

**UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
QUARTERLY ENFORCEMENT REPORT
October 1, 2003 through December 31, 2003**

INTRODUCTION

This is the Food Safety and Inspection Service's (FSIS) Quarterly Enforcement Report. The report provides a summary of the enforcement actions FSIS has taken to ensure that products that reach consumers are safe, wholesome, and properly labeled. Although this report focuses on enforcement actions taken, it is important to recognize that this is only one aspect of the Agency's work. The Agency's main purpose is to protect public health by achieving compliance with laws and regulations. For example, the data indicate that plants operating under Hazard Analysis and Critical Control Point (HACCP) Systems have a 97.83 percent compliance rate for fiscal year 2003.

FSIS inspects products produced in over 6,000 meat, poultry, and egg product plants. Since January 1998, meat and poultry plants have been operating HACCP Systems. Publication of this information is another step in the Agency's commitment to openness and transparency in its work to protect the public from adulterated or misbranded meat, poultry, and egg products.

The report is presented in sections that correspond with the category of action. Activities reported within the categories are either pending or experienced new activity during the reporting period. FSIS also coordinated administrative actions, where regulatory or other authorities were

applied in inspected plants and managed USDA participation in criminal cases pending in Federal courts. These actions, along with the thousands of inspections made each day in plants throughout the country, form strong underpinnings for promoting compliance with food safety laws. Each section of this report is described and reported in more detail as follows:

FSIS ENFORCEMENT PROCESSES
NONCOMPLIANCE RECORDS AND APPEALS
PRODUCT CONTROL ACTIONS
LETTERS OF WARNING
ADMINISTRATIVE ACTIONS
CRIMINAL ACTIONS
CIVIL ACTIONS

FSIS ENFORCEMENT PROCESSES

USDA's Food Safety and Inspection Service (FSIS) is charged with ensuring that meat, poultry, and egg products are safe, wholesome, and properly labeled. FSIS, in cooperation with State counterparts, inspects, monitors, and verifies the proper processing, handling, and labeling of meat and poultry products from the delivery of animals to the slaughterhouse until the products reach consumers. FSIS, in cooperation with FDA and the states, provides similar coverage for egg products – the processed whole egg ingredients used in manufacturing other foods. (More information concerning egg products inspection and enforcement is provided in the FSIS publication "[Focus on Egg Products](#)" that can be accessed at:

<http://www.fsis.usda.gov/oa/pubs/eggprod.htm>. If FSIS detects problems with any products it regulates, the Agency takes product control and enforcement measures to protect consumers.

USDA conducts monitoring and verification activities at plants that slaughter food animals and process products to ensure that products at these establishments are produced in a sanitary environment and potential food safety hazards are identified and eliminated. These establishments must apply for a grant of inspection from FSIS and demonstrate the ability to meet certain requirements for producing safe, wholesome, and accurately labeled food products. Requirements include meeting sanitation, facility, and operational standards, and having preventive systems in place to ensure the production of safe and unadulterated food. Products from official establishments are labeled with the mark of inspection, indicating that they have been inspected and passed by USDA and can be sold in interstate commerce.

FSIS uses investigators throughout the chain of distribution to detect and detain potentially hazardous foods in commerce and to investigate violations of law. Even if products are produced under conditions that are safe and sanitary, abuse can occur on their way to the consumer. For example, if foods are transported in trucks that are too warm, or if exposed to contamination, then that can result in product that can cause illness or injury.

FSIS also works closely with USDA's Office of Inspector General (OIG), which assists FSIS in pursuing complex criminal cases. In addition, many state and local jurisdictions have enforcement authorities that apply to USDA-regulated products. FSIS cooperates with these other jurisdictions in investigations and case presentations. FSIS also participates with OIG and the U.S. Department of Justice in monitoring conditions of probation orders and pretrial diversion agreements developed to resolve cases.

This report provides a summary of enforcement actions, including actions that address the Pathogen Reduction/HACCP regulatory requirements FSIS has taken to ensure that products that reach consumers are safe, wholesome and properly labeled. The Agency recognizes that this report is a snapshot in time of a dynamic process. Some information will be out-of-date by the time this report is published. For example, many matters shown as under appeal will have been resolved by the time this report is published. Other actions could be appealed or closed after this reporting period. This information will be updated on a quarterly basis and made available to the public through future reports.

NONCOMPLIANCE RECORDS AND APPEALS

FSIS inspection program personnel perform thousands of inspection procedures each day to determine whether or not inspected plants are in compliance with regulatory requirements. Each time inspection program personnel make a non-compliance determination they complete a report explaining the nature of the regulatory action. They notify plant managers of problems through a written Noncompliance Record (NR).

NRs document noncompliance determinations that occur in the plant's sanitation and other controls and notify the plant that it must take action to remedy a problem and prevent its recurrence. If this is done, then the plant will continue to operate without interruption. Problems reported on NRs vary from minor labeling discrepancies to serious breakdowns in food safety controls. When noncompliance occurs repeatedly, or when the plant fails to prevent adulterated product from being produced or shipped, FSIS takes action to control products and may take an action to withhold or suspend inspection.

During this quarterly reporting period, FSIS performed 1,625,711 HACCP verification procedures. **Table 1a** provides numbers of NRs issued by FSIS inspection personnel between October 1, 2003 and December 31, 2003. **Table 1b** shows the number of appeals and the dispositions of the appeals filed by plants during this reporting period.

Table 1a. Noncompliance Record Totals

NR Totals

NRs Issued (10/01/03 to 12/31/03): **32,097**

Table 1b. Appeals NRs (10/01/03 to 12/31/03)

Number of Plants Filing Appeals: 214

Appeal of NR Granted	Appeal of NR Denied	Appeal of NR Pending	Total Appeals Resulting In Modified NR	Total NRs Appealed
147	166	26	102	441

PRODUCT CONTROL ACTIONS

FSIS takes product control actions to gain physical control over products when there is reason to believe they are adulterated or misbranded. The actions ensure that those products do not enter commerce or, if they are already in commerce, that they do not reach consumers.

In official establishments, FSIS inspectors may retain products whenever there is evidence of unwholesomeness, or if products are adulterated or mislabeled. FSIS inspectors condemn animals for disease, contamination, or adulteration to prevent their use as human food. Figures for condemnations of livestock for the reporting period are as follows: FSIS inspected 26,952,547 livestock carcasses, of which 62,968 carcasses were condemned. FSIS inspected 1,635,051,018 poultry carcasses of which 8,033,985 carcasses were condemned.

Detentions

After products are distributed from plants, FSIS investigators detain any that may be adulterated or misbranded. If product disposition cannot be made within 20 days, then FSIS may request a federal court to seize the product (see Civil Actions). Most detentions result in voluntary disposal of the product and do not require court seizures. **Table 2** provides the number of detentions and the pounds of product involved in these actions for meat and poultry for this quarterly reporting period. The information is reported for each Compliance and Investigation Division (CID) region, now part of the new Office of Program Evaluation, Enforcement and Review. The information was previously reported by each FSIS District Office. This change is because of the Agency's recent reorganization.

**Table 2. Detention Summary
(10/01/03 to 12/31/03)**

Detentions

Total number of detentions by FSIS **61**
Total pounds of product detained **412,374**

CID Region	Detentions	Pounds Detained
WESTERN	14	91,209
SOUTHEAST	8	13,185
MIDWEST	17	49,785
SOUTHWEST	6	73,747
GREAT PLAINS	5	83,360
NORTHEAST	11	101,088
Totals	61	412,374

Recalls

A recall is a voluntary action by a firm to remove adulterated, misbranded, or suspect products from distribution. FSIS cannot require recalls but can recommend and monitor those that occur. Class I recalls involve a health hazard for which there is a reasonable probability that the use of the product will cause serious adverse health consequences or death. Class II recalls involve a potential health hazard when there is a remote probability of adverse health consequences from use of the product. Class III recalls involve a situation in which use of the product is not likely to cause adverse health consequences. For current information on recalls, go to the FSIS recalls web page at: http://www.fsis.usda.gov/oa/recalls/rec_intr.htm .

Port-of-Entry Reinspection

FSIS conducts port-of-entry reinspections of imported meat, poultry, and egg products. It is important to note that this activity is a reinspection of products that have already been inspected and passed by an equivalent foreign inspection system. Thus, imported product reinspection is a monitoring activity for verifying on an on-going basis the equivalence of a foreign country's inspection system.

Port-of-entry reinspection is directed by the Automated Import Information System (AIIS), a centralized computer database that generates reinspection assignments and stores results. After clearing U.S. Customs and the Animal and Plant Health Inspection Service, every imported meat, poultry, or egg product shipment must be presented to FSIS.¹ When a meat or poultry shipment is presented for reinspection, the AIIS scans its records to verify eligibility. Shipments are denied reinspection and refused entry if the foreign country is not eligible to export to the United States, if the establishment that produced the product has not been certified for export to this country, if the product presented for reinspection is not eligible, if the shipping marks are not unique, or if APHIS has animal health restrictions on the country.

All imported product shipments are reinspected for general condition, labeling, proper certification, and accurate count. In addition, other types of inspection (TOI) may be generated by the AIIS. These could include a physical examination of the product for visible defects, collection of samples for microbiological analysis, sampling for food chemistry analyses, and

¹ Egg products are imported only from Canada. Dry egg products may be reinspected at the border or may proceed directly to their destination for reinspection. Liquid egg products are always reinspected at their destination for food safety reasons. Egg product reinspections are presently scheduled separately from meat and poultry, but will be brought under the AIIS in FY2004.

samples to be analyzed for drug and chemical residues. Shipments are randomly selected for reinspection using a statistical sampling plan that allocates samples by HACCP process categories. The level of sampling is based on the volume imported from the country within each category. Products that fail reinspection are rejected and must be re-exported, converted to non-human food, or destroyed. Product rejections cause the AIIS to automatically generate an increased rate of reinspection for future shipments of like product from the same establishment.

This HACCP-based sampling approach began in August 2002 as the new AIIS3 system was launched, and was fully implemented in the quarter beginning October 1, 2002. Implementation of AIIS3 provides an opportunity for FSIS to present meat and poultry reinspection data in a new reporting format that has been constructed to better represent reinspection results (**Table 3a**).

This new format is based on pounds of product rather than lots of product because the lotting of product for reinspection is a commercial decision made by the importer or broker, and the term “lot” has no regulatory definition. **Table 3b** presents egg product reinspection results in the same format they appear in past quarters, minus lots for the reason given above. The new reporting format will be applied to these products when they are incorporated into the AIIS3 system. It should be noted that data reports at the end of a fiscal quarter are the best available information for reinspection activities conducted during the preceding three months, but those data are preliminary until all ongoing inspection activities are completed. For example, pending reinspection activities include open TOI’s, in particular samples taken for laboratory analysis, but also could include organoleptic product examinations, and refused entries which may stay open for up to 45 days. A report of quarterly reinspection data will not be “final” until all open entries are closed. These normally small adjustments in past quarter data will be reflected in subsequent quarterly reports.

**Table 3a. Imported Meat and Poultry Products
Pounds of Product by Fiscal Year Quarter**

Presented, Reinspected, and Refused Entry

Quarter	FY 2004						
	Presented	Refused ¹	Reinspected	TOIs Perf ²	Accepted	Rejected ³	Combined Rejected and Refused
Q-1 (Oct – Dec)	1,038,268,057	458,302	76,266,778	4,335	1,035,921,365	1,888,390	2,346,692
Q-2 (Jan – Mar)							
Q-3 (Apr – Jun)							
Q-4 (Jul – Sep)							
Cumulative Totals	1,038,268,057	458,302	76,266,778	4,335	1,035,921,365	1,888,390	2,346,692

**Table 3b. Imported Egg Products
Pounds of Product by Fiscal Year Quarter**

Presented, Reinspected, and Refused Entry

FY 2004		
QUARTER	PRESENTED	REFUSED ⁴
Q-1 (Oct – Dec)	2,175,306	3,600
Q-2 (Jan – Mar)		
Q-3 (Apr – Jun)		
Q-4 (Jul – Sep)		
Cumulative Totals	2,175,306	3,600

¹ Products are refused reinspection if: (1) the foreign country is not eligible; (2) the foreign establishment is not listed; (3) Animal and Plant Health Inspection Service (APHIS) has placed animal disease restrictions on the country; (4) product presented for reinspection is not eligible; and (5) duplicate shipping marks.

² Types of Inspection. The number of reinspections performed during the quarter.

³ Products are rejected if product presented for reinspection fails to meet U.S. import requirements.

⁴ Refused entry and rejected upon reinspection data are collapsed in the present egg products database, but will be separated when this commodity is incorporated into the AII3 in FY2004.

NOTICES OF WARNING

FSIS issues Notices of Warning (NOW) for minor violations of law that are not referred to United States Attorneys for prosecution. FSIS may also issue these warnings when a United States Attorney declines to prosecute a case or bring action against a specific business or person. These letters warn that FSIS may seek criminal action based on continued violations. Notices of Warning may be issued to any individual or business, including Federal plants, wholesalers, distributors, restaurants, retail stores and other entities that process, store, or distribute meat and poultry products. **Table 4** shows Notices of Warning issued by the Office of Program Evaluation, Enforcement and Review (OPEER) headquarters office and by each of the CID Regions during the reporting period.

**Table 4. Notices of Warning for Criminal Actions
(10/01/03 to 12/31/03)**

Notices of Warning for Criminal Violations

Total number of NOWs issued for violations: 169
Number issued by Headquarters: 9

CID Region	Number of NOWs Issued by Regions
WESTERN	53
SOUTHEAST	9
MIDWEST	71
SOUTHWEST	10
GREAT PLAINS	6
NORTHEAST	11
Total number issued by Regions	<hr/> 160

ADMINISTRATIVE ACTIONS

FSIS inspects meat and poultry products and applies the marks of inspection when inspectors are able to determine that products are not adulterated. FSIS may temporarily withhold the marks of inspection from specific products, suspend inspection, or withdraw a grant of inspection if a plant is not meeting regulatory requirements.

Effective January 25, 2000, FSIS amended its Rules of Practice that apply to Agency enforcement actions. The Rules of Practice, which are located in 9 CFR Part 500, define each type of enforcement action FSIS can take, the conditions under which it is likely to take these actions, and the procedures FSIS will follow in doing so.

Withholding the Marks of Inspection

If a plant fails to prevent preparation and shipment of adulterated products or develops a pattern of noncompliance showing the plant's sanitation or process control systems have failed, FSIS may notify plant managers that the USDA mark of inspection is being withheld from some or all of the products in the plant. This action effectively shuts down affected operations, because it is illegal to sell products in interstate commerce that do not bear the USDA mark of inspection.

Other non-affected parts of the plant, if any, may still operate.

Suspension of Inspection

FSIS may temporarily suspend the assignment of inspectors if a plant fails to prevent preparation and shipment of adulterated products, fails to present a corrective action plan to bring the plant sanitation or process control systems into compliance, or for other reasons specified in the Rules of Practice. As with withholding actions, a suspension shuts down all or part of the plant's operations. USDA may place the suspension in abeyance if corrections are presented, put into effect, and effectively prevent additional problems. FSIS District Offices have established procedures to monitor and verify a plant's corrective and preventive actions.

Notification to Establishments of Intended Enforcement Actions

FSIS has an established procedure to notify establishments of intended enforcement actions related to certain types of noncompliance that have not resulted in actual shipment of adulterated products. Under this procedure, a notice is issued to an establishment when the Inspector-in-Charge determines that the establishment has experienced multiple, recurring noncompliances, or for other reasons, as specified in the Rules of Practice, the establishment has failed to implement

adequate corrective and preventive measures. The Notice informs the establishment of the nature and scope of the noncompliance and that FSIS intends to withhold the marks of inspection or suspend the assignment of inspectors. The Notice explains the basis of and references documentation for the intended enforcement action, and provides the establishment three business days to contest the basis for the proposed enforcement action or to demonstrate how compliance has been or will be achieved. In appropriate situations, USDA may defer a decision based on corrections submitted by the establishment.

Withdrawal of Inspection

In some situations, FSIS may decide that it is necessary to withdraw inspection from a plant. In these cases, FSIS withdraws inspection from a Federal plant by filing a complaint with the USDA Hearing Clerk. The plant may request a hearing before an Administrative Law Judge. If the action is based on insanitation, the plant will remain closed while proceedings go forward. In other cases that do not involve a threat to public health, operations may continue. These actions may be resolved by FSIS and the plant entering into a consent decision, which allows the plant to operate under certain specified conditions. Once inspection is withdrawn, a closed plant must reapply to receive Federal inspection.

As specified in the Rules of Practice, USDA may initiate withholding, suspension, or withdrawal actions to limit a plant's slaughtering or processing, or prevent the plant from operating altogether, based on reasons related to the PR/HACCP regulations such as:

- failure to collect and analyze samples for the presence of generic *E. coli* and record test results,
- failure to develop or implement Sanitation Standard Operating Procedures, or
- failure to develop or implement a required HACCP plan.

In addition, USDA may initiate a withholding, suspension, or withdrawal action for other reasons such as:

- failure to meet “sanitation performance standards,”
- insanitary conditions,
- inhumane handling or slaughtering of livestock,
- failure to destroy condemned product, or
- interference with inspection personnel.

Tables 5, 6, and 7 list administrative actions (other than actions based on convictions) by establishment, initiated, pending, or closed, for the period, along with whether the action is based on an SSOP or HACCP Systems failure, or for some other reason, such as inhumane handling.

In some plants, FSIS may find more than one basis for taking enforcement action or may take more than one action. For example, the plant has sanitation problems and is not conducting *E. coli* testing, or a sanitation problem occurs more than once. These tables list actions taken at large, small, and very small plants. The enforcement action can be for any of the identified reasons. During this period, activity is reported concerning 294 plants. One hundred thirty-five of the actions in these plants were initiated during this reporting period. Seventy-five actions were closed by letters of warning or other means during this period.

Tables 5, 6, and 7 also identify those cases in which an appeal of the suspension action may have been made, along with whether the appeal was granted or the administrative action was sustained (appeal denied). When decisions on appeals have not been made during the period of this report, the appeal is shown as pending and will be reported in the next quarterly report.

There was one appeal of suspension action filed during this period.

**Table 5. Administrative Actions: Large HACCP Plants
(10/01/03 to 12/31/03)**

Administrative Actions Pending or Taken at Large HACCP Plants [includes actions initiated in prior quarters]													
Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
ARMOUR SWIFT-ECKRICH 00003A M02278 P KANSAS CITY, KS			8/28/02	9/4/02		X							
BOAR'S HEAD PROVISION CO INC 12612A M12612A P PETERSBURG, VA	11/10/03	11/13/03			X	X							
CAGLES, INC. 21234 P PERRY, GA	8/15/03	8/21/03				X						10/20/03	
CLAXTON POULTRY CO INC. 06505 P CLAXTON, GA	6/11/03	7/3/03			X	X						12/10/03	
CON AGRA FOODS POULTRY GROUP 01284 P CANTON, GA	9/19/03	12/8/03			X	X							
CONAGRA d/b/a COOK FAMILY FOODS 00509L M00509L P LINCOLN, NE	2/13/03	2/25/03			X		X						
EMPIRE KOSHER POULTRY INC 01015 M01015 P MIFFLINTOWN, PA	7/11/03	8/21/03			X		X				12/2/03		
	10/30/03				X	X							
	11/5/03	12/2/03				X							
EXCEL CORPORATION 00086E M FRIONA, TX	8/19/03	9/11/03				X							

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Large HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
EXCEL CORPORATION 00086E M FRIONA, TX			8/21/03	8/21/03				X				10/20/03	
EXCEL CORPORATION 00085B M BEARDSTOWN, IL			8/26/03	8/28/03				X					
	11/5/03	11/25/03			X	X	X						
			12/4/03	12/5/03				X					
EXCEL CORPORATION 00086K M DODGE CITY, KS	11/28/03		12/4/03			X							
EXCEL CORPORATION 00086M M SCHUYLER, NE	9/19/03	12/23/03				X							
GOLD KIST INC 00040 P EKKUHAY, GA	10/8/03	10/30/03			X	X							
HORMEL FOODS CORPORATION 00199N M04240 P FREMONT, NE	11/4/03	11/7/03			X		X						
IBP, INC. 00245E M AMARILLO, TX						X							On 11/25/03, a withholding action was taken.
JAC PAC FOODS LTD. 00785 M08567 P MANCHESTER, NH			3/18/03	3/26/03	X	X	X					10/16/03	
KOCH FOODS LLC 00308 P MORTON, MS	5/23/03	6/12/03			X	X					10/16/03		

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Large HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
MOYER PACKING CO. 01311 M SOUDERTON, PA	9/18/02		11/14/02	9/29/03	X	X							
	3/26/03	4/15/03			X						11/26/03		
PACKERLAND PLAINWELL, INC. 00562 M PLAINWELL, MI	7/28/03	8/7/03			X	X						12/16/03	
PIERCE FOODS DIV. OF CONAGRA 00025 M00021 P MOOREFIELD, WV	6/26/03	7/11/03			X	X							
PILGRIM'S PRIDE CORP OF DELAWARE 13485 P FARMERVILLE, LA	12/11/03	12/19/03			X	X							
SHAPIRO PACKING COMPANY 00332 M AUGUSTA, GA	7/18/03	8/11/03			X	X						12/5/03	
SWIFT BEEF COMPANY 00628 M00628 P HYRUM, UT	10/9/02	1/14/03				X							
SWIFT BEEF COMPANY 00969G M GRAND ISLAND, NE	11/13/02		11/22/02	11/25/02		X						11/19/03	
			3/12/03	3/17/03		X						11/19/03	
TYSON FOODS 00245C M DAKOTA CITY, NE						X							On 12/29/03, a withholding action was taken.
TYSON FOODS, INC. 13556 M13556 P SEDALIA, MO	7/3/03	7/17/03			X	X					10/28/03		

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Large HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					<u>SSOP</u>	<u>HACCP</u>	<u>SPS</u>	<u>INH</u>	<u>INT</u>	<u>Other</u>	<u>LOI</u>	<u>LOW</u>	
TYSON FRESH MEATS 00244W M18925 P WATERLOO, IA	12/10/03	12/19/03			X	X							
TYSON FRESH MEATS INC. 00245D M EMPORIA, KS						X							On 12/01/03, a withholding action was taken.

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

**Table 6. Administrative Actions: Small HACCP Plants
(10/01/03 to 12/31/03)**

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]													
Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
ABBYLAND FOODS INC 01633 M17764 P ABBOTSFORD, WI	12/10/03	12/18/03			X	X							
ALFERY'S SAUSAGE COMPANY 09702 M09702 P MT. PLEASANT, PA	7/2/03	7/21/03			X	X	X				11/6/03		
ALLEN FAMILY FOODS 00171 P CORDOVA, MD	5/13/03	5/27/03			X						11/7/03		
AVCO MEAT CO 09131 M GADSDEN, AL			10/7/03	10/9/03				X					
BERRY PACKING INC. 02325 M02325 P CROSSETT, AR	5/20/02	6/3/02			X	X							
	5/7/03	5/16/03			X	X							
BEST BEEF INC 21088 M21088 P IRVING, TX	9/5/03	9/10/03				X					11/13/03		
BLUE RIDGE FARMS OF ILLINOIS 21279 M21279 P PARK FOREST, IL	6/9/03	6/24/03			X	X					12/17/03		
BOB EVANS FARMS 06807 M BIDWELL, OH	8/19/03	8/22/03				X				X	12/2/03	Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).	
BRAKEBUSH BROTHERS INC 02542 M02542 P VINCENNES, IN	11/7/03	12/11/03			X	X							

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
BUONA VITA INC 00954 M00954 P BRIDGETON, NJ	11/5/03	11/18/03				X							
CARANDO GOURMET FROZEN FOODS CORP 01112 M01112 P AGAWAM, MA	11/18/03	12/11/03				X							
CARLTON PACKING CO. 09228 M09228 P CARLTON, OR	4/7/03	4/16/03			X	X							
CENTRAL BEEF IND. L.L.C. 00096 M CENTER HILL, FL	11/25/03	12/29/03			X	X							
CENTRAL MARKET INC 01286 M01286 P OMAHA, NE	9/12/03	9/18/03			X	X							
CHEF'S REQUESTED 05792 M05792 P OKLAHOMA CITY, OK	6/4/03	6/10/03			X	X	X						
COAST PACKING COMPANY 00724 M VERNON, CA	3/11/03	3/26/03			X	X					11/21/03		
COLLEGE HILL POULTRY 00533 P FREDERICKSBURG, PA	10/12/01	1/16/02			X	X							
COLORADO MEAT PACKER, INC. 17086 M17086 P DENVER, CO	5/7/03	7/21/03				X							
CUSACK WHOLESALE MEATS 05806 M05806 P OKLAHOMA CITY, OK	5/1/03	5/7/03				X						12/12/03	
CUSTOM MEATS CORP. 07271 M07271 P DALLAS, TX	3/31/03	4/4/03				X							

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
DAIRY MAN'S MEAT PROCESSING, INC. 00301 M MERCED, CA	6/13/03		7/1/03	7/14/03		X						12/18/03	
DALE T. SMITH & SONS PACKING CO. INC 04975 M04975 P DRAPER, UT	8/22/03	9/16/03			X	X							
DUTCHMAN'S MEAT INC. 13263 M13263 P FREDERICKSBURG, TX	6/25/03	7/10/03				X						11/24/03	
FAMILY BRANDS INTERNATIOANL, LLC 06515 M06515 P LENOIR CITY, TN	12/5/03	12/10/03			X	X							
FORD BROS WHOLESALE MEATS INC 04625 M04625 P WEST VALLEY, NY	11/3/03	11/13/03							X				
FREMONT BEEF COMPANY 13415 M13415 P FREMONT, NE	5/12/03	5/21/03			X	X							
FRUITLAND DRESSED MEAT 02316 M02316 P JACKSON, MO	4/16/03	4/23/03			X	X							
GIBBON PACKING INC. 05511 M GIBBON, NE	12/17/02	12/24/02			X	X							
GOLDEN COIN FOOD INDUSTRIES 12446 M12446 P HONOLULU, HI	4/18/03	5/7/03	7/10/03	7/17/03	X	X							
			8/14/03	8/27/03	X	X	X						On 8/14/03, suspension was reinstated.

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
GOLDEN CROWN FOODS 18823 M18823 P CITY OF INDUSTRY, CA	12/24/03				X	X							
GOLDEN VALLEY NATURAL, LLC 06220 M IDAHO FALLS, ID	12/1/03				X	X							
GREATER OMAHA PACKING CO., INC. 00960 M OMAHA, NE	3/21/03		3/28/03	3/30/03	X	X							
GREATER OMAHA PACKING CO., INC. 00960A M OMAHA, NE	9/18/03	10/10/03				X							
GREATER SOUTH TEXAS SERVICES 21175 M21175 P MCALLEN, TX	10/20/03	11/6/03			X	X							
H & H PRODUCTS INCORPORATED 07259 M07259 P MERCEDDES, TX	8/15/03	8/21/03				X						12/18/03	
HAMILTON MEAT PIE CO 02528 M02528 P ROMULUS, MI	9/25/03	10/8/03			X	X							
HI-GRADE MEATS, INC. 04133 M04133 P SALT LAKE CITY, UT	4/3/03	4/11/03			X	X							
HOT SPRINGS PACKING 10695 M10695 P HOT SPRINGS, AR	12/19/03				X	X							
HOUSE OF RAEFORD FARMS, INC. 01234 M01234 P ATHENS, MI			7/14/02		X								

ABBREVIATION KEY	
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INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
HOUSE OF RAEFORD FARMS, INC. 01234 M01234 P ATHENS, MI			1/28/00	2/7/00		X							On 01/28/00, a withholding action was taken. On 02/11/00, plant appealed the suspension. On 02/29/00, plant's appeal was denied. On 03/03/00, plant appealed to a higher FSIS official.
HOWARD BEEF PROCESSORS 08934 M08934 P PIPESTONE, MN	8/6/03	8/21/03				X						12/8/03	
INDEPENDENT MEAT COMPANY 00226 M04863 P TWIN FALLS, ID	3/31/03	4/10/03	10/8/03	10/20/03	X	X							
IOWA QUALITY MEATS 08177 M08177 P CLIVE, IA	10/24/03					X					10/28/03		
J F O'NEILL PACKING CO. 00889A M OMAHA, NE	6/20/03		6/26/03	6/27/03	X	X							
J&B MEATS CORP 05712 M05712 P COAL VALLEY, IL	9/4/03	9/18/03			X	X							
J. R. SIMPLOT COMPANY 20293 M20293 M WEST MEMPHIS, AR	10/20/03	10/30/03			X	X							
JESSE'S FINE MEATS 05704 M05704 P CHEROKEE, IA	7/8/03	7/14/03				X						11/18/03	
JIM'S FARM MEAT 06113 M06113 P ATWATER, CA	1/27/03		2/7/03	3/3/03		X						10/20/03	
JIM'S MARKET & LOCKER INC, 02424 M02424 P HARLAN, IA			4/25/03	4/30/03	X	X	X						

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LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
JOBBER'S MEAT PACKING CO., INC. 06251 M06251 P LOS ANGELES, CA	9/19/03	10/6/03			X	X							
JOHN R. MORREALE, INC. 06872 M CHICAGO, IL			6/11/03	6/19/03	X	X	X					11/5/03	
K D ACQUISITIONS I, LLC 09137 M09137 P GAINESVILLE, GA	11/19/03	12/22/03			X	X							
K.B. SPECIALTY FOODS 02552 M02552 P GREENSBURG, IN	12/8/03	12/16/03				X							
KOHLER FREDA, L.L.C. 07528 M07528 P PHILADELPHIA, PA	10/21/03	11/18/03			X	X							
MEYER FOODS 05733 M05733 P LINCOLN, NE	10/6/03	10/15/03				X							
NEW HORIZONS MEATS AND DISTRIBUTION L.L.C. 00142 M 00142 P CINCINNATI, OH	9/23/03	10/8/03			X	X	X						
NEW MARKET POULTRY PRODS. 04602A P NEW MARKET, VA	10/6/03	10/22/03				X							
O'BRIEN & CO INC. 05528 M05528 P BELLEVUE, NE			7/3/03	7/7/03		X						11/21/03	
OLD SETTLERS JERKY INC 09875 M09875 P COVINA, CA	11/5/03	11/26/03				X							
OSSIAN PACKING COMPANY INC 17413 M17413 P OSSIAN, IN	11/10/03				X	X							On or about 11/25/03, the firm was sold to a new owner.

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Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
OZARK MOUNTAIN PORK COOP. 21148 M MOUNTAIN VIEW, MO			11/13/02	11/22/02		X							
P & M INC 04596 M04596 P BROOKLYN, NY	10/7/03	10/16/03				X							
PACKERLAND PACKING CO., INC. 00562G M GERING, NE	3/17/03	3/28/03				X							
PARKER HOUSE SAUSAGE COMPANY 00349 M06849 P CHICAGO, IL	10/29/03	11/18/03			X	X							
PEER FOODS GROUP INC 00998 M15874 P CHICAGO, IL			9/25/03	9/30/03	X		X					12/12/03	On 9/22/03, a withholding action was taken.
PETERSBURG LOCKER INC. 05668 M05668 P PETERSBURG, NE	5/24/02	6/5/02				X							
PORTIONED MEATS, INC. 13095A M13095A P COVINGTON, LA	4/16/03	4/29/03			X	X							On 11/7/03, DM closed case by firm's requested voluntary withdrawal.
PREMIUM PROTEIN PRODUCTS, LLC 27472 M HASTINGS, NE	12/10/03	12/17/03				X							
QUALITY BONELESS BEEF COMPANY 02063 M02063 P WEST FARGO, ND			8/13/03	8/19/03		X						12/10/03	
QUINTERO'S MEAT COMPANY 21282 M21282 P EL PASO, TX	10/7/03	10/17/03				X							

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LOI	Letter of Information
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Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
RENDULIC PACKING COMPANY 09457 M09457 P MCKEESPORT, PA	6/20/03	6/30/03			X	X					10/27/03		
RICE FIELD CORP. 20153 M20153 P CITY OF INDUSTRY, CA	6/20/03	7/8/03			X	X					10/23/03		
ROGUIFE INC 21110 M21110 P WASHINGTON, DC	11/18/03	12/4/03			X	X							
ROLET FOOD PRODUCTS 00841 M19637 P BROOKLYN, NY	10/7/03	12/30/03				X							
SALEM PACKING COMPANY INCORPORATED 05425 M SALEM, NJ	11/15/02		11/26/02	12/2/02		X							
SAM KANE BEEF PROCESSORS, INC. 00337 M CORPUS CHRISTI, TX	6/21/02	7/19/02			X		X						
SAN ANTONIO PACKING CO. 00602 M19684 P SAN ANTONIO, TX			7/22/03	7/24/03		X				X		12/2/03	On 07/22/03, firm violated a regulatory control action by shipping misbranded product.
	7/24/03	7/29/03			X	X						11/26/03	
SCHENK PACKING COMPANY 06056 M06056 P STANWOOD, WA	4/4/03	4/11/03				X							
SCHIFF'S FOOD SERVICE 09778 M09870 P TAYLOR, PA	10/1/03	10/24/03			X	X					12/2/03		
SERV-RITE MEAT CO. 04123 M04123 P LOS ANGELES, CA			11/14/03	11/19/03	X		X						

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SPS	Sanitation performance standards
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LOI	Letter of Information
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Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
SHALHOOB MEAT COMPANY 04909 M04909 P SANTA BARBARA, CA	6/13/03	7/2/03			X							10/15/03	
SIMPLOT MEAT PRODUCTS, L.L.C. 00630 M NAMPA, ID	6/18/03	7/2/03			X								
SIOUX-PREME PACKING CO. 05537 M SIOUX CENTER, IA	11/13/03	11/25/03			X	X	X						
SKYLARK MEATS INC 04215 M04215 P OMAHA, NE	12/17/03	12/23/03				X							
STAGNO'S MEAT COMPANY 02875 M MODESTO, CA	9/16/03	10/3/03				X							
			9/18/03	9/25/03				X					
SWAN PACKING, INC. 06820 M06820 P DES MOINES, IA	5/15/03	5/21/03			X	X							
TECUMSEH POULTRY, LLC 20251 P TECUMSEH, NE	7/2/03	7/11/03			X	X							
TILLAMOOK COUNTRY SMOKER 09295 M09295 P BAY CITY, OR	2/21/03	3/5/03			X	X							
TRI STATE BEEF COMPANY INC 01750 M CINCINNATI, OH	8/15/03	9/2/03			X	X							
UNITED MEAT COMPANY, INC. 02869 M02869 P SAN FRANCISCO, CA	2/5/03		2/24/03	11/12/03		X							

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Administrative Actions Pending or Taken at Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					<u>SSOP</u>	<u>HACCP</u>	<u>SPS</u>	<u>INH</u>	<u>INT</u>	<u>Other</u>	<u>LOI</u>	<u>LOW</u>	
WAYNE FARMS, LLC/dba DUTCH QUALITY HOUSE 13477 M13477 P BOSSIER CITY, LA	1/14/03	2/13/03			X	X	X				10/23/03		
WEBER'S QUALITY MEATS, INC. 02201 M02201 P SAN LEANDRO, CA	10/3/03		10/14/03	10/27/03		X							
WEST MISSOURI BEEF 05821 M ROCKVILLE, MO	5/2/03	5/9/03				X				X			Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

**Table 7. Administrative Actions: Very Small HACCP Plants
(10/01/03 to 12/31/03)**

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]													
Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
4-L PROCESSING INC 19789 M19789 P COKE, TX	8/27/03	9/5/03				X							
A LA CARTE FOODS INC 13375 M13375 P PAINCOURTVILLE, LA	10/29/03	11/6/03			X	X							
AALA MEAT MARKET INC. 12425 M12425 P HONOLULU, HI	7/23/03	7/31/03			X	X							
ACME STEAK, INC. 19151 M19151 P YOUNGSTOWN, OH			7/16/03	8/18/03	X	X	X						On or about 11/18/03, the firm was sold to a new owner.
AK FOODS, LLC 06463 M BRUSH, CO	9/9/02	9/26/02			X								
	11/7/03				X	X	X						
AK FOODS LLC 06496 M06496 P BRUSH, CO	11/7/03				X	X	X						
AL-AMEER FARMS 19341 M19341 P SARGENT, GA	7/25/03		8/28/03	9/4/03	X	X							On 11/17/03, DM closed case by firm's requested voluntary withdrawal.
			10/23/03		X	X				X			On 11/17/03, DM closed case by firm's requested voluntary withdrawal. On 10/23/03, suspension was reinstated. Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
ALBERT REMBIS PROVISION CO. 05994 M NEW BRITAIN, CT	10/22/03	12/22/03				X							
ALMA MEAT COMPANY 04117 M04117 P LOS ANGELES, CA	6/11/03	7/8/03			X	X					12/1/03		
ALMACENES DE TEJAS, L.P. 17083 M SAN ANTONIO, TX			10/11/02			X							
ALMI INC 21929 M21929 P FEASTERVILLE, PA	12/17/03				X	X							
ARMBRUSTER MEATS, INC. 05770 M05770 P PERRYVILLE, MO	8/14/03	8/19/03								X			Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
BA LE MEAT PROCESSING & WHOLESALE, INC. 18442 M18442 P CHICAGO, IL	11/26/03		12/3/03	12/12/03	X	X							
BALTIMORE MEAT AND POULTRY 21772 M21772 P BALTIMORE, MD	7/9/03	7/18/03				X					10/9/03		
BEAVER CITY LOCKER 20172 M20172 P BEAVER CITY, NE			7/23/03	8/8/03		X							
	7/30/03	8/8/03			X	X							
BILLINGS MEATS & PROCESSING 20586 M GORDO, AL	6/17/03	6/27/03			X	X							
BOYDS WHOLESALE MEATS 09241 M09241 P KLAMATH FALLS, OR	5/23/03	6/4/03			X	X							

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SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
BROOKSVILLE MEAT FABRICATION CENTER 09173 M09173 P BROOKSVILLE, KY	7/18/03		7/25/03	8/22/03		X							
BRYANT'S MEATS INC 06697 M06697 P TAYLORSVILLE, MS	8/29/03	9/10/03			X	X						12/17/03	
BURTON MEAT PROCESSING 21885 M BURTON, TX	11/12/03	11/20/03			X	X					X		Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
BUTCHER BLOCK 05653 M INDIANOLA, NE	11/18/03	11/26/03			X	X							
C. ROY INC 10114 M10114 P YALE, MI	7/29/03	8/4/03			X	X						11/24/03	
CARNES YECAPIZLA MORELOS 19900 M BROOKLYN, NY	10/9/03	12/12/03				X							
CHEF ONE CORPORATION 21424 M21424 P BROOKLYN, NY	10/10/03					X						10/29/03	
CHIPPER SNAX INC. 18951 M SALT LAKE CITY, UT	11/21/03				X	X	X						
CHORIZO DE SAN MANUEL 13199 M EDINBURG, TX	12/17/03	12/23/03				X							
CITY WHOLESALE MEATS 05738 M05738 P NEBRASKA CITY, NE	7/17/03	7/22/03			X	X							
CLIFF HIEB'S GERMAN SAUSAGE 20329 M20329 P RUPERT, ID			7/18/03		X	X							

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INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
COHOES SPECIALTY MEATS 00593A M06368 P ALBANY, NY			9/9/03	9/11/03		X							
			12/9/03	12/16/03	X								
COMMON'S WHOLESALE MEAT 08112 M08112 P IDAHO FALLS, ID	6/2/03	6/9/03			X	X						12/4/03	
COUNTRY BOY MEATS 09240 M09240 P MERRILL, OR	5/28/03	6/4/03	7/24/03	7/28/03	X	X							
			9/10/03	10/6/03	X								
CRESCENT CUSTOM SLAUGHTER 06041 M06041 P SUMNER, WA	6/20/03	7/2/03	8/21/03	9/2/03	X	X	X						
			10/10/03		X	X	X						On 10/10/03, suspension was reinstated.
CUSTOM PACK INC 05650 M05650 P HASTINGS, NE	10/30/03	11/14/03			X	X							
D&D CATERING, INC 11203 M11203 P HIALEAH, FL			9/25/03	10/2/03	X	X							
			12/16/03	12/18/03	X	X							
DE VRIES MEATS, INC 10226 M COOPERSVILLE, MI	9/24/03	10/7/03			X	X							

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
DEL MONTE MEATS 11022 M11022 P POCATELLO, ID	8/7/03	8/21/03				X							
			10/24/03		X		X						
DEN'S COUNTRY MEATS, INC. 21156 M21156 P TABLE ROCK, NE	10/3/03	10/16/03				X							
DIPPER'S PACKING CO INC 20757 M WESTERLY, RI	10/17/03		12/17/03			X							
E.G. FOODS 17375 M17375 P BROOKLYN, NY	10/7/03		11/19/03	12/1/03		X							
EDGEWOOD LOCKER INC 27279 M27279 P EDGEWOOD, IA	12/15/03	12/22/03				X							
EL RANCHO MARKET, INC. 06180 M06180 P SOLVANG, CA	11/28/03		12/4/03		X	X							
EPMI PROCESSING 21358 M21358 P STERLING, OK	8/5/03	8/6/03			X	X							
FARM FRESH MEATS INC 19883 M19883 P MARICOPA, AZ	12/18/03				X	X							
FIGARETTI MANUFACTURING AND DISTRIB. 20719 M WHEELING, WV			9/17/03	9/23/03	X	X							
FINEST MAID FOOD DISTRIBUTORS 04584 M04584 P BROADALBIN, NY	12/11/03	12/23/03				X							

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INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeysance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
FOUR STAR MEAT COMPANY INC 02674 M COLLINS, MS	12/12/03	12/19/03			X	X							
FRESH FREEZE, INC. 20104 M EDINBURG, TX			8/21/02		X		X						
G & M BEEF COMPANY 05476 M NEWARK, NJ	12/10/03	12/16/03			X								
G.E. HAWTHORN MEAT COMPANY 10620 M HOT SPRINGS, AR	9/17/03	10/10/03			X	X							
GAISER'S EUROPEAN STYLE PROV. 05385 M05385 P UNION, NJ			9/25/01			X							
GARNER ABATTOIR & MEAT PROCESSING 10650 M10650 P VAN BUREN, AR	11/24/03	12/4/03			X	X							
GATEWAY BEEF COOP 02955 M02955 P OVERLAND, MO	6/6/03	6/19/03			X	X							
GERDING PACKING CO., INC. 10111 M DAVISON, MI	6/17/03	7/2/03			X	X					10/3/03		
GIBSON PACKING COMPANY 05843 M05843 P SEYMOUR, MO	6/30/03	7/9/03				X							
GOOD GUYS FOOD CO. 20350 M20350 P OAKLAND, CA			6/2/03	10/28/03	X	X	X						

ABBREVIATION KEY	
SPS	Sanitation performance standards
INH	Inhumane treatment/slaughter
INT	Interference/Assault
LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
GOSS AND SON MEAT COMPANY 13532 M13532 P ROMANCE, AR	7/25/03	7/31/03			X	X						11/24/03	
GRAND CHOICE FOODS, INC. 05506 M05506 P AMES, IA	9/27/02		10/2/02	10/22/02	X	X	X						
GUIYER CATERING 11171 M11171 P HIALEAH, FL	9/22/03	10/3/03	12/8/03	12/18/03	X	X							
HAMNER PROVISION COMPANY 00358 M13427 P SAN ANTONIO, TX	9/18/03	9/26/03				X						12/1/03	
HEARTLAND PREMIUM MEATS 21025 M21025 P LA VISTA, NE	7/31/03	8/21/03				X						11/25/03	
HENDERSON MEAT PROCESSORS 01527 M01527 P HENDERSON, NE			8/29/03	9/5/03		X							
	9/2/03	10/6/03				X							
HENRY J'S MEAT SPECIALTIES 01766 M01766 P CHICAGO, IL			3/17/03	3/25/03	X		X					11/6/03	
HERRING BROTHERS INC 09760 M GUILFORD, ME	10/7/03		11/14/03	12/8/03		X							
HOMESTEAD GOURMET FOODS CO. 09947 M09947 P LINDEN, NJ	3/11/03	4/17/03			X								On 09/24/03, a complaint to withdraw inspection was filed by FSIS.

ABBREVIATION KEY	
SPS	Sanitation performance standards
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LOI	Letter of Information
LOW	Letter of Warning

Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
HOMESTEAD GOURMET FOODS CO. 09947 M09947 P LINDEN, NJ			7/2/03	8/21/03	X	X	X							On 09/24/03, a complaint to withdraw inspection was filed by FSIS. On 08/25/03, plant appealed the suspension. On 09/15/05, plant's appeal was denied.
			9/19/03		X	X	X							On 09/19/03, suspension was reinstated. On September 24, 2003, FSIS filed a complaint to withdraw inspection. On December 11, 2003, a USDA Administrative Law Judge denied the firm's request for reinstatement of inspection service. An expedited hearing is scheduled for February 10, 2004.
HOPKINS PACKING COMPANY 11069 M BLACKFOOT, ID	9/2/03	10/9/03			X	X								
HOUSE OF KEESAN INC 11185 M11185 P MIAMI, FL			9/24/03	10/3/03	X	X								
HOUSTON ZERO COLD STORAGE 07106 M07106 P HOUSTON, TX	9/24/02		10/2/02	12/23/02	X	X	X							
HSIN-CHIN ENTERPRISES INC 09936 M09936 P COLLEGE POINT, NY	10/15/03					X					10/29/03			
HUNTER HORN PLANTATION HAM 12643 M12643 P SAVANNAH, GA			11/26/03		X	X						12/2/03		
HUSE'S PROCESSING INC 13445 M13445 P MALONE, TX	10/30/03	11/6/03	11/25/03	11/26/03				X						
HUSE'S PROCESSING INC 13445 M13445 P MALONE, TX	12/12/03	12/19/03				X								

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
ICH GROUP INC dba SUSHI CHEF 20254 M20254 P HONOLULU, HI	12/17/03				X	X	X						
INDEPENDENCE CUSTOM MEAT SERVICE, LLC 09273 M09273 P INDEPENDENCE, OR			8/1/03	8/19/03						X			
			10/30/03	11/26/03						X			
INDIAN VALLEY MEATS INC 18154 M18154 P INDIAN, AK	11/10/03	12/18/03			X	X	X						
IQM INTERFOOD INC. 21255 M21255 P HAMMONTON, NJ			10/21/03	10/29/03	X	X							
J & K MEAT COMPANY 19305 M19305 P PLEASANT PLAINS, AR	9/25/03	10/1/03			X	X							
J RAGO VEAL COMPANY 02713 M02713 P BOSTON, MA	9/25/03	10/3/03				X					10/10/03		
J.M. PACKING COMPANY 19804 M19804 P PONCE, PR			10/9/03			X							
JALEE INC d/b/a ANGELO'S 2 27403 M27403 P EAST GREENWICH, RI	10/16/03					X							
JORDAN SAUSAGE COMPANY 09126 M09126 P COLUMBUS, GA	10/24/03	12/5/03			X	X							
JUANS CORP 18398 M STATEN ISLAND, NY	10/10/03	12/12/03				X							

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
K C WHOLESALE MEAT COMPANY INC 10674 M10674 P HARRISON, AR	11/3/03				X	X							On 11/6/03, DM closed case by firm's requested voluntary withdrawal.
KANAB CUSTOM MEATS, INC. 06117 M06117 P KANAB, UT	6/25/03	7/2/03			X	X							
KAYSERMI BASTERMA, INC. 01092 M POUGHKEEPSIE, NY	9/13/02		9/23/02		X	X							Effective 12/31/03, DM issued firm's requested voluntary withdrawal. On 09/23/03, a complaint to withdraw inspection was filed by FSIS.
KIM'S PROCESSING INC 01580 M01580 P CLARKSDALE, MS	11/10/03	11/19/03			X	X							
LA ESPANOLA MEATS INC. 04827 M04827 P HARBOR CITY, CA	6/19/03	7/8/03				X					10/21/03		
LAGROU COLD STORAGE 00219 I03197 M CHICAGO, IL			5/30/02				X						
LEE'S PIGSKIN COMPANY, INC. 07446 M NEW HEBRON, MS	11/26/03	12/5/03			X	X							
LITTLE BLACK PACK 19265 M MEDFORD, WI	4/3/03		4/14/03	4/23/03		X				X			Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
LLSG/SKY CHEF 19682 M19682 P ORLANDO, FL	12/18/03					X					12/23/03		
LOEFFEL MEAT LAB 05658 M05658 P LINCOLN, NE	9/16/03	9/26/03				X							
LOFTUS MEATS 01420 M01420 P RICHFIELD, UT	7/8/03	7/16/03			X	X							

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
LONGMONT PACKING COMPANY 00128 M00128 P LITTLETON, CO	11/25/03	12/10/03			X	X							
LOS VINALEROS CATERING INC. 11202 M11202 P HIALEAH, FL	10/2/03	10/23/03			X	X						11/17/03	
LOUIE'S WHOLESALE MEATS 10165 M TRAVERSE CITY, MI			6/23/03	6/24/03		X						10/24/03	
M AND M PACK 05673 M05673 P RUSHVILLE, NE	12/11/03	12/23/03			X	X							
M J MEATS 04883 M04883 P LYNWOOD, WA	10/7/03	10/9/03				X							
MAIN STREET MARKET 05652 M05652 P HUMPHREY, NE	8/18/03	9/16/03			X	X							
MANILA MEAT COMPANY 05448 M05448 P JERSEY CITY, NJ	10/1/03	10/24/03			X	X	X						
MARCACCI MEATS 05913 M05913 P VINELAND, NJ	11/19/03	12/3/03			X	X							
MARKS MEAT, INC. 09265 M09265 P CANBY, OR	6/4/03	6/10/03			X	X							
MARTIN'S PORK PRODUCTS INC. 06720 M FALCON, NC	6/19/03	7/3/03			X	X					10/2/03		

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
MEACHAM PACKING COMPANY LLC 10692 M10692 P BATESVILLE, AR	7/16/03	7/24/03			X	X						11/13/03	
MEDITERRANEAN FOODS, INC. 18977 M UPPER DARBY, PA	7/7/00			8/22/00		X							
			7/20/01			X							On 02/25/02, firm appealed the suspension. On 04/22/02, plant's appeal was denied.
MICHAEL PROVISION CO 01037 M17986 P FALL RIVER, MA	10/10/03	11/18/03				X							
MIK INC 12433 M KAUAI, HI	10/9/03	10/17/03			X	X	X						
MOM'S CATERING & SPECIAL EVENTS 27380 M27380 P HIALEAH, FL	12/22/03				X	X							
MORRIS MEAT PACKING INC 18229 M MORRIS, IL			10/7/03	11/14/03	X	X	X						
MOY'S MEAT MARKET, INC. 02796 M02796 P BROOKLYN, NY	12/1/03	12/18/03			X	X							
MR. BASTERMA 18970 M DETROIT, MI			11/22/02		X	X							
MT. ANGEL MEAT CO. 09270 M09270 P MT. ANGEL, OR	11/25/02	12/4/02			X	X						12/8/03	
	5/20/03	5/29/03			X	X						12/8/03	

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
MUCCI FOOD PRODUCTS LTD. 19177 M19177 P CANTON, MI	10/6/03	10/16/03			X	X							
MY-CAR PROVISION CO 04711 M04711 P NEW LONDON, CT	10/17/03		11/17/03	12/31/03		X							
MYERS BROTHERS MEATS 09469 M09469 P SPRING MILLS, PA	11/5/03	11/19/03			X	X							
NARVAEZ BEEF PROCESSING PLANT 19440 M19440 P LAREDO, TX	11/6/03	11/20/03				X							
NEW MEXICO PACKING 27265 M CLOVIS, NM	3/14/03	4/2/03	6/13/03	6/25/03	X	X							
NEW SKETE FARMS 04703 M04703 P CAMBRIDGE, NY	11/7/03		12/3/03	12/5/03		X							
NOUR HALAL MEAT DISTRIBUTION INC 08616 M IMLER, PA	8/28/03	9/9/03			X	X				X			Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
OLD SANTA FE TRAIL PRODUCTS 13343 M13343 P ALBUQUERQUE, NM	9/28/03		12/19/03		X	X							
OLD WORLD GERMAN SAUSAGE 06275 M06275 P OAKLAND, CA	11/6/02		11/14/02	8/4/03		X							
OSCAR'S HICKORY HOUSE INC 04257 M04257 P WARRENSBURG, NY	11/7/03	11/25/03				X							

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
OSU FOOD & AG PROD R&T CTR 00526 M00526 P STILLWATER, OK	9/26/03	10/10/03			X	X							
OTTE PACKING CO. 05638 M05638 P CLINTON, NE			12/10/03			X						12/16/03	
	12/15/03				X	X							
P & M MEATS INC 20708 M KEYMAR, MD			3/5/03	3/10/03				X	X			12/19/03	
P.C. QUALITY FOODS 21820 M21820 P CRANSTON, RI	10/16/03					X							
PACFOODS, USA 09889 M09889 P HAYWARD, CA			8/26/02	10/17/02	X	X							
			10/23/02		X	X							On 10/23/02, suspension was reinstated.
PERFECT PASTA, INC. 17605 M17605 P SANDY, UT	5/28/03	6/5/03			X	X							
PHILLIPS MEAT & SEAFOOD INC 08641 M08641 P PANAMA CITY, FL	10/24/03				X	X							
PHUC HUONG 21607 M21607 P SAN JOSE, CA	11/15/02		12/6/02	1/31/03	X	X							
PREMIERE BRAND MEATS 17620 M17620 P MCKINLEYVILLE, CA			5/15/03	5/20/03					X				

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
PURSLow ENTERPRISES INC. 18003 P HANCOCK, ME	10/22/03	12/2/03				X							
RCG FOODS OF TEXAS, INC. 13533 M13533 P EL PASO, TX	5/27/03	6/4/03				X							
REMER MEAT CO 20521 M20521 P CLINTON, MO	8/22/03	8/28/03				X							
RHOTEN WHOLESALE MEAT CO., INC. 05744 M OMAHA, NE	7/21/03	7/25/03				X						12/18/03	
RIGGS QUALITY MEAT INC 10183 M10183 P MARSHALL, MI	9/2/03				X	X							
RIO TEX WHOLESALE MEAT PROCESSING 13545 M13545 P MERCEDDES, TX	10/29/03	11/6/03			X	X							
ROBERSONVILLE PACKING CO 22064 M22064 P ROBERSONVILLE, NC	9/12/03	9/24/03				X						11/19/03	
ROBERT'S PACKING CO 02502 M02502 P CHICAGO, IL	9/5/03		9/12/03	9/18/03		X							
SADDLE MOUNTAIN MEAT LLC 04993 M04993 P HUBBARD, OR	11/10/03	11/20/03			X	X	X						
SAMUEL J. FORTENBERRY 08736 M08736 P LOCKNEY, TX	10/22/03	10/29/03				X				X			Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
SARDINHA SAUSAGE INC 17995 M17995 P FALL RIVER, MA	10/10/03		12/18/03			X							On 12/30/03, plant appealed the suspension. Appeal was denied 12/31/03. On 12/24/03, the firm requested a hearing.

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
SCHALLER'S PACKERS INC 09955 M09955 P BRIDGEWATER, NY	12/31/03				X	X							
SCHWARTZ MEAT COMPANY 01961 M02961 P NORMAN, OK	1/16/03	1/29/03			X								
SELWOOD FARMS INC. 07316 M07316 P ALPINE, AL	11/13/03	11/26/03				X							
SHUSTER NORTH INC 13299 M13299 P LINCOLN, NE	10/8/03	10/27/03			X	X							
SPAGEL BROTHERS, INC.; d/b/a STANGANELLI'S ITALIAN 20380 M ERIE, PA	12/10/03				X	X							
STAR PACKING CO., INC. 02934 M ST. LOUIS, MO			1/8/03	1/10/03	X	X							
SUGARLOAF MARKET, INC. 10652 M10652 P HEBER SPRINGS, AR	8/27/03	9/4/03				X							
SUN HUNG MAY INC 04287 M04287 P BROOKLYN, NY	10/17/03	12/3/03				X							
SUN SAUSAGE COMPANY 19722 M FLAGSTAFF, AZ	11/4/02		2/24/03	3/5/03		X							
SWISS FOODS INC 06432 M06432 P DENVER, CO	11/6/03	12/4/03			X	X							
T HO FOODS 19522 M19522 P POWELL, TN	7/8/03	7/17/03			X	X						11/19/03	

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions	
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW		
TASE-RITE CO INC 09495 M09495 P PEACE DALE, RI	10/16/03					X								
TASTY CATERING 11151 M11151 P HIALEAH, FL	10/2/03	11/3/03			X	X						12/15/03		
TASTY FOODS PLACE, INC. 11207 M11207 P HIALEAH, FL			9/16/03	10/3/03	X									
TAYLOR SAUSAGE CO 02392M ST. LOUIS, MO	9/8/03	9/17/03				X								
THE BAYOU CO. 20726 M TARPON SPRINGS, FL	6/25/03		7/7/03		X	X								
THE BUTCHER BLOCK INC. 05653 M INDIANOLA, NE	10/4/02	11/4/02			X	X				X				Plant failed to meet regulatory requirements for Escherichia coli Biotype 1 (E. coli).
THE SMOKE HOUSE 04223 M04223 P DETROIT, MI	9/17/03				X	X								
THREE STAR PROVISION COMPANY INC 04500 M04500 P SOUTH OZONE PARK, NY	10/10/03		11/24/03	12/8/03		X								
TRINH COMPANY 06488 M06488 P SAN JOSE, CA	2/18/03		2/28/03	4/21/03		X								
TRIPLE T COUNTRY MEATS 21011W M21011W P WELLSBURG, IA	9/15/03	9/22/03				X								
TRIPLE T SPECIALTY MEATS 21011 M21011 P ACKLEY, IA			12/11/03	12/15/03		X								

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
TRIPLE T SPECIALTY MEATS 21011 M21011 P ACKLEY, IA	12/15/03	12/19/03				X							
TRI-WESTERN MEAT PACKING, INC. 00899 M00899 P TOLLESON, AZ	8/4/03	8/21/03			X	X							
TUV TAAM CORP. 19188 M19188 P BROOKLYN, NY	10/21/03					X					10/30/03		
TWIN LOUPS QUALITY MEATS 05729 M05729 P ST. PAUL, NE			10/10/03	10/21/03		X							
	10/15/03	10/24/03				X							
TYLER PACKING CO., INC. 02211 M02211 P TYLER, TX	12/12/03	12/19/03			X	X							
UNITED MEAT PRODUCTION, INC. 13583 M13583 P WASHINGTON, OK	3/29/03	4/10/03			X	X							
UNIVERSITY OF ARKANSAS RED MEAT RESEARCH ABATTOIR 10600 M10600 P FAYETTEVILLE, AR	9/19/03	10/16/03			X	X	X						
V & V ENTERPRISES INC 15797 M15797 P WARREN, OH	10/10/03	11/3/03				X						12/29/03	
VALLET MEATS 15868 M DUBUQUE, IA			8/21/03	8/22/03	X								

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Administrative Actions Pending or Taken at Very Small HACCP Plants [includes actions initiated in prior quarters]

Establishment/ Estab. Number Location	NOIE	Deferral	Suspension In Effect	Suspension in Abeyance	Basis for Action						Closure		Appeals and Actions
					SSOP	HACCP	SPS	INH	INT	Other	LOI	LOW	
VALLET MEATS 15868 M DUBUQUE, IA	8/22/03	8/29/03				X							
VALLEY BEEF, INC 27440M WENDELL, ID	9/8/03	10/3/03			X	X	X						
W. A. BEAN & SONS INC 09849 M09849 P BANGOR, ME	10/7/03	12/10/03				X							
WATER LILIES FOOD INC 21465 M21465 P BROOKLYN, NY	10/8/03					X					10/29/03		
WILLIAMS AND SON'S MEATS 07323 M07323 P SPARKS, GA	11/28/03					X						12/11/03	
WRIGHT CITY MEAT CO. INC. 08699 M08699 P WRIGHT CITY, MO	2/11/03	2/24/03			X	X							

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Formal Adjudicatory Actions for Food Safety

Under the statutes it administers, FSIS can, in appropriate cases, move to withdraw grants of federal inspection from plants and plant owners based on the failure of a recipient of inspection service to meet critical sanitation and food safety regulatory requirements [e.g., Sanitation Standard Operating Procedures (SSOP) or Hazard Analysis and Critical Control Point (HACCP) system regulations] necessary to protect the public health. In some situations, FSIS also can seek to deny inspection service to an applicant for failure to meet certain food safety regulatory requirements. These actions are taken in accordance with the FSIS Rules of Practice (9 CFR Part 500) and Department regulations governing formal adjudicatory proceedings (7 CFR Part 1, Subpart H). Plants and plant owners are provided with the opportunity for a hearing before a federal administrative law judge. **Table 8** identifies refusal and withdrawal actions pending or taken (other than outstanding consent decisions) on this basis for this reporting period. There were two actions initiated this reporting period.

**Table 8. Food Safety Adjudicatory Actions
(10/01/03 to 12/31/03)**

Formal Adjudicatory Actions Pending or Taken for Food Safety [includes actions initiated in prior quarters]

Establishment	Complaint to Deny/Withdraw Inspection	Hearing	Consent Decision	Action Summary
<p>HOMESTEAD GOURMET FOODS COMPANY, INC. 09947 M 09947 P LINDEN, NJ</p>	<p>9/24/03</p>	<p>12/11/03</p>		<p>On September 24, 2003, FSIS filed a complaint to withdraw inspection based on alleged HACCP and SSOP noncompliance, insanitary conditions, repetitive environmental samples testing positive for <i>Listeria monocytogenes</i> and other food safety issues. On December 11, 2003, a USDA Administrative Law Judge denied the firm's request for reinstatement of inspection service. An expedited hearing is scheduled for February 10, 2004.</p>
<p>KAYSERI BASTERMA, INC. 01092 M POUGHKEEPSIE, NY</p>	<p>9/23/03</p>			<p>On September 23, 2003, FSIS filed a complaint to withdraw inspection based on alleged HACCP noncompliance issues, repetitive samples testing positive for <i>Listeria monocytogenes</i> and other food safety issues. Effective 12/31/03, the District Manager issued the firm's requested voluntary withdrawal.</p>
<p>LAGROU COLD STORAGE 00219 I 03197 M CHICAGO, IL</p>	<p>9/24/02</p>			<p>On September 24, 2002, FSIS filed a complaint to withdraw inspection based on the firm's alleged failure to operate and maintain its business in a manner sufficient to prevent the creation of insanitary conditions, and to ensure that meat and poultry products are not adulterated. Product remains under detention by USDA.</p>

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Withdrawal for Unfitness

Under the statutes it administers, FSIS also can move to withdraw inspection, after opportunity for a hearing, based on the unfitness of an applicant for or a recipient of inspection because of a felony conviction or more than one violation involving food. **Table 9** identifies actions pending or taken (other than outstanding consent decisions) on this basis for this reporting period. There were three unfitness actions initiated this reporting period.

**Table 9. Withdrawal for Unfitness
(10/01/03 to 12/31/03)**

Administrative Actions Pending or Taken for Unfitness [includes actions initiated in prior quarters]

Establishment	Complaint to Deny/Withdraw Inspection	Consent Order	Consent Decision	Action Summary
LAKEVIEW PACKING COMPANY, INC. 09166 M 09166 P LA GRANGE, NC	8/6/03			The complaint to withdraw inspection was based on the firm's conviction of conspiracy to violate the Clean Water Act for unlawful discharge of pollutants in waterways.
PHUC HUONG AND PHUC (PAUL) PHAM, OWNER 21607 M 21607 P SAN JOSE, CA	7/28/03		12/15/03	On December 15, 2003, the firm and Mr. Phuc (Paul) Pham entered into a Stipulation and Consent Decision and Order with FSIS. The Order is effective for four (4) years and stipulates among other things, that the firm shall maintain its HACCP and SSOP systems in accordance with regulatory requirements. The firm shall also implement a compliance program that will ensure that all inspected meat and/or poultry products do not become adulterated or misbranded and shall develop a corporate code or policy statement. The Consent Decision also prohibits the firm and Mr. Pham from violating any Federal, State or local laws. This action resulted from a responsibly connected individual's multiple misdemeanor convictions related to food products.
POINT CATERING, INC. d.b.a. RAINBOW CATERING GILBERTO D. BROCHE, PRES. 11207 M 11207 P HIALEAH, FL	11/10/03		11/14/03	On November 14, 2003, the firm and Mr. Gilberto O. Broche entered into a Stipulation and Consent Decision with FSIS. The Consent Decision is effective for three (3) years and contains several provisions which require the firm to implement and maintain HACCP and SSOP systems in accordance with regulatory requirements and the preparation of a corporate code or policy statement of conduct. The Consent Decision also prohibits the firm and Mr. Broche from violating any Federal, State or local laws. This action resulted from a conviction of the company's president involving grand theft and insurance fraud.
PLATINUM FOODS OF FLORIDA, INC. JOSEPH CANOSSA, SR., GM 21822 M LAUDERHILL, FL	10/29/03			The complaint to withdraw inspection was based on the responsibly connected individual's felony conviction.
VEBLEN PROTEIN INC. CLARK BEACH FIELD CLARKFIELD, MN	12/17/03			The complaint to deny inspection was based on the responsibly connected individual's multiple felony convictions.

Removing Custom Exempt Privilege

The meat and poultry laws exempt certain operations from inspection. Custom exempt businesses slaughter animals or process meat for owners of the animals or products. When insanitary conditions create health hazards, FSIS may remove custom exempt privileges and require the plant to cease operations until sanitary conditions are restored. FSIS can also take action when custom facilities fail to properly label product as "Not for Sale." These businesses have the opportunity to correct violations prior to such actions. Only new activities would be reflected in this report.

Table 10 lists one custom exempt action initiated this report period.

**Table 10. Custom Exempt Actions
(10/01/03 to 12/31/03)**

Administrative Actions Taken at Custom Exempt Facilities

Name	Location	Complaint	Consent	Action Summary
CRESCENT CUSTOM SLAUGHTER, INC.	SUMNER, WA	11/24/03		On November 24, 2003, a Notice of Ineligibility to conduct custom operations was issued to the firm.

CRIMINAL ACTIONS

If evidence is found that a person or business has engaged in violations of the Federal Meat Inspection Act, Poultry Products Inspection Act, or Egg Products Inspection Act, USDA may refer the case to the appropriate United States Attorney to pursue criminal prosecution. Conviction for a criminal offense can result in a fine, imprisonment, or both. **Table 11** lists criminal actions and criminal cases in categories according to the status of the case, which may be indictment or information issued; pleas, convictions, or acquittals, and sentences rendered during this reporting period.

**Table 11. Criminal Actions
(10/01/03 to 12/31/03)**

Criminal Actions

Name	Location	Indictment	Information	Plea	Sentencing	Action Summary
FORDCO FOODS COMPANY, INC. THOMAS L. FORD, PRES.	BAKERSFIELD, CA		10/14/03	10/14/03		On October 14, 2003, in the U.S. District Court, Eastern District of California, Mr. Thomas L. Ford pled guilty to two (2) misdemeanor counts for offering for transportation adulterated poultry products. Sentencing is scheduled for January 5, 2004.
GREG D. COCHRAN, OWNER (ARKANSAS TRUCK CENTER)	ALMA, AR			9/29/03	12/11/03	On December 11, 2003, in the U.S. District Court, Western District of Arkansas, Mr. Greg Cochran, Owner, Arkansas Truck Center, was sentenced on one (1) misdemeanor count for causing the transportation of adulterated meat products. Mr. Cochran was ordered to pay \$1,000 fine and \$25 in special assessment fees and placed on a one (1) year unsupervised probation period.
PALMETTO MOTEL, INC., D.B.A. ORANGEBURG SAUSAGE COMPANY TIMOTHY W. LEE, PRES.,	ORANGEBURG, SC	7/15/03		10/02/03		On October 2, 2003, in the U.S. District Court, District of South Carolina, the company pled guilty to one (1) charge for causing meat products to become adulterated. Sentencing is scheduled for a later date.
PETER SARANDOS JR., PRES., PETER SARANDOS SR., FORMER PRES., MARK RUSTEMEYER, STORE MGR., DAVID SARANDOS, MEAT MGR., DARREL HERRING, MEAT CUTTER (SHUR-SAV INC., AKA PETE'S SHUR-SAV.)	ST. LOUIS, MO		12/08/03	12/08/03		On December 8, 2003, in the U.S. District Court, Eastern District of Missouri, Mr. Mark Rustemeyer and Darrel Herring pled guilty to one (1) misdemeanor charge each for causing meat products to become adulterated. Mr. David Sarandos pled guilty to two (2), and Mr. Peter Sarandos, Sr. pled guilty to five (5) misdemeanor charges for preparing and causing meat products to become adulterated. In addition, Mr. Peter Sarandos, Jr., representing Shur-Sav Inc., pled guilty to two (2) misdemeanor charges for preparing and causing meat products to become adulterated. Sentencing is scheduled for February 26, 2004.
DANIEL CARTER, MGR., WARREN MCCARTY, MGR. (SHUR-SAV INC., AKA PETE'S SHUR-SAV.)	ST. LOUIS, MO	10/17/02		12/13/02	12/30/03	On December 30, 2003, in the U.S. District Court, Eastern District of Missouri, Mr. Daniel Carter was sentenced on two (2) misdemeanor counts and Mr. Warren McCarty was sentenced on one (1) misdemeanor count for violations to the FMIA. Both individuals were ordered to pay a \$125.00 assessment fee per count and placed on a one (1) year probation.
AMERICAN MEAT & SEAFOOD KRISTOPHER KLIMEK, PRES.	NAPLES, ME			10/08/03	11/26/03	On November 26, 2003, in the U.S. District Court, Northern District of Illinois, the company was sentenced on one (1) misdemeanor count for the intent to defraud and distribute adulterated meat products. The company was also ordered to pay an \$8,000 fine and \$125 in special assessment fees.

PRE-TRIAL DIVERSION AGREEMENTS

In certain situations, United States Attorneys may enter into Pre-Trial Diversion (PTD) agreements. Under these agreements, the government agrees not to proceed with criminal prosecution if the alleged violator meets certain terms and conditions. The terms and conditions of a PTD are tailored to fit each individual case. FSIS frequently monitors these agreements so that it can assist the U. S. Attorneys in determining whether prosecution should be re-instituted. If the divertee successfully completes the program, no criminal charges are filed. If, on the other hand, the divertee does not successfully complete the program, criminal charges may be reinstated. There were two pre-trial diversion agreements this quarter. The agreements involved two meat and poultry firms in the Southeastern United States. A managing official at each firm was cited for apparent violations to the FMIA involving adulterated products. The managing official at each of the firms entered into an 18-month pre-trial diversion agreement. The managing official at one firm was ordered to perform fifty (50) hours of community service. The other managing official was ordered to pay a \$3,000 fine in addition to special assessment fees.

CIVIL ACTIONS

FSIS also has authority to seek a variety of civil actions in Federal Court.

Seizures

When FSIS has reason to believe distributed products are adulterated or misbranded, the Agency will, through the U.S. Attorney, institute a seizure action against the product. The product is held pending an adjudication of its status. If the court finds that the product is adulterated or misbranded, it will condemn the product. Condemned product cannot be further processed to be used for human food. One action was initiated by FSIS during this reporting period.

**Table 12. Seizure Actions
(10/01/03 to 12/31/03)**

Name	Location	Complaint	Seizures	Action Summary
SEDER FOODS CORP.	PALMER, MA	8/26/03	10/10/03	On October 10, 2003, USDA officials seized 7,164 pounds of meat product and 21,360 pounds of poultry product which was misbranded and imported from Canada without an application for importation, presentation for import inspection, or the accompaniment of health certificates. On August 26, 2003, the United States filed a complaint against the product based on USDA officials' findings.
ROYAL WHOLESALE GROCERIES	JERSEY CITY, NJ	9/8/03		On December 5, 2003, the U.S. District Court of New Jersey filed a motion for default judgment and final order of forfeiture in this matter. On September 8, 2003, the United States filed a complaint against the product. The complaint was filed based on USDA officials finding 14,379 pounds, more or less, of meat product packed in cases holding misbranded containers imported from Canada without an application for importation, presentation for import inspection, or the accompaniment of health certificates.

Injunctions

FSIS, through the U.S. Attorney, may request a U.S. District Court to enjoin repetitive violators of the FMIA, PPIA, or EPIA. The Agency seeks injunctions to stop uninspected retail stores from processing products without required inspection for wholesale business or to prevent or restrain other violations of law. There was one injunction reported for the period.

**Table 13. Civil Actions
(10/01/03 to 12/31/03)**

Name	Location	Complaint	Injunction	Action Summary
JACOB'S WORLD FAMOUS ANDOUILLE AARON S. LIONS, OWNER	LA PLACE, LA	10/29/03		On October 29, 2003, in the U.S. District Court, Eastern District of Louisiana, a complaint was filed to permanently enjoin Mr. Aaron S. Lions and Jacob's World Famous Andouille from violating the FMIA and PPIA.

False Claims Act Violations

The Department of Justice Affirmative Civil Enforcement (ACE) program is used by U.S. Attorneys to recover damages when a violation of law involves fraud against the Federal government. Under the False Claims Act, the government may recover three times its estimated losses. FSIS typically seeks action under this program for cases involving products, not in compliance, sold to the military, to public schools engaged in the school lunch program, or to other Federal institutions. There are no ACE program actions reported for this period.

FOR MORE INFORMATION:

Media Inquiries: (202) 720-9113
Freedom of Information Act Requests: (202) 720-2109
Congressional Inquiries: (202) 720-3897
Constituent Inquiries: (202) 720-9113

Consumer Inquiries: Call USDA's Meat and Poultry Hotline at
1-888-MPHotline (1-888-674-6854), 10 a.m. to 4 p.m., Eastern Time
1-800-256-7072 (TTY)

FSIS Web site: www.fsis.usda.gov