

FSIS NOTICE

12-05

2/18/05

DOCUMENTATION OF HUMANE HANDLING ACTIVITIES

I. PURPOSE

This notice reissues the information in FSIS Notice 35-04 to include additional information for verification activities under Category VIII - Stunning Effectiveness and Category IX - Check for Conscious Animals. This notice also provides information regarding inspection program personnel's response to egregious humane handling noncompliances. In the last paragraph of paragraph III, this notice provides Public Health Veterinarians in multiple In-Plant Performance System (IPPS) assignments instructions related to HATs. All other information from FSIS Notice 35-04 remains unchanged, and this notice continues to provide inspection program personnel with clarification regarding what information they are to record in Humane-handling Activities Tracking (HAT) under the Electronic Animal Disposition Report System (eADRS), and what information they are to include on noncompliance records (NRs) issued for humane handling noncompliances.

II. BACKGROUND

On November 25, 2003, FSIS issued FSIS Directive 6900.2, Revision 1, which provided inspection program personnel with instructions on regulatory requirements, verification activities, and enforcement actions for ensuring that the handling and slaughter of livestock, including the slaughter of livestock by religious methods, is humane. All inspection program personnel are responsible for ensuring that animals are humanely handled and treated at all times.

III. HAT AND HAT CATEGORIES

The eADRS system replaced the use of FSIS paper forms to report information about animals presented for slaughter. The eADRS data provides valuable information concerning animal diseases and welfare in the U.S. HAT is one component of the eADRS. The HAT component provides FSIS with data on the time FSIS personnel spend verifying, as set out in FSIS Directive 6900.2, Revision 1, that humane handling and slaughter requirements are met. So that FSIS will have accurate and complete data, the HAT component is designed to record the time spent on humane handling related activities and to separate that time into nine specific categories (see attachment).

PHV's that conduct antemortem and postmortem inspection disposition activities as part of a multi-IPPS assignment are to conduct one or more HATs procedures whenever they have cause to visit an establishment. Any non-compliance finding will be immediately addressed. These PHV's may enter the results of compliant HAT's procedures while at the establishment or the next time they log onto Performance Based Inspection System (PBIS).

Category I - Adequate Measures for Inclement Weather: Under this category, inspection program personnel record their verification of how the establishment adapts its facilities and handling practices to inclement weather to ensure the humane handling of animals. When the weather conditions warrant concern (e.g., extreme cold, heat, humidity, heavy rains, or high winds), inspection program personnel are to assess what effect these conditions have on the establishment's humane handling of animals (9 CFR 313).

Specific examples of the effects inclement weather can have on humane handling are:

- animal could fall or injure themselves because of snow, ice, mud, etc. [9 CFR 313.1(b)]
- water that is frozen and, therefore, inaccessible. [9 CFR 313.2(e)]

Category II - Truck Unloading: Under this category, inspection program personnel record their verification of the establishment's humane handling procedures while unloading livestock.

Specific examples of verification procedures include observing that:

- the state of repair of vehicles, ramps, and driveways permit the unloading of animals without injury [9 CFR 313.1(a)]
- the proper positioning of vehicles and unloading ramps permits the unloading of animals without injury [9 CFR 313.1(b)]
- animals are unloaded and driven to pens with a minimum of excitement and prod use [9 CFR 313.2(a) and (b)]
- disabled animals are handled in accordance with 9 CFR 313.2 (d).

Category III - Water and Feed Availability: Under this category, inspection program personnel record their verification of the establishment's compliance with 9 CFR 313.2(e), which requires that water be available at all times, and that animals held longer than 24 hours have access to feed.

The verification of feed availability may be more time consuming in large operations, or when animals are continually being moved and held.

Category IV - Handling During Antemortem Inspection (*NOTE: This category only addresses verification activities covered by 9 CFR part 309*): Under this category, while inspection program personnel are conducting antemortem inspection, they are to record the time spent verifying the establishment's procedures for humanely handling animals during antemortem inspection.

Specific examples of verification procedures include:

- determining that animals are being moved calmly and with a minimum of excitement during antemortem inspection [9 CFR 313.2(a)]
- assessing the frequency of prod use during antemortem inspection [9 CFR 313.2(b)]

Category V - Handling of Suspect and Disabled: Under this category, inspection program personnel record their verification of the measures that an establishment takes to ensure that "U.S. Suspect" and disabled livestock (9 CFR 313.2 (d)) are handled humanely. The weakened state of these animals renders them less resistant to even "normal" weather conditions, and therefore, covered pens are required for these animals (9 CFR 313.1(c)). In establishments that present higher numbers of disabled livestock, inspection program personnel may spend more

time verifying the humane handling of these animals.

Category VI - Electric Prod/Alternative Object Use: Under this category, inspection program personnel record their verification of the establishment's procedures for humanely and effectively moving livestock without excessive prodding or the use of sharp objects **after** antemortem inspection has occurred (9 CFR 313.2). This verification does not include any verification activities performed during truck unloading or antemortem inspection (e.g., when animals are moved from the ante-mortem pens to slaughter).

NOTE: The reasons for excessive implement use may include poorly trained employees, animals balking due to distractions, or some other issue. It is expected that establishments train their employees adequately in the proper use of these implements, ensure that only objects designed for the intended purpose are being used, and maintain facilities in a manner that prevents excessive prodding.

Category VII - Observations for Slips and Falls: Under this category, inspection program personnel record time spent observing whether any animals are slipping and falling. The observance of animals slipping or falling necessitates inspection program personnel to verify the following:

- presence of flooring that provides adequate footing [9 CFR 313.1 (b)]
- the proper driving of animals, performed with a minimum of excitement and discomfort [9 CFR 313.2 (a)]

This verification would not include any verification activities performed during truck unloading or antemortem inspection.

Category VIII - Stunning Effectiveness: Under this category, inspection program personnel record their verification of the establishment's procedures to appropriately and effectively administer stunning methods that produce unconsciousness in the animal before the animal is shackled, hoisted, thrown, cast, or cut (9 CFR 313.2 (f)). In the case of cattle, calves, horses, mules, sheep, goats, swine and other livestock, all animals are to be rendered insensible to pain by a single blow or gun shot or an electrical, chemical, or other means that is rapid and effective. For those animals that are ritually slaughtered, stunning effectiveness will not be evaluated, unless stunning methods (9 CFR 313), as an accepted part of that religious slaughter protocol, are inhumanely applied prior to the ritual slaughter cut. Additionally, antemortem condemned animals are to be stunned appropriately (9 CFR 313).

Under this category, inspection program personnel are to record time spent in verifying the stunning method at the moment of application. Failure to properly stun animals is a serious violation of the Humane Methods of Slaughter Act (HMSA) and represents a deficiency in training, equipment design, maintenance, or application. An establishment's humane handling procedures should address all of these elements to ensure that the intent of the HMSA is met. The following regulations address the various stunning methods:

- 9 CFR 313.5: chemical; carbon dioxide
- 9 CFR 313.15: mechanical; captive bolt
- 9 CFR 313.16: mechanical; gunshot
- 9 CFR 313.30: electrical; stunning or slaughtering with electric current

The verification instructions for these regulations are set out in FSIS Directive 6900.2, Revision

Category IX - Check for Conscious Animals on the Rail: Under this category, inspection program personnel (usually a Public Health Veterinarian) record their verification that the establishment ensures that animals do not regain consciousness throughout shackling, sticking, and bleeding (Section 1902 of the HMSA, as well as the regulations mentioned in Category VIII). This category focuses specifically on the time after stunning and throughout the process of shackling, hoisting, sticking and bleeding of the animal.

The intent of this category is for inspection program personnel to verify that animals are not being processed until rendered insensible and that there is no return to consciousness during this time. In addition, inspection program personnel are to verify that the establishment takes immediate corrective action if an establishment employee observes an animal showing signs of regaining consciousness.

In the case of ritual slaughter, inspection program personnel are to verify that after the ritual slaughter cut and any additional cut to facilitate bleeding (which is typically performed by the religious authority), no dressing procedure is performed until the animal is insensible to pain (unconscious). FSIS personnel are to evaluate the animal to determine whether the animal is conscious after it has received the ritual slaughter cut and has been released from the required ritual method of handling. At this time, the animal is to be insensible to pain (unconscious), and no additional processing steps may take place until the animal is insensible.

IV. DOCUMENTATION

As set out in FSIS Directive 6900.2, Revision 1, when documenting a humane handling noncompliance on an NR under the 04C02 procedure, inspection program personnel mark "protocol" as the trend indicator. Upon receipt of this notice, inspection program personnel are to indicate at the top of Block 10 of the NR which category of activity under HAT was being performed when they found the noncompliance. For example, if animals are found to be without access to water during antemortem inspection, in Block 10 of the NR inspection program personnel reference HAT Category IV – **Handling During Antemortem** (not Category III – **Water and Feed Availability**) at the top of Block 10 and then continue with a thorough description of the noncompliance.

V. TREND DETERMINATIONS

As set out in FSIS Directive 6900.2, Revision 1, Part VI C., inspection program personnel will need to decide whether NRs can be linked to determine that a noncompliance trend exists. The use of the HAT categories should prove useful in identifying like NRs. However, as stated in FSIS Directive 6900.2, Revision 1, inspection program personnel should only link NRs when the noncompliances are from the same cause. Therefore, NRs listing the same HAT category **do not automatically** link together. Also, it is possible to have noncompliance in different HAT categories with the same cause (e.g., lack of employee training). Inspection program personnel, using the noncompliance description and the establishment's corrective actions, are to determine whether the noncompliances arise from the same cause. Support that there is a trend is needed for noncompliances that do not immediately affect an animal's safety or that do not involve an egregious inhumane act.

VI. EGREGIOUS NONCOMPLIANCE

Noncompliances involving injury or inhumane treatment of an egregious nature warrant immediate enforcement in accordance with 9 CFR 500.2 and 500.3, including suspension of inspection. As stated in FSIS Directive 6900.2, Revision 1, if there is an egregious situation of inhumane handling or slaughter, the Inspector-in-Charge (IIC) is to immediately suspend inspection in accordance with 9 CFR 500.3(b) and orally notify plant management of the suspension. In such situations, the IIC is to immediately notify the District Office (DO) for prompt documentation of the suspension action.

An egregious situation is any act that is cruel to animals or a condition that is ignored and leads to the harm of animals such as:

1. making cuts on or skinning conscious animals,
2. excessive beating or prodding of ambulatory or nonambulatory disabled animals,
3. dragging conscious animals,
4. driving animals off semi-trailers over a drop off without providing adequate unloading facilities (animals are falling to the ground),
5. running equipment over animals,
6. stunning of animals and then allowing them to regain consciousness, or
7. disabled livestock left exposed to adverse climate conditions while awaiting disposition.
8. Any other condition or action that intentionally causes unnecessary pain and suffering to animals, including situations on trucks.

Refer questions to the Technical Service Center at 1-800-233-3935.

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Attachment

HAT TIME DOCUMENTATION

PHVs and non-PHVs enter the hours devoted to verifying humane handling activities for each of the HAT categories. The data must be entered in on-quarter hour increments, that is, .25, .5, .75, 1.0, 1.25, 1.5, etc. For any given category, the maximum time that can be entered is 10 hours per person, per shift, per day. The maximum would only be reached at large establishments.

For very small establishments that slaughter only a few animals per day there are special procedures. Because the minimum amount of time that can be recorded for any given activity is .25 hours, and assuming, for example, that humane handling activities require only a total of .25

hours per day at a very small plant, inspection personnel should records the .25 hours in a single category and then vary the category each day. In this manner, all humane handling activities will be properly reflected over the course of several days.