



May 3, 2018

Philip Ferrari
Criminal Division Chief
United States Attorney's Office
Eastern District of California

Via e-mail: Philip.Ferrari@usdoj.gov

Dear Mr. Ferrari,

I hope this letter finds you well. I would like to request that your office investigate and file appropriate criminal charges against Belcampo Butchery and its workers responsible for repeated violations of the Humane Methods of Slaughter Act, which requires that animals be "rendered insensible to pain by a single blow ... or other means that is rapid and effective, before being shackled, hoisted ... or cut."¹ At the slaughterhouse, located at 329 S. Phillippe Ln. in Yreka, Belcampo Butchery staff ineffectively and repeatedly shot a lamb, pigs, and cattle in the head with captive-bolt guns on at least six occasions since January and, most recently, shot a bison in the head eight times and cut the throat while the animal was still conscious. The incidents caused the seriously injured animals to struggle and cry out for up to 12 minutes, including after their throats were cut, as documented in the attached reports by the U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS).

According to the reports, federal officials documented the following:

- **April 12, 2018:** "[A]n establishment employee stun[ned] a bison in the indoor restrainer using a semi-automatic 9 mm handgun to the back of the head [and was] an employee not trained in the use of a 9 mm handgun as a stunning device. After the first attempt, the bison was still standing, turning his body around, and fighting. During the second attempt, the employee applied the backup hand-held 22 caliber captive bolt to the back of the head and fired with the bison still standing and fighting. The 22 caliber captive bolt was used a third and a fourth time in the same manner with the bison remaining standing and shaking its head. The last captive bolt got stuck in the skull with the bison still standing. ... [T]he plant employee went for his boning knife and proceeded to make a cut on the right side of the throat of the bison in an attempt to stick and bleed the animal. The CSI [Consumer Safety Inspector] informed [redacted] to stop him because the bison was still conscious. The employee then used the semiautomatic 9 mm handgun on the forehead of the bison, which dropped the animal to the floor. The captive bolt was reloaded and fired. ... The duration for this event was approximately 12

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¹7 U.S.C. § 1902.

minutes with eight attempts of stunning the animal before the bison was rendered unconscious."²

- **March 28, 2018:** "[The] first beef ineffective stun with captive bolt [occurred]."³
- **March 28, 2018:** "[The] second beef ineffective stun with captive bolt [occurred]."⁴
- **March 27, 2018:** "The establishment was knocking two lambs at a time. After the first lamb was knocked, the CSI observed the employee knocking the second lamb in the head; however, the lamb was still standing and showed all the signs of being fully alert, such as breathing and standing after being knocked. The employee had to reload the captive bolt stunner due to using the first captive bolt stunner on [the] first lamb and using the backup captive bolt stunner on the second lamb. After reloading the captive bolt, approximately 55 seconds later, a successful second knock was applied."⁵
- **February 22, 2018:** "[M]ultiple attempts to stun a sow [were made]. The first attempt to stun the sow was not effective. When the captive bolt stunner was applied, the sow remained conscious, remained standing, and retreated backwards. A second attempt was made with the captive bolt stunner and failed, as the sow remained conscious, vocalized, and continued to try and back away. A third attempt was made with the captive bolt stunner, and the sow was rendered unconscious. The approximate time [that] elapse[d] between the first and the third effective blow was approximately three minutes."⁶
- **February 21, 2018:** "[T]he CSI ... heard the vocalization of a market hog The CSI witnessed that the hog was shackled and hanging. The hog had just been stuck and was starting to bleed out. ... The establishment employee indicated that he stunned it but was unsure if he had hit the brain (ineffective stun). ... The CSI observed the neck arching and the head lifting up and down and observed normal, rhythmic breathing. ... The CSI moved her finger back and forth in front of the hog's eye and observed the hog's eye tracking the movement. The tongue was not out and the hog was vocalizing. The CSI instructed the stunning employee to administer another stun with the hand held knocking gun."⁷
- **January 5, 2018:** "[A] beef ineffective stun with captive bolt [occurred]."⁸

²FSIS District 15 Manager Anna Gallegos, *Notice of Reinstatement of Suspension, Belcampo Butchery, Est. M44932* (April 13, 2018) <https://www.fsis.usda.gov/wps/wcm/connect/3b7ca02c-34f1-4d87-8731-e4c55483d961/M44932-Belcampo-ROS-041318.pdf?MOD=AJPERES>.

³FSIS District 15 Manager Anna Gallegos, *Notice of Reinstatement of Suspension, Belcampo Butchery, Est. M44932* (April 13, 2018) <https://www.fsis.usda.gov/wps/wcm/connect/3b7ca02c-34f1-4d87-8731-e4c55483d961/M44932-Belcampo-ROS-041318.pdf?MOD=AJPERES>.

⁴FSIS District 15 Manager Anna Gallegos, *Notice of Reinstatement of Suspension, Belcampo Butchery, Est. M44932* (April 13, 2018) <https://www.fsis.usda.gov/wps/wcm/connect/3b7ca02c-34f1-4d87-8731-e4c55483d961/M44932-Belcampo-ROS-041318.pdf?MOD=AJPERES>.

⁵FSIS District 15 Manager Anna Gallegos, *Notice of Reinstatement of Suspension, Belcampo Butchery, Est. M44932* (March 27, 2018) <https://www.fsis.usda.gov/wps/wcm/connect/87b56f70-0009-4f0f-80ed-8d98a92ca41f/M44932-ROS-032718.pdf?MOD=AJPERES>.

⁶FSIS District 15 Manager Anna Gallegos, *Notice of Reinstatement of Suspension, Belcampo Butchery, Est. M44932* (March 27, 2018) <https://www.fsis.usda.gov/wps/wcm/connect/87b56f70-0009-4f0f-80ed-8d98a92ca41f/M44932-ROS-032718.pdf?MOD=AJPERES>.

⁷FSIS District 15 Manager Anna Gallegos, *Notice of Suspension, Belcampo Butchery, Est. M44932* (February 21, 2018) <https://www.fsis.usda.gov/wps/wcm/connect/3f32f11f-2535-4b07-a709-9dce6c1d4f50/M44932-Suspension-022118.pdf?MOD=AJPERES>.

⁸FSIS District 15 Manager Anna Gallegos, *Notice of Reinstatement of Suspension, Belcampo Butchery, Est. M44932* (April 13, 2018) <https://www.fsis.usda.gov/wps/wcm/connect/3b7ca02c-34f1-4d87-8731-e4c55483d961/M44932-Belcampo-ROS-041318.pdf?MOD=AJPERES>.

The Federal Meat Inspection Act classifies such offenses as misdemeanors and provides penalties of imprisonment of up to one year and/or a fine of up to \$1,000.⁹ The fact that inhumane handling persists at Belcampo Butchery makes it clear that FSIS enforcement actions alone are insufficient to deter future violations and that criminal prosecution is in the best interests of the animals killed there and the public. Given that the FSIS "fully supports the investigation of all those involved in alleged violations of the Humane Methods of Slaughter Act" and that "Investigators from [its] enforcement division and from USDA's Inspector General ... stand ready to work"¹⁰ with offices such as yours, we respectfully ask that you collaborate with the FSIS Office of Investigation, Enforcement and Audit (OIEA) to investigate and bring appropriate criminal charges against those responsible for the above violations.

Please let us know what we might do to assist you. I can be reached at ColinH@peta.org or 757-962-8326. Thank you for your consideration and for the difficult work that you do.

Sincerely,



Colin Henstock
Investigations Specialist

cc: Carl A. Mayes, Assistant Administrator, OIEA, FSIS

⁹21 U.S.C. § 676.

¹⁰U.S. Department of Agriculture, FSIS, "Under Secretary for Food Safety Shares Some Insight on the Humane Handling of Livestock," (Jan. 7, 2011) <https://www.usda.gov/media/blog/2011/01/7/under-secretary-food-safety-shares-some-insight-humane-handling-livestock> (Last accessed on May 2, 2018).