

**UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
QUARTERLY REGULATORY AND ENFORCEMENT REPORT
July 1, 2001 through September 30, 2001**

EXECUTIVE SUMMARY

This is the Food Safety and Inspection Service's (FSIS) Quarterly Regulatory and Enforcement Report. The report provides a summary of the regulatory and enforcement actions, including those under the Pathogen Reduction/HACCP regulations, FSIS has taken to ensure that products that reach consumers are safe, wholesome, and properly labeled. Although this report focuses on regulatory and 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.

FSIS inspects products produced in over 6,000 meat, poultry, and egg product plants. Since January 1998, approximately 300 large plants (those employing 500 or more employees) have been operating Pathogen Reduction/HACCP Systems with FSIS regulatory oversight. On January 25, 1999, approximately 2,300 small plants (those employing 10 or more, but fewer than 500 employees) began Pathogen Reduction/HACCP implementation. On January 25, 2000, approximately 3,400 very small plants (those employing fewer than 10 employees or with annual sales of less than \$2.5 million) began Pathogen Reduction/HACCP implementation.

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 REPORTS 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 to when 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](#)" which can be accessed at: <http://www.fsis.usda.gov/oa/pubs/eggprod.htm>.) This regulatory oversight generally reflects compliance by the large majority of businesses. However, if FSIS detects problems at any step along the way, it can use a number of product control and enforcement measures to protect consumers.

USDA has traditionally focused much of its effort on the plants that slaughter food animals and process products. USDA ensures that products at these establishments are produced in a sanitary environment in which inspectors or plant employees identify and eliminate potential food safety hazards. 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 Compliance Officers throughout the chain of distribution to detect and detain potentially hazardous foods in commerce to prevent their consumption and to investigate violations of law. Even if products are produced under conditions that are safe and sanitary, abuse on the way to the consumer, for example, if transported in trucks that are too warm or if exposed to contamination, 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.

In January 1997, FSIS began implementing new requirements in plants that produce meat and poultry. New regulations, entitled "Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems," require that federally inspected meat and poultry plants: (1) develop and implement a preventive HACCP plan; (2) develop and implement Sanitation Standard Operating Procedures (SSOP's); (3) collect and analyze samples for the presence of generic *E. coli*, and record results; and (4) meet *Salmonella* performance standard requirements. These new requirements are designed to help target and reduce foodborne pathogens.

This report provides a summary of the regulatory and enforcement actions 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 REPORTS AND APPEALS

FSIS inspection program personnel perform thousands of inspection tasks and 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 by a written Noncompliance Report (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, 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 deficiencies occur repeatedly or when the plant fails to prevent adulterated product from being shipped, FSIS takes action to control products and may take an action to withhold or suspend inspection.

During this quarterly reporting period, FSIS performed 1,479,136 inspection tasks.

Table 1a provides numbers of NRs issued by FSIS inspection personnel between July 1, 2001 to September 30, 2001. **Table 1b** shows the number of appeals and the dispositions of the appeals filed by plants during this reporting period.

Table 1a. Noncompliance Report Totals

NR Totals

NRs Issued (07/01/01 to 09/30/01): **36,639**

Table 1b. Appeals NRs (07/01/01 to 09/30/01)

Number of Plants Filing Appeals: 102

Appeal of NR Granted	Appeal of NR Denied	Appeal of NR Pending	Total NRs Appealed
85	120	94	299

(Total exceeds 102 because some plants filed multiple appeals.)

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 for livestock for the reporting period are as follows: FSIS inspected 28,310,381 livestock carcasses, of which 68,533 carcasses were condemned. FSIS inspected 1,725,210,795 poultry carcasses of which 10,216,076 carcasses were condemned.

Detentions

After products are distributed from plants, FSIS Compliance Officers detain any that may be adulterated or misbranded. FSIS then has 20 days to request a Federal court to seize the product (see Civil Actions). **Table 2** provides the number of detentions and the pounds of product involved in these actions for meat and poultry, reported in total and by FSIS District Offices, for this quarterly reporting period. Most detentions result in voluntary disposal of the product and do not require court seizures.

**Table 2. Detention Summary
(07/01/01 to 09/30/01)**

Detentions

Total number of detentions by FSIS	124	
Total pounds of product detained	1,578,272	
District	Detentions	Pounds Detained
ALAMEDA, CA	17	130,099
ALBANY, NY	15	129,462
ATLANTA, GA	9	229,188
BELTSVILLE, MD	10	638
BOULDER, CO	2	90
CHICAGO, IL	5	325,414
DALLAS, TX	17	282,078
DES MOINES, IA	9	179,601
JACKSON, MS	5	156,502
LAWRENCE, KS	5	10,708
MADISON, WI	7	85,241
MINNEAPOLIS, MN	1	12
PHILADELPHIA, PA	3	47,066
PICKERINGTON, OH	2	484
RALEIGH, NC	1	72
SALEM, OR	10	1,182
SPRINGDALE, AR	6	435
Totals	124	1,578,272

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 when there is a reasonable possibility that the use of the product will cause serious adverse health consequences or death. Class II recalls involve a health hazard when there is a remote probability of adverse health consequences from use of the product. Class III recalls involves 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](http://www.fsis.usda.gov/oa/recalls/rec_intr.htm) web page at: http://www.fsis.usda.gov/oa/recalls/rec_intr.htm.

Import Inspections

FSIS maintains a comprehensive system of import controls to carry out the requirements of the Federal meat, poultry, and egg products inspection laws to ensure the wholesomeness of imported products. The system of import controls involves two major components: oversight and reinspection. FSIS conducts a rigorous review of an exporting country's controls to ensure they are equivalent to those of the United States, prior to the country's eligibility to export to the United States. Reinspection of meat, poultry and egg products that enter the U.S. is based on statistical sampling and verifies the country's inspection system is working. A product that fails to meet U.S. requirements is refused entry into this country. The product must be re-exported, destroyed or, in some cases, converted to animal food. **Table 3** provides the total number of presented lots and pounds of imported meat, poultry, and egg products presented, reinspected, and refused entry during the reporting period.

**Table 3. Imported Meat, Poultry and Egg Products
(07/01/01 to 09/30/01)**

Presented, Reinspected, and Refused Entry

Meat and Poultry

Number of Presented		Number of Reinspected		Number of Refused Entry	
Lots	Pounds	Lots	Pounds	Lots	Pounds
47,041	1,019,417,401	7,687	179,173,979	3,224	1,869,122

Egg Products

Number of Presented		Number of Refused Entry	
Lots	Pounds	Lots	Pounds
150	2,689,834	0	0

LETTERS OF WARNING

FSIS issues letters of warning (LOW) 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. Letters 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 letters of warning issued by headquarters and by each of the FSIS District Offices during the reporting period.

**Table 4. Letters of Warning for Criminal Actions
(07/01/01 to 09/30/01)**

Letters of Warning for Criminal Violations

Total number of LOWs issued for violations:	360
Number issued by Headquarters:	9
District	Number of LOWs Issued by Districts
ALAMEDA, CA	29
ALBANY, NY	60
ATLANTA, GA	47
BELTSVILLE, MD	26
BOULDER, CO	23
CHICAGO, IL	28
DALLAS, TX	8
DES MOINES, IA	12
JACKSON, MS	11
LAWRENCE, KS	4
MADISON, WI	11
MINNEAPOLIS, MN	8
PHILADELPHIA, PA	21
PICKERINGTON, OH	21
RALEIGH, NC	1
SALEM, OR	34
SPRINGDALE, AR	7
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Total number issued by Districts	351

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 crucial 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, the Inspector-in-Charge notifies 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 present a corrective action plan to bring the plant sanitation or process control systems into compliance. As with withholding actions, a suspension shuts down all or part of the plant's operations. USDA may defer a decision or place a 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, and the establishment has failed to implement corrective and preventive measures to prevent a system inadequacy. The “Notice” informs the establishment that the nature and scope of the noncompliance indicates that their HACCP system is inadequate and, that FSIS intends to withhold the marks of inspection and suspend the assignment inspectors. The “Notice” explains the basis and references documentation for the intended enforcement action, and provides the establishment an opportunity to demonstrate why a system inadequacy determination should not be made or that the plant has achieved regulatory compliance.

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 are often 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:

- insanitary conditions,
- inhumane 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 slaughter. 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. During this period, activity is reported concerning 176 plants. Sixty-three of the actions in these plants were initiated during this reporting period. Seventy-two actions were closed by letter of warnings 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. No appeals of suspension actions were filed and acted on during this period.

With regards to suspensions taken at very small HACCP plants, some very small plants failed to fully meet basic regulatory requirements for HACCP implementation in January 2000 but had demonstrated positive efforts to do so. Given their effort to comply with the regulations, FSIS allowed certain plants to complete HACCP implementation, and held the suspension in abeyance. Generally, the abeyance period provided to most of these very small plants that failed to meet basic HACCP requirements was for a 180 day period. **Table 7** identifies suspensions initiated at very small plants including failures to meet basic HACCP requirements.

**Table 5. Administrative Actions: Large HACCP Plants
(07/01/01 to 09/30/01)**

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
CARGILL TURKEY PRODUCTS INC. 13289/P-963 SPRINGDALE, AR						X		On 06/18/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
CONAGRA BEEF INC. 3D DUMAS, TX		6/16/00	6/19/00			X		On 09/27/01, suspension case closed with a letter of warning. Plant previously received a notice of intended enforcement.
CONAGRA BROILER CO. P-7016 EL DORADO, AR			6/6/01		X	X		Remains in abeyance. Plant previously received a notice of intended enforcement.
		8/22/01	8/24/01		X	X		Remains in abeyance. On 08/22/01, suspension was reinstated.
CONAGRA FROZEN FOODS 7131/P-7131 BATESVILLE, AR			2/9/01			X		On 08/30/01, suspension case closed with a letter of warning. Plant previously received a notice of intended enforcement.
CONAGRA POULTRY CO. P-855 ATHENS, GA						X		On 07/23/01, closed with a letter of warning. Plant previously received a notice of intended enforcement.
CONAGRA POULTRY CO 5787/P-5787 NATCHITOCHEs, LA						X		On 07/12/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
CONAGRA POULTRY CO. P-13485 FARMERVILLE, LA			5/30/01			X		On 08/21/01, suspension case closed with a letter of warning. Plant previously received a notice of intended enforcement.
EXCEL CORP 86H PLAINVIEW, TX						X		On 7/30/01, plant received a notice of intended enforcement.
EXCEL CORP. 86R FORT MORGAN, CO						X		On 09/27/01, closed with a letter of information. Plant previously received a notice of intended enforcement.
GWALTNEY OF SMITHFIELD INC. 221A SMITHFIELD, VA					X			On 09/10/01, closed with a letter of information. Plant previously received a notice of intended enforcement.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
IBP INC. 9268 PASCO, WA						X		On 04/20/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
IBP, INC. 2441 LOGANSPOUT, IN						X		On 07/20/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
LONGMONT FOODS, INC. P-552 LONGMONT, CO			8/2/01			X		Remains in abeyance. Plant previously received a notice of intended enforcement.
NEW MARKET POULTRY PRODUCTS INC. P-4602A NEW MARKET, VA						X		On 06/21/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
O K FOODS INC. 13089/P-165 FT SMITH, AR			4/27/01			X		On 09/12/01, suspension case closed with a letter of warning. Plant previously received a notice of intended enforcement.
PILGRIMS PRIDE CORP. P-199 STANLEY, VA						X		On 09/13/01, closed with a letter of information. Plant previously received a notice of intended enforcement.
TOWNSEND'S, INC. P-290 SILER CITY, NC		9/11/01	9/12/01			X		Remains in abeyance.
TYSON FOODS, INC. P-5842 SPRINGDALE, AR						X		On 9/24/01, plant received a notice of intended enforcement.
TYSON FOODS INC. P-146 GLEN ALLEN, VA		8/24/01	8/27/01		X	X		Remains in abeyance. On 7/16/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
TYSON FOODS, INC. P-112 GREEN FOREST, AR					X	X		On 08/09/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
TYSON'S FOOD, INC. 7221/P-7221 ROGERS, AR		3/8/01	3/14/01			X		On 08/21/01, suspension case closed with a letter of warning. Plant previously received a notice of intended enforcement.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeyance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
TYSON'S FOODS, INC. P-477 BUENA VISTA, GA					X			On 09/18/01, closed with a letter of information. Plant previously received a notice of intended enforcement.

Table 6. Administrative Actions: **Small HACCP Plants
(07/01/01 to 09/30/01)**

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeyance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
A&O PROVISIONS 4085 BROOKLYN, NY	6/15/99	6/15/99	6/18/99			X		On 08/22/01, suspension case closed by letter of warning.
ABBYLAND PORK PACK, INC. 15896 CURTISS, WI		9/10/01	9/10/01				X	Remains in abeyance. Suspension taken for inhumane slaughter of livestock.
AGRIPROCESSORS INC. 4653A/P-4553A POSTVILLE, IA			11/27/00			X		Remains in abeyance. Plant previously received a notice of intended enforcement.
BAR-S FOODS CO. 471/P-471 CLINTON, OK			5/23/01		X	X		Remains in abeyance. Plant previously received a notice of intended enforcement.
BROCCO FOODS INC. 18838/P-18838 NEW YORK MILLS, NY			9/7/00			X		Remains in abeyance. Plant previously received a notice of intended enforcement.
			3/2/01		X			Remains in abeyance. Plant previously received a notice of intended enforcement.
BROOKWOOD FARMS, INC. 1740 SILER CITY, NC		7/31/01	8/9/01			X		Remains in abeyance.
BROTHER AND SISTER FOOD TRADING 21214/P-21214 BAYONNE, NJ			9/7/00		X	X		Remains in abeyance. Plant previously received a notice of intended enforcement.
CHIAPPETTI WHOLESALE MEAT CO. 916 CHICAGO, IL		4/6/01	4/10/01			X		Remains in abeyance.
CONAGRA POULTRY CO. INC. 5671/P-5671 LUFKIN, TX					X			On 08/07/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
CORFU FOODS, INC. 1614/P-15820 BENSENVILLE, IL		5/21/01	6/18/01		X			Remains in abeyance.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
CORFU FOODS, INC. 1614/P-15820 BENSENVILLE, IL						X		On 06/19/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
DAKOTA PREMIUM FOODS LLC 357 SOUTH ST. PAUL, MN		8/1/00	8/3/00			X		On 08/23/01, suspension case closed by letter of warning.
DB FOODS 1389G SPRINGDALE, AR		7/20/01					X	On 07/26/01, suspension case closed by letter of warning. Suspension taken for failure to implement procedures for proper segregation and re-examination of liquid egg product.
DFG FOODS, LLC 5664/P-5664 CHICAGO, IL			6/6/01			X		Remains in abeyance. Plant previously received a notice of intended enforcement.
DUTCHMAN'S MEAT INC. 13263/P-13263 FREDERICKSBURG, TX		6/15/00	7/21/00			X		On 07/03/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
E. W. KNAUSS & SONS, INC. 795 QUAKERTOWN, PA		8/29/01	8/30/01		X			Remains in abeyance.
EDDY PACKING COMPANY 4800 YOAKUM, TX	3/30/00		3/31/00			X		On 07/11/01, suspension case closed by letter of warning.
EQUITY GROUP 7361/P-7361 REIDSVILLE, NC						X		On 07/03/01, closed by letter of information. Plant previously received a notice of intended enforcement.
FLYING FOOD GROUP 18354/P-18354 CHICAGO, IL		5/1/01	5/2/01		X			On 09/07/01, suspension case closed by letter of warning.
		9/12/01	9/14/01			X		Remains in abeyance.
GENERAL AMERICAN FOODS MANUF. 7721/P-7721 CHATSWORTH, CA						X		On 07/18/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
GOLDEN STATE 9167 CONYERS, GA						X		On 07/27/99, enforcement action was deferred. Plant previously received a notice of intended enforcement.
H & B PACKING COMPANY INC. 13054 WACO, TX			2/2/00			X		On 07/19/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
HENNINGSEN FOODS, INC. 5808/P-5808 RAVENNA, NE			4/4/01			X		Remains in abeyance. Plant previously received a notice of intended enforcement.
HOUSE OF RAEFORD FARMS P-19865 ARCADIA, LA			6/6/01		X	X		Remains in abeyance. Plant previously received a notice of intended enforcement.
		7/31/01	8/2/01		X	X		Remains in abeyance. On 07/31/01, suspension was reinstated.
HOUSE OF RAEFORD FARMS INC. 1234/P-1234 ATHENS, MI	1/28/00	1/28/00	2/7/00			X		Remains in abeyance.
J. T. M. PROVISIONS CO. 1917 HARRISON, OH					X			On 09/04/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
LITTLE LADY FOODS, INC. 15815/P-15815 ELK GROVE VILLAGE, IL			5/24/01			X		On 09/04/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
MARATHON ENTERPRISES 8854 BRONX, NY			3/4/99			X		Remains in abeyance. Plant previously received a notice of intended enforcement.
MAS FOOD, INC. 9211/P-9211 VERNON, CA	2/27/01		3/1/01		X			Remains in abeyance.
		7/10/01	7/20/01			X		Remains in abeyance. Plant previously received a notice of intended enforcement.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeyance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
MILLARD REFRIGERATED SERVICES 3338 IOWA CITY, IA						X		On 06/04/01, plant received a notice of intended enforcement.
MORONI FEED COMPANY 751/P-1049A SALINA, UT						X		On 07/27/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
MORRIS MEAT PACKING 18229 MORRIS, IL		5/1/01	5/10/01		X	X		Remains in abeyance.
MOTZ POULTRY COMPANY P-2045 BATAVIA, OH					X			On 09/24/01, plant received a notice of intended enforcement.
MRS CROCKETT'S KITCHENS INC. 4810/P-4810 FORT WORTH, TX			6/27/00			X		On 07/17/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
NEW HORIZONS MEATS 142 CINCINNATI, OH		9/4/01	9/7/01			X		Remains in abeyance. On 08/17/01 enforcement action was deferred. Plant previously received a notice of intended enforcement.
NEW ON SANG POULTRY CO INC. P-9885 SAN FRANCISCO, CA	4/15/99		4/16/99		X			On 07/24/01, suspension case closed by letter of warning.
			10/26/00			X		On 09/20/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
NICHOLAS PACKING CO. 4465 LOGANTON, PA			12/4/00			X		On 08/30/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
O'TASTY FOODS, INC. 19083/P-19083 CITY OF INDUSTRY, CA						X		On 07/10/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
OMAHA BEEF COMPANY INC. 2769/P-2769 DANBURY, CT			8/17/00		X	X		On 07/26/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeyance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
PALACE MEAT COMPANY 9880 FRESNO, CA							X	On 07/23/01, enforcement action was deferred. Plant previously received a notice of intended enforcement for other pathogen reduction issues.
PALAMA MEAT CO. 11077 KAPOLEI, HI					X	X		On 09/06/01, closed by letter of information. Plant previously received a notice of intended enforcement.
PARK AVENUE MEATS INC. 4016/P-4016 BRONX, NY		3/21/01	5/30/01		X			Remains in abeyance.
PHILADELPHIA FOODS, INC. 17561/P-17561 WESTVILLE, NJ	3/18/99	3/22/99	3/28/99		X	X	X	Remains in abeyance. Suspension was also based on intimidation of an FSIS employee.
RAYBERN FOODS INC. 6209 HAYWARD, CA						X		On 08/31/01, plant received a notice of intended enforcement.
REPUBLIC FOODS INC. 7216/P-7216 DALLAS, TX			11/3/00		X			On 07/11/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
ROMANUCCI'S ENTERPRISES 20152/P-20152 CICERO, IL		8/20/01	8/31/01		X			Remains in abeyance.
RYMER MEAT INC. 6972/P-6972 CHICAGO, IL						X		On 07/10/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
S WALLACE EDWARDS & SONS 1636 SURRY, VA			5/21/01		X	X		Remains in abeyance. Plant previously received a notice of intended enforcement.
		6/14/01	6/27/01		X	X		Remains in abeyance. On 06/14/01, suspension was reinstated.
STANLEY PROVISION CO. INC. 7896/P-7896 MANCHESTER, CT			3/12/01			X		Remains in abeyance. Plant previously received a notice of intended enforcement.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeyance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
WHITE PACKING COMPANY INC. 1246/P-1246 WILLIAMSTON, NC		6/23/00	12/27/00			X		On 12/27/00, FSIS notified plant that it could resume limited operations provided certain conditions were met. Previously, on 08/10/00, plant requested that FSIS delay proceedings to withdraw inspection. On 08/15/00, based on the plant's commitment to develop and implement revised food safety controls, FSIS granted the plant's request.
WINTERGARDEN QUALITY FOODS 9976/P-9976 ALLENTOWN, PA			11/22/00			X		Remains in abeyance. Plant previously received a notice of intended enforcement.
ZARTIC INC. 703A/P-7489 CEDARTOWN, GA					X			On 09/06/01, closed by letter of information. Plant previously received a notice of intended enforcement.

Table 7. Administrative Actions: **Very Small HACCP Plants
(07/01/01 to 09/30/01)**

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
A. SAUGY, INC. 9363 PROVIDENCE, RI		8/1/01	8/14/01		X			Remains in abeyance.
AA RUBASHKIN AND SONS INC. 4653/P-4653 BROOKLYN, NY			7/3/00			X		On 08/29/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
ACADEMY PACKING CO. INC. 2559/P-2559 DEARBORN, MI		7/19/01	7/30/01			X		Remains in abeyance.
ACOREANA MANUFACTURING CO INC. 6358 FALL RIVER, MA		5/24/00	5/26/00			X		On 07/26/01, suspension case closed by letter of warning.
AGY CORPORATION P-8757 MONGAUP VALLEY, NY		3/7/00	3/20/00			X		Remains in abeyance.
ALL AMERICAN MEATS INC. 20420 OMAHA, NE			9/28/00	X				On 07/13/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
APALACHIN MEATS INC. 4392/P-4392 APALACHIN, NY			11/27/00		X			Remains in abeyance. Plant previously received a notice of intended enforcement.
AUSSIE INTERNATIONAL FOODS 20740 NASHVILLE, TN		8/9/01	8/16/01			X		Remains in abeyance.
B. BARKS & SONS, INC. 1-183 PHILADELPHIA, PA		9/13/01	9/17/01		X			Remains in abeyance.
BALL PACKING INC. AND COLD STORAGE 19593/P-19593 IDAHO FALLS, ID			7/18/00			X		Remains in abeyance.
BAR 19 FOODS, INC. 20026 MC ALESTER, OK						X		On 09/12/01, closed by letter of warning. Plant previously received a notice of intended enforcement.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeyance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
BAY STATE CHOWDA CO. 18019/P-18019 LOWELL, MA			3/26/01			X		On 07/12/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
BELLE CUSTOM MEATS 21400 BELLE FOURCHE, SD		9/5/01				X		Remains in effect. Plant previously received a notice of intended enforcement.
BEST TOP QUALITY CORP. 21082 JERSEY CITY, NJ		12/15/00	4/11/01			X		Remains in abeyance.
BRISTOL BEEF 5998 BRISTOL, CT			8/15/00	X				Remains in abeyance. Plant previously received a notice of intended enforcement.
CABIN HOLLOW BUTCHER SHOP 9819 DILLSBURG, PA		6/28/01	7/3/01			X		Remains in abeyance.
CAJUN STUFF 20047/P-20047 HOUSTON, TX	11/17/99	11/22/99	11/14/00		X			Remains in abeyance.
CALIFORNIA POULTRY, INC. 18189/P-18189 LOS ANGELES, CA		8/9/01				X		Remains in effect.
CALMECO, INC. 4902 POMONA, CA		9/12/01	9/18/01				X	Remains in abeyance. Suspension taken for inhumane slaughter of livestock.
CARITAS RANCH BAR-B-Q, INC. 20207/P-20207 BOERNE, TX	5/3/01		5/9/01			X		Remains in abeyance.
CAVALIER INC. 20469/P-20469 AMERY, WI	6/18/01	7/11/01			X	X		On 08/17/01, suspension case closed by voluntary withdrawal. Plant previously received a notice of intended enforcement.
CHAMPLAIN BEEF COMPANY INC. 8547 WHITEHALL, NY		6/13/00	6/19/00			X		On 08/29/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
CHIA HSING CORP. 9966/P-9966 BROOKLYN, NY		3/26/01	3/30/01		X			On 08/20/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
CHICOPEE PROVISION CO. INC. 6363 CHICOPEE, MA			6/5/00			X		On 08/17/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
CORTE & COMPANY 442 JERSEY CITY, NJ			8/25/00			X		On 08/22/01, suspension case closed by letter of warning.
CRESCENT CUSTOM SLAUGHTERING 6041/P-6041 SUMNER, WA		1/8/01	6/20/01			X	X	On 09/18/01, suspension case closed by letter of warning. Plant shipped in commerce U.S. Retained product.
DAVE FINE MEAT PACKERS, INC. 9715 SAXONBURG, PA						X		On 06/29/01, plant received a notice of intended enforcement.
		7/3/01	7/10/01		X			Remains in abeyance.
		8/1/01	8/24/01			X		Remains in abeyance. On 08/01/01, suspension was reinstated.
DILULLO & SONS 1153/P-8491 WESTVILLE, NJ		7/27/01	8/3/01		X			Remains in abeyance.
E E MUCKE & SONS INC. 5978/P-5978 HARTFORD, CT		8/24/00	11/27/00			X		On 08/31/01, suspension case closed by letter of warning.
						X		On 08/31/01, closed by letter of warning. Plant previously received a notice of intended enforcement.
EXCELLINE FOODS INC. 18529 CHATSWORTH, CA			5/14/01		X	X		On 08/31/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
F & T MEATS, INC. 2183/P-2183 NEWARK, NJ		5/1/01	5/4/01		X			Remains in abeyance.
FENIX LLC P-20920 OKLAHOMA CITY, OK	4/27/00	5/1/00	7/6/00		X	X		On 08/06/01, suspension case closed by Grant of Inspection issuance to new firm.
		9/28/00	9/29/00		X	X		On 08/06/01, suspension case closed by Grant of Inspection issuance to new firm. On 09/28/00, suspension was reinstated.
FICHERA FOODS 8875 PHILADELPHIA, PA			12/19/00			X		On 08/17/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
FREDERICKSBURG LOCKERS INC. 13153/P-13153 FREDERICKSBURG, TX			7/20/00			X		On 07/03/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
GAISER'S EUROPEAN STYLE PROVISIONS 5385/P-5385 UNION, NJ		8/16/99	8/25/99		X			Remains in abeyance.
		5/24/00	8/24/00			X		On 08/17/01, suspension case closed by letter of warning.
		9/27/01				X		Remains in effect.
GLOBAL FOOD MANAGEMENT GROUP 19913/P-19913 COLTON, CA		5/23/01	7/3/01			X		Remains in abeyance.
GOLDEN CROWN FOODS INC. 18823/P-18823 CITY OF INDUSTRY, CA			9/22/00		X			On 09/06/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
GORDITO'S MEATS 20017 OGDEN, UT		9/14/01	9/18/01				X	Remains in abeyance. Suspension was based on intimidation of an FSIS employee.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
HALAL MANUFACTURING INC. 19088/P-19088 FREEPORT, NY		10/6/00	10/12/00			X		Remains in abeyance.
HARTMAN MEAT CO. 6507 WASHINGTON, DC		7/12/01	7/16/01				X	Remains in abeyance. Suspension was based on intimidation of an FSIS employee.
HEINSEN PRODUCTS INCORPORATED 4334 CORONA, NY		6/28/00	7/3/00			X		On 08/17/01, suspension case closed by letter of warning.
HOMESTEAD GOURMET FOODS CO. 9947/P-9947 LINDEN, NJ		4/10/00	4/14/00			X		Remains in abeyance. On 04/12/00, firm had appealed the suspension. The appeal was denied.
						X		On 05/09/00, plant received a notice of intended enforcement.
		5/16/00	5/19/00			X		Remains in abeyance. On 05/16/00, suspension was reinstated.
HOP SANG COMPANY 4978 SAN FRANCISCO, CA						X		On 09/21/00, plant received a notice of intended enforcement. Decision regarding enforcement pending.
HSIN-CHIH ENTERPRISES INC. 9936/P-9936 COLLEGE POINT, NY		5/10/00	4/25/01			X		Remains in abeyance.
HUDSON VALLEY FOODWORKS 20177/P-20177 POUGHKEEPSIE, NY	5/8/01	5/10/01	7/10/01		X			Remains in abeyance.
J DURANDO & SONS INC. 4459/P-4459 NEW YORK, NY		3/23/01	4/4/01		X			Remains in abeyance.
J Z FLORCZAK MEAT PRODUCTS 9907 SOUTH AMBOY, NJ			4/25/01		X	X		Remains in abeyance. Plant previously received a notice of intended enforcement.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeyance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
J&M MEATS INC. 501/P-8116 EUREKA, MT					X	X		On 09/21/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
JAM-TEX, INC. 21416 TOMBALL, TX				X				On 08/23/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
JOHNSTON COUNTY HAMS 2646/P-2646 SMITHFIELD, NC	5/17/01	5/17/01	6/22/01			X		Remains in abeyance.
JR BUTCHER SHOPPE INC. 6380/P-6380 LUDLOW, MA			9/13/00			X		Remains in abeyance. Plant previously received a notice of intended enforcement.
KING POULTRY LLC 20820/P-20820 LA PUENTES, CA		7/24/01	7/25/01		X	X		On 06/07/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
KINGS CHOICE CUSTOM MEAT CO. 4878 LOS ANGELES, CA		6/11/01	6/15/01			X		On 08/31/01, suspension case closed by letter of warning.
KIRKLAND'S CUSTOM MEAT & SLAUGHTER 11156/P-11156 JACKSONVILLE, FL						X		On 09/07/01, closed by letter of warning. Plant previously received a notice of intended enforcement.
KWALITY MEAT CENTER INC. (MEAT DEPOT) 19348/P-19348 LAKEWOOD, NJ		7/19/00	8/16/00		X			Remains in abeyance.
		7/27/00	8/16/00			X		Remains in abeyance.
LAM FOODS INC. 20108/P-20108 KANSAS CITY, MO			4/26/00			X		On 09/04/01, suspension case closed. Plant previously received a notice of intended enforcement.
		5/8/00	5/9/00			X		On 09/04/01, suspension case closed. On 05/08/00, suspension was reinstated.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
LEADER STEAK AND PROVISION CO. 1140 LOS ANGELES, CA			5/1/01			X		On 08/31/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
LIEB BROTHERS PACKING CO. 1991/P-1991 PITTSTON, PA		8/18/00	10/25/00				X	Remains in abeyance. Plant previously received a notice of intended enforcement. Suspension taken for failure to meet sanitation performance standards.
		3/16/01	7/10/01				X	Remains in abeyance. On 03/16/01, suspension was reinstated for failure to meet sanitation performance standards.
LOCUST GROVE FARM 4265/P-4265 ARGYLE, NY				X				On 09/13/01, plant received a notice of intended enforcement.
MARTIN ROSOL'S INC. 5993/P-5993 NEW BRITAIN, CT			6/12/00			X		On 08/22/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
MEADOW MEAT COMPANY INC. 483/P-483 MIDDLETOWN, CT		7/25/00	8/11/00			X		On 07/25/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
MEDITERRANEAN FOODS, INC. 18977 UPPER DARBY, PA			8/22/00			X		Remains in abeyance. Plant previously received a notice of intended enforcement.
		7/20/01					X	Remains in effect. On 07/20/01, suspension was reinstated.
MELLO'S NORTH END MANUF. 913/P-913 FALL RIVER, MA	5/9/00	5/11/00	5/15/00			X		On 07/26/01, suspension case closed by letter of warning.
METRO PACKING COMPANY 10278/P-10278 DETROIT, MI		8/6/01	8/10/01		X			Remains in abeyance.
MIRANDA BROTHERS INC. 1037 FALL RIVER, MA		5/24/00	5/26/00			X		On 07/25/01, suspension case closed by letter of warning.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
MONDO & SON'S, INC. 9328 SEATTLE, WA			9/21/01			X		Remains in abeyance. Plant previously received a notice of intended enforcement.
MOUNTAIN PRODUCTS SMOKEHOUSE 17458/P-17458 LAGRANGEVILLE, NY			1/4/01		X			Remains in abeyance. Plant previously received a notice of intended enforcement.
MYERS BROTHERS 9469 SPRING MILLS, PA		9/27/01			X	X		Remains in effect. On 08/31/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
NEW BEDFORD LINGUICA CO. 610 NEW BEDFORD, MA			5/30/00			X		On 07/26/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
NEW WILMINGTON SLAUGHTER HOUSE 8609 NEW WILMINGTON, PA		8/10/01	8/21/01		X			Remains in abeyance. Plant previously received a notice of intended enforcement.
ON A ROLL SALES INC. 19053/P-19053 BROCKTON, MA			2/22/01			X		On 07/26/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
ORANGE COUNTY IMPORTING CO., INC. 4370 VAILS GATE, NY		5/2/01	5/3/01		X			Remains in abeyance.
PAISANO MEAT MARKET 18654/P-18654 GARDENA, CA						X		On 09/24/01, closed by letter of information. Plant previously received a notice of intended enforcement.
		7/3/01	7/6/01		X			On 08/31/01, suspension case closed by letter of warning.
PAN-AM MICHELS LTD 7847/P-7847 LINDEN, NJ		4/25/01	5/1/01			X		Remains in abeyance. Plant previously received a notice of intended enforcement.
		9/28/01				X		Remains in effect.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
PARMA SAUSAGE PRODUCTS, INC. 9728 PITTSBURGH, PA					X			On 08/30/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
PASSANANTE BROTHERS, INC. 5221/P-5221 BRISTOL, PA		6/28/01	7/3/01		X			Remains in abeyance. Plant previously received a notice of intended enforcement.
		9/6/01	9/11/01		X			Remains in abeyance. On 09/06/01, suspension was reinstated.
PAT'S BEEF JERKY 20965 LIEBENTHAL, KS			5/31/00			X		On 07/20/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
PHU HUONG FOODS CO., INC. 7681/P-7681 ROSEMEAD, CA						X		On 08/03/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
PM SPECIALTY FOODS 6520 RICHMOND, VA			4/11/01		X			On 07/17/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
PURDY & SONS 4705/P-4705 SHERBURNE, NY		11/8/00	11/9/00			X		Remains in abeyance.
QUALITY BEEF CO. 5070/P-5070 PROVIDENCE, RI		6/5/01	6/7/01		X		X	Remains in abeyance. Suspension was also based on intimidation of an FSIS employee.
RADD DEWS BAR-B-Q PIT 9088 CONWAY, SC		9/17/01	9/21/01		X	X		Remains in abeyance.
REAL KOSHER SAUSAGE CO. INC. 999/P-7894 NEW YORK, NY		3/22/01	5/31/01		X			Remains in abeyance.
ROMAN PACKING CO., INC. 5662/P-5662 NORFOLK, NE						X		On 07/02/01, closed by letter of information. Plant previously received a notice of intended enforcement.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeyance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
RUSSO'S ITALIAN SPECIALTIES 19186 ROCKFORD, MI			12/13/00			X		Remains in abeyance. Plant previously received a notice of intended enforcement.
SAAD WHOLESALE, INC. 10153/P-10153 DETROIT, MI	5/11/01		5/18/01				X	Remains in abeyance. The suspension case is based on sanitation performance standards.
SALMA HALAL MEAT 20364/P-20364 HIGH POINT, NC		7/20/01	9/10/01			X		Remains in abeyance. Plant previously received a notice of intended enforcement.
SAM HWA MEAT INC. 19607 BRONX, NY			5/24/00			X		On 07/16/01, case closed by voluntary withdrawal. Plant previously received a notice of intended enforcement.
SARDINHA'S SAUSAGE INC. 17995/P-17995 FALL RIVER, MA	2/25/00	2/29/00	3/2/00			X		On 07/25/01, suspension case closed by letter of warning.
SEÑOR FELIX'S GOURMET MEXICAN 9259 BALDWIN PARK, CA	7/17/01						X	On 07/31/01, closed by letter of warning. Withhold action taken when firm removed products that were U.S. Retained for unknown spices and ingredients.
SMOKEHOUSE OF THE CATSKILLS, INC. 4585/P-4585 SAUGERTIES, NY				X	X			On 09/19/01, plant received a notice of intended enforcement.
STAMPEDE PACKING COMPANY 4940/P-4940 KALISPELL, MT						X		On 07/24/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
STEWART'S PROCESSING CORP. 20087/P-20087 SARATOGA SPRINGS, NY						X		On 06/07/01, enforcement action was deferred. Plant previously received a notice of intended enforcement.
T. A. I. F. INC. 9771/P-9771 NORRISTOWN, PA			3/8/01				X	On 07/03/01, suspension case closed by letter of warning. Plant was cited for failure to meet sanitation performance standards.
TAJ GOURMET FOOD 19362/P-19362 FRAMINGHAM, MA			8/25/00			X		On 07/25/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.

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

Establishment/ Estab. Number/ Location	Withholding	Suspension In Effect	Suspension in Abeyance	Basis for Action				Appeals and Actions
				<u>E Coli</u>	<u>SSOP</u>	<u>HACCP</u>	<u>Other</u>	
TALISMAN FOODS, INC. 6265/P-6265 SALT LAKE CITY, UT		8/23/01	9/4/01			X		Remains in abeyance. Plant previously received a notice of intended enforcement.
		9/10/01	9/19/01			X		Remains in abeyance. On 09/10/01, suspension was reinstated.
TEXAS CHILI COMPANY 7067/P-7067 FORT WORTH, TX						X		On 09/12/01, plant received a notice of intended enforcement.
USA PORK PACKERS, INC. 20760/P-20760 HAZELTON, PA					X	X		On 09/20/01, plant received a notice of intended enforcement.
VERMONT SMOKE AND CURE INC. 8795/P-8795 SO. BARRE, VT	1/28/00		1/28/00			X		On 09/06/01, suspension case closed by voluntary withdrawal.
WALDRON SMOKEHOUSE SPECIALTIES 20776 OAK HARBOR, WA	2/20/01	2/21/01	3/6/01			X		On 09/18/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.
YEE TUNG INC. 19014 PHILADELPHIA, PA		8/15/00	8/17/00		X			On 08/21/01, suspension case closed by letter of warning. Plant previously received a notice of intended enforcement.

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 8** identifies actions pending or taken (other than outstanding consent decisions) on this basis for this reporting period.

Table 8. Withdrawal for Unfitness

(07/01/01 to 09/30/01)

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

Establishment	Location	Complaint to Deny/Withdraw Inspection	Consent Decision	Actions
CROSS CREEK/VANGUARD CULINARY GROUP 8334/P-8334	FAYETTEVILLE, NC	6/7/99		On June 20, 2001, FSIS filed a motion to set an oral hearing date with USDA Hearing clerk. Complaint to withdraw inspection based on plant officials' convictions for selling and transporting adulterated meat products. On July 7, 1999, an answer was filed with the USDA Hearing Clerk.
GREENVILLE PACKING CO 9956/P-9956	GREENVILLE, NY	7/27/98	3/13/00	On September 17, 2001, the company appealed to the U.S. Court of Appeals for the Second Circuit. On September 4, 2001, the U.S. District Court Judge issued a Memorandum Decision and Order. On July 5, 2000, the company appealed the USDA decision to withdraw to the U.S. District Court. On June 1, 2000, the USDA judicial Officer concurred with the ALJ decision. On March 13, 2000, a USDA Administrative Law Judge issued an Order declaring that inspection services would be indefinitely withdrawn 35 days after service of the Order. The decision to withdraw inspection is based on the firm's felony conviction of bribery of an FSIS employee.
JACOB FLEISHMAN AND SONS COLD STORAGE, INC I277	MIAMI, FL	2/17/00		Complaint to withdraw inspection based on corporation's conviction and a felony conviction of a predecessor corporation to Jacob Fleishman Cold Storage. The corporation was convicted of causing, with intent to defraud, meat and poultry food products to become adulterated by rodents, and the predecessor corporation was convicted of distributing poultry that had been adulterated by rodents. On January 4, 2001, a motion to set for oral hearing was filed. On August 11, 2000, the corporation filed an answer and requested an oral hearing with the USDA Hearing Clerk.
PHOENIX POULTRY/ OPPENHEIMER (GEORGE) P-18031	WEST SPRINGFIELD, MA	3/1/01		Complaint to withdraw inspection based on the General Manager's felony conviction of offering for sale uninspected poultry products with intent to defraud, and subscribing a false employers quarterly federal tax return. George Oppenheimer and firm answered complaint on March 18, 2001, and March 19, 2001, respectively.

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 are reflected in this report. There were no actions this reporting period.

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 9** 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 9. Criminal Actions
(07/01/01 to 09/30/01)**

Criminal Actions

Name	Location	Indictment	Information	Plea	Sentencing	Actions
DINO MEAT CO. INC. O. NEIL WILLIAMS, PRES.	PORTLAND, TN			8/24/01		Firm pled guilty to one (1) felony count for knowingly with intent sold and transported misbranded poultry product in commerce. Sentencing to be at a later date.
HOP KEE INC. GLORIA LAM, PRES.	CHICAGO, IL			9/26/01		Firm pled guilty to one (1) felony count for knowingly selling, transporting and offering for sale and transportation adulterated poultry products in commerce and one (1) misdemeanor count each for causing USDA and FDA products to become adulterated. Mr. Thomas Lam, owner, pled guilty to two (2) separate misdemeanor counts for causing USDA and FDA products to become adulterated. Sentencing is tentatively scheduled for December 19, 2001.
HRM PROVISIONS CO., INC. LESLIE HERMAN, PRES.	BOYNTON BEACH, FL			8/21/01	8/21/01	Firm pled guilty to one (1) misdemeanor count for selling and offering for sale adulterated poultry products in commerce. Firm fined \$5,000, \$125 special assessment fee, and \$10,000 contribution to a food bank.
JOYNER, JOHN R/LAURA dba J & J MARKETING	LUBBOCK, TX			6/14/01		Pled guilty to a one (1) count felony and a one (1) count misdemeanor for sale of adulterated meat and poultry product.

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 we 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 was one pre-trial diversion agreement this quarter. This case involved a processor in Texas that allegedly prepared, sold, and transported adulterated and misbranded ground beef in commerce, and denied USDA officials access to records. The firm was placed on a pre-trial diversion for a period of eighteen months.

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 is destroyed, sold, or, upon posting of an appropriate bond, returned to its owner to be brought into compliance with the law. Condemned product cannot be further processed to be used for human food. There are no seizure actions reported for this period.

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 new injunction for the period.

**Table 10. Civil Actions
(07/01/01 to 09/30/01)**

Name	Location	Complaint	Injunction	Action
T & T MARKET LEE, JAMES H - OWNER	ATLANTIC CITY, NJ	6/21/01	9/5/01	Firm and principals were permanently enjoined from violations of the FMIA involving sale and transportation of non federally inspected meat food products within the designated state of New Jersey.

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) 720-8594

Consumer Inquiries: Call USDA's Meat and Poultry Hotline at
1-800-535-4555, 10 a.m. to 4 p.m., Eastern Time
In the Washington, DC area, call (202) 720-3333.

FSIS Web site: www.fsis.usda.gov