



April 4, 2018

The Honorable John D. Snaza, Thurston County Sheriff
Derek Sandison, Director, Washington State Department of Agriculture

Via e-mail: snazaj@co.thurston.wa.us and DSandison@agr.wa.gov

Dear Sheriff Snaza and Mr. Sandison,

I hope you are both well. I would like to request that your offices investigate and file suitable criminal charges against Rochester-based Puget Sound Processing, LLC, and its worker(s) responsible for repeatedly shooting a cow in the head. On February 20, a worker shot a cow five times with a captive-bolt gun below the appropriate stunning area on the animal's head, as documented in the attached report by the U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS). According to the report, federal officials observed the following:

"The first stunning application was taken with a captive bolt. The second stunning application was then applied ... with the second backup captive bolt. ... After the second stunning application, the [Consumer Safety Inspector] saw the animal's eyes watering, its head lifted 2-3 inches from the chin restraint and visible blinking was seen, in addition to tracking ongoing activity with its eyes. ... [A] third stun was applied The animal showed blinking and head movement. ... A fourth stunning application was made with the captive bolt ... and the animal showed only visible blinking A fifth stunning attempt with the captive bolt was applied ... rendering the animal insensible and unconscious. Upon observation of the head ... [a]ll knocks appeared to be slightly below the knock area."¹

This follows federal agents' observations of recent similar incidents in which workers repeatedly shot animals in the head. On October 30, 2017, "[T]he CSI observed a beef cow loaded into the knock box and the first stunning application was taken with a 30-30 Winchester rifle. The animal's head did not drop. The second stunning application was then applied [T]he animal did not drop. ... [F]ollowing the third application the fo[u]rth stunning application was made with the 30-30 Winchester and the animal showed visible blinking. ... [T]he fifth ... stun was applied with the .223 backup rifle."² On October 4, 2017, "[H]ogs were loaded into the knock box. ... The third hog's first stunning application struck ... the left eye, rupturing its eyeball, and the hog remained conscious. Loud vocalization was heard The ... first and second stunning

¹FSIS District 15 Manager Anna Gallegos, *Reinstatement of Suspension, Puget Sound Processors, LLC, Est. M45858* (February 20, 2018) <https://www.fsis.usda.gov/wps/wcm/connect/9751dde0-6e15-4dd4-b987-35f3bbd401f9/M45858-ROS-022018.pdf?MOD=AJPERES>.

²FSIS District 15 Manager Anna Gallegos, *Reinstatement of Suspension, Puget Sound Processors, LLC, Est. M45858* (October 30, 2017) <https://www.fsis.usda.gov/wps/wcm/connect/97cd0785-e20d-4063-857b-355f3c3d17d4/M45858-NOROS-103017.pdf?MOD=AJPERES>.

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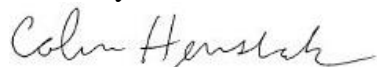
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attempts were at an interval of between 40 and 60 seconds."³ On April 5, 2017, "[T]he establishment attempt[ed] to stun [a] sow with a .223 action bolt rifle. ... The first stunning attempt ... grazed the sow between the ear and the right eye. After the attempt, the sow was alert, vocalizing, and jumping. ... The second attempt missed the sow entirely ... and hit[] the ground. The bullet exploded on contact producing shrapnel which hit two ... employees. The third ... stun ... rendered the sow unconscious."⁴

This conduct appears to violate Washington's humane slaughter of livestock statute, which states, "No slaughterer or packer shall bleed or slaughter any livestock except by a humane method."⁵ "Humane method" is defined as "[a] method whereby the animal is rendered insensible to pain by ... [a] means that is rapid and effective."⁶ The conduct may also violate Wash. Rev. Code § 16.52.207(1), which states, "A person is guilty of animal cruelty in the second degree if ... the person ... recklessly, or with criminal negligence inflicts unnecessary suffering or pain upon an animal." Importantly, FSIS action does not preempt criminal liability under state law for slaughterhouse workers who perpetrate acts of cruelty to animals.⁷

PETA remains concerned that the improper stunning of animals at this establishment persists. We respectfully request that your offices investigate Puget Sound Processing, LLC, and the worker(s) responsible for this conduct and file suitable criminal charges against all appropriate parties. I can be reached at ColinH@peta.org and 757-962-8326. Thank you for your consideration.

Sincerely,



Colin Henstock
Investigations Specialist

³FSIS District 15 Manager Anna Gallegos, *Notice of Suspension, Puget Sound Processors, LLC, Est. M45858* (October 5, 2017) <https://www.fsis.usda.gov/wps/wcm/connect/6bac6331-e54f-4395-925b-01520a6ab98b/M45858-Suspension-100517.pdf?MOD=AJPERES>.

⁴FSIS District 15 Manager Anna Gallegos, *Notice of Intended Enforcement, Puget Sound Processors, LLC, Est. M45858* (April 6, 2017) <https://www.fsis.usda.gov/wps/wcm/connect/a5116bab-962e-474d-bfdf-b7cbae3d5b0b/M45858-NOIE-040617.pdf?MOD=AJPERES>.

⁵Wash. Rev. Code § 16.50.120.

⁶Wash. Rev. Code § 16.50.110(3)(a).

⁷*See Nat'l Meat Assoc. v. Harris*, 132 S. Ct. 965, 974 n.10 (2012) ("... States may exact civil or criminal penalties for animal cruelty or other conduct that also violates the FMIA. *See* [21 U.S.C.] §678; *cf. Bates v. Dow Agrosciences, LLC*, 544 U. S. 431, 447 (2005) (holding that a preemption clause barring state laws 'in addition to or different' from a federal Act does not interfere with an 'equivalent' state provision). Although the FMIA [Federal Meat Inspection Act] preempts much state law involving slaughterhouses, it thus leaves some room for the States to regulate.").