



October 4, 2017

The Honorable Kurt Picknell
Sheriff of Walworth County

Via e-mail: picknell@co.walworth.wi.us

Dear Sheriff Picknell,

I hope this letter finds you well. I would like to request that your office investigate and file suitable criminal charges against Lake Geneva Country Meats, Inc., and its workers responsible for electroshocking a pig on the head three times; hoisting the 400-pound, fully conscious animal by a leg; and shooting the pig twice in the head at its slaughterhouse located at 5907 State Rd. 50 E. in Lake Geneva. This caused the pig to thrash and cry out, including while suspended in the air, as documented in the attached report by the U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS). According to the report, on September 14, 2017, a federal official observed the following:

[An] employee [brought] an approximately 400 pound hog into the knock box. The . . . employee applied the electrical stunner to the back of the [hog's] head . . . and it dropped to its belly . . . the employee swung the gate open and the animal immediately began to vocalize and thrash its legs in an attempt to stand . . . The animal remained conscious. The employee reapplied the stunner to the animal's head . . . but the animal continued to vocalize and thrash around the entire time the stunner was activated. . . [and] remained conscious after the second . . . stun attempt. Two more plant employees came over . . . one . . . turned the electrical current all the way up. The other . . . applied a shackle to the animal and started to lift it up. The employee with the stunner . . . activated the current. The animal continued to vocalize. . . [and] was completely hanging by a back leg in the shackle and . . . arching its head back towards its back legs in an effort to right itself. The animal was looking around . . . [and] remained conscious after the third . . . stun attempt. . . [An] employee . . . brought . . . a .22 caliber captive bolt stunner and made a stunning attempt. The first shot . . . did not render the animal unconscious as the animal continued to vocalize. The . . . employee then applied a second captive bolt stun . . . which rendered the animal insensible.¹

This conduct appears to violate Wis. Stat. § 951.02, which states, "No person may treat any animal . . . in a cruel manner." The definition of "[a]nimal" includes "every living . . . [w]arm-blooded creature, except a human being . . ."² "Cruel" is defined as "causing unnecessary and excessive pain or suffering or unjustifiable

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS

Washington, D.C.
1536 16th St. N.W.
Washington, DC 20036
202-483-PETA

Los Angeles
2154 W. Sunset Blvd.
Los Angeles, CA 90026
323-644-PETA

Norfolk
501 Front St.
Norfolk, VA 23510
757-622-PETA

Oakland
554 Grand Ave.
Oakland, CA 94610
510-763-PETA

Info@peta.org
PETA.org

Affiliates:

- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Netherlands
- PETA Foundation (U.K.)

¹FSIS District 25 Manager Dawn Sprouls, *Notice of Suspension, Est. M5648 – Lake Geneva Country Meats, Inc.* (Sept. 15, 2017), <https://www.fsis.usda.gov/wps/wcm/connect/f9a22473-fe2c-4447-8b13-c2debd6f799b/M5648-Suspension-091517.pdf?MOD=AJPERES>.

²Wis. STAT. § 951.01(1)(a).

injury or death."³ Specifically, the workers repeatedly failed to stun the pig with electrical current and a captive bolt, and they shackled and hoisted the fully conscious animal, thereby causing injury and likely suffering. Conviction under this section does not require proof of intent or negligence.⁴ This conduct is not exempt from the animal-mistreatment statute, which, with respect to slaughter, exempts only "the slaughter of animals by persons acting under state or federal law."⁵ Subjecting an animal to repeated failed stunning attempts is not within the bounds of federal law, nor is shackling and hoisting a conscious animal, as FSIS' action demonstrates. It is also not within the bounds of Wisconsin state law (which applies to those slaughterhouses *not* subject to federal regulation), which states, "No slaughterer may slaughter livestock except by a humane method,"⁶ which, in this case, would have been an "electrical . . . means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut."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 Lake Geneva Country Meats and the workers responsible for this conduct and file suitable criminal charges against all appropriate parties. Thank you for your consideration and for the difficult work that you do.

Sincerely,



Melissa Mary Wilson
Attorney, Cruelty Investigations Department

³WIS. STAT. § 951.01(2).

⁴State v. Stanfield, 105 Wis. 2d 553, 314 N.W.2d 339 (1982).

⁵WIS. STAT. § 951.015(1).

⁶WIS. STAT. § 95.80(2).

⁷WIS. STAT. § 95.80(1)(a).

⁸See *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.").