

Table: Noncompliance Reports in Response to FOIA2020-347

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
P146	Tyson Foods, Inc,	EJJ5420 012522 N-1	01/22/2020	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On January 22, 2020 at approximately 1907 hours while performing the Good Commercial Practice (GCP) Task I observed the following deficiency in the Kill Room area. The kill line #1 was not in operation and several birds (17) were observed not breathing and deceased with their heads submerged in the water in the stunner cabinet. The birds were immediately presented to Mr. (b)(6). The cause of death was by means other than slaughter (b)(6). (b)(6) was verbally notified of the noncompliance in regards to 9 CFR 381.65(b). The establishment removed the affected birds from the line in the presence of USDA staff. Continued noncompliance could result in additional regulatory or administrative action(s) as described in 9 CFR 500.4.</p>	CLOSED
P17766	Southern Hens, Inc	SSN451 204212 8N-1	04/28/2020	04C05	Poultry Good Commercial Practices	381.65(b)	<p>On April 28, 2020 at approximately 0826 hours while performing the Good Commercial Practice task, I observed the following noncompliance. I observed two birds going into the scalders. The birds were fully aware of their surroundings and attempting to actively upright themselves before going into the scalders. At this time, I informed (b)(6) for further observation of their process control. Approximately 0832, 0851, &amp; 0857 I observed one bird at the respective times going into the scalders. The live birds were fully aware and actively positioning themselves into the upright position. The auto neck cutter and the back-up cutters were not executing proper technique in preventing the entrance of live birds into the scalders. This is a noncompliance based on the observation of multiple live birds entering the scalders while conscious, with the described loss of process control. At that time (b)(6) (b)(6) was notified of the noncompliance.</p>	CLOSED

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M7100+P7 100+V7100	Tyson Foods, Inc.	ZHB53060 13510G	10JAN2020	04C05	Poultry Good Commercial Practices	Finalized	<p>Est. 07100P, Tyson Foods of Nashville, AR, January 09, 2020, 0835 hours, In attendance: Dr. (b)(6) (b)(6) (b)(6) (b)(6)</p> <p>(b)(6) (b)(6) (b)(6)</p> <p>At approximately 0835 hours, while performing a Poultry Good Commercial Practice task, Dr. (b)(6) and I walked outside from back dock. Upon my verification I noticed a live bird, having a coating of denaturant, sitting among carcasses in the establishment's dead-on-arrival (DOA) bin. We determined this is mistreatment because the DOA bin is reserved for birds arriving to the establishment already deceased. I was instructed by my Supervisor to remove the live bird from the bin and hold until management was notified. (b)(6) (b)(6) and I immediately notified Back dock (b)(6) as he was shown and given the bird to put back into production. We also discussed this incident in the establishment's weekly meeting. If we had not observed the bird, it could have perished inhumanely in the offal. FSIS Directive 6110.1 – Verification of Poultry Good Commercial Practices The regulations 9 CFR 381.65(b) requires that poultry be slaughtered in accordance with GCP. Poultry are to be slaughtered in a manner that ensures that breathing has stopped before scalding, so that the birds do not drown, and that slaughter results in thorough bleeding of the poultry carcass. Compliance with these requirements helps ensure that poultry are treated humanely. In general, poultry should be handled in a manner that prevents needless injury and suffering in order to produce a commercially marketable product. Respectfully, (b)(6) (b)(6) of OFO.</p> <p>07100P Tyson Foods of Nashville, AR</p>

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P6651	Tyson Foods Inc.	MSO40120 40229G	29APR2020	04C05	Poultry Good Commercial Practices	Finalized	<p>At approximately at 12:06 hours on April 2, 2020 while performing Good Commercial Practice verification task in live hang I observed the following. I observed 5 carcasses on the DOA belt directly under the live hang belt that were stacked on top of each other. As I moved the carcasses to verify that there were no live birds underneath, I uncovered one that was conscious, moving, and blinking its eyes. A plant employee immediately hanged the chicken on the line after seeing what I discovered. During the rest of the GCP checks I saw no additional issues. I informed (b)(6) (b)(6) of the observation at approximately 12:15 hours, and of the forthcoming GCP MOI.</p>

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EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
P7044	Tyson Foods, Inc.	GJJ241601 2013G	13JAN2020	04C05	Poultry Good Commercial Practices	Finalized	<p>Est. P7044, Tyson Foods, Inc. January 7, 2020 at 2040 hours. In attendance: Dr. (b)(6) (b)(6) (b)(6) and (b)(6) (b)(6)</p> <p>(b)(6) At approximately 1720 hours, 7th of January 2020, (b)(6) Charlotte Loper found 7 (b)(6) chicken cadavers at post hock cutter station. I was summoned to the area and I verified the cadaver disposition. All the 7 (b)(6) chicken's neck and head are intact and with hematoma, reddish-dark in color. The carcass is also reddish in color. (b)(6)</p> <p>(b)(6) was collecting the cadavers for disposal when GPM (b)(6) Harrison came and concurred those are cadavers. I discussed the aforementioned with (b)(6) together with (b)(6) (b)(6) Manager (b)(6) (b)(6) said they will address the issue as soon as possible and make sure that there will be no more cadaver on the line. At approximately 1120 hours, 10th of January 2020, I, Relief (b)(6) (b)(6) (b)(6) observed the following while performing poultry GCP: At the post hock cutter station, I found 2 young poultry cadavers on the barrel on 1 (b)(6) poultry cadaver on the floor, 3 feet away. The head and neck are intact with hematoma, dark red in color. The carcass is reddish in color. (b)(6)</p> <p>(b)(6) is notified accordingly and he concurred they are cadavers. I reminded the est. management officials in attendance that 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. I recommended to them to 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</p>

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							<p>copy of this document. I notified the est. management that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended. Respectfully, Dr. (b)(6) (b)(6) (b)(6) (b)(6) at P7044 Tyson Foods Inc.</p>

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P7044	Tyson Foods, Inc.	GJJ131501 3423G	23JAN2020	04C05	Poultry Good Commercial Practices	Finalized	<p>Est. P7044, Tyson Foods, Inc. January 22, 2020 at 1815 hours. In attendance: Relief (b)(6) (b)(6) (b)(6) (b)(6) Plant Manager Tommy Brown, (b)(6) (b)(6), and (b)(6) (b)(6) Harrison. At approximately 1530 hours, 22nd of January 2020, I Relief (b)(6) (b)(6) (b)(6) observed the following while performing poultry GCP verification task: The floors of the bird cages at the rear end of five trailers are wet and with retained water. One cage is made up of 3 sub-cages in 5 tiers. These sub-cages contain approximately twenty young chicken each which are 33-34 day old and approximately 3.70-3.80 pounds. The feathers of all young chicken are soaked wet, they are huddled together at the far end of the cage. There are at least 2 dead and 2 moribund on each cage. Few more are shivering, gasping for breath with closed eyes and ruffled feathers. The young chicken in the upper sub-cages are less wet and there are less dead and moribund. The temperature outside is 39 degrees Fahrenheit, it is moderately raining with 4mph wind speed. There is one cage in the middle of one trailer without a side board and all the young chicken therein are wet, huddled together. The sub-cage at the bottom, there at least 8 dead or moribund young chicken. The upper sub-cages has fewer dead or moribund numbers. The young chicken in other cages which are not wet do not have the aforementioned clinical observation. I notified (b)(6) (b)(6) (b)(6) (b)(6) and (b)(6) following are establishment's immediate corrective action: The cages by the rear end of the trailer are immediately unloaded. The cage without side board is immediately unloaded and separated. The loading crew at the farms are notified accordingly by (b)(6) (b)(6). Other corrective actions that maybe be</p>

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							<p>implemented are the following: (1) No cage without side board will be transported; (2) The cages by the rear end will be covered with tarpaulin or wrapped; (4) The trailer drivers will be advised to drive slowly. I reminded the est. management officials in attendance that 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. I recommended to them to 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. I notified the est. management that this MOI will be forwarded to the District Office and the District Veterinary Medical Specialist (DVMS) in case additional follow-up is recommended.</p> <p>Respectfully, Dr. (b)(6) (b)(6) (b)(6) (b)(6) at P7044 Tyson Foods, Inc.</p>

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P7044	Tyson Foods, Inc.	GJJ471203 3816G	16MAR2020	04C05	Poultry Good Commercial Practices	Finalized	<p>On March 16, 2020, at approximately 1045 while conducting a GCP task, (b)(6) observed the following conditions in the Live Receiving Area. She was performing ante-mortem examination on trailer number 23839. There were multiple cages throughout the trailer that had doors open and one bird noted with part of its' lower abdomen and leg pinned by the cage door on a top cage. (b)(6) noticed the birds sitting on the doors and not in cages. Upon further investigation, she noticed a total of approximately 12-15 birds outside of cages throughout the trailer and more sitting on the cage doors. There was a team member removing the birds from the trailer bed and cage doors by placing them into cages and closing the cage doors. (b)(6) immediately notified (b)(6) of the concern with live bird humane handling and transport. (b)(6) came out to the trailer. The team member appeared to be done retrieving birds from the trailer and he walked away. (b)(6) pointed out the bird that was pinned in the cage door on the top cage. She explained that she had observed the bird during her first walk around and that it had been observed with labored breathing and moderate erythema in the ventral abdomen that was visible. (b)(6) directed the establishment to correct the issue. Mr. (b)(6) climbed on the trailer and was able to open the cage door, releasing the bird from being pinned, and pushed it into the cage and closed the door at 1055. The bird was observed alive after being released by (b)(6). The establishment explained that it had obviously been closed that way either during transport because multiple cages were misaligned causing the cage doors to come open and birds to come out of the cages and possibly have the bird</p>



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							become pinned or it was closed that way at the farm by the catch crew which is supervised by (b)(6). The establishment was doing an investigation to determine the cause of the multiple cage doors being open on the trailer upon arrival to the establishment. No answer was provided to USDA prior to posting this Memorandum of Interview. Allowing birds to be outside cages and be pinned in cage doors is inconsistent with the Agency's expectations of Good Commercial Practices. Team members should address highest priority concerns from an animal welfare standpoint first, then work on the other issues. The establishment is asked to ensure establishment employees moving live animals are employing humane methods of handling consistent with Good Commercial Practices outlined in the Federal Register Notice /Vol. 70, No. 187 – September 28, 2005, to produce an unadulterated product. Copies of this Memorandum of interview will be distributed to the establishment, inspection file and the District Veterinary Medical Specialist per FSIS Directive 6100.3. The issue will also be discussed at the next weekly meeting.

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P72	Tyson Foods, Inc	JPJ041103 0017G	17MAR2020	04C05	Poultry Good Commercial Practices	Finalized	<p>3/16/2020 While performing ante mortem in the unloading yards at 0502 Hrs, I observed a bird with their head stuck in between the metal bars. The bird was immobile and the eye lids were closed. After the cage had been brought down from the flat bed trailer it was apparent the birds wind pipe was pressed up against the bar and was a DOA. (b)(6) (b)(6) (b)(6) was notified and shown this bird. While continuing to observe the remainder of the cages I observed several live birds wings protruding through the slots of the metal bars. Approximately 6 cages had damaged metal bars leaning inside the cages or broken away from the cages. One cage had the vertical bars open in the shape of Oval (5 inch in width to 5 inches in height) enough for a smaller chicken to get through and potentially fall out during transit. (b)(6) (b)(6) (b)(6) was shown all of these cages. 0535 hrs during my observation of the dumper GCP check in the conveyor dumping area, 3 cages were observed with full length bent in bars pointing in ward, the bars were separated from the cage bent open (3 inch height 4 inches wide) enough allowing a head or wing to push through and some smaller horizontal bars were missing. (b)(6) (b)(6) and (b)(6) (b)(6) were present during the GCP inspection to observe the cages condition.</p> <p>3/17/2020 During Ante mortem again this morning I observed another bird with their head stuck in the cage metal rungs but this bird was alive with its beak opening and closing. (b)(6) was notified. Numerous amount of birds were observed commingled together at the outside end of the metal cages some with wings caught in the metal rungs and others perching on top of one another. There also was more cages with damaged bars (bars bent in or open allowing room for heads and Legs to get caught in the large spaces. (b)(6) (b)(6) was notified. At 0748</p>

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							hrs. While performing a Killing and Stunning GCP observational test I observed 2 birds that the kill machine missed. When I leaned over to observe the back up Team member, the birds throat were not cut. The live birds were allowed to continue through the electrical stimulator towards the head puller and potentially into the scaldier, thus indicating a failure at the killing station. I discussed this concern with (b)(6) (b)(6) and (b)(6) (b)(6) (b)(6) I notified both supervisors this is a MOI GCP concern with the past two days Observations. As time permitted I later discussed my concerns/observations with (b)(6) (b)(6) Received response on 3/30/2020.
P7485+V74 85	Wayne Farms LLC	QBM13230 33219G	19MAR2020	04C05	Poultry Good Commercial Practices	Finalized	At approximately 1818 hours on Thursday, March 19, 2020 at Wayne Farms, LLC. Establishment number P-7485 in Jack, AL, while performing the Good Commercial Practices (GCP) in Poultry verification task, the following less than Good Commercial Practice was observed: I, Dr. (b)(6) observed approximately 10 live birds commingled in a pile with approximately 16 Dead on Arrival (DOA) birds on the floor at the end of the belt in the lines 1 and 2 live hang room. The floor employee removed the birds that were on top of the pile. I observed live and conscious birds that were underneath the 1st set of birds that were removed. More live and conscious birds were observed throughout the pile to the floor. The birds that were at the floor level displayed an increased rate of respiration. Allowing live birds to be commingled with DOAs can lead to death due to suffocation. Poultry establishments must take every available precaution to prevent unnecessary excitement, discomfort, and accidental injury of birds while on the official premises. I notified Assistant (b)(6) of the bird mistreatment and the GCP MOI that would follow.