

ADMINISTRATIVE ACTIONS (Continued)

**Table 12. Food Safety Adjudicatory Actions
(10/01/07 to 12/31/07)**

Establishment	Administrative Complaint	Hearing	Consent Order	Decision and Order	Action Summary
STAGNO'S MEAT COMPANY 02875 M MODESTO, CA	09/12/07		11/16/07		On November 16, 2007, the firm entered into a Consent Decision (Order) with FSIS to settle an administrative public health withdrawal action. The Order requires strict measures, including revised food safety plans, changes in management structure, prevention of intimidation against FSIS personnel, ongoing audits, training and recordkeeping, to ensure compliance with FSIS statutory and regulatory requirements. Previously, on September 12, 2007, FSIS filed a complaint to withdraw inspection service based on the firm's failure to remove, segregate and dispose of Specified Risk Materials (SRMs), as prescribed in 9 C.F.R. 310.22, to maintain effective Hazard Analysis and Critical Control Point, and Sanitation Standard Operating Procedures (SSOP) in accordance with the requirements of 9 C.F.R. Parts 416 and 417, and failure to implement food safety system controls to ensure production of wholesome unadulterated meat products.
SCALA PACKING COMPANY, INC. (SCALA) 01731 M CHICAGO, IL	10/02/07				On October 02, 2007, FSIS filed a complaint to withdraw inspection service based on the firm's failure to implement and maintain its Hazard Analysis Critical Control Point (HACCP) system, Sanitation Standard Operation Procedures (SSOP), and a <i>Listeria monocytogenes (Lm)</i> Sampling Program in accordance with the requirements of 9 C.F.R. Parts 416, 417, and 430, and failure to prevent production of adulterated meat products.

**Table 13. Withdrawal for Unfitness
(10/01/07 to 12/31/07)**

There were no unfitness actions initiated this reporting period.

**Table 14. Exempt Actions
(10/01/07 to 12/31/07)**

Name	Complaint	Consent Agreement	Decision and Order	Action Summary
BANCROFT MEAT PROCESSORS, INC. HOWARD PETERSEN, OWNER BANCROFT, NE	07/24/07			On July 24, 2007, FSIS summarily terminated custom exempt privileges at the firm based on its continued failure to comply with statutory and regulatory requirements and consent agreement terms requiring Bancroft to ensure that operations are conducted in a sanitary manner and that products are not adulterated.
CARROLL L. SCHISLER, SR. AND CARROLL L. SCHISLER, JR. NEW WINDSOR, MD	04/21/06			On April 20, 2006, a Notice of Ineligibility to conduct custom exempt operations was issued to the firm. A pending administrative hearing is unscheduled at this time.
M.U.S.A. SLAUGHTERHOUSES, INC. MUSA M. SIMREEM, PRESIDENT NEW YORK, NEW YORK	09/05/07		12/11/07	On December 11, 2007, the firm entered into a Stipulation and Consent Agreement with FSIS. The Agreement requires, among other things, compliance with sanitation performance standards, SSOP, specified risk material removal procedures, humane handling and slaughter procedures and training for managers and employees. The Agreement is effective for two (2) years.

[FSIS Adjudications](#)

CRIMINAL ACTIONS

**Table 15. Criminal Actions
(10/01/07 to 12/31/07)**

Name	Indictment	Information	Plea	Sentencing	Action Summary
AMERICAN DISPATCH, INC. PITTSBURGH, PA	10/09/07				On October 9, 2007, the United States District Court for the Western District of Pennsylvania indicted American Dispatch, Inc., on one (1) felony count for transporting, selling and offering for sale approximately 2,814 pounds of meat and meat food products into commerce, that were contaminated by a putrid substance, and were unwholesome, unfit for human food, and adulterated, as defined in Title 21, United States Code Section 601(m) (3).
ANSTINE ENTERPRISES, INC. dba KINGSVILLE HOG MARKET AND RICK D. ANSTINE, AND QUEEN'S MARKET, LLC AND KIM HUE HUYNH AND NHAN PHU PHAM KANSAS CITY, MO	08/24/06		08/7/07	12/06/07	On December 6, 2007, the United States Court for the Western District of Missouri sentenced Rick D. Anstine, Owner, Anstine Enterprises, Inc., and Kim Huynh and Nham Pham, Owners, Queen's Market, LLC, for selling to the general public thousands of pounds of meat that had not been federally inspected. Anstine, Huynh and Pham were each sentenced to one (1) year probation after pleading guilty to aiding and abetting the misbranding of food. Queen's Market was ordered to pay a \$2,000 fine following its guilty plea. On August 7, 2007, the court also ordered Anstine Enterprises to pay a \$10,000 fine following its guilty plea.
JACK MCCLANAHAN OMAHA, NE	10/17/07		12/18/07		On December 18, 2007, in the United States District Court for the District of Nebraska, Mr. Jack McClanahan, a custom slaughter operator and processor of meat products, entered into a three (3) count misdemeanor plea agreement for preparing and selling adulterated meat products in commerce and for failing to mark custom product "NOT FOR SALE." The agreement stipulates that Mr. McClanahan will pay a \$10,000 fine and refrain from engaging in any custom slaughter, retail, sale or purchase of livestock, and refrain from rendering operation of service including Federally inspected or commercial services. Mr. McClanahan also agrees to forfeit all equipment that was seized from his firm. Previously, on October 17, 2007, the United States District Court for the District of Nebraska indicted Mr. McClanahan on ten (10) counts for violations of the Federal Meat Inspection Act and illegally poaching and taking wildlife in violation of the Lacey Act. The indictment alleges that Mr. McClanahan knowingly prepared, transported, sold, and offered for sale, meat and meat food products in commerce, which were capable of use as human food, and which were adulterated, as defined in Title 21, United States Code Section 601(m)(3) and 601(m)(4).
TIMOTHY DELONG ATLANTIS FOODS, INC. 22044 M 22044 P LANTANA, FL			11/09/07	11/09/07	November 9, 2007, the United States District Court, Southern District of Florida, sentenced Mr. Timothy DeLong, President, Atlantis Foods, Inc., to fifteen (15) months in prison following his plea of guilty to two (2) felony counts of engaging in a scheme to defraud consumers through the sale of adulterated food products. The judgment also requires Mr. DeLong to pay \$200,000 restitution and a \$5,000 fine.

**Table 16. Pre-Trial Diversion Agreements
(10/01/07 to 12/31/07)**

There were no Pre-Trial Diversion agreements initiated during this reporting period.

CIVIL ACTIONS

**Table 17. Seizure Actions
(10/01/07 to 12/31/07)**

There were no seizure actions initiated during this reporting period.

**Table 18. Civil Actions
(10/01/07 to 12/31/07)**

There were no injunctions initiated during this reporting period.

**Table 19. ACE, False Claims and Other Actions
(10/01/07 to 12/31/07)**

There were no Affirmative Civil Enforcement (ACE) case, False Claims Act, or other actions initiated during this reporting period.