was lying in lateral recumbency in the upper middle compartment of a pot belted trailer. Other horses within the compartment were trampling the downed horse. FSIS Directive 6900.2 states that once a vehicle carrying livestock enters an official slaughter establishment's premises, the vehicle is considered to be part of that establishment's premises. The animals within that vehicle are to be handled in accordance with 9 CFR 313.2. I took regulatory control of the situation by placing the truck with the downed horse at the front of the line to be off-loaded first in order to decrease the pain and suffering of the downed horse. FSIS Directive 6900.1 states that FSIS personnel are to monitor disabled livestock handling procedures carried out by establishment employees to ensure humane handling of disabled livestock from the time that livestock enter the premises of the official establishment until they are humanely slaughtered or disposed. Non-ambulatory disabled livestock are to be handled with a minimum of excitement, pain, injury, or discomfort. I notified Raul Milan, slaughter floor and processing floor supervisor, about the deficiency. The establishment instituted appropriate corrective action. Upon further investigation, I visibly saw two horses down in the middle upper compartment, not just one horse as originally thought. The other horses jammed into this compartment were trampling all over both of the downed horses causing increased pain and suffering. While unloading the horses increased excitement and confusion caused more trampling of the downed horses. Once the horses were off loaded, one horse was able to get up on its own accord. The other horse was in lateral recumbency with imperceptible shallow breathing. With overt stimulation, this horse would move its legs and try to lift its head. This horse was condemned on ante mortem for being moribund with rod tag number Z-4972846. With little struggle, the horse was humanely euthanized with a captive bolt. The establishment properly disposed of the carcass. According to 9 CFR 313.2 (6), Disabled livestock and other animals unable to move shall be come with a minimum of excitement and discomfort.</p>
2018 E	12/22/2006	04C02	Nancy Davis-Semon	Nancy Davis-Semon	<p>This morning I observed a steel panel that comprises part of the alley way leading to the knocking box. The panel is located under the stairs leading to the cat walk. The panel has several riveted out sharp perforations the size of tennis balls. Section 313.1 of the regulations states that "Livestock pens, runways and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals." The Federal Meat Inspection Act, Title 1, Section 2. "It is essential in the public interest that the health and welfare of consumers be protected by assuring that meat and meat food products distributed to them are wholesome, not adulterated, and properly marked, labeled, and packaged." The APHIS hereby advised as delineated by 306.5 and 202.381.35 of 9 CFR.</p>
15849 E	1/3/2007	04C02	Jim Tucker	Mr. Raul Milan, plant manager	<p>At about 0900, Mr. Raul Milan came to the FSIS office and handed me two pen cards. He wanted me to perform ante-mortem examination of 67 horses present in the pen #s 1 thru 4. I went to the yards and observed the horses in the pens. I noticed that there was no water in both of the water troughs. One water trough is between the pen # 1 & 2, and the second water trough is between the pen # 3 & 4. I informed Mr. Raul Milan of this deficiency and told him that I would record this incident in a NR. He told me that he would have Randy periodically check the water troughs and add water as needed. Water was added to both of these water troughs, before I performed ante-mortem inspection of these pens. I had a meeting with Mr. Raul Milan and informed him that violations of humane handling of livestock are very serious and may lead to enforcement actions.</p>
15849 E	1/24/2007	04C02	Jim Tucker	Raul Milan/Randy Beasley	<p>At approximately 0700 while monitoring slaughter floor activities, Ellen Kroc, an Animal Health Technician with APHIS, notified me about two horses being down on the second to last truck to enter the establishment's premises. Both horses were down in the same back middle compartment of a horse trailer. One horse was lying in lateral recumbency at the front end of the compartment and the other horse was lying in lateral recumbency at the back end of the compartment. The horse trailer was divided into four compartments with the front and back compartments being smaller than the middle two compartments. The back middle compartment containing both of the downed horses was approximately twelve feet in length. There were ten other horses besides the two downed horses contained in this compartment. I saw the two downed horses being trampled upon by the other horses as well as the front horse being kicked with the hind feet from another horse. FSIS Directive 6900.2 states that once a vehicle carrying livestock enters an official slaughter establishment's premises, the vehicle is considered to be part of that establishment's premises. The animals within that vehicle are to be handled in accordance with 9 CFR 313.2. I took regulatory control action by placing the truck with the downed horses at the front of the line to be off loaded first in order to decrease pain and suffering of the downed horses. When unloading the trailer, increased excitement and confusion, caused more trampling of the downed horses and compounding the problem was the following: there was a step down from the back middle compartment into the back compartment of the trailer in order for the horses to exit. This step down was approximately 18 inches in height. The downed horse at the back of the trailer was lying in lateral recumbency next to this step down. As the horses exited the trailer, in order to navigate the step down, almost every horse fell down on the downed horse bearing their full weight. FSIS Directive 6900.1 states that FSIS personnel are to monitor disabled livestock handling procedures carried out by establishment employees to ensure humane handling of disabled livestock from the time that livestock enter the premises of the official establishment until they are humanely slaughtered or disposed. Non-ambulatory disabled livestock are to be handled with a minimum of excitement, pain, injury, or discomfort. Randy Beasley, Barn Supervisor, and Raul Milan, Plant Supervisor, was notified about the non-compliance. The establishment instituted proper corrective action. Once off loaded, both downed horses were in a moribund condition. The back horse was barely breathing with no overt signs of movement. The front horse, with overt stimulation, would try to move all four legs. Both horses were condemned on ante mortem for being moribund with rod tag numbers Z-4972859 and Z-4972860 respectively. With little struggle, both horses were humanely euthanized with a captive bolt at 0745. Both carcasses were properly disposed. Past Similar NRCs - Previous ineffective Plant Actions: A written notice to all the buyers, that more care needed to be taken in selecting and loading horses for transport to Cavei. This action has been ineffective in monitoring for downed horses that come onto the premises. NR: 13-2006 dated 10/9/2006.</p>

15848 F	8/23/2007	04C02	Jim Tucker	<p>Roberto Resendiz Amparo Milani/ Raul Milan</p>	<p>At approximately 06:55, while inspecting trailers for downed horses, I saw a downed horse lying in left lateral recumbency located in the middle compartment within the last trailer parked on the official premises. I saw other horses stepping on the downed horses' neck, head, and abdomen while trying not to fall over this downed horse. The driver had unhooked his livestock trailer from his tractor and had backed a reeler into the loading dock where exported finished product is loaded. Another truck had already backed into the livestock unloading dock to be off loaded first. Establishment personnel were oblivious to the fact that there was a downed horse in a trailer. Since the establishment has no written protocol for monitoring trailers for downed horses, no records were available to check when the trailers were last checked for downed horses. I asked the driver to get the horse up to no avail. No establishment personnel were available to initiate any type of corrective action. I tried to take a regulatory control action by having the driver to immediately off load his trailer, however, I had difficulty finding the plant manager in order to notify him about the non-compliance. I initially informed Roberto Resendiz, Sanitation Manager, and Amparo Milani, Assistant Plant Manager, about the non-compliance and informed them that additional regulatory action would be instituted if immediate corrective action was not taken. At 07:25, I saw Plant Manager Raul Milan helping the driver to re-hook his tractor to the livestock trailer in order to off load his horses. The trailer already parked at the unloading dock was moved allowing the trailer with the downed horse to off load at 07:35. The downed horse was righted with assistance from the driver and this helper at 07:42. The downed horse was a thin bay mare which was extremely ataxic and had proprioceptive deficits when load out of the trailer. The horse wobbled while walking in order to maintain her balance and not fall over again. FSIS Directive 6900.2 states that once a vehicle carrying livestock enters the official slaughter establishment's premises, the vehicle is considered to be part of that establishment's premises. The animals within that vehicle are to be handled in accordance with 9 CFR 313.2. FSIS Directive 6900.1 states that FSIS personnel are to monitor disabled livestock handling procedures carried out by establishment employees to ensure humane handling of disabled livestock from the time that livestock enter the premises of the official establishment until they are humanely slaughtered or disposed. Raul Milan, Plant Manager, was notified that a NR would be forthcoming. Once the establishment instituted temporary corrective action by off loading the downed horse and produced a permanent corrective action by writing a standard operating procedure whereby the establishment will monitor livestock trailers for downed horses and keep records about their findings and their corrective actions taken, the establishment was allowed to start slaughter operations. Slaughter operations started at 12:30. The downed horse was condemned on ante-mortem for CNS signs. Past Similar NRs: Previous ineffective Plant Actions: The answer given indicates that the establishment does not understand its role in ensuring humane handling of horses. NR: 6-2007 dated 01/24/2007</p>
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