



November 30, 2017

The Honorable John D. Snaza
Thurston County Sheriff

Via e-mail: snazaj@co.thurston.wa.us

Dear Sheriff Snaza,

I hope this letter finds you well. I would like to request that your office investigate and file suitable criminal charges against Puget Sound Processing, LLC, and its worker(s) responsible for shooting a cow and two pigs up to five times, on three dates, at its slaughterhouse located at 18241 Pendleton St. S.W. in Rochester. This caused animals to cry out and sustain traumatic injuries, as documented in the attached reports by the U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS). According to the reports, on the days in question, federal officials documented the following:

- 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 1-2 seconds after with the 30-30 Winchester. . . . [T]he animal did not drop. 1-2 seconds afterwards the third stunning application was made with a 30-30 Winchester. 1-2 seconds following the third application the fo[u]rth stunning application was made with the 30-30 Winchester and the animal showed visible blinking. 2-4 seconds following, the fifth . . . stun was applied with the .223 backup rifle Upon observation of the head, the knock holes were in a small group of 3-4 in an area low of the knock area. The fifth application was approximately 1.5 inches above the previous four¹
- October 4, 2017:** [T]hree . . . hogs were loaded into the knock box. The [stunning] instrument . . . was a .22 magnum rifle . . . and a .223 . . . backup rifle The third hog's first stunning application struck . . . the left eye, rupturing its eyeball, and the hog remained conscious. Loud vocalization was heard [Redacted] could not apply another stun due to the two stunned hogs thrashing in the knock box [Redacted] walked to the right of the knock box and aimed More vocalization was heard [Redacted] . . . returned to his original position and applied the second . . . stun, rendering the hog insensible. The . . . first and second stunning attempts were at an interval of between 40 and 60 seconds.²
- April 5, 2017:** [T]he CSI observed a sow around 225 lbs loaded into the knock box. The head gate portion of the knock box was not used [T]he establishment attempt[ed] to stun the sow with a .223 action bolt rifle. . . . The

¹FSIS District 15 Manager Anna Gallegos, *Reinstatement of Suspension, Est. M45858 – Puget Sound Processors, LLC* (Oct. 30, 2017), <https://www.fsis.usda.gov/wps/wcm/connect/97cd0785-e20d-4063-857b-355f3c3d17d4/M45858-NOROS-103017.pdf?MOD=AJPERES>.

²FSIS District 15 Manager Anna Gallegos, *Notice of Suspension, Est. M45858 – Puget Sound Processors, LLC* (Oct. 5, 2017), <https://www.fsis.usda.gov/wps/wcm/connect/6bac6331-e54f-4395-925b-01520a6ab98b/M45858-Suspension-100517.pdf?MOD=AJPERES>.

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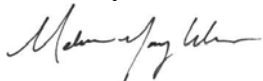
- PETA Asia
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first stunning attempt . . . grazed the sow between the ear and the right eye. After the attempt, the sow was alert, vocalizing, and jumping. Three to five seconds passed The second attempt missed the sow entirely . . . and hit[] the ground. The bullet exploded on contact producing shrapnel which hit two . . . employees. The third . . . stun . . . rendered the sow unconscious. The time between the second and third attempt was approximately 3 – 5 seconds.³

This conduct appears to violate RCW 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." "Animal" is defined as "any nonhuman mammal, bird, reptile, or amphibian."⁴ This conduct is not exempt from the cruelty-to-animals statute, which, with respect to the animals in question, exempts only "accepted husbandry practices used in the commercial . . . slaughtering of livestock."⁵ Repeatedly shooting an animal with a rifle is not an accepted husbandry practice, as FSIS' action demonstrates. You may also consider working with the Washington State Department of Agriculture to investigate violations of the humane slaughter of livestock statute, which states, "No slaughterer or packer shall bleed or slaughter any livestock except by a humane method."⁶ "Humane method" is defined as "[a] method whereby the animal is rendered insensible to pain by . . . [a] means that is rapid and effective."⁷ Importantly, FSIS action does not preempt criminal liability under state law for slaughterhouse workers who perpetrate acts of cruelty to animals.⁸

We respectfully request that your office investigate Puget Sound Processing and the worker(s) responsible for this conduct and file suitable criminal charges against all appropriate parties. Please let us know what we might do to assist you. I can be reached at MelissaW@peta.org and 757-646-6728. Thank you for your consideration and for the difficult work that you do.

Sincerely,



Melissa Mary Wilson
Attorney, Cruelty Investigations Department

³FSIS District 15 Manager Anna Gallegos, *Notice of Intended Enforcement, Est. M45858 – Puget Sound Processors, LLC* (Apr. 6, 2017),

<https://www.fsis.usda.gov/wps/wcm/connect/a5116bab-962e-474d-bfdf-b7cbae3d5b0b/M45858-NOIE-040617.pdf?MOD=AJPERES>.

⁴WASH. REV. CODE § 16.52.011(2)(b).

⁵WASH. REV. CODE § 16.52.185.

⁶WASH. REV. CODE § 16.50.120.

⁷WASH. REV. CODE § 16.50.110(3)(a).

⁸*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.").