



A FARMER'S LEGAL GUIDE TO HUMANE HANDLING REQUIREMENTS

2025





This Guide is intended to provide general information and should not be construed as legal advice. It should not be cited or relied upon as legal authority. State laws vary, and the laws discussed in this factsheet may differ from state to state. For advice on how these issues might apply to your individual situation, consult an attorney.

This information is provided by the [Food & Agriculture Impact Project](#) (FAIP), part of the University of Arkansas School of Law's LL.M. Program in Agricultural and Food Law. The Southern Sustainable Agriculture Research & Education program and U.S. Department of Agriculture National Institute of Food and Agriculture also provided funding and support. This guide is based upon work that is supported by the National Institute of Food and Agriculture, U.S. Department of Agriculture, under award number 20223864037488 through the Southern Sustainable Agriculture Research and Education program under subaward number EDS23-051. USDA is an equal opportunity employer and service provider. Any opinions, findings, conclusions, or recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the view of the U.S. Department of Agriculture.

This guide was written by FAIP attorneys Kelly Nuckolls, J.D., LL.M., Lauren Manning, J.D., LL.M., and Emily Bridges, J.D., LL.M. and University of Arkansas School of Law students Carter Horton, J.D. Candidate 2025 and Calah ("Cam") Mershon, J.D., LL.M. Candidate. The FAIP would like to thank Karly Anderson and Ashlynn Kirk with the University of Wisconsin-River Falls Humane Handling Institute, Margo Hale with the National Center for Appropriate Technology, ATTRA, Chris Shaw with Cypress Valley Meat Company, Dr. Shawna Weimer, Center for Food Animal Wellbeing, University of Arkansas, and our supporters and alumni for their review of this Guide.

TABLE OF CONTENTS

INTRODUCTION	Page 4
CHAPTER 1: HUMANE HANDLING LAWS AND REGULATIONS	Page 6
CHAPTER 2: HUMANE HANDLING REQUIREMENTS FOR POULTRY	Page 25
CHAPTER 3: HUMANE HANDLING REQUIREMENTS FOR EXEMPT OPERATIONS	Page 32
CHAPTER 4: ESTABLISHING A GOOD WORKING RELATIONSHIP WITH LOCAL PROCESSORS: TIPS FOR FARMERS	Page 37
CHAPTER 5: WHAT TO DO IF A HUMANE HANDLING ISSUE OCCURS: TIPS FOR FARMERS	Page 41
CHAPTER 6: HUMANE HANDLING FROM START-TO-FINISH: TIPS FOR FARMERS	Page 44
APPENDIX: ADDITIONAL RESOURCES	Page 49

INTRODUCTION

If you sell your own livestock or poultry, you know first-hand how the processing bottleneck constrains your business. With scarce processing options, your farm's success depends on the nearby processing plant. Yet, your access to slaughter may cease to exist if your local plant violates federal and/or state law. For example, even one humane handling violation can halt a plant's operations, delaying your slaughter date for an unknown amount of time.

At times, small, local plants struggle with humane handling compliance. Between June 22, 2023, and July 2, 2024, the U.S. Department of Agriculture's (USDA) Food Safety Inspection Service (FSIS) published 74 enforcement actions related to humane handling violations; 87% of these enforcement actions were related to stunning animals at slaughter.¹ These recent FSIS enforcement actions suspended operations at mostly small and very small plants, which then delayed farmers' slaughter dates.²

Farmers and local processors must work together to ensure the best possible approach to humane handling and compliance efforts to reduce animals' stress and suffering and maintain farmers' access to slaughter. As a farmer, you can also improve your products— and profits— by encouraging and adopting humane slaughtering methods, regardless of whether you work with a local plant or pursue on-farm slaughter.³ Noncompliance with humane handling laws can also trigger fines, prison sentences, plant suspensions or closures, seizure or condemnation of animals or products, loss of third-party certifications, and even indefinite bans on partaking in slaughter.⁴

This guide includes a general overview of the humane handling legal requirements for businesses slaughtering animals for human consumption. Several federal and state laws, along with USDA and State Departments of Agriculture rules, regulate humane handling and slaughter methods for livestock and poultry. This guide covers the key humane handling requirements under federal law including the Humane Methods of Slaughter Act (HMSA), the Federal Meat Inspection Act (FMIA), and the Poultry Products Inspection Act (PPIA). It also highlights how state meat inspection laws may vary slightly from these federal requirements. This guide also discusses “exemptions” to both state and federal requirements and what humane handling requirements still apply regardless of an exemption.



The chart on the next page is a summary of each type of inspection this guide covers.

¹See [Food Safety and Inspection Service, United States Department of Agriculture, Humane Handling Enforcement \(2024\)](#). Within enforcement actions related to stunning, 87% of those actions were from stunning violations of cattle or swine. Cattle and swine make up 52% and 35% of stunning-related enforcement actions respectively.

² See [Food Safety and Inspection Service, United States Department of Agriculture, Humane Handling Enforcement \(2024\)](#). Only 17% of enforcement actions related to stunning resulted in the issuance of a notice of intended enforcement (“NOIE”), instead of a suspension.

FSIS defines small plants as those with more than 10 employees less than 500 employees and very small plants as those with less than 10 employees or annual sales of \$2.5 million. [FSIS Directive 5300.1 Rev. 1, Managing the Establishment Profile in the Public Health Information System, 8 USDA FSIS \(October 19, 2016\)](#).

³ [7 U.S.C. § 1901](#).

⁴ See 21 U.S.C. §§ [671](#), [673](#), [676](#) (providing examples of statutory authority for USDA to enforce humane handling requirements).

<u>Type of Plant Inspection</u>	<u>Who typically inspects this plant?</u>	<u>Where can I sell my products for this type of inspection?</u>	<u>What laws apply?</u>
Federal Inspection	FSIS inspector	Across state lines	Federal
Talmadge Aiken Inspection	State inspector and FSIS inspector	Across state lines	Federal
Cooperative Interstate Shipment Inspection	State inspector	Across state lines	Federal
State Inspection	State inspector	Only within the state the processor is located	State laws that usually are the same as the federal law with few differences
Custom Exemption	Occasionally an FSIS inspector and maybe a state inspector	Sales not allowed, but some state laws may allow for certain flexibility	Federal and maybe some additional state laws
Poultry Exemption	Occasionally an FSIS and/ or state inspector	Depends on the number of birds and where they are being sold. See the chart on this page for more information.	Federal and/or state laws
Retail Exemption	Occasionally an FSIS inspector and maybe a state inspector	At that store, direct to consumer, or other similar methods of sales. Click here for more information.	No slaughter occurs so not applicable for this guide, but other food safety laws apply.
Voluntary Inspection (Exotic Animals like bison, buffalo, and deer)	FSIS and/ or state inspector, maybe an FDA inspector	Across state lines	Federal and maybe some additional state laws

While this guide covers the legal requirements and issues for the humane handling of livestock and poultry at slaughter, it does not cover the following: on-farm humane handling laws and best practices; the basic approaches to animal welfare; or food safety, sanitation, and labeling requirements. Additionally, this guide does not include humane handling compliance requirements for other types of businesses and farms that are not slaughter facilities.⁵

This guide is a resource to ensure farmers and processors in the sustainable and niche meat and poultry sectors prioritize humane handling compliance. Chapters 1-3 cover the basic legal requirements for both processors and farmers. Chapters 4-6 are farmer-focused and include practical tips to manage your farm operation's legal risks and to foster stronger animal welfare practices. Overall, compliance with these rules and laws can support your farm's animal welfare priorities, strengthen access to slaughter, and increase processors' and farmers' profits and growth.

⁵ See *People v. Santorsola*, 225 Cal.App.4th Supp. 12 (2014) (concluding that the FMIA requirements did not apply to livestock auctions and thus did not preempt state laws around humane handling at animal auctions).

CHAPTER 1: HUMANE HANDLING LAWS AND REGULATIONS

The Humane Methods of Slaughter Act

The Humane Methods of Slaughter Act (HMSA) regulates the treatment and handling of livestock for commercial slaughter.⁶ Facilities either on or off the farm that slaughter livestock, including cattle, calves, horses, goats, mules, sheep, and swine, are required to comply with the HMSA.⁷ The HMSA does not cover poultry, including chickens, ducks, and turkeys.⁸ While the HMSA exempts “exotic species,” such as bison, buffalo, elk, deer, antelope, yak, water buffalo, or reindeer, a plant that chooses to pursue voluntary inspection of these animals must comply with the HMSA.⁹

The HMSA aims to benefit farmers and meat processing plant employees by preventing inhumane suffering of livestock, ensuring safe working conditions in the processing plant, improving plant efficiency and economics, and producing a quality meat product.¹⁰

Under the HMSA, livestock slaughter must occur by: 1) stunning via a single gunshot or single blow using “electrical, chemical or other means that is rapid and effective” (for example, captive bolt, single electrical stun, or carbon dioxide stunning) prior to the animal “being shackled, hoisted, thrown, cast, or cut”;¹¹ or 2) religious slaughter where the livestock loses consciousness from anemia via an instant severance of the carotid arteries in the neck via a knife or similar tool.¹²

The HMSA also authorizes the USDA to regulate how market agencies, dealers, and stockyards humanely treat and handle nonambulatory or disabled livestock.¹³

FSIS’s regulations describe how to comply with the HMSA, which are discussed in more detail below.

The Federal Meat Inspection Act

The Federal Meat Inspection Act (FMIA) prohibits the sale of unsafe, unsanitary, and misbranded meat and meat products.¹⁴ The FMIA regulates cattle, sheep, swine, goats, and other livestock, but not poultry.¹⁵ The FMIA gives FSIS the authority to inspect the animal handling and slaughter processes at federally inspected plants for compliance with the HMSA.¹⁶ This guide discusses the FMIA’s provisions on the humane methods of slaughter; it does not include the FMIA’s food safety and product integrity sections.

⁶ [Humane Methods of Slaughter Act, United States Department of Agriculture, National Agricultural Library](#).

⁷ [7 U.S.C. § 1902](#). This guide does not cover the HMSA authority over the transportation of equine for slaughter or any legal issues related to equine slaughter.

⁸ See Levine v. Vilsack, 587 F.3d 986 (2009); [Treatment of Live Poultry Before Slaughter, FEDERAL REGISTER \(Sept. 28, 2005\)](#).

⁹ [9 C.F.R. §§ 352.10–352.13](#); see [7 U.S.C. § 1622; FSIS Notice, Updates to the Exotic Animals Eligible for Voluntary Inspection, USDA FSIS \(October 19, 2021\)](#).

¹⁰ [7 U.S.C. § 1901](#).

¹¹ [7 U.S.C. § 1902\(a\); Humane Handling of Livestock and Good Commercial Practices in Poultry, USDA FSIS \(Aug. 2, 2018\)](#).

¹² [7 U.S.C. § 1902\(b\); FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, 1-20 USDA FSIS \(Sept. 24, 2020\)](#).

¹³ [7 U.S.C. § 1907](#).

¹⁴ [21 U.S.C. §§ 601–695](#). It also regulates sanitary conditions for meat and meat products.

¹⁵ See [21 U.S.C. § 601](#).

¹⁶ [21 U.S.C. § 603\(b\); 21 U.S.C. § 610\(b\)](#).

Every FSIS inspected processing plant is assigned a federal inspector. An inspector must be present during slaughter operations and for each shift where further processing of meat products occurs.¹⁷ Please note: the inspector is not an employee of the processing plant, but instead a government employee. FSIS rules apply equally to all federally inspected plants, but some inspectors may make mistakes or interpret violations and compliance differently due to the flexibility in some of the regulations.

When it comes to humane handling requirements, inspectors must examine animals before slaughter (i.e., “ante-mortem inspection”).¹⁸ If the animal is visibly ill, injured, disabled, or showing symptoms of a disease, it must be separated from the rest of the animals and examined more thoroughly.¹⁹ The next section details FSIS’s regulations and protocols for pre-slaughter inspection and the separation of dying, diseased, or disabled animals. This is one area where you, the farmer, can help your local plant prevent humane handling issues by only transporting healthy animals to the plant.

After ante-mortem inspection, inspectors examine the slaughter process to ensure compliance with all humane handling laws.²⁰ The section below covers this topic in more detail.

The FMIA exempts some processing plants, businesses, and farms from federal inspection.²¹ Chapter 3 discusses exempt plants and businesses’ humane handling obligations.

State inspected plants must comply with all federal requirements, and the end of this chapter mentions any nuances.

Humane Methods of Slaughter Regulations: How USDA Enforces the HMSA and FMIA

USDA’s written regulations for humane methods of livestock slaughter describe the requirements for complying with the HMSA and FMIA.²² The moment animals arrive at the plant, even if they are still on trailers waiting to unload, the plant assumes responsibility and FSIS regulations apply.²³ This section does not cover humane handling requirements for the transportation of livestock, but Chapter 6 mentions them briefly. FSIS Notices, Directives, and Guidance on these topics provide important insight into how inspectors will enforce these regulations and are additional resources that are important to read.

Inspection of the Animal Prior to Slaughter

I. Examination of Animals Prior to Slaughter

When your animals arrive at the plant, an inspector will first conduct ante-mortem inspection.²⁴ Livestock are inspected the day of and prior to their slaughter at the plant.²⁵ Inspectors may approve exceptions for ante-mortem inspection on a day other than slaughter, but inspection must occur before the animals are slaughtered.²⁶

¹⁷ [21 U.S.C. § 604](#); [21 U.S.C. § 606](#); [9 C.F.R. § 310.1\(a\)](#); [9 C.F.R. § 307.4\(a\)](#); [Summary of Federal Inspection Requirements for Meat Products, USDA FSIS](#).

¹⁸ [21 U.S.C. § 603\(a\)](#).

¹⁹ [21 U.S.C. § 603\(a\)](#).

²⁰ [21 U.S.C. § 603\(b\)](#).

²¹ [21 U.S.C. § 623](#).

²² [21 U.S.C. § 1904](#).

²³ [FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, 5 USDA FSIS \(Sept. 24, 2020\)](#). At this point, the Humane Methods of Slaughter Act (7 U.S.C. §§ [1901](#), [1902](#), and [1906](#)) applies; *Cooper v. Chicago, R.I. & P.R. Co.*, 217 F.2d 683, 686 (8th Cir. 1954).

²⁴ [21 U.S.C. § 603\(a\)](#).

²⁵ [9 C.F.R. § 309.1](#).

²⁶ [9 C.F.R. § 309.1\(a\)](#).

During ante-mortem inspection, inspectors look for signs of disease, death, illness, disability, and certain other conditions (detailed in the footnote below) in each animal.²⁷ Animals with certain diseases, illnesses, disabilities, and other conditions at ante-mortem inspection are condemned or labeled as “U.S. Suspect” and separated from other animals.²⁸

“U.S. Suspect” animals are tagged with “a serially numbered metal ear tag bearing the term ‘U.S. Suspect.’”²⁹ Only an inspector can remove a “U.S. Suspect” designation from the animal.³⁰

“U.S. Suspect” animals are separated and either disposed of or slaughtered separately from non-suspect animals.³¹ A special form records the reason the animal was classified as U.S. Suspect, its temperature if relevant, and “the U.S. Suspect identification number and any other identifying tag numbers present.”³²

Also, animals showing signs of labor are separated until the birthing process is complete.³³ There are additional requirements for the separation of calves that are being considered for slaughter.³⁴

If the animal passes ante-mortem inspection, the plant can then slaughter it for human food.³⁵

²⁷ [9 C.F.R. § 309.2](#); See [9 C.F.R. part 311](#) for a full list of all conditions, which includes tuberculosis, hog cholera, swine erysipelas, diamond-skin disease in hogs, arthritis, “cattle carcasses affected with anasarca or generalized edema,” actinomycosis and actinobacillosis, “anaplasmosis, anthrax, babesiosis, bacillary hemoglobinuria in cattle, blackleg, bluetongue, hemorrhagic septicemia, icterohematuria in sheep, infectious bovine rhinotracheitis, leptospirosis, malignant epizootic catarrh, strangles, purpura hemorrhagica, azoturia, infectious equine encephalomyelitis, toxic encephalomyelitis (forage poisoning), infectious anemia (swamp fever), dourine, acute influenza, generalized osteoporosis, glanders (farcy), acute inflammatory lameness, extensive fistula, and unhealed vaccine lesions,” neoplasms, epithelioma of the eye, pigmentary conditions; melanosis, xanthosis, ochronosis, etc., abrasions, bruises, abscesses, pus, etc., brucellosis, a carcass that would cause food poisoning including “acute inflammation of the lungs, pleura, pericardium, peritoneum, or meninges, septicemia or pyemia; whether puerperal, traumatic, or without any evident cause, gangrenous or severe hemorrhagic enteritis or gastritis; acute diffuse metritis or mammitis; phlebitis of the umbilical veins; septic or purulent traumatic pericarditis; any acute inflammation, abscess, or suppurating sore, if associated with acute nephritis, fatty and degenerated liver, swollen soft spleen, marked pulmonary hyperemia, general swelling of lymph nodes, diffuse redness of the skin, cachexia, icteric discoloration of the carcass or similar condition, either singly or in combination; and salmonellosis,” necrobacillosis, pyemia, and septicemia, caseous lymphadenitis, icterus, sexual odor of swine, mange or scab, “hogs affected with urticaria, tinea tonsurans, demodex folliculorum, or erythema”, “tapeworm cysts (cysticercus bovis) in cattle,” “hogs affected with tapeworm cysts,” “parasites not transmissible to man; tapeworm cysts in sheep; hydatid cysts; flukes; gid bladder-worms,” emaciation, “injured animals slaughtered at unusual hours,” “carcasses of young calves, pigs, kids, lambs, and foals,” “unborn and stillborn animals,” “livestock suffocated and hogs scalded alive,” “livers affected with carotenosis; livers designated as “telangiectatic,” “sawdust,” or “spotted,”” vesicular diseases, listeriosis, anemia, “muscular inflammation, degeneration, or infiltration,” “coccidioidal granuloma,” odors, foreign and urine, “meat and meat byproducts from livestock which have been exposed to radiation,” and biological residues that deem the carcass adulterated.

If an animal is part of a lot where another animal has been deemed to be “U.S. Suspect” or otherwise, the animal should still be separated, regardless of symptoms, if that lot has an animal that is diagnosed with hog cholera or affected with anthrax. [9 C.F.R. § 309.5](#); [9 C.F.R. § 309.7](#).

²⁸ [9 C.F.R. § 309.3](#); [9 C.F.R. § 309.2](#).

²⁹ [9 C.F.R. § 309.18\(a\)](#). “U.S. Suspect” hogs must be tattooed as well. [9 C.F.R. § 309.18\(b\)](#). “Livestock with epithelioma of the eye, antinomycosis, or actinobacillosis to such an extent that the lesions would be readily detected on post-mortem inspection, need not be individually tagged on ante-mortem inspection with the U.S. Suspect tag, provided that such cattle are segregated and otherwise handled as U.S. Suspects.” [9 C.F.R. § 309.18\(b\)](#). Also, “livestock bearing an official “USDA Reactor” or similar State reactor tag shall not be tagged as U.S. Suspects.” [9 C.F.R. § 309.2\(d\)](#).

³⁰ [9 C.F.R. § 309.2\(m\) and \(p\)](#).

³¹ [9 C.F.R. § 309.2\(n\)](#).

³² [9 C.F.R. § 302.2\(o\)](#).

³³ [9 C.F.R. § 309.10](#).

³⁴ [9 C.F.R. § 309.16\(d\)](#).

³⁵ See [9 C.F.R. § 309.2](#). *National Meat Ass'n v. Brown*, 599 F.3d 1093 (2010)

After separation or during ante-mortem inspection, the inspector may “condemn” some animals.³⁶ The plant must promptly and humanely euthanize animals labeled “U.S. Condemned” and the carcass must be properly disposed of – it cannot be sold or used for food.³⁷

Animals are identified as “U.S. Condemned” if:

- they are dead or dying;
- they show a disease or condition that requires disposal of their carcass, which includes a number of different scenarios in [9 CFR 311](#);
- “swine hav[e] a temperature of 106 °F. or higher and any cattle, sheep, goats, horses, mules, or other equines hav[e] a temperature of 105 °F. or higher”;
- they are comatose or semi-comatose animal, although it may be possible to set the animal aside for treatment and further observation;
- they are “downer” cattle (not able to walk or disabled) – even if this occurs after ante-mortem inspection;³⁸ and
- livestock show signs “of anaplasmosis, ketosis, leptospirosis, listeriosis, parturient paresis, pseudorabies, rabies, scrapie, tetanus, grass tetany, transport tetany, strangles, purpura hemorrhagica, azoturia, infectious equine encephalomyelitis, toxic encephalomyelitis (forage poisoning), dourine, acute influenza, generalized osteoporosis, glanders (farcy), acute inflammatory lameness or extensive fistula,” cancer eye, anthrax, hogs with swine cholera, cattle with anasarca and generalized edema, hogs with acute swine erysipelas, or with biological residues.³⁹

Condemned livestock are tagged “U.S. Condemned” and separated from U.S. Suspect livestock.⁴⁰

Inspectors may remove the ear tag if the “U.S. Condemned” livestock are properly treated.⁴¹ Only “the local, State, or Federal livestock sanitary official having jurisdiction” can grant permission for a plant to release “U.S. Condemned” livestock back to their owner for treatment.⁴²

You, the farmer, must assess animals for any illness or other conditions and take appropriate treatment and handling actions **prior to your slaughter date**. You can always reschedule a slaughter date – it will cost more if the animal is condemned.

³⁶ [9 C.F.R. § 309.3\(a\)](#).

³⁷ See [9 C.F.R. § 309.13\(a\)](#); [21 U. S. C. § 610\(c\)](#). National Meat Ass'n v. Harris, 599 F. 3d 1093 (2012)

³⁸ [9 C.F.R. § 309.3](#).

³⁹ [9 C.F.R. §§ 309.4—309.9, 309.16](#). Livestock used for research also cannot be slaughtered without special approval by FSIS. [9 C.F.R. § 309.17](#).

⁴⁰ Condemned livestock are also marked with a “U.S. Condemned” ear tag that includes a serial number. [9 C.F.R. § 309.18\(c\)](#). See also Hogs must be sorted to ensure those that have “signs of moribundity, central nervous system disorders, or pyrexia” are disposed of before ante-mortem inspection occurs. [9 C.F.R. § 309.19\(a\)](#). There should be protocols in place to ensure these animals do not enter the plant. These animals should be uniquely identified via a tag, tattoo, or similar marking and should be sorted and removed from slaughter immediately and properly disposed of. Hogs removed prior to ante-mortem inspection must be documented and reported for review by FSIS. [9 C.F.R. § 309.19](#).

⁴¹ See [9 C.F.R. § 309.13\(b\)](#); [9 C.F.R. §§ 309.2—309.3, 309.7](#). Note that if the livestock has listeriosis it will still be deemed to be “U.S. Suspect” even after successful treatment. [9 C.F.R. § 309.13\(c\)](#). “Goats which have reacted to a test for brucellosis shall not be slaughtered in an official establishment.” [9 C.F.R. § 309.14](#).

⁴² [9 C.F.R. § 309.13\(d\)](#).

II. Disposal of U.S. Condemned Animals

The plant is responsible for euthanizing the condemned animal promptly and humanely and immediately disposing of the carcass.⁴³ An FSIS inspected plant cannot slaughter a “U.S. Condemned” animal inside its facilities where edible products are handled.⁴⁴ FSIS regulations describe in detail how plants should dispose of condemned animals.⁴⁵

III. Emergency Slaughter

Inspectors may skip ante-mortem inspection and separation in cases of accidental emergencies.⁴⁶ Emergency slaughter is allowed for any unexpected injuries to animals, such as a truck of animals are in a serious accident or an incident occurs in the holding pens.⁴⁷ FSIS authorizes emergency slaughter at a plant to minimize the animals' suffering.⁴⁸ If emergency slaughter is necessary, contact the plant as soon as possible to ensure they are able to receive approval from FSIS.⁴⁹ Once emergency slaughter is approved, the inspector will inspect each animal immediately before slaughter, or, in cases where slaughter of an injured animal is off-hours, the carcass and parts must be kept for inspection.⁵⁰

FSIS does not allow emergency slaughter for sick or dying animals and limits emergency slaughter for cattle.⁵¹

IV. FSIS enforcement of Ante-Mortem Inspection

USDA has issued long-term suspensions for plants that violated the ante-mortem inspection requirements mentioned above.⁵² Compliance ensures that your local plant remains open.

Ante-mortem inspection typically occurs in the plant's holding pens but can also occur on the truck prior to unloading the livestock.⁵³ A plant's pens must allow for inspection and provide enough lighting for the inspector to see the animals.⁵⁴

As ante-mortem inspection begins, the plant must provide the inspector with pen cards or drive sheets before the inspection is performed.⁵⁵ Upon arrival, provide the plant with your pen card or drive sheet and ensure it is accurate.⁵⁶ The pen card or drive sheet must contain space to record the date and time of inspection, pen/lot number, number and slaughter class of animals presented for inspection and that passed inspection, and the Inspector's signature or initials.⁵⁷ The plant's employees can record the information, but the inspector is required to check the information and sign/initial

⁴³ [9 C.F.R. § 309.13](#).

⁴⁴ [9 C.F.R. § 309.13](#).

⁴⁵ See [9 C.F.R. part 314](#).

⁴⁶ [9 C.F.R. § 309.12](#).

⁴⁷ [Slaughter Inspection Refresher Course](#), 16 USDA (July 2021).

⁴⁸ [Slaughter Inspection Refresher Course](#), 16 USDA (July 2021).

⁴⁹ See [Slaughter Inspection Refresher Course](#), 16 USDA (July 2021).

⁵⁰ [9 C.F.R. § 309.12](#).

⁵¹ See [Slaughter Inspection Refresher Course](#), 16 USDA (July 2021).

⁵² See, e.g., 43 Agric. Dec. 1783 (U.S.D.A.)

⁵³ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection](#), 2 USDA FSIS (May 7, 2020). FSIS personnel can request assistance from the plant to ensure their safety and ability to inspect the livestock during both ante-mortem inspection and upon further inspection of segregated “U.S. Suspect” and “U.S. Condemned” livestock. [9 C.F.R. § 307.2\(a\)](#).

⁵⁴ [9 C.F.R. § 307.2\(a\), \(b\)](#). “pens, alleys, and runways shall be paved, drained, and supplied with adequate hose connections for cleanup purposes.”

⁵⁵ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection](#), 2-3 USDA FSIS (May 7, 2020).

⁵⁶ See Chapter 6 for tips.

⁵⁷ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection](#), 3 USDA FSIS (May 7, 2020).

it.⁵⁸ The inspector will periodically verify the pen card or drive sheet records and confirm the plant's documentation of the number of livestock presented for pre-slaughter inspection.⁵⁹ If the inspector points out an error, the plant should immediately correct it.⁶⁰

The inspector will observe the animals at rest and in motion and inspect both sides of the animal to determine their health.⁶¹ Other inspection priorities include: the condition of the animal's eyes, legs, head, body; "alertness, mobility, and breathing;" and any visible swelling or other injury.⁶²

The plant, not the inspector, is responsible for having adequate and competent employees to move, separate, identify, and dispose of animals in a humane manner.⁶³

Inspectors will require the plant to move any "U.S. Suspect" animals to a separate pen for further inspection by a Public Health Veterinarian (PHV).⁶⁴ The PHV will either pass the "U.S. Suspect" livestock for slaughter or condemn them.⁶⁵

The inspector will watch the segregation process and observe the separate holding facilities for "U.S. Suspect" and "U.S. Condemned" animals to ensure humane treatment and that the plant's pens protect "U.S. Suspect" and dying, diseased, or disabled livestock from the weather.⁶⁶

The plant can voluntarily segregate hogs prior to ante-mortem inspection if approved to do so by FSIS.⁶⁷ This guide does not discuss voluntary segregation, as it is mostly used in a few large plants.

If an animal is placed into a "U.S. Suspect" pen, the PHV will then examine it by taking its temperature and assessing its ability to walk and the severity of its illness.⁶⁸ The PHV will observe how plant employees move resting animals to stand up and walk, to ensure plant employees do so in a humane way; the employees cannot kick or use an electrical prod to move them for observation purposes.⁶⁹ The PHV will deem the "U.S. Suspect" animals either fit for slaughter or "U.S. Condemned." Animals deemed fit for slaughter must be slaughtered separately.⁷⁰ "U.S. Condemned" animals must be humanely disposed of or held for appropriate treatment.⁷¹

⁵⁸ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 3 USDA FSIS \(May 7, 2020\).](#)

⁵⁹ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 3 USDA FSIS \(May 7, 2020\).](#)

⁶⁰ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 3 USDA FSIS \(May 7, 2020\).](#) An NR will be issued to plants who do not correct the error.

⁶¹ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 6 USDA FSIS \(May 7, 2020\).](#)

⁶² FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 3 USDA FSIS (May 7, 2020); *Farm Sanctuary v. United States Department of Agriculture*, 706 F.Supp.3d 381, 396 (2023).

⁶³ See [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, USDA FSIS \(May 7, 2020\).](#)

⁶⁴ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 4 USDA FSIS \(May 7, 2020\)](#); See *Farm Sanctuary v. United States Department of Agriculture*, 706 F.Supp.3d 381, 394-95 (2023).

⁶⁵ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 4 USDA FSIS \(May 7, 2020\).](#)

⁶⁶ 9 C.F.R. § 313.1(c); [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 6 USDA FSIS \(May 7, 2020\).](#)

⁶⁷ Plant employees may voluntarily sort swine or sheep that are healthy into "Normal" pens and that are ill into "Subject" pens. "Inspectors then inspect all animals in the "Normal" pens at rest," as well as "five to ten percent of those animals in motion" and instruct plants to move animals to "U.S. Suspect" pens for final review by a PHV, when they fall into that category. Segregation procedures must be documented and correctly implemented to be considered valid by the inspector. See [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 8 USDA FSIS \(May 7, 2020\)](#). *Farm Sanctuary v. United States Department of Agriculture*, 706 F.Supp.3d 381, 396 (2023).

⁶⁸ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 8-9 USDA FSIS \(May 7, 2020\).](#)

⁶⁹ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 9 USDA FSIS \(May 7, 2020\).](#)

⁷⁰ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, USDA FSIS \(May 7, 2020\).](#)

⁷¹ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, USDA FSIS \(May 7, 2020\).](#)

If a plant holds an animal for treatment the inspector will first verify that there is updated documentation.⁷² The plant may request and receive permission to have the animal treated off site at, for example, a vet clinic.⁷³ You must work with the plant as quickly as possible to request this.

Plants must promptly and humanely euthanize non-ambulatory disabled cattle and veal calves tagged “U.S. Condemned.”⁷⁴

Chapter 5 provides additional advice on what to do if your animal is deemed “U.S. Condemned” by an inspector.

Slaughter can begin once inspectors have recorded on the pen card or drive sheet “the time that ante-mortem inspection was performed” with their signature or initials.⁷⁵ This means the animal has been approved for slaughter.

As mentioned above, inspectors conduct ante-mortem inspections on the same day the animal is slaughtered.⁷⁶ However, inspectors can conduct antemortem inspection the day before slaughter for some small and very small plants that slaughter 15 or less animals a day.⁷⁷ If a plant pursues this option, it must slaughter “U.S. Suspect” animals in the presence of an inspector, regardless of when ante-mortem inspection occurred.⁷⁸ This small and very small plant exception is not allowed for cattle.⁷⁹

V. Livestock pens, driveways and ramps

Inspectors also observe your local plant’s facilities to ensure your animals are not harmed. Plants must maintain livestock pens, driveways, and ramps to prevent livestock from being harmed or injured by any sharp objects or corners.⁸⁰ This includes off-loading ramps, holding pens, gates, chutes, restraints, and the stunning box.⁸¹ Plants must repair any loose boards, broken planks, rails, or ramps, splintered boards or planks, or other broken items and fill all unnecessary openings large enough to injure or trap the animals’ head, feet, or legs.⁸² Floors must provide livestock with good footing so the animals do not fall or injure themselves.⁸³ Examples of good flooring include: slip resistant floors; waffled floors; cleated ramps; and sand during winter, if necessary.⁸⁴ Pens should be arranged with minimal sharp corners and to prevent animals from being driven in the opposite direction.⁸⁵ All facilities must be kept in a manner that prevents injury to livestock. If the inspector believes the pen, ramp, driveway, etc. could cause an injury to an animal, they will issue a noncompliance, even if an animal has not been injured yet.⁸⁶ These requirements aim to prevent injuries to livestock.

Plants must have covered pens to protect any dying, diseased, disabled, or “U.S. Suspect” livestock (as referenced above), from any weather conditions until a decision is made by the inspector.⁸⁷

⁷² [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 11 USDA FSIS \(May 7, 2020\).](#)

⁷³ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 11 USDA FSIS \(May 7, 2020\).](#)

⁷⁴ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 11 USDA FSIS \(May 7, 2020\).](#)

⁷⁵ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 4 USDA FSIS \(May 7, 2020\).](#)

⁷⁶ 9 C.F.R. § 309.1.

⁷⁷ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 12 USDA FSIS \(May 7, 2020\).](#)

⁷⁸ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 12 USDA FSIS \(May 7, 2020\).](#)

⁷⁹ [FSIS Directive 6100.1 Rev. 3, Ante-Mortem Livestock Inspection, 12 USDA FSIS \(May 7, 2020\).](#)

⁸⁰ 9 C.F.R. § 313.1(a).

⁸¹ [Humane Handling of Livestock and Good Commercial Practices in Poultry, 6 USDA FSIS \(Aug. 2, 2018\).](#)

⁸² 9 C.F.R. § 313.1(a); [FSIS Compliance Guide for a Systematic Approach to the Humane Handling of Livestock, 12-13 USDA FSIS \(October 2013\).](#)

⁸³ 9 C.F.R. § 313.1(b).

⁸⁴ 9 C.F.R. § 313.1(b).

⁸⁵ 9 C.F.R. § 313.1(d).

⁸⁶ [FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, 9 USDA FSIS \(Sept. 24, 2020\).](#)

⁸⁷ 9 C.F.R. § 313.1(c).

VI. Handling Livestock Pre-Slaughter

Inspectors will begin their inspection the moment your animals arrive and are unloaded from the truck to the holding pens. When unloading, animals should move no faster than normal walking speed and excitement and discomfort must be minimized.⁸⁸ Anyone handling the animals, including you, the animals' owner, must avoid any action that causes the animals to run or move too quickly once at the plant; if the animals run or move too fast is likely a violation.⁸⁹ In comparison, if animals move quickly or start to try and run on their own, that is likely not a violation.⁹⁰ FSIS prohibits excessive use of electric prods, baseball bats, canvas slappers, and other tools to move livestock, and the inspector can decide what they consider "excessive use."⁹¹ If used, "[e]lectric prods attached to AC house current" must be used at the lowest effective voltage – a maximum of 50 Volts AC.⁹² The following items **cannot** be used to drive livestock: pipes; sharp objects; pointed objects; or any other object that causes unnecessary pain or injury.⁹³ Inspectors confirm compliance with these requirements by directly observing the movement of cattle in the pens, alleys, chutes, and into the stunning area.⁹⁴

As mentioned above for ante-mortem inspection, animals unable to move must be separated and placed in a covered pen.⁹⁵ No one can drag a conscious disabled or otherwise unmoving animal.⁹⁶ Only stunned and unconscious animals may be dragged.⁹⁷ A conscious disabled or unmoving animal may be relocated on equipment designed to move them, such as stone boats or bucket lifts.⁹⁸ Animals cannot be moved via equipment that is sharp and likely to cause further injury, such as forklifts.⁹⁹ Plants cannot use a power activated gate or similar device to move livestock.¹⁰⁰

Plants must provide animals with access to drinkable water in the holding pens.¹⁰¹ The water cannot be frozen.¹⁰² Water must be checked frequently in warmer weather.¹⁰³ If held overnight, animals must have enough space to lie down in the holding pen.¹⁰⁴ If held longer than 24 hours, animals must have access to appropriate feed for that animal's age and species.¹⁰⁵

Any injury to animals pre-slaughter due to poor humane handling practices is likely a violation of FSIS's humane handling regulations.¹⁰⁶

⁸⁸ 9 C.F.R. § 313.2(a); *Humane Handling Verification for Livestock and Good Commercial Practices for Poultry*, 5 USDA FSIS (Apr. 11, 2024).

⁸⁹ *Humane Handling Verification for Livestock and Good Commercial Practices for Poultry*, 6 USDA FSIS (Apr. 11, 2024).

⁹⁰ *Humane Handling Verification for Livestock and Good Commercial Practices for Poultry*, 6 USDA FSIS (Apr. 11, 2024).

⁹¹ 9 C.F.R. § 313.2(b); *Humane Handling Verification for Livestock and Good Commercial Practices for Poultry*, 6 USDA FSIS (Apr. 11, 2024).

⁹² 9 C.F.R. § 313.2(b).

⁹³ 9 C.F.R. § 313.2(c).

⁹⁴ *FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock*, 11 USDA FSIS (Sept. 24, 2020).

⁹⁵ 9 C.F.R. § 313.2(d).

⁹⁶ 9 C.F.R. § 313.2(d).

⁹⁷ 9 C.F.R. § 313.2(d).

⁹⁸ 9 C.F.R. § 313.2(d); *Humane Handling Verification for Livestock and Good Commercial Practices for Poultry*, 7 USDA FSIS (Apr. 11, 2024).

⁹⁹ See 2013 WL 4713557 (violation due to employee moving disabled animals with a forklift).

¹⁰⁰ *FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock*, 11 USDA FSIS (Sept. 24, 2020).

¹⁰¹ 9 C.F.R. § 313.2(e); *Humane Handling Verification for Livestock and Good Commercial Practices for Poultry*, 3 USDA FSIS (Apr. 11, 2024).

¹⁰² *FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock*, 9 USDA FSIS (Sept. 24, 2020).

¹⁰³ *FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock*, 9 USDA FSIS (Sept. 24, 2020).

¹⁰⁴ 9 C.F.R. § 313.2(e).

¹⁰⁵ 9 C.F.R. § 313.2(e); *Humane Handling Verification for Livestock and Good Commercial Practices for Poultry*, 3 USDA FSIS (Apr. 11, 2024).

¹⁰⁶ *FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock*, 9 USDA FSIS (Sept. 24, 2020).

Humane Slaughter Requirements

After observing pre-slaughter humane handling activities, inspectors enforce certain regulations that ensure animals are properly and humanely slaughtered. The FMIA allows FSIS to suspend slaughter operations in the event of an HMA violation until the plant proves to FSIS that any future slaughter will comply with humane handling requirements.¹⁰⁷ FSIS does **not** have to suspend a plant that violates the HMA; but this law gives them the power to do so if it is necessary.¹⁰⁸

FSIS requires a plant's stunning area to limit the free movement of livestock so that the operator can precisely stun the livestock and minimize their excitement and discomfort.¹⁰⁹

Animals cannot be shackled, hoisted, thrown, cast, or cut before they are effectively stunned.¹¹⁰

It is a violation of the HMA to use more than one stun to immediately produce unconsciousness.¹¹¹ The stun might fail due to incorrect placement by an employee or if the equipment malfunctions.

If the first stun fails to render the animal immediately unconscious, the stunner must take a second shot immediately.¹¹² FSIS often suspends plants for failing to immediately issue a second stun after a failed initial stun.¹¹³ Plants should prepare employees to administer an immediate second shot if the first attempted stun fails. For example, if an employee uses a rifle for the second stun, the employee must load and administer the shot in a matter of a few seconds.¹¹⁴ The second shot should render the animal unconscious.¹¹⁵

Plants should keep a second knocking device (i.e., firearm, or second captive bolt) ready and available in case the stun fails due to equipment malfunction. It is important to have the backup stunning method on the kill floor during slaughter to ensure the reaction is immediate. An immediate corrective action will help prevent a suspension.¹¹⁶

Approved stunning methods for livestock include: carbon dioxide gas; captive bolt stunners; firearm stunning; and electrical current stunning.¹¹⁷ Each method is discussed in more detail below and all require that plants minimize animals' excitement and discomfort during the stunning process.¹¹⁸ Your local plant most likely uses one or two of these methods.

I. What are the Requirements for Carbon Dioxide Gas Stunning?

Small plants rarely use carbon dioxide stunning, so it is not likely your plant uses this method. If it does, this method of stunning can only be used for sheep, calves, and swine.¹¹⁹ The carbon dioxide gas must produce insensibility or unconsciousness in these animals in a quick and calm manner before they are cut, thrown, hoisted or shackled.¹²⁰

¹⁰⁷ [21 U.S.C. § 603\(b\)](#); See [9 C.F.R. § 500.3\(b\)](#).

¹⁰⁸ [21 U.S.C. § 603\(b\)](#).

¹⁰⁹ [Humane Handling of Livestock and Good Commercial Practices in Poultry, 8 USDA FSIS \(Aug. 2, 2018\)](#).

¹¹⁰ [9 C.F.R. § 313.2\(f\)](#).

¹¹¹ See [7 U.S.C. § 1902](#).

¹¹² See, e.g., Docket Nos. 14-0045, 14-0046 (waiting 4 minutes to render the second shot was an egregious violation; waiting approximately 2 minutes was a violation and suspended the plant; stunning an animal on the third try resulted in suspension).

¹¹³ See, e.g., Docket Nos. 14-0045, 14-0046.

¹¹⁴ See, e.g., Docket Nos. 14-0045, 14-0046 (waiting 4 minutes to render the second shot was an egregious violation; waiting approximately 2 minutes was a violation and suspended the plant; stunning an animal on the third try resulted in suspension).

¹¹⁵ See, e.g., Docket Nos. 14-0045, 14-0046.

¹¹⁶ See e.g., Docket Nos. 14-0045, 14-0046.

¹¹⁷ [9 C.F.R. §§ 313.5, 313.15, 313.16, 313.30](#).

¹¹⁸ See [9 C.F.R. §§ 313.5\(a\)\(2\), 313.15\(a\), 313.16\(a\)\(2\)](#).

¹¹⁹ [9 C.F.R. § 313.5](#).

¹²⁰ [9 C.F.R. § 313.5\(a\)\(1\)](#).

Except for swine, animals cannot die from this stunning method.¹²¹ If the swine exit the carbon dioxide gas chamber alive, then they must remain unconscious, equivalent to the state of surgical anesthesia, throughout the shackling, sticking, and bleeding process.¹²² Sheep and calves must remain insensible throughout the shackling, sticking, and bleeding process that results in death.¹²³

When plant employees move animals into the carbon dioxide chamber, they must minimize discomfort and excitement.¹²⁴ Animals must be calm – otherwise the use of anesthesia among excited animals can result in a more violent and inhumane path to unconsciousness.¹²⁵ When moving animals into the carbon dioxide chamber the use of electrical prods or equipment should be limited and avoided if possible and used at the lowest effective voltage.¹²⁶

The gas chamber's design must effectively expose the livestock to carbon dioxide gas.¹²⁷ The regulations describe how to design compliant chambers (detailed in the note below).¹²⁸ "Pathways, compartments, gas chambers, and all other equipment used must be designed" for each livestock species.¹²⁹ No pain-inducing restraining devices can be used during this process.¹³⁰ Sharp objects, unnecessary holes, spaces, or openings, or exposed wheels/gears are **not** allowed because they can injure animals.¹³¹ The machines or impellers that move the animals must consist of "flexible or well-padded rigid material."¹³² Plants' must build mechanical gates to prevent injuries to animals.¹³³ Ongoing maintenance of all equipment is required.¹³⁴

Only one operator controls "the flow of animals into and through the [gas] chamber."¹³⁵ The operator must be "skilled, attentive, and aware of their responsibility."¹³⁶ A careless operator can lead to accidental overdosing or killing of livestock.¹³⁷

Plants must properly mix gas and air each day prior to the animals entering the chamber.¹³⁸ Gas must be properly and carefully distributed into the chamber so the carbon dioxide concentration stuns adequately and uniformly.¹³⁹ Plants must have an exhaust system in place to ensure the carbon dioxide is still applied uniformly if the equipment

¹²¹ [9 C.F.R. § 313.5\(a\)](#).

¹²² [9 C.F.R. § 313.5\(a\)\(3\)](#).

¹²³ [9 C.F.R. § 313.5\(a\)\(3\)](#).

¹²⁴ [9 C.F.R. § 313.5\(a\)\(2\)](#).

¹²⁵ [9 C.F.R. § 313.5\(a\)\(2\)](#).

¹²⁶ [9 C.F.R. § 313.5\(a\)\(2\)](#).

¹²⁷ [9 C.F.R. § 313.5\(b\)\(1\)](#).

¹²⁸ [9 C.F.R. § 313.5\(b\)\(1\)](#). Both U-type and Straight Line type tunnels are commonly used. These tunnels work by relying on carbon dioxide being heavier than air, causing the carbon dioxide to go to the bottom of the tunnel with the livestock. These tunnels have open exits and entrances and a depressed (lowered) middle section. Livestock are driven from holding pens to the carbon dioxide gas chamber on pathways made of large-diameter pipe or smooth metal. These pathways move livestock onto continuous conveyor devices. The conveyors move the animals through the carbon dioxide gas tunnel. Commonly, mechanical impellers compartmentalize (separate) the livestock on the conveyors. Mechanical impellers, or other devices moving or compartmentalizing the livestock, must be made "of flexible or well-padded rigid material." Mechanical or manually operated gates then move the livestock onto the conveyors. Once the livestock are surgically anaesthetized, or killed if they are swine, they are conveyed out of the tunnels on the same continuous conveyor that brought them in and lead them through the gas.

¹²⁹ [9 C.F.R. § 313.5\(b\)\(2\)](#).

¹³⁰ [9 C.F.R. § 313.5\(b\)\(2\)](#).

¹³¹ [9 C.F.R. § 313.5\(b\)\(2\)](#).

¹³² [9 C.F.R. § 313.5\(b\)\(2\)](#).

¹³³ [9 C.F.R. § 313.5\(b\)\(2\)](#).

¹³⁴ [9 C.F.R. § 313.5\(b\)\(2\)](#).

¹³⁵ [9 C.F.R. § 313.5\(b\)\(1\)\(i\)](#).

¹³⁶ [9 C.F.R. § 313.5\(b\)\(1\)\(i\)](#).

¹³⁷ [9 C.F.R. § 313.5\(b\)\(1\)\(i\)](#).

¹³⁸ See [9 C.F.R. § 313.5\(b\)\(3\)](#).

¹³⁹ See [9 C.F.R. § 313.5\(b\)\(3\)](#). "Carbon dioxide gas supplied to anesthesia chambers may be from controlled reduction of solid carbon dioxide or from a controlled liquid source. In either case the carbon dioxide shall be supplied at a rate sufficient to anesthetize adequately and uniformly the number of animals passing through the chamber." [9 C.F.R. § 313.5\(b\)\(3\)](#).

fails.¹⁴⁰ Continuous sampling from a representative place(s) in the chamber is required.¹⁴¹ The gas concentration and animals' exposure time must be recorded throughout the day.¹⁴²

No noxious or irritating gases are allowed in the gas chamber.¹⁴³ Plants must maintain all equipment.¹⁴⁴

Program inspectors must have access to inspect all gas producing and controlling equipment to ensure it is properly maintained, as well as all indicators, instruments, and measuring devices.¹⁴⁵

II. What are the Requirements for Captive Bolt Stunning?

If your local plant uses captive bolt stunning, there are several requirements it must comply with. Captive bolt stunning is approved for sheep, swine, goats, calves, cattle, horses, mules, and other equines.¹⁴⁶ These methods include both compressed air powered (pneumatic) or cartridge fired captive bolt stunners.¹⁴⁷ Stunning via this method must render the animal immediately unconscious and minimize excitement and discomfort.¹⁴⁸ Anyone driving livestock to the stunning area must minimize excitement and discomfort.¹⁴⁹ It is essential that animals are calm before they are stunned to ensure the correct placement of stunning equipment.¹⁵⁰ When moving animals into the stunning area the use of electrical prods should be limited and avoided if at all possible and the lowest effective voltage must be used.¹⁵¹ Plants must design stunning areas to effectively restrain animals so the operator can accurately stun them.¹⁵² Once stunned, the animals should be unconscious and remain this way until exsanguination facilitates death.¹⁵³ Proper stunning is essential for ensuring the animal remains unconscious.¹⁵⁴

Captive bolt stunning is either skull penetrating or nonpenetrating.¹⁵⁵ Unconsciousness must occur immediately after use.¹⁵⁶ The correct type of captive bolt stunner is one that is the right size, proper design, and, when properly positioned and activated, causes immediate unconsciousness.¹⁵⁷

Compressed air pneumatic captive bolt stunners "must have necessary constant air pressure and accurate, constantly operating air pressure gauges" in order "to assure uniform unconsciousness with every blow."¹⁵⁸ Inspectors and stunner operators must have convenient access to these gauges and must be able to easily read them.¹⁵⁹ Every

¹⁴⁰ [9 C.F.R. § 313.5\(b\)\(3\)](#).

¹⁴¹ [9 C.F.R. § 313.5\(b\)\(3\)](#).

¹⁴² [9 C.F.R. § 313.5\(b\)\(3\)](#).

¹⁴³ [9 C.F.R. § 313.5\(b\)\(3\)](#).

¹⁴⁴ [9 C.F.R. § 313.5\(b\)\(3\)](#).

¹⁴⁵ [9 C.F.R. § 313.5\(b\)\(3\)](#).

¹⁴⁶ [9 C.F.R. § 313.15](#).

¹⁴⁷ See [Temple Grandin, Recommended Animal Handling Guidelines & Audit Guide: A Systematic Approach to Animal Welfare, 22 N. AM. MEAT INST. \(Jan. 2021\)](#).

¹⁴⁸ [9 C.F.R. § 313.15\(a\)](#).

¹⁴⁹ [9 C.F.R. § 313.15\(a\)](#).

¹⁵⁰ [9 C.F.R. § 313.15\(a\)](#).

¹⁵¹ [9 C.F.R. § 313.15\(a\)](#).

¹⁵² [9 C.F.R. § 313.15\(b\)\(1\)\(ii\)](#).

¹⁵³ [9 C.F.R. § 313.15\(a\)](#).

¹⁵⁴ See [Temple Grandin, Recommended Animal Handling Guidelines & Audit Guide: A Systematic Approach to Animal Welfare, 23-24 N. AM. MEAT INST. \(June 2017\)](#) (discussing best stunning practices).

¹⁵⁵ [9 C.F.R. § 313.15\(b\)\(1\)\(i\)](#).

¹⁵⁶ [9 C.F.R. § 313.15\(b\)\(1\)\(i\)](#). "Unconsciousness is produced immediately by a combination of acceleration concussion and changes in intracranial pressures." [9 C.F.R. § 313.15\(b\)\(1\)\(i\)](#).

¹⁵⁷ [9 C.F.R. § 313.15\(b\)\(1\)\(i\)](#). "Energizing of instruments may be accomplished by detonation of measured charges of gunpowder or accurately controlled compressed air." [9 C.F.R. § 313.15\(b\)\(1\)\(i\)](#).

¹⁵⁸ [9 C.F.R. § 313.15\(b\)\(1\)\(ii\)](#). Low air pressure can cause poor stunning. [Temple Grandin, Recommended Animal Handling Guidelines & Audit Guide: A Systematic Approach to Animal Welfare, 22 N. AM. MEAT INST. \(Jan. 2021\)](#).

¹⁵⁹ [9 C.F.R. § 313.15\(b\)\(1\)\(ii\)](#).

stunning device should have safety features to prevent accidental discharge.¹⁶⁰ Captive bolt stunners must be kept in good repair.¹⁶¹

The correct type of captive bolt stunner must be used based on the age, species, size, and even sex of the animal.¹⁶² “Captive bolt stunners that deliberately inject compressed air into the cranium at the end of the penetration cycle shall not be used to stun cattle” [emphasis added].¹⁶³

Only a well trained and experienced operator can stun using captive bolt stunning because of the accuracy required to produce immediate unconsciousness. The operator must know and use “the correct detonating charge with regard to kind, breed, size, age, and sex of the animal to produce the desired results.”¹⁶⁴

As mentioned above in the other stunning sections, all chutes, gates, alleys, restraints, holding pens, gates, floors, and other parts of the stunning area must be built to prevent injury to the animals including eliminating any sharp objects, holes, slippery floors, and other possible items that could injure the animals.¹⁶⁵

III. What is Required for Firearm Stunning?

Firearm stunning is approved for cattle, calves, swine, sheep, goats, horses, mules, and other equines.¹⁶⁶ Some local plants may use this method at least for their back-up stunning method. If this method is used, a single shot must render animals immediately unconscious with minimal discomfort or excitement.¹⁶⁷ Similar to other methods of stunning, animals must be calm when moved to the shooting area and remain calm to ensure accurate shot placement.¹⁶⁸ An appropriate restraint, including a head restraint, can help.¹⁶⁹ The use of electrical prods should be limited and avoided if at all possible and the lowest effective voltage must be used.¹⁷⁰

Plants should have the correct type of firearm(s) to ensure immediate unconsciousness of the animal, including appropriate accuracy with how the firearm aims.¹⁷¹ If powered iron missiles are used the firearm must be “in close

¹⁶⁰ [9 C.F.R. § 313.15\(b\)\(1\)\(ii\).](#)

¹⁶¹ [9 C.F.R. § 313.15\(b\)\(1\)\(ii\).](#)

¹⁶² [9 C.F.R. § 313.15\(b\)\(2\).](#) “Young swine, lambs, and calves usually require less stunning force than mature animals of the same kind. Bulls, rams, and boars usually require skull penetration to produce immediate unconsciousness. Charges suitable for smaller kinds of livestock such as swine or for young animals are not acceptably interchanged for use on larger kinds or older livestock, respectively.”

¹⁶³ [9 C.F.R. § 313.15\(b\)\(2\)\(i\).](#)

¹⁶⁴ [9 C.F.R. § 313.15\(b\)\(2\).](#)

¹⁶⁵ [9 C.F.R. § 313.15\(b\)\(1\)\(iv\).](#)

¹⁶⁶ [9 C.F.R. § 313.16.](#) “All chutes, alleys, gates and restraining mechanisms between and including holding pens and stunning areas shall be free from pain-producing features such as exposed bolt ends, loose boards, splintered or broken planking, and protruding sharp metal of any kind. There shall be no unnecessary holes or other openings where feet or legs of animals may be injured. Overhead drop gates shall be suitably covered on the bottom edge to prevent injury on contact with animals. Roughened or cleated cement shall be used as flooring in chutes leading to stunning areas to reduce falls of animals. Chutes, alleys, and stunning areas shall be so designed that they will comfortably accommodate the kinds of animals to be stunned.” [9 C.F.R. § 313.15\(b\)\(1\)\(iii\).](#)

¹⁶⁷ [9 C.F.R. § 313.16\(a\)\(1\).](#)

¹⁶⁸ [9 C.F.R. § 313.16\(a\)\(2\).](#)

¹⁶⁹ See [Temple Grandin, Proper Cattle Restraint for Stunning, \(Sept. 2018\).](#)

¹⁷⁰ [9 C.F.R. § 313.16\(a\)\(2\).](#)

¹⁷¹ [9 C.F.R. § 313.16\(b\)\(1\)\(i\).](#) “Only hollow pointed bullets, frangible iron plastic composition bullets, or powdered iron missiles can be used for small-bore firearms.” [9 C.F.R. § 313.16\(b\)\(1\)\(ii\).](#) Note that hollowed pointed bullets are more likely to result in failed stunning attempt and are not recommended for use by humane handling experts. [Gunshot or Penetrating Captive Bolt, IOWA STATE UNIV. COLL. OF VETERINARY MED. \(last visited Sept. 7, 2025\); see Temple Grandin, Recommended Animal Handling Guidelines & Audit Guide: A Systematic Approach to Animal Welfare, 23-24 N. AM. MEAT INST. \(June 2017\)](#) (for more humane handling best practices for firearm stunning).

proximity with the skull of the animal when fired.”¹⁷² For the safety of the operator, the firearm should never be pressed flush against the head of the animal.¹⁷³

Plants should maintain all firearms and have safety devices to prevent accidental discharge.¹⁷⁴ Accidental discharge can lead to serious injuries to employees, inspectors, and others.¹⁷⁵ Firearms cannot be aimed or discharged towards operating areas at any time.¹⁷⁶

The animal must remain unconscious throughout shackling, bleeding, and sticking.¹⁷⁷

Operators must be well trained and experienced to shoot accurately enough to produce unconsciousness.¹⁷⁸ Accurate stunning requires the use of a “correct caliber firearm, powder charge, and type of ammunition” and should be adapted based on the age and sex of the animals.¹⁷⁹

As previously described in the other stunning sections, plants’ chutes, gates, alleys, restraints, holding pens, gates, floors, and other parts of the shooting or stunning areas must be built to prevent injury to the animals including eliminating any sharp features, holes, slippery floors, and other possible issues that may injure the animals.¹⁸⁰

IV. What is Required for Electric Current Stunning?

If your local plant uses electric current stunning, it is only allowed for swine, sheep, calves, cattle, and goats.¹⁸¹ An effective electrical stun must ensure “a state of surgical anesthesia” so animals do not feel pain.¹⁸² If an electrical stun application is ineffective, the animal will return to consciousness,¹⁸³ and the plant will violate humane handling requirements.¹⁸⁴ Therefore, stunners must take measures to ensure that electrical stunning is effective.¹⁸⁵

¹⁷² [9 C.F.R. § 313.16\(b\)\(1\)\(ii\)](#).

¹⁷³ [AVMA Guidelines for the Humane Slaughter of Animals: 2024 Edition, 56 Am. Veterinary Med. Ass'n \(2024\)](#).

¹⁷⁴ [9 C.F.R. § 313.16\(b\)\(1\)\(ii\)](#).

¹⁷⁵ [9 C.F.R. § 313.16\(b\)\(1\)\(ii\)](#).

¹⁷⁶ [9 C.F.R. § 313.16\(b\)\(1\)\(ii\)](#).

¹⁷⁷ [9 C.F.R. § 313.16\(a\)\(3\)](#).

¹⁷⁸ [9 C.F.R. § 313.16\(b\)\(1\)\(iv\)](#).

¹⁷⁹ [9 C.F.R. § 313.16\(b\)\(1\)\(iv\)](#). “In the case of bulls, rams, and boars, small bore firearms may be used provided they are able to produce immediate unconsciousness of the animals. Small bore firearms are usually effective for stunning other cattle, sheep, swine, and goats, and calves, horses, and mules.” [9 C.F.R. § 313.16\(b\)\(2\)](#).

¹⁸⁰ [9 C.F.R. § 313.16\(b\)\(1\)\(iii\)](#). “All chutes, alleys, gates and restraining mechanisms between and including holding pens and stunning areas shall be free from pain-producing features such as exposed bolt ends, loose boards, splintered or broken planking, and protruding sharp metal of any kind. There shall be no unnecessary holes or other openings where feet or legs of animals may be injured. Overhead drop gates shall be suitably covered on the bottom edge to prevent injury on contact with animals. Roughened or cleated cement shall be used as flooring in chutes leading to stunning areas to reduce falls of animals. Chutes, alleys, and stunning areas shall be so designed that they will comfortably accommodate the kinds of animals to be stunned.” [9 C.F.R. § 313.15\(b\)\(1\)\(iii\)](#).

¹⁸¹ [9 C.F.R. § 313.30](#).

¹⁸² [9 C.F.R. § 313.30\(a\); Temple Grandin, Recommended Animal Handling Guidelines & Audit Guide: A Systematic Approach to Animal Welfare, 25 N. AM. MEAT INST. \(June 2017\)](#).

¹⁸³ [9 C.F.R. § 313.30\(a\); Temple Grandin, Recommended Animal Handling Guidelines & Audit Guide: A Systematic Approach to Animal Welfare, 26 N. AM. MEAT INST. \(June 2017\)](#).

An animal regaining consciousness after an ineffective electrical stun can be caused by:

1. “Wrong position of the electrode;”
2. “Amperage that is too low;”
3. “Poor bleed out;” or
4. “Poor electrode contact with the animal.”

¹⁸⁴ [9 C.F.R. § 313.30](#).

¹⁸⁵ These measures include:

- Maintaining and cleaning electrodes, typically daily, to “ensure a good electrical connection;”
- Pressing the electrical stunning wand on the animal before “energizing the electrodes” “to prevent bloodspots in the meat and” vocal distress in the animal;

The electric current must produce a quick and effective stun, “with a minimum of excitement and discomfort.”¹⁸⁶ The electric stun must either effectively stun or effectively stun and kill the animals, so they remain insensible through the shackling, sticking, and bleeding process.¹⁸⁷

Plants’ electric current equipment must be designed for that species of animal.¹⁸⁸ “Suitable timing, voltage and current control devices shall be used to ensure that each animal receives the necessary electrical charge to produce immediate unconsciousness.”¹⁸⁹ The application of electric current must avoid causing hemorrhages or tissue changes that may interfere with inspection.¹⁹⁰ Plants should check their electrical stunning equipment daily with a voltmeter to ensure the voltage will effectively stun the animal.

Operators must be well trained and attentive to the application of the electrical current stun.¹⁹¹

As mentioned in the other methods of stunning, animals must be calm when moved to the stunning area and should remain calm to ensure accurate placement, and the use of electrical handling aids/ prods should be limited, used at the lowest effective voltage, and avoided if possible.¹⁹² Similarly, all chutes, gates, alleys, restraints, holding pens, gates, floors, and other parts of the stunning areas must be built to prevent injury to the animals including addressing any sharp features, holes, slippery floors, and other possible issues that may cause injuries to animals.¹⁹³ Animals should not be in pain when in a restraining device.¹⁹⁴ Plant equipment should be kept “in good repair and all indicators, instruments and measuring devices must be available for inspection at all times.”¹⁹⁵

V. Compliance with Stunning Requirements

Because stunning relates to most humane handling violations, plants should understand the common issues linked to captive bolt, electrical, and firearm stunning methods.¹⁹⁶ Additional resources and best practices for training employees are listed in the Appendix below.

If a humane handling violation, such as a missed stun, occurs FSIS will likely issue either a Notice of Intended Enforcement (“NOIE”) or a Notice of Suspension (“NOS”). Being issued an NOIE, as opposed to an NOS, will give a plant time to correct any humane handling issues. NOIEs are official FSIS notices to plants that FSIS intends to take enforcement action and provides the plant with a chance to prove they will achieve compliance (take the appropriate corrective actions) in a relatively short amount of time.¹⁹⁷ FSIS will monitor and verify that the corrective actions have

- Using the correct amperage on the animal based on its species and weight;
- Properly hydrating animals to prevent any electrical current resistance;
- Bleeding the animal after stunning to ensure permanent unconsciousness; and
- Placing the electrical stunning wand in the appropriate location on the animal. [Temple Grandin, Recommended Animal Handling Guidelines & Audit Guide: A Systematic Approach to Animal Welfare, 25-28 N. AM. MEAT INST. \(June 2017\)](#).

¹⁸⁶ [9 C.F.R. § 313.30\(a\)\(1\)](#).

¹⁸⁷ [9 C.F.R. § 313.30\(a\)\(1\)](#).

¹⁸⁸ [9 C.F.R. § 313.30\(b\)\(2\)](#).

¹⁸⁹ [9 C.F.R. § 313.30\(b\)\(3\)](#).

¹⁹⁰ [9 C.F.R. § 313.30\(b\)\(3\)](#).

¹⁹¹ [9 C.F.R. § 313.30\(b\)\(1\)](#).

¹⁹² [9 C.F.R. § 313.16\(a\)\(2\)](#).

¹⁹³ [9 C.F.R. § 313.30\(b\)\(2\)](#).

¹⁹⁴ [9 C.F.R. § 313.30\(b\)\(2\)](#).

¹⁹⁵ [9 C.F.R. § 313.30\(b\)\(2\)](#).

¹⁹⁶ Two important steps to resolve captive bolt stunning issues are accurately placing the captive bolt and having the appropriate velocity for captive bolts. For more information see: [Temple Grandin, Recommended Animal Handling Guidelines & Audit Guide: A Systematic Approach to Animal Welfare, 25-28 N. AM. MEAT INST. \(June 2017\)](#); [Faith Baier et al., Data Pinpoints Need for a Continued Focus on Stunning Efficacy and Management, National Provisioner \(2018\)](#); and [Kurt D. Vogel et al., Teachable Moments in Humane Animal Handling, National Provisioner \(2022\)](#).

¹⁹⁷ [Quarterly Enforcement Reports, USDA FSIS \(last updated Aug. 21, 2025\)](#).

occurred.¹⁹⁸ In contrast, an NOS is an official enforcement action that suspends all FSIS operations in the plant until the proper corrective actions are taken.¹⁹⁹ FSIS will remove its inspector(s) and animals cannot be slaughtered until the plant's suspension is lifted and an inspector is back in the plant.²⁰⁰

Besides correcting stunning-related issues, plants may decrease their chances of receiving an NOS by implementing a Robust Systematic Approach ("RSA").²⁰¹ An RSA is a written humane handling plan that consists of procedures and records that demonstrate compliance with all humane handling requirements.²⁰² FSIS must review an RSA for it to be official.²⁰³ FSIS can issue an NOIE, instead of an NOS, when an improper stun occurs, but an RSA exists along with best practices.²⁰⁴ Conversely, FSIS usually issues an NOS when a plant fails to maintain an RSA and an improper stun occurs.

For more information regarding RSAs, see [*A Robust Systematic Approach to Humane Handling, \(2024\)*](#). Chapter 4 includes tips on how to confirm your local plant has an RSA.

Humane Handling Enforcement by FSIS

Although the HMSCA does not clearly define what inhumane acts trigger an enforcement action beyond the law's slaughter requirements, the HMSCA does give FSIS the authority to write and enforce regulations to ensure livestock are humanely handled.²⁰⁵ FSIS describes several actions that they consider violations of the HMSCA in Directive 6900.2 - Revision 3.²⁰⁶ Under its regulatory authority, FSIS may suspend plants without notification for inhumane handling or slaughter.²⁰⁷

The relationship between the inspector and the processing plant significantly impacts how well the plant functions and how it implements humane handling requirements. As mentioned, there is a lot of room for interpretation of the laws and regulations. One inspector may interpret or consider humane handling requirements a little differently than another. Overall, plants should comply with the above-mentioned requirements, and farmers should understand that not all inspectors will implement them the same.

If an inspector observes a violation, they will notify the plant of the issue and require the plant to take steps to prevent a similar violation in the future.²⁰⁸ If the plant fails to take steps to prevent future violations, the inspector can take the following actions:

1. If the facility and/or its equipment is deficient or breaking down or in disrepair, the inspector will attach a "U.S. Rejected" tag to that equipment or area of the plant. This means the plant cannot use that equipment or area until it is fixed and approved by the inspector.²⁰⁹

2. If an employee or operator caused the humane handling violation, the inspector will attach a "U.S. Rejected" tag to that area of the plant and prevent stunning from occurring until the plant implements appropriate corrective actions to ensure a repeat violation will not occur.²¹⁰

¹⁹⁸ [*Quarterly Enforcement Reports, USDA FSIS \(last updated Aug. 21, 2025\)*](#).

¹⁹⁹ [*Quarterly Enforcement Reports, USDA FSIS \(last updated Aug. 21, 2025\)*](#).

²⁰⁰ [*Quarterly Enforcement Reports, USDA FSIS \(last updated Aug. 21, 2025\)*](#).

²⁰¹ See [*FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, USDA FSIS \(Sept. 24, 2020\)*](#).

²⁰² See [*FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, USDA FSIS \(Sept. 24, 2020\)*](#).

²⁰³ See [*FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, USDA FSIS \(Sept. 24, 2020\)*](#).

²⁰⁴ See [*FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, USDA FSIS \(Sept. 24, 2020\)*](#).

²⁰⁵ [*7 U.S.C. § 1907\(b\); See also 7 U.S.C. § 1902*](#).

²⁰⁶ See [*FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, USDA FSIS \(Sept. 24, 2020\)*](#).

²⁰⁷ [*9 C.F.R. 500.3\(b\)*](#).

²⁰⁸ [*9 C.F.R. § 313.50*](#).

²⁰⁹ [*9 C.F.R. § 313.50\(a\)*](#).

²¹⁰ [*9 C.F.R. § 313.50\(b\)*](#).

3. If the violation is an improper stun, the inspector will place a “U.S. Rejected” tag in the stunning area and stunning cannot occur until the plant implements corrective actions to prevent another improper stun.²¹¹ IPP will verify after stunning that the animal remains unconscious.²¹²

The plant may process all livestock slaughtered prior to the violation.²¹³

While FSIS inspectors can automatically issue an NOS or suspension for a humane handling violation, they may issue an NOIE, which as mentioned, is less severe, to allow the plant time to implement corrective actions.²¹⁴

FSIS enforcement actions and suspensions are usually issued for plants that commit egregious humane handling violations.²¹⁵

Directive 6900.2 tells FSIS inspectors what actions to take if egregious humane handling violations occur.²¹⁶ FSIS provides examples of egregious inhumane treatment in Directive 6900.2, including but not limited to:

- “Making cuts on or skinning conscious animals;”
- “Excessive beating or prodding of ambulatory or nonambulatory disabled animals or dragging conscious animals;”
- “Driving animals off semi-trailers over a drop off without providing adequate unloading facilities (animals are falling to the ground);”
- “Running equipment over conscious animals;”
- “Stunning of animals and then allowing them to regain consciousness;”
- “Failing to immediately (or promptly) render an animal unconscious after a failed initial stunning attempt (e.g., no planned corrective actions);”
- “Multiple ineffective stun attempts”
- “Dismembering conscious animals, for example, cutting off ears or removing feet;”
- “Leaving disabled livestock exposed to adverse climate conditions while awaiting disposition, or;”
- “Otherwise causing unnecessary pain and suffering to animals, including situations on trucks.”²¹⁷

Although an egregious humane handling violation requires FSIS to take enforcement action, FSIS has discretion in determining which enforcement action is appropriate.²¹⁸ FSIS considers these factors when determining the appropriate action:

- Whether the plant has an RSA (a written humane handling plan);
- Whether the plant demonstrates to FSIS personnel that its humane handling plan is robust through continuous and effective implementation;
- The plant’s humane handling compliance history;
- Any “recent humane handling enforcement actions;”
- Whether suspension is appropriate for preventing further inhumane handling; and
- Whether “egregious noncompliance” is a rare occurrence.²¹⁹

²¹¹ [9 C.F.R. § 313.50\(c\).](#)

²¹² [FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, 12 USDA FSIS \(Sept. 24, 2020\).](#)

²¹³ [9 C.F.R. § 313.50\(a\).](#)

²¹⁴ [FSIS Compliance Guide for a Systematic Approach to the Humane Handling of Livestock, 8 USDA FSIS \(October 2013\).](#)

²¹⁵ [FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, 17 USDA FSIS \(Sept. 24, 2020\).](#)

²¹⁶ (“If FSIS finds that an egregious . . . noncompliance has occurred, FSIS will move to an enforcement action.”) (emphasis added). See [Temple Grandin, Recommended Animal Handling Guidelines & Audit Guide: A Systematic Approach to Animal Welfare, N. Am. MEAT INST. \(Jan. 2021\).](#)

²¹⁷ [FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, USDA FSIS \(Sept. 24, 2020\).](#)

²¹⁸ [FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, 2-3 USDA FSIS \(Sept. 24, 2020\).](#)

²¹⁹ [FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, 17 USDA FSIS \(Sept. 24, 2020\).](#)

Unless an RSA is present and one or more of these other factors are favorable to the plant, FSIS will likely issue an NOS for plants that commit egregious humane handling violations.²²⁰ If all of these factors are present, FSIS will likely issue an NOIE instead of an NOS.²²¹ Plants should implement an RSA and can learn about how to here: [A Robust Systematic Approach to Humane Handling, \(2024\)](#).

FSIS includes a sample checklist for compliance with all humane handling requirements in its [Compliance Guide for a Systematic Approach to the Humane Handling of Livestock](#).

Inspectors do not evaluate the act of ritual slaughter unless one of the stunning methods mentioned above are also used during slaughter.²²² The FSIS inspector evaluates humane handling up to the point of the cut and then after to ensure the animal is rendered insensible before further cutting, skinning, and dismembering occur.²²³ Also, if the inspector observes poor slaughter practices (e.g., not a swift cut but a hacking or dull knife), then the inspector can raise concerns with their District Office.²²⁴

Inspectors look for violations of the above-mentioned regulations based on the Humane Activities Tracking System (HATS) categories which are listed in both the [Humane Handling Verification for Livestock and Good Commercial Practices for Poultry](#) and the [FSIS Directive 6900.2](#) - Humane Handling and Slaughter of Livestock. Both resources provide further details as to what inspectors will look for and include important checklists for compliance with humane handling requirements.

USDA Administrative Decisions

When plants do not comply with humane handling requirements, USDA may suspend FSIS inspections at that plant for a few days, weeks, or even indefinitely until certain requirements are met.²²⁵ FSIS is more likely to suspend operations indefinitely if a plant has several humane handling violations in the last two or three years.²²⁶ This is why plants must take immediate corrective actions to ensure future violations do not occur.

FSIS allows plants to regain compliance and/or reinstate inspection by implementing humane handling practices.²²⁷ FSIS may require a plant to implement the following for reinstatement or to avoid suspension:

- Reapplying for a grant of federal inspection;²²⁸
- Proving the plant has the proper equipment and structures in place to comply with all humane handling requirements;²²⁹
- Employing a Humane Handling lead and alternate lead to implement, manage, monitor, review and keep records for the plant's Humane Handling and Slaughter program and seeking approval for any changes for these positions;²³⁰
- Employing a humane handling coordinator;²³¹

²²⁰ [FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, 17](#) USDA FSIS (Sept. 24, 2020); [FSIS Compliance Guide for a Systematic Approach to the Humane Handling of Livestock, 8-9](#) USDA FSIS (October 2013).

²²¹ [FSIS Compliance Guide for a Systematic Approach to the Humane Handling of Livestock, 9](#) USDA FSIS (October 2013).

²²² [FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, 12](#) USDA FSIS (Sept. 24, 2020).

²²³ [FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, 6](#) USDA FSIS (Sept. 24, 2020).

²²⁴ [FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, 6](#) USDA FSIS (Sept. 24, 2020).

²²⁵ FMIA Docket No. 22-J-0026 FMIA Docket No. 24-J-0039 (2024). FMIA Docket No. 21-J-0014. FSIS has suspended the plant, its owners, and other plant operators from federal inspection indefinitely or for several years.

²²⁶ See FMIA Docket No 21-J-0034 (in this case there was 7 in three years). FMIA Docket No. 21-J-0014 (in this case there was 5 in 2 years); FMIA Docket No. 20-J-0161 (4 violations in 2 years).

²²⁷ FMIA Docket No. 22-J-0026 FMIA Docket No. 24-J-0039 (2024).

²²⁸ FMIA Docket No 21-J-0034.

²²⁹ FMIA Docket No. 16-0017, USDA.

²³⁰ FMIA Docket No. 16-0017, USDA.

²³¹ FMIA Docket No. 22-J-0026; FMIA Docket No. 24-J-0039 (2024). FMIA Docket No. 21-J-0014; FMIA Docket Nos. 18-0012, 18-0013.

- Conducting an initial assessment of the plant and its humane handling practices and submitting in writing all corrective actions taken;²³²
- Inspecting and testing the plant and equipment;²³³
- Implementing and maintaining a written humane handling plan that describes how the plant will comply with all humane handling requirements;²³⁴
- Submitting to FSIS a Company Action Plan that includes guidelines, preventative measures and assurances, and corrective actions that will be taken if needed to ensure there is no inhumane handling or slaughter or cruelty of animals.²³⁵ The plant must display the plan in the plant and keep documentation on the implementation of the plan;
- Providing FSIS with a report that includes any changes made to ensure compliance with all humane handling requirements;²³⁶ and
- Requiring new employees to receive training and annual training for all personnel from a third party on the humane handling and slaughter requirements.²³⁷

Sometimes, FSIS requires a plant to complete these action items within a certain amount of time for the plant to be considered for federal inspection again.²³⁸

After a violation, plants may be required to hire a humane handling coordinator who is present on the slaughter floor at least 75% of the time during slaughter.²³⁹ Plants may have to hire a third-party independent contractor to conduct an initial assessment of the “facility, operations, practices, and controls for humane slaughter and handling.”²⁴⁰ The assessment usually includes recommendations to correct noncompliance and a plant may be required to have a written response to the assessment that describes how corrective actions were taken.²⁴¹ Plants may have to certify that all facilities and equipment are operable and maintained in good condition.²⁴² Further, plants may be required to implement a written humane handling plan (or a formal RSA).²⁴³ This written plan may include sections such as humane handling procedures, stunning procedures, corrective actions, slaughter equipment maintenance, and monitoring and documentation procedures.²⁴⁴

Upon a plant’s reinstatement, USDA may also require other ongoing tasks such as:

- Reassessing the humane handling plan;
- Auditing from third-parties;
- Training employees;
- Holding management meetings with FSIS personnel; and
- Keeping written records.²⁴⁵

²³² FMIA Docket No. 16-0017, USDA; FMIA Docket No. 22-J-0026; FMIA Docket Nos. 18-0012, 18-0013.

²³³ FMIA Docket No. 22-J-0026 FMIA Docket No 21-J-0034; FMIA Docket Nos. 18-0012, 18-0013.

²³⁴ FMIA Docket No. 22-J-0026; FMIA Docket No. 16-0017, USDA FMIA Docket No 21-J-0034.

²³⁵ FMIA Docket No. 16-0017, USDA.

²³⁶ FMIA Docket No. 16-0017, USDA.

²³⁷ FMIA Docket No. 16-0017, USDA.

²³⁸ See FMIA Docket No. 19-0015 (given 180 days to take required actions for reinstatement).

²³⁹ FMIA Docket No. 22-J-0026.

²⁴⁰ FMIA Docket No. 22-J-0026; FMIA Docket No. 24-J-0039; see also FMIA Docket No. 21-J-0014.

²⁴¹ FMIA Docket No. 22-J-0026; FMIA Docket No. 24-J-0039.

²⁴² FMIA Docket No. 22-J-0026. FMIA Docket No. 24-J-0039; FMIA Docket No. 21-J-0014.

²⁴³ FMIA Docket No. 22-J-0026 (2022). FMIA Docket No. 24-J-0039 FMIA Docket No 21-J-0034; FMIA Docket No. 21-J-0014.

²⁴⁴ FMIA Docket No. 22-J-0026. FMIA Docket No. 24-J-0039.

²⁴⁵ These written records may be in addition to a written RSA. FMIA Docket No. 24-J-0039; FMIA Docket No 21-J-0034 FMIA Docket No. 22-J-0026; FMIA Docket No. 16-0017, USDA. Plants may have to implement multiple trainings on humane handling and slaughter requirements by a qualified third party for employees, an additional one for management, and a separate training for employees who work on the kill floor. The plant must submit records of training to FSIS. See also FMIA Docket No. 21-J-0014.

FSIS may inspect and verify that the plant is operating according to its written humane handling plan.²⁴⁶ FSIS may require third-party auditors to conduct an assessment of whether the plant is implementing its written humane handling plan.²⁴⁷ For example, there may be an initial audit 90 days after the reinstatement of FSIS inspection services followed by audits every 180 days thereafter for five total audits.²⁴⁸ FSIS may also require a plant to continue to train employees in proper humane handling.²⁴⁹ Finally, FSIS may review all required records.²⁵⁰

The humane handling requirements described above should be taken seriously. Not only will this prevent future regulatory actions including suspensions that delay slaughter and processing dates, but FSIS and court decisions have also resulted in large fines, probation sentences, multi-year suspensions, and numerous required corrective actions before inspection reinstatement.²⁵¹ Oftentimes these decisions resulted from a lack of proper stunning equipment or a failed stun.

State Inspected Plants

Several State Departments of Agriculture have their own meat inspection programs. Some of these programs have been around for decades while others were recently introduced. Not every state has state inspection, and in some states, state inspection is not available for poultry.²⁵² For example, Arkansas only has state inspection for meat, not poultry.²⁵³

State meat inspected facilities slaughter and process animals so long as the products are sold within state lines.²⁵⁴ The plant must comply with all state meat and/or poultry inspection laws, including the state's humane handling requirements. State laws must be the same as federal law, but a state can add additional laws so long as they do not conflict with the federal humane handling requirements and meat processing laws.²⁵⁵

Usually, most state inspection program's humane handling laws mirror federal law and USDA's regulations which are discussed in detail in above. State inspected plants always have an inspector on site during slaughter. For example, the Oklahoma Meat Inspection Act is nearly identical to the HMA on humane handling requirements for livestock.²⁵⁶ Oklahoma does have specific regulations for the humane slaughter of exotic animals, such as bison or buffalo, in mobile slaughter plants.²⁵⁷



²⁴⁶ FMIA Docket No. 22-J-0026, *7 (2022).

²⁴⁷ Abattoir Associates, Inc., 2022 WL 621124, *8 (2022).

²⁴⁸ Abattoir Associates, Inc., 2022 WL 621124, *8 (2022).

²⁴⁹ Abattoir Associates, Inc., 2022 WL 621124, *9 (2022).

²⁵⁰ Abattoir Associates, Inc., 2022 WL 621124, *9 (2022).

²⁵¹ FMIA Docket No. 24-J-0039. Violations of the HMA may result in jail time and thousands of dollars' worth of fines. [21 U.S.C. 610\(b\); 21 U.S.C. § 676](#).

²⁵² See [States With and Without Inspection Programs, USDA FSIS](#) (last updated Oct. 4, 2022).

²⁵³ See [USDA and Arkansas Sign Cooperative Agreement for State Meat Inspection Program, USDA FSIS](#) (Oct. 4, 2022).

²⁵⁴ [21 U.S.C. § 661](#).

²⁵⁵ See [21 U.S.C. § 661](#).

²⁵⁶ See [Okla. Stat. Ann. tit. 2, § 6-183](#).

²⁵⁷ See [Okla. Admin. Code § 35:37-11-91](#).

CHAPTER 2: HUMANE HANDLING REQUIREMENTS FOR POULTRY



The humane handling requirements for poultry are different than livestock. However, poultry must still be treated humanely during slaughter and processing.²⁵⁸

Unlike other types of farm animals which are required by the HMSA to be humanely handled and slaughtered, poultry are not included in the HMSA's definition of "livestock".²⁵⁹ Because poultry are excluded from the HMSA, FSIS recognizes that there are no federal statutory requirements for the humane handling of poultry.²⁶⁰

Recent courts have said that FSIS lacks authority to implement regulations requiring the humane handling of poultry. In *Animal Welfare Institute v. Vilsack*, the Animal Welfare Institute ("AWI") petitioned FSIS to implement regulations that would require the humane handling of poultry.²⁶¹ FSIS denied the petition on the grounds that the Poultry Products Inspection Act ("PPIA") does not authorize FSIS to implement and enforce humane handling regulations for poultry.²⁶² Ultimately, the district court agreed with FSIS's denial of AWI's petition and held that "the PPIA does not provide express

²⁵⁸ USDA policy states that poultry must "be handled in a manner that is consistent with good commercial practices, which means they should be treated humanely." [Treatment of Live Poultry Before Slaughter, FEDERAL REGISTER \(Sept. 28, 2005\)](#).

²⁵⁹ [7 U.S.C. § 1902](#).

²⁶⁰ [Treatment of Live Poultry Before Slaughter, FEDERAL REGISTER \(Sept. 28, 2005\)](#).

²⁶¹ Animal Welfare Inst. v. Vilsack, No. 20-CV06596 (CJS), 2022 WL 16553395, at 2* (W.D.N.Y. 2022).

²⁶² Animal Welfare Inst. v. Vilsack, No. 20-CV06596 (CJS), 2022 WL 16553395, at 2*-3* (W.D.N.Y. 2022).

statutory authority to mandate the ‘humane’ treatment of animals, nor is poultry included in the definition of ‘livestock’ under the Humane Methods of Slaughter Act.”²⁶³

Although no federal law requires the humane handling of poultry slaughter, poultry slaughter is guided by federal laws and regulations that encompass aspects of humane handling.²⁶⁴

Poultry must be slaughtered in accordance with the PPIA. PPIA considers any poultry that die by any means other than slaughter to be adulterated.²⁶⁵ Any poultry deemed adulterated due to mishandling during slaughter is condemned.²⁶⁶ For example, bruising may result in condemnation.²⁶⁷ Injuries are likely when birds are not treated humanely, including bruises, lesions, dislocations, fractures, and broken bones.²⁶⁸

FSIS also conducts ante-mortem inspection on poultry on the day of slaughter, unless emergency slaughter is necessary, and will label birds either “U.S. Suspect” or “U.S. Condemned” for poultry with certain diseases or conditions, similar to the process mentioned in Chapter 1.²⁶⁹

Federal regulations also require that poultry are slaughtered in compliance with Good Commercial Practices (“GCP”).²⁷⁰ GCP affirm that poultry are treated humanely to produce a marketable and unadulterated product.²⁷¹

“It is a prohibited act to slaughter poultry in any way that is not in compliance with the PPIA.”²⁷² “If birds hung on the slaughter line die” prior to slaughter or are “killed in a manner that does not comply with GCP[s],” the product is deemed adulterated and condemned.²⁷³

Complying with GCP

Compliance with GCP increases a facility’s probability of having unadulterated products and help ensure that poultry are treated humanely.²⁷⁴ Adherence to GCP ultimately results in fewer poultry carcasses having to be condemned.

Poultry GCP require that poultry:

- Are slaughtered in a manner where they thoroughly bled out;
- Have stopped breathing before they enter scalding; and
- Blood from the poultry carcass is “confined to a relatively small area.”²⁷⁵

²⁶³ Animal Welfare Inst. v. Vilsack, No. 20-CV06596 (CJS), 2022 WL 16553395, at 9* (W.D.N.Y. 2022) (citing *Treatment of Live Poultry Before Slaughter*, Food Safety and Inspection Service, USDA (2005)).

²⁶⁴ See [Ann Baier, Approaches to Processing Poultry Meat For Sale: Navigating Regulations Across the United States](#), NAT'L CTR. FOR APPROPRIATE TECH. (Sept. 2021) (for more information on federally inspected poultry plants).

²⁶⁵ [21 U.S.C. § 453\(g\)\(5\)](#); [9 C.F.R. § 381.90](#). Note: Adulterated poultry should be condemned and disposed of pursuant to [9 C.F.R. § 381.95](#).

²⁶⁶ [9 C.F.R. § 381.90](#).

²⁶⁷ [9 C.F.R. § 381.89](#).

²⁶⁸ See generally [9 C.F.R. § 381.90](#).

²⁶⁹ [9 C.F.R. §§ 381.70–381.75](#); see [9 C.F.R. §§ 381.80–381.93](#), for a full list of diseases and conditions. Ante-mortem inspection can occur within 24 hours of slaughter in low-volume plants. [9 C.F.R. § 381.70\(b\)\(2\)](#).

²⁷⁰ [9 C.F.R. § 381.65\(b\)](#).

²⁷¹ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices](#), 1 USDA FSIS (July 3, 2018).

²⁷² 21 U.S.C. § 458(a)(1); see also [Treatment of Live Poultry Before Slaughter](#), 70 Fed. Reg. 56624, 56625 (Sept. 28, 2005).

²⁷³ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices](#), 2 USDA FSIS (July 3, 2018).

²⁷⁴ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices](#), 2 USDA FSIS (July 3, 2018).

²⁷⁵ [9 C.F.R. § 381.65\(b\)](#).

A poultry slaughter facility may voluntarily implement a humane handling program to evaluate handling methods and ensure that poultry are being slaughtered in accordance with GCP.²⁷⁶ A humane handling program for poultry can include a “systematic approach to poultry handling and slaughter” and must “focus on treating poultry in such a manner as to minimize excitement, discomfort, and accidental injury the entire time that live poultry is held in connection with slaughter.”²⁷⁷

A systematic approach to poultry handling and slaughter can be implemented by:

- 1) “Assessing under what circumstances poultry may experience, excitement discomfort, or accidental injury while being handled in connection with slaughter;”
- 2) “Taking steps to minimize the possibility of excitement, discomfort, and accidental injury;” and
- 3) “Evaluating periodically how poultry are being handled and slaughtered to ensure (a) that any excitement, discomfort, or accidental injury is being minimized, (b) that all poultry are slaughtered in a manner that results in thorough bleeding of the poultry carcasses, and (c) that breathing has stopped before scalding.”²⁷⁸

The first step of a systematic approach to poultry handling and slaughter assesses where handling and slaughter issues may arise by considering the following:

- 1) Whether a facility is “providing training for its employees in handling live poultry;”
- 2) “[W]hether feed and water withdrawal is kept to the minimum level consistent with good processing practices;”
- 3) Whether a facility has “appropriately designed and maintained facilities for bird delivery to the facility;”
- 4) “[W]hether holding areas are equipped with an adequate number of fans to ensure proper ventilation for birds;”
- 5) “[W]hether stunning equipment . . . and killing equipment are constantly monitored to ensure proper functioning for humane processing;”
- 6) “[W]hether all poultry are dead before entering the scalding;” and
- 7) Whether the facility’s “personnel and equipment handle poultry in a manner that minimizes broken legs and wings.”²⁷⁹

The second and third steps of this systematic approach include taking action to ensure facilities prevent any GCP noncompliance and evaluating internal methods to ensure handling practices comply with GCP.²⁸⁰

Verification of GCPs by FSIS Inspectors

To ensure that facilities are implementing GCP, FSIS inspectors perform GCP verification inspections.²⁸¹ GCP verification inspections are conducted on a per-shift basis.²⁸²

²⁷⁶ [Treatment of Live Poultry Before Slaughter, Food Safety and Inspection Service, USDA \(2005\)](#).

²⁷⁷ [Treatment of Live Poultry Before Slaughter, Food Safety and Inspection Service, USDA \(2005\)](#).

²⁷⁸ [Treatment of Live Poultry Before Slaughter, Food Safety and Inspection Service, USDA \(2005\)](#).

²⁷⁹ [Treatment of Live Poultry Before Slaughter, Food Safety and Inspection Service, USDA \(2005\)](#).

²⁸⁰ [Treatment of Live Poultry Before Slaughter, Food Safety and Inspection Service, USDA \(2005\)](#).

²⁸¹ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 2 USDA FSIS \(July 3, 2018\)](#).

²⁸² [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 2 USDA FSIS \(July 3, 2018\)](#).

Facilities may document GCP compliance through electronic records.²⁸³ However, keeping electronic or written records is not required.²⁸⁴ If records documenting GCP compliance are available for review, FSIS inspectors perform a weekly inspection of these records on a randomly selected day of the week.²⁸⁵ During GCP observations, an FSIS inspector will visit and observe the receiving through the pre-scald areas.²⁸⁶

Although GCP compliance can be determined by viewing electronic records and video recordings, FSIS inspectors cannot use live video feed to verify GCP compliance since live video feed equipment is not able to create a record.²⁸⁷

Further, FSIS inspectors may observe GCP non-compliance when conducting ante-mortem and post-mortem inspections.²⁸⁸

[FSIS Directive 6110.1](#) and the [Humane Handling of Livestock and Good Commercial Practices in Poultry](#) are two FSIS resources with additional information on complying with GCP.

Non-Compliance with GCP

GCP noncompliance occurs when:

- Facility “employees are breaking the legs of birds to hold” them in the shackles;
- Facility employees squeeze birds into the shackles;
- Facility employees mishandle birds when they are transferred from cages to shackles;
- “Birds are frozen inside the cages or frozen to the cages;”
- “Birds are dead from heat exhaustion” which includes symptoms of heavy panting or dead/dying birds in cages; or²⁸⁹
- Facility employees are “driving over live birds with equipment or trucks in the unloading or live hang area.”²⁹⁰

Not all instances of poultry mistreatment or GCP non-compliance will be as explicit as the examples above. Some instances of noncompliance will require further investigation. For example, stunning equipment may malfunction which will lead to improper slaughter.²⁹¹ An effective stun for poultry will include “an arched neck and a tucked-in wings posture.”²⁹²

Signs of malfunctioning bleeding equipment include:

- An “increased number or cluster of cadavers at inspection stations”; or
- An “increased number of bruised wings or legs.”²⁹³

²⁸³ See [FSIS Directive 5000.9, Verifying Video or Other Electronic Monitoring Records, 2 USDA FSIS \(June 24, 2011\)](#).

²⁸⁴ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 2 USDA FSIS \(July 3, 2018\)](#).

²⁸⁵ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 2 USDA FSIS \(July 3, 2018\)](#).

²⁸⁶ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 2 USDA FSIS \(July 3, 2018\)](#).

²⁸⁷ [FSIS Directive 5000.9, Verifying Video or Other Electronic Monitoring Records, 3 USDA FSIS \(June 24, 2011\)](#). In situations where FSIS inspectors see non-compliance with GCP on a live video feed, the inspector will immediately go to the location where the non-compliance occurred and stop the incident if it is still occurring.

²⁸⁸ See [FSIS Directive 6100.3 Revision 2, Ante-Mortem and Post-Mortem Poultry Inspection, 2 USDA FSIS \(Sept. 5, 2023\)](#).

²⁸⁹ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 2 USDA FSIS \(July 3, 2018\)](#).

²⁹⁰ [Humane Handling Verification for Livestock and Good Commercial Practices for Poultry, 22 USDA FSIS \(Oct. 1, 2021\)](#).

²⁹¹ [Humane Handling Verification for Livestock and Good Commercial Practices for Poultry, 22 USDA FSIS \(Oct. 1, 2021\)](#).

²⁹² [Humane Handling Verification for Livestock and Good Commercial Practices for Poultry, 22 USDA FSIS \(Oct. 1, 2021\)](#).

²⁹³ [Humane Handling Verification for Livestock and Good Commercial Practices for Poultry, 22 USDA FSIS \(Oct. 1, 2021\)](#).

Post-Mortem Non-Compliance

Non-compliance with GCP can also be identified during post-mortem inspection. Post-scalding, an FSIS inspector may identify adulterated poultry cadavers that show signs of being incompletely bled out.²⁹⁴ A cadaver may have a skin coloring that ranges from cherry red to purple.²⁹⁵ These signs suggest that the poultry died from drowning instead of exsanguination.²⁹⁶ Any post-mortem findings of death by any means other than the approved forms of slaughter can indicate that there is GCP non-compliance.

FSIS Enforcement Actions

In the event of a facility's failure to comply with GCP, an FSIS inspector issues a memorandum of interview ("MOI") or a non-compliance record ("NR").²⁹⁷ Compliance with "GCP is a process control issue and not a bird-by-bird performance standard issue."²⁹⁸ An isolated incident of poultry mistreatment is not considered a loss of process control and is documented as an MOI.²⁹⁹ FSIS inspectors issue NRs "when there is a loss of process control" for handling birds and a pattern of birds:

- Dying by means other than slaughter;
- "Not being appropriately bled out;" or
- Being purposely and repeatedly mistreated by facility personnel.³⁰⁰

When "determining whether there has been a loss of process control," FSIS considers some or all of the following:

- "What is the problem?"
- Is the facility equipment not operating correctly?
- "When did the problem occur?"
- "How long did the problem last?"
- How did the facility react to the problem?
- What immediate corrective actions were taken?
- "Were there periods of control?"
- "Did the problem reoccur?"³⁰¹

As stated above, when there has not been a loss of process control, an FSIS inspector should only issue an MOI.³⁰² Most poultry mistreatment MOIs are issued for mistreatment prior to the kill step in the slaughter process.³⁰³ The MOI provides details about the incident and discussion between facility management and the FSIS inspector.³⁰⁴ Some examples of situations where an MOI is warranted include:

- An isolated occurrence of a bird entering the scalding while still breathing; or

²⁹⁴ [FSIS Directive 6100.3 Revision 2, Ante-Mortem and Post-Mortem Poultry Inspection, 7 USDA FSIS \(Sept. 5, 2023\)](#).

²⁹⁵ [FSIS Directive 6100.3 Revision 2, Ante-Mortem and Post-Mortem Poultry Inspection, 7 USDA FSIS \(Sept. 5, 2023\)](#).

²⁹⁶ [FSIS Directive 6100.3 Revision 2, Ante-Mortem and Post-Mortem Poultry Inspection, 7 USDA FSIS \(Sept. 5, 2023\)](#).

²⁹⁷ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 3 USDA FSIS \(July 3, 2018\)](#).

²⁹⁸ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 3 USDA FSIS \(July 3, 2018\)](#).

²⁹⁹ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 4 USDA FSIS \(July 3, 2018\)](#).

³⁰⁰ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 3 USDA FSIS \(July 3, 2018\)](#).

³⁰¹ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 3 USDA FSIS \(July 3, 2018\)](#).

³⁰² [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 4 USDA FSIS \(July 3, 2018\)](#).

³⁰³ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 4 USDA FSIS \(July 3, 2018\)](#).

³⁰⁴ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 4 USDA FSIS \(July 3, 2018\)](#).

- An unusual occurrence of a high number of birds having injuries such as broken wings or legs with “no evidence of intentional mistreatment.”³⁰⁵

For examples of GCP non-compliance MOIs and NRs, FSIS includes examples which are attached on pages 8 and 9 of FSIS Directive 6110.1.³⁰⁶

State Laws for the Humane Handling of Poultry

Instead of implementing their own poultry GCP or humane handling regulations, some states such as Oklahoma, Texas, and Vermont adopt the federal regulations, 9 C.F.R. Part 381, as their states’ GCP.³⁰⁷ Additionally, the Texas Department of State Health Services, Meat Safety Assurance (“MSA”) published MSA Directive 6110.1 for GCP guidance, which closely mirrors FSIS Directive 6110.1.

Other states, such as California, implemented their own humane handling regulations for poultry which are similar to FSIS’s but include additional requirements.³⁰⁸ California’s poultry humane handling state regulations require that:

- Cages are a sufficient size and safe to prevent injury to poultry;
- Improper or injurious conditions are not present at the facility;
- Poultry held at the facility have adequate ventilation and protection from the elements;
- Poultry are stunned and remain unconscious before and during the bleeding process;
- Inspectors are trained in humane handling methods for poultry;
- Slaughter and handling are conducted humanely;
- Facility personnel that slaughter or handle poultry are trained in humane handling methods, operation of stunning equipment, and operation of slaughter equipment; and
- Non-commercial stunning equipment is not used to stun poultry.³⁰⁹

California also released guidelines on how to humanely handle poultry and provided examples of egregious mishandling violations. Some examples of egregious mishandling of poultry include:

- Prodding a bird in “the eye, nostril, mouth, ear, or cloaca;”
- “Cutting off limbs, wings, skinning, or cutting into any bird that shows any sign” of consciousness, except for religious slaughter;
- Maliciously using equipment maliciously that results in the bird breaking a bone, suffocating, or dying;
- “Dragging, hitting, kicking, or throwing a bird” to cause it injury;
- “Striking a bird” with any other object to cause it injury.³¹⁰

The California poultry humane handling guidelines include methods of properly handling poultry from the time the birds are caught until they are slaughtered.³¹¹ Proper handling methods include:

³⁰⁵ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 4 USDA FSIS \(July 3, 2018\).](#)

³⁰⁶ [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, 4 USDA FSIS \(July 3, 2018\).](#)

³⁰⁷ See [Okla. Admin Code § 35:37-5-1](#); [25 Tex. Admin. Code § 221.11](#); [Guidance on the Writing of a Humane Handling Plan for Poultry, VERNMONT AGENCY OF AGRICULTURE, FOOD, AND MARKETS.](#)

³⁰⁸ See [Cal. Code Regs. Tit. 3, § 1246.2](#). See [Ann Baier, Processing Poultry Meat For Sale in California, NAT'L CTR. FOR APPROPRIATE TECH. \(Feb. 2021\).](#)

³⁰⁹ See [Cal. Code Regs. Tit. 3, § 1246.2](#). See the entire regulation for additional requirements. This is a general overview.

³¹⁰ [Good Commercial Practices \(GCP\) Humane Handling Poultry, 1 CAL. DEP'T OF FOOD AND AGRIC.](#)

³¹¹ See [Ann Baier, Processing Poultry Meat For Sale in California, NAT'L CTR. FOR APPROPRIATE TECH. \(Feb. 2021\)](#) (for a general overview of the California state inspection option).

- Gently removing birds from coops;
- Catching birds by their legs;
- Not catching or carrying birds by one leg;
- Never lifting, moving, or dragging a bird by the wing or neck;
- Never throwing birds;
- Gently removing birds from holding crates without lifting them by the wings;
- Ensuring holding cages are spacious enough and including cooling or warming mechanisms, as needed;
- Handling birds as little as possible until they are slaughtered;
- Placing holding crates near the hanging shackles;
- Slaughtering the birds in a reasonable amount of time which is usually two hours;
- Minimizing the amount of time birds are inverted and suspended on shackles;
- Not inverting birds for more than 60-120 seconds before stunning or death; and
- Not cutting or bleeding any conscious bird.³¹²

Although humane handling methods of poultry are not required federally, other states may choose to implement state regulations like California's.

³¹² [Good Commercial Practices \(GCP\) Humane Handling Poultry, 1 CAL. DEP'T OF FOOD AND AGRIC.](#) See the entire document for additional requirements. This is a general overview.

CHAPTER 3: HUMANE HANDLING REQUIREMENTS FOR EXEMPT OPERATIONS



Custom-Exempt Livestock and Poultry Slaughter Operations Overview

Humane handling laws still apply to animals handled and slaughtered at “exempt” facilities. Although custom-exempt livestock and poultry exempt slaughter operations do not have to be inspected regularly, livestock must be handled and slaughtered in compliance with the HMSA and poultry must be slaughtered in accordance with GCP.³¹³

Custom-exempt slaughter operations are exempt from inspection under the FMIA provided that the livestock meat is for the owner of the animal or the animal owner’s household, nonpaying guests, or employees.³¹⁴ The FMIA defines livestock as “any cattle, sheep, swine, goats, horses, mules, or other equines” which is the same definition provided in

³¹³ [FSIS Directive 8160.1 Rev. 1, Custom Exempt Review Process, 5 USDA FSIS \(Apr. 25, 2022\)](#). Custom-exempt livestock slaughter operations must comply with other provisions of FMIA, not just the humane handling provisions.

³¹⁴ [21 U.S.C. § 623\(a\); 9 C.F.R. § 303.1\(a\)](#). Custom plants typically slaughter and process meat for the use of one person, usually the owner of the animal. These facilities are not exempt from adulteration, misbranding, and record-keeping provisions. They are subject to periodic review to ensure safety and sanitation, along with the humane handling requirements mentioned in this guide.

HMSA.³¹⁵ To qualify as exempt, the meat must also be kept separate from other meat or food products and marked “Not For Sale.”³¹⁶

Additionally, federally inspected livestock slaughter operations may slaughter under custom-exempt status in certain scenarios. Federally inspected livestock slaughter operations must separate the inspected product from custom-exempt products, achieved through separation by time or space.³¹⁷ This means that operations must conduct federally inspected or custom-exempt slaughter processes in different areas of the plant or at different times.

The HMSA authorizes FSIS to regulate and conduct inspections on custom-exempt plants.³¹⁸ To ensure compliance with custom-exempt requirements, inspections of custom-exempt facilities are “conducted generally at a frequency of once-per-year.”³¹⁹ Additional inspections may be conducted if there are findings of noncompliance with humane slaughter requirements, product adulteration requirements, or FSIS regulations.³²⁰

The PPIA provides several exemptions that farmers typically use to slaughter poultry on-farm. These exemptions include a personal use exemption, custom slaughter exemption, producer/grower 1,000 limit exemption, producer/grower or other person exemption, producer/grower 20,000 limit exemption, small enterprise exemption, and retail exemption.³²¹ A poultry slaughter operation may only operate under one exemption simultaneously.³²²

When operating under custom-exempt status, poultry slaughter operations must process the bird only for the owner of the bird, or that owner’s household, nonpaying guests, or employees.³²³ Although there are no specific labeling requirements for custom-exempt poultry meat, shipping containers with these products should be marked with the owner’s name, address, and with the statement “Exempted—P.L.90-492.”³²⁴

Poultry products produced under the personal exemption and custom slaughter exemption may not be sold.³²⁵ Poultry slaughter custom-exempt operations cannot achieve exemption from inspection if poultry products, capable of being used for human consumption, are bought or sold there.³²⁶ As mentioned above for livestock custom-exempt slaughter, “custom-exempt poultry slaughter and processing can [also] occur at a federally inspected livestock establishment.”³²⁷

Poultry products produced under the producer/grower 1,000 limit exemption, producer/grower 20,000 limit exemption, producer/grower or other person exemption, small enterprise exemption, and retail exemption can be sold under specific conditions.³²⁸

³¹⁵ [21 U.S.C. § 603\(b\)](#); See also [7 U.S.C. § 1902\(a\)](#).

³¹⁶ [21 U.S.C. § 623\(a\)](#).

³¹⁷ [FSIS Directive 8160.1 Rev. 1, Custom Exempt Review Process](#), 3 USDA FSIS (Apr. 25, 2022).

³¹⁸ See 7 U.S.C. §§ [1901](#), [1904](#).

³¹⁹ [FSIS Directive 8160.1 Rev. 1, Custom Exempt Review Process](#), 3 USDA FSIS (Apr. 25, 2022).

³²⁰ [FSIS Directive 8160.1 Rev. 1, Custom Exempt Review Process](#), 4 USDA FSIS (Apr. 25, 2022).

³²¹ [Guidance for Determining Whether a Poultry Slaughter or Processing Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act](#), 5 USDA FSIS (Apr. 2006).

³²² [Guidance for Determining Whether a Poultry Slaughter or Processing Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act](#), 18 USDA FSIS (Apr. 2006).

³²³ [21 U.S.C. § 464\(c\)\(1\)\(B\)](#).

³²⁴ [9 C.F.R. § 381.10\(a\)\(4\)](#).

³²⁵ [Guidance for Determining Whether a Poultry Slaughter or Processing Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act](#), 6-7 USDA FSIS (Apr. 2006).

³²⁶ [FSIS Directive 8160.1 Rev. 1, Custom Exempt Review Process](#), 3 USDA FSIS (Apr. 25, 2022).

³²⁷ [FSIS Directive 8160.1 Rev. 1, Custom Exempt Review Process](#), 3 USDA FSIS (Apr. 25, 2022).

³²⁸ [Guidance for Determining Whether a Poultry Slaughter or Processing Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act](#), 9-16 USDA FSIS (Apr. 2006).

Custom-exempt poultry slaughter operations, poultry slaughter operations operating under the producer/grower 1,000 limit exemption, producer/grower 20,000 limit exemption, producer/grower or other person exemption, or small enterprise exemption must comply with GCP.³²⁹

Humane Handling for Custom-Exempt Livestock Operations

The HMSC prescribes two means for humanely slaughtering livestock: 1) livestock must be “rendered insensible to pain by a single blow or gunshot or an electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut” or 2) slaughtered by “ritual requirements of . . . any religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument . . .”³³⁰

Custom-exempt plants are “expected to meet the same requirements for . . . humane handling that USDA-inspected plants must meet . . .”³³¹ Thus, custom-exempt plants cannot commit humane handling violations.³³²

FSIS also recommends that custom-exempt plants implement “voluntary welfare practices” included:

- 1) Providing animals water and feed in the pens;
- 2) Maintaining the facility to prevent injury to animals;
- 3) Minimizing excitement and discomfort when livestock are driven; and
- 4) Separating ambulatory animals from nonambulatory animals.³³³

If the noncompliance is repeated or serious enough (e.g., egregious), an Administrative Enforcement Report (“AER”) may be issued which could lead to a criminal or administrative enforcement action including termination of custom-exempt status.³³⁴

A federally inspected plant that also does custom slaughter may continue to conduct custom livestock slaughter if its inspection is suspended due to a humane handling violation; however, it must remain in compliance with humane handling requirements or be subject to civil or criminal charges that can include thousands of dollars in fines.³³⁵

Poultry GCP Required for Specific Exemptions

To ensure poultry products are unadulterated, custom-exempt, producer/grower 1,000 limit exempt, producer/grower 20,000 limit exempt, producer/grower or other personal exempt, or small enterprise exempt slaughter operations must slaughter poultry in accordance with GCP.³³⁶ Inspectors consider the following when determining whether GCP are being followed:

- 1) Whether the employees are trained in handling live poultry;
- 2) “[W]hether feed and water withdrawal [is] kept to the minimum level consistent with good processing practices;”

³²⁹ [21 U.S.C. § 464\(e\)](#). See [Ann Baier, Approaches to Processing Poultry Meat For Sale: Navigating Regulations Across the United States, NAT'L CTR. FOR APPROPRIATE TECH.](#) (Sept. 2021) (for more information on the exemption option).

³³⁰ [7 U.S.C. § 1902](#).

³³¹ [Rebecca Thistlethwaite, Frequently Asked Questions About Using Custom-exempt Slaughter and Processing Facilities in Oregon for Beef, Pork, Lamb and Goat, 2 OR. STATE UNIV.](#) (July 2022).

³³² [FSIS Directive 8160.1 Rev. 1, Custom Exempt Review Process, 2-3 USDA FSIS](#) (Apr. 25, 2022).

³³³ [FSIS Directive 8160.1 Rev. 1, Custom Exempt Review Process, 5 USDA FSIS](#) (Apr. 25, 2022).

³³⁴ [FSIS Directive 8160.1 Rev. 1, Custom Exempt Review Process, 14-15 USDA FSIS](#) (Apr. 25, 2022).

³³⁵ See, e.g., FMIA Docket No. 20-J-0161.

³³⁶ [FSIS Directive 8160.1 Rev. 1, Custom Exempt Review Process, 5 USDA FSIS](#) (Apr. 25, 2022); [21 U.S.C. § 464\(e\)](#).

- 3) Whether the facility's design and maintenance allow for the delivery of birds;
- 4) Whether holding areas have plenty of fans for birds and are properly ventilated;
- 5) “[W]hether stunning equipment . . . and killing equipment [is] constantly monitored to ensure proper functioning for humane processing;”
- 6) Whether poultry are “dead before entering the scalding tank;” and
- 7) Whether poultry are handled in a manner to minimize broken legs and wings.³³⁷

Because noncompliance with GCP adulterates poultry products, GCP noncompliance can trigger an AER which may lead to termination of exempt status.³³⁸

Organic certified poultry producers or handlers falling under a poultry exemption are prohibited from carrying, hanging, or shackling lame birds.³³⁹ Lame birds must either be euthanized or rendered insensible before shackling.³⁴⁰ All birds hung on an automated slaughter system must be stunned prior to being bled out, except for religious slaughter.³⁴¹ This stunning requirement does not prohibit smaller producers from placing birds in “killing cones” before bleeding the birds out.³⁴² All birds must remain unconscious before entering the scalding tank.³⁴³

State Laws for Livestock Exemptions

States usually adopt the federal regulations for custom-exempt facilities, but some may have additional requirements. Below are two examples: Arkansas and Oklahoma. Consult an attorney and check your state’s regulations to ensure compliance.

Arkansas exempts from state inspection the custom slaughter of livestock.³⁴⁴ To qualify for custom-exemption, the livestock the plant slaughters must be for the owner, the owner’s household, and/or nonpaying guests. Exempt meat must be separate from inspected meat and labeled “Not for Sale.”³⁴⁵ Exempt plants must have sanitary operating conditions and meat products cannot be adulterated, mislabeled, or misbranded.³⁴⁶ Arkansas incorporates, by reference, federal regulations for custom exempt facilities including the requirements for humane handling in 9 C.F.R. Part 313.³⁴⁷

Oklahoma exempts the custom slaughter of livestock for the use of the livestock owner, the livestock owner’s household, and nonpaying guests and employees.³⁴⁸ Oklahoma incorporates, by reference, federal regulations for satisfying the custom slaughter exemption, such as the requirement for humane handling in 9 C.F.R. Part 313 and “Not for Sale” labeling requirements in C.F.R. Part 316.³⁴⁹

³³⁷ [FSIS Directive 8160.1 Rev. 1, Custom Exempt Review Process, 5-6 USDA FSIS \(Apr. 25, 2022\).](#)

³³⁸ [FSIS Directive 8160.1 Rev. 1, Custom Exempt Review Process, 14-15 USDA FSIS \(Apr. 25, 2022\).](#)

³³⁹ [7 C.F.R. § 205.242\(c\)\(3\)\(i\).](#)

³⁴⁰ [National Organic Program \(NOP\); Organic Livestock and Poultry Standards, 88 Fed. Reg. at 75430.](#)

³⁴¹ [7 C.F.R. § 205.242\(c\)\(3\)\(ii\).](#)

³⁴² [National Organic Program \(NOP\); Organic Livestock and Poultry Standards, 88 Fed. Reg. at 75430.](#)

³⁴³ [7 C.F.R. § 205.242\(c\)\(iii\).](#)

³⁴⁴ [Ark. Code Ann. § 20-60-204\(b\)\(3\).](#)

³⁴⁵ [Ark. Code Ann. § 20-60-204\(b\)\(3\).](#)

³⁴⁶ [Ark. Code Ann. § 20-60-204\(b\)\(3\).](#)

³⁴⁷ [Rules of the Arkansas Meat Inspection Program, ARK. DEP’T. OF AGRIC. \(2021\).](#)

³⁴⁸ [Okla. Stat. Ann. tit. 2, § 6-195.](#)

³⁴⁹ [Okla. Admin. Code § 35:37-3-1.](#)

State Laws for Poultry Exemptions

Some states adopt the federal poultry exempt slaughter regulations, while others may implement additional requirements for poultry-exempt slaughter facilities. Below are two different approaches: Arkansas and Oklahoma. Check your state's regulations and consult with an attorney if needed to ensure compliance with any additional state requirements.

Arkansas adopts the federal poultry slaughter inspection exemptions for poultry operations in lieu of promulgating state regulations including GCP.³⁵⁰

Oklahoma does not adopt federal poultry slaughter inspection exemptions across the board. Oklahoma adopts the following poultry slaughter inspection exemptions: religious dietary exemption, personal use exemption, custom slaughter exemption, and retail exemption.³⁵¹ Oklahoma also modifies the federal 1,000, and 20,000 producer/grower limit exemptions. Oklahoma exempts producers who slaughter no more than 250 turkeys or 1,000 of other species of poultry if, among other requirements, the poultry is "processed under sanitary standards . . . that are sound, clean, and fit for human food . . .".³⁵² Instead of a 20,000 limit exemption like the federal exemption, Oklahoma exempts producers who slaughter no more than 2,500 turkeys or 10,000 of other species of poultry, if among other requirements, the poultry is "processed under sanitary standards . . . that are sound, clean, and fit for human food . . .".³⁵³ GCP are still required for these poultry exemptions in Oklahoma.³⁵⁴

³⁵⁰ [Ark. Code Ann. § 20-60-216](#).

³⁵¹ [Okla. Stat. Ann. tit. 2, § 6-265](#).

³⁵² [Okla. Admin. Code § 35:37-5-2](#).

³⁵³ [Okla. Admin. Code § 35:37-5-2](#).

³⁵⁴ [Okla. Admin. Code § 35:37-5-1](#).

CHAPTER 4: ESTABLISHING A GOOD WORKING RELATIONSHIP WITH LOCAL PROCESSORS: TIPS FOR FARMERS

When it comes to getting your livestock processed, one of the most important relationships you'll build is with your meat processor. Whether you're using a custom-exempt, state-inspected, or USDA-inspected facility, open and respectful communication can make the difference between a smooth, humane process—or a frustrating and possibly costly experience.

Start With Respect and Clarity

Processors are often overwhelmed with demand, especially in rural areas or when plants process more than one species of livestock. And, if a processing plant accepts deer during hunting season, they can get incredibly overwhelmed by the sudden surge in seasonal demand. Regardless of your reason for calling the processor, be clear, timely, and courteous when you reach out.



Here's a sample opening email or call script:

"Hi, my name is [Your Name], and I'm looking to schedule a beef slaughter for some time in [Month]. I raise animals with a strong focus on humane handling and would love to learn more about your facility and practices. Would you be open to a short conversation or tour so I can understand your process better? Please feel free to reach out by phone or text if that is easier at (XXX-XXX-XXXX)."

Sometimes talking things out over the phone can be the best way to ensure that you are both on the same page. At the same time, processing plants often use different staff members to cover the front desk, and verbal messages can get lost in translation if the plant is particularly busy.

After important phone calls discussing important facts, questions, or situations, consider using the following tips:

- Send a follow-up email summarizing the conversation and documenting any next steps.
- For emails regarding processing dates and booking, include your name, contact info, requested date(s), number of animals, and any special requests.

If you have your own cut sheet, attach it early so they know what you're asking for and make sure they confirm that they reviewed it and understand the instructions before they proceed.

Book Early, Confirm in Writing

Most processors are booked months in advance. Call as early as possible—ideally as soon as you know your finishing date. Once you've booked a slot, send a written confirmation:

"Thanks for confirming my appointment for October 12 for one beef steer. I'll arrive by 7 AM as discussed. Please find attached my cut sheet and humane handling preferences. Let me know if you need anything else from me in advance."

Evaluate the Facility Before Committing

If humane handling is a top priority (and it should be), consider asking the following:

1. Can I tour your facility before scheduling?
 - Viewing their holding pens and kill floor can provide you with the confirmation you might need and can show how the animals are handled.
2. Are you comfortable with me being present on the day of slaughter or processing?
 - Some facilities allow it, some don't, which is fine, but it does not hurt to ask.
3. Do you have a Robust Systematic Approach (RSA) or humane handling plan in place for humane handling of livestock, or a Systematic Approach for the slaughter of poultry?³⁵⁵
 - Not all plants have a plan, but you could share this guide and other resources with them to ensure they think about and create a plan. As mentioned, having a plan can reduce the likelihood of suspension for that plant.
4. How are animals unloaded and held before slaughter?
 - Look for answers that mention quiet handling, shaded pens, water access, and short wait times.
5. Who performs the stunning and slaughter, and what training have they received?
 - Although staffing shortages contribute to slaughter access issues, it might be good to learn about the experience their staff have, and what training they go through.
6. How do you verify that stunning is effective?
 - A good answer might include monitoring for signs of consciousness and a few examples of those signs of consciousness. For example, it would be beneficial for all parties to know that checking corneal reflex on electrically stunned animals is not a reliable indicator of consciousness.³⁵⁶ Staff preparations for use of a backup stunner or keeping records of stunning efficacy are also ways to verify this.
7. Do you use electric prods or other tools to move animals? If so, how often?
 - Occasional use of electric prods may be allowed under federal regulations, but excessive or inappropriate use can be a concern.³⁵⁷
 - Some tools may be better for humane handling best practices, such as using a flag or rattle paddle to make noise/visual movement that do not touch the animal at all.³⁵⁸
8. What steps do you take to minimize stress for animals?
 - Listen for practices like low-stress handling techniques, appropriate holding times, and experienced and/or well-trained staff.
9. How do you handle weather-related stress (heat/cold) for animals waiting to be slaughtered?
 - Ideally the plant has shelter, cooling misters, ventilation, and does not overbook slaughter days in extreme temperatures.
10. What protocol do you have for animals that arrive injured or non-ambulatory?

³⁵⁵ You can also check their enforcement history yourself through the USDA's FSIS Enforcement Reports database, but again, it should be noted that mistakes can happen and usually plants correct those mistakes quickly. Inspector discretion or error may also be part of the enforcement decision, so do not use this resource as the sole reason you decide to use or not use a plant.

³⁵⁶ See [*K.D. Vogel et al., Head-only followed by cardiac arrest electrical stunning is an effective alternative to head-only electrical stunning in pigs, J. ANIM. SCI. \(2011\).*](#)

³⁵⁷ See [*Temple Grandin, Recommended Animal Handling Guidelines & Audit Guide: A Systematic Approach to Animal Welfare, 22 N. AM. MEAT INST. \(Jan. 2021\)*](#) (for some audit criteria on what may constitute acceptable use).

³⁵⁸ See [*Temple Grandin, Recommended Animal Handling Guidelines & Audit Guide: A Systematic Approach to Animal Welfare, 20 N. AM. MEAT INST. \(June 2017\).*](#)

- In most cases, non-ambulatory animals must be humanely euthanized and cannot enter the food supply. This is where you can work with the plant to determine how you can best help with these requirements.³⁵⁹

11. How far in advance do animals need to be dropped off, and what happens to them overnight?
 - Ideally, animals should not be held too long before slaughter and should have access to water. If overnight stays occur, food, water, and space to rest is also required.
12. If I have concerns about humane handling at your facility, how would you want me to bring that up with you?
 - This shows you're serious about a respectful, two-way relationship—and how they respond will tell you a lot about their willingness to collaborate.

Stay Professional

You might encounter something troubling—for example, rough handling or a communication breakdown. When that happens, document it in writing and ask for a conversation.

“Thank you so much for the services you and your staff provided. I noticed some bruising on the meat and wanted to follow up about how the animals were handled before slaughter. I’d like to better understand the process to ensure the best quality and humane treatment. Would it be possible to have a conversation about this, and if so, when is the best time?”

Approach it with curiosity, not blame. Most processors appreciate when producers care about humane handling—but no one wants to feel accused. Also note that bruises can be ‘aged’ and a result of a prior issues from transportation or even from handling on the farm.

Work With More Than One Processor

It’s risky to depend on a single processor. If a plant is suspended—even temporarily—it can leave you with no way to move your animals.

If possible, try to build relationships with **two to three** local or regional plants, if possible, even if you only use your backup once a year.

Ask About Their Humane Handling Plan

When you’re considering a processor, especially a USDA-inspected facility, one of the most important things to ask about is their **humane handling plan**. This is more than just a formality—it’s the foundation of how that plant treats animals from the moment they arrive to slaughter. It can help you understand what you need to do from the moment your animals arrive at the plant too.

Think of the humane handling plan as the facility’s version of your farm’s animal welfare protocols. It’s their roadmap for doing things the right way: keeping animals calm, safe, and stress-free as much as possible.

Why Does This Matter?

³⁵⁹ It is important to note that there are no circumstances where non-ambulatory cattle are allowed into the saleable food supply. [FSIS Requirements for Non-Ambulatory Disabled Cattle, USDA FSIS \(last updated May 18, 2021\)](#). Note: even if the inspector says that a compromised non-ambulatory beef is alright to harvest, it’s going against some rules that they have to follow ([9 C.F.R. § 313.2](#), [9 C.F.R. part 309](#), and [FSIS Directive 6900.2 Rev 3](#)). In cases of acute injury with no other signs of disease, custom exempt slaughter may be allowed and should be discussed with a custom exempt plant operator before proceeding.

As mentioned above, USDA-inspected plants are legally required to handle animals humanely under the HMSA. That means animals must be moved and handled in ways that minimize pain and fear—and must be properly stunned before slaughter so they are unconscious and insensible to pain.

To prove they're meeting these standards, many processors put together a written humane handling plan. And some go even further, following what the USDA calls a Robust Systematic Approach to Animal Welfare.

That's a fancy way of saying they don't just follow the rules—they actively review their procedures, look for risks, and improve their systems over time. This kind of approach means fewer mistakes, better treatment for your animals, and less chance of the plant getting shut down for a violation that affects your business too.

What Should You Ask?

Here are some clear, simple ways you can start this conversation with a processor. Start with a basic question:

“Do you have a written humane handling plan in place?” This tells you whether they're taking humane handling seriously and have thought it through.

If they say yes, you can follow up with:

“Would you be willing to walk me through the main steps?” This can help you learn how they manage things like unloading animals, handling them in pens, ensuring effective stunning, and responding if something goes wrong.

If you want to dig deeper:

“Are you using what FSIS calls a Robust Systematic Approach? If so, how do you implement that here?”

If they have a Robust Systematic Approach, they should be able to tell you about things like:

- How they monitor handling practices?
- What training staff receive?
- How often they review or update their procedures?
- What backup plans they have if something goes wrong (like if a stunner fails)?

And if they don't use this approach? That's okay—but it's helpful to know. It might mean the plant is smaller or has fewer resources, or it might mean they haven't put a lot of thought into humane handling beyond the legal minimum.

What Is a “Robust Systematic Approach,” Anyway?

This term comes from [FSIS Directive 6900.2](#), which is USDA's guidance to processors on how to create a stronger, more reliable humane handling system. The goal is to help facilities *prevent* problems before they happen.

For more information, see [A Robust Systematic Approach to Humane Handling, \(2024\)](#).

CHAPTER 5: WHAT TO DO IF A HUMANE HANDLING ISSUE OCCURS: TIPS FOR FARMERS

Even with solid planning and strong processor and inspector relationships, things can—and sometimes do—go wrong. A USDA inspector might condemn your animal. A plant could be shut down unexpectedly due to a violation. A miscommunication might leave your product mishandled. Knowing what to do in these high-stress moments can help you recover faster, protect your business, and, in some cases, pursue legal recourse.

Step 1: Have a Risk Plan in Place

Start by asking yourself:

- What will I do if my processor is shut down the day before slaughter?
- Who is my backup processor, and have I already built a relationship with them?
- Can I legally shift to selling live animals or using a custom-exempt processor temporarily?
- Do I understand the difference between custom-exempt, state-inspected, and federally inspected facilities?
- How will I communicate unexpected changes to customers or buyers?

Risk Planning Tips:

- Keep a list of alternative processors within a 2– 4 hour drive;
- Build in flexible timelines for slaughter and delivery dates; and
- Remain professional even when emotions are high. The plant may only be shut down for a short amount of time and is likely working diligently to reopen and regain compliance.

If a Plant is Shut Down with your Animals or Meat Inside:

If the USDA temporarily suspends or shuts down a facility while your animal is already on the premises:

- The USDA may halt all operations until the facility corrects the violation.
- You do not automatically lose your animal, but processing may be delayed.
- Ask the plant manager:
 - “Has a Notice of Suspension been issued?”
 - “What corrective actions are being taken and when might operations resume?”

If the issue is with your animal (e.g., signs of illness, injury, improper transport):

- The USDA inspector may issue a condemnation.
- You will usually receive a written Form 9061-2: Condemnation Notification from FSIS.

If Your Animal is Condemned: Understanding Your Rights

A condemned animal means you cannot harvest or sell the meat. To prevent this from happening at the plant, try to avoid bringing diseased, dying, ill, disabled, and similarly contaminated animals as mentioned above to the plant,

especially if they are not fit for transportation or human consumption. As a reminder, the inspector will be doing a thorough ante-mortem inspection of the animals prior to slaughter, as mentioned in Chapter 1 above.

If you feel as though a mistake has been made, there *is* an appeal process to challenge the decision.

How to Appeal an FSIS Condemnation Decision:

1. **Act Immediately.** Try to appeal the **same day** the decision is issued.
2. **Request a Second Inspection.** You can ask for a second FSIS veterinarian or inspector to examine the animal.
3. **File a Formal Appeal if needed.** Submit a written appeal to the FSIS Frontline Supervisor or District Office. While FSIS regulations do not prohibit farmers from filing appeals, the regulation only allow meat processing plants to file a formal appeal.³⁶⁰ The plant can file a formal appeal with FSIS if the farmer is concerned about an inspector error. Farmers hoping to appeal an ante-mortem inspection decision should ask the plant to file a formal appeal on their behalf.
4. **Request a Retain Tag.** Ask that the animal or carcass be tagged and held, not destroyed, while your appeal is pending.

Script Example:

"I would like to formally appeal this condemnation. Please retain the carcass and could we work together to appeal this decision. I can follow up with a written appeal to the District Office."

Tips for Working with FSIS and Appealing

FSIS does not tolerate threats to its employees.³⁶¹ Remain professional even though emotions are understandably high. Any interference with FSIS personnel's investigation or any assault of an FSIS official can result in thousands of dollars of fines or jail time.³⁶²

Legal Recourse for Mishandling or Negligence

If you believe a processor or inspector caused a preventable loss (e.g., rough handling, delay that caused animal stress, improper diagnosis), here are steps to consider:

1. **Document everything – keep:**

- Animal health records;
- Drop-off logs;
- Photos or video of the animal's condition at drop-off; and
- Processor communications (texts, emails, voicemails).

³⁶⁰ See [9 C.F.R. § 381.35](#) ("Any person receiving inspection service" may appeal); [9 C.F.R. § 500.9](#) ("any establishment" under federal inspection may appeal).

³⁶¹ See, e.g., *FMIA Docket No. 21-J-0052*

³⁶² [21 U.S.C. § 675](#).

2. **Request a written statement** from the plant manager or USDA inspector explaining the cause of the issue.
3. **File a complaint with FSIS:**
 - o Call the FSIS District Office to file a complaint.
 - o Provide names, dates, and any supporting documents.
4. **Consider hiring a lawyer and filing a lawsuit** if monetary loss is significant and clearly due to plant or inspector negligence. This is a civil matter, not handled by FSIS. Consider the impact this could have on your relationship with the plant before pursuing litigation. If possible, discussing the issue with the plant or FSIS first may be a better approach.

In Summary:

- **Have a backup plan** in place before disaster strikes;
- **Act immediately** if your animal is condemned;
- **Appeal in writing** and ask for retain tags;
- **Document thoroughly** and keep your own logs; and
- **File complaints or pursue civil options** if absolutely necessary.

CHAPTER 6: HUMANE HANDLING FROM START-TO-FINISH: TIPS FOR FARMERS

This section walks you through every stage of humane handling and communication with your processor—from booking your appointment to picking up your boxed meat. Whether you're raising animals for direct sales or working with a food co-op, clear expectations and thorough documentation are essential.

1. Start with a Clear Conversation

Before you book a date, you need to have a candid discussion with the processor. Think of this as a partnership—you're not just dropping off animals; you're working together to create a product for your customers. Be sure to engage with your processor with professionalism and respect.



Start the Conversation with Key Questions, including the humane handling ones mentioned above:

- What label claims can you accommodate? (e.g., “grass-fed,” “raised without antibiotics,” etc.)
- Can you apply my custom labels with a logo, address, or QR code?
- Will my business name appear as the “responsible entity” on the package?
- Can you vacuum seal or use butcher paper? Are there packaging limits by weight or cut?
- How do you confirm my animals and products are kept separate from others?
- What days do you slaughter? When would I need to drop off?
- Can I tour the facility and observe unloading or slaughter?

Tip: Ask to See Sample Labels and Packaging

This helps avoid surprises. If you direct market meat and your customers expect a polished product, the packaging quality matters just as much as the meat itself.

2. Booking the Appointment (3–6 Months Out)

Processors often book months in advance. Start with phone or in-person conversations, then confirm in writing what you've agreed to, especially if you need:

- Custom label approval (including business name and logo);
- Separate packaging per animal or customer;
- Traceability for certified programs (e.g., Animal Welfare Approved, organic³⁶³); and/ or
- Specific cut instructions for different customer segments.

Ask about:

³⁶³ A plant must be certified organic for your product to be labeled USDA organic. [Certified Organic, NICHE MEAT PROCESSOR ASSISTANCE NETWORK \(last visited Sept. 7, 2025\)](#).

- Humane handling certification (if any) and
- If they have a humane handling plan or Robust Systematic Approach (RSA) (You can learn more about an RSA here: [*A Robust Systematic Approach to Humane Handling, \(2024\)*](#)).

3. Transportation to the Plant

The “28-Hour Law” is a federal law covering the handling of specific cattle, sheep, swine, mules, and horses during interstate transportation.³⁶⁴ The USDA’s policy is that the law does not apply to poultry.³⁶⁵ The law prohibits confining animals “for more than 28 consecutive hours without unloading the animals for feeding, water, and rest.”³⁶⁶ Anyone who “knowingly and willfully” violates this law is subject to a civil penalty of at least \$206 but not more than \$1,055 per violation.³⁶⁷

FSIS and USDA’s Animal and Plant Health Inspection Service (“APHIS”) Veterinary Service both “have protocols for detecting violations” of the law and there are a number of regulations that describe how to comply with this law in this footnote.³⁶⁸ It is unlikely that farmers traveling to a local area processor will need to comply with this law, but you should be prepared to comply with it if necessary.

³⁶⁴ [49 U.S.C. § 80502](#). While the law does not define specific any specific "animal" covered, an annotated version of the law mentions cattle, sheep, swine, mules, and horses. [The Twenty-Eight Hour Law Annotated, Act of Congress Approved June 29, 1906, C. 3594 Stat. 607.](#)

³⁶⁵ [Vivian Chu, Brief Summaries of Federal Animal Protection Statutes, Cong. Res. Serv., 28 \(Feb. 1, 2010\) \(quoting a letter from Ron DeHaven, Administrator, to Peter A. Brandt, Esq., The Humane Society of the United States \(September 22, 2006\).](#)

³⁶⁶ [49 U.S.C. § 80502](#). Animals must “be unloaded in a humane way into pens equipped for feeding, water, and rest for at least 5 consecutive hours.” The time loading and unloading the animals cannot be included in the 5-hour period. The animals must be fed and watered by the person who has custody of the animals at the time of the stop. If the person responsible for feeding, watering, and caring for the animals is not the owner, that person may bill the owner for reasonable expenses and has a lien on the animals “that may be collected in the same way that a transportation charge is collected.”

Exceptions to the law apply when:

1. The animals are being transported by air or water.
2. The animals have “food, water, space and an opportunity for rest” in the vehicle in which they are being transported.
3. The animals could not be unloaded due to an accident or situation that “could not have been [reasonably] anticipated or avoided.”
4. The owner or person in custody of the animals makes a written request for “the 28-hour period to be extended to 36 hours.”
5. When the 28-hour period ends at night, sheep can be confined “for an additional 8 consecutive hours.”

³⁶⁷ [49 U.S.C. § 80502\(d\); Civil Monetary Penalty Inflation Adjustments, 90 Fed. Reg. 22607](#); 2025 WL 1517666 (May 29, 2025). Civil Penalty adjusted for inflation. U.S. v. Illinois Cent. R. Co., 303 U.S. 239, 244 (1938) (the Supreme Court ruled that “knowingly and willfully” includes “indifference, inadvertence, or negligence of employees.”).

³⁶⁸ The regulations contain a table specifying the amount of feed required for each species and quantity of livestock for the first and second feeding stations. Livestock can be fed in larger amounts when the owner and carrier agree, if emergency conditions occur, or there is a delay in transport. If the livestock are at the same feeding station “12 hours after the previous feed has been substantially consumed,” they should be fed again according to the table unless their arrival at the “next feeding station or final destination” would not normally be over 40 hours. Livestock should be given a generous supply of safe drinking water that does not contain ice and the troughs or other containers must be clean. [9 C.F.R. § 89.1\(a\)](#). Table available here: <https://www.ecfr.gov/current/title-9/section-89.1> [9 C.F.R. § 89.1\(b\)-\(d\)](#). [9 C.F.R. § 89.2](#). [9 C.F.R. § 89.4](#). The stock pens should be designed for feeding and watering livestock; have enough “space for all of the livestock to lie down at the same time,” clean floors made of “concrete, cinders, gravel, hard-packed earth,” or other material that drains well; and protection from the weather. If livestock are experiencing a large change in temperature during transit, extra care should be taken.

If there is plenty of space for all the animals to lie down in the cars they are being transported in, certain rules apply. Animals can be watered in the car if the facilities can provide “ample water” and make sure all the animals have “an opportunity to drink their fill.” Animals can be fed in the car if the feed is equally distributed. If the animals are “unloaded for feed and water and returned to the car for rest,” they should remain unloaded in the pens for at least 2 hours. If the animals are “unloaded for water and returned to

When the vehicle “enters, or is in line to enter, an official slaughter establishment's premises, the vehicle is considered to be part of that establishment's premises,” the animals must be handled under the FSIS humane handling rules listed in 9 C.F.R. § 313.2.³⁶⁹ FSIS inspectors assess whether the livestock look exhausted or dehydrated, and if so, determine whether the driver complied with the 28-hour law.³⁷⁰ If they have evidence of a violation or the establishment or driver does not give the information, FSIS contacts the APHIS Area Veterinarian-in-Charge, and APHIS will investigate.³⁷¹

According to industry guidelines, animals should be unloaded upon arrival at the slaughter facility, with a recommended maximum wait time of 60 minutes.³⁷² Inspectors monitor the unloading and moving of the livestock and if they see inhumane treatment in handling or slaughter, they will inform the facility and direct the operator to take specific actions.³⁷³

Special Rules for the Transportation of Organic Livestock and Poultry

The USDA's National Organic Program also regulates the transportation of livestock and poultry.³⁷⁴ Among other requirements, 7 C.F.R. § 205.242 addresses “the care of organic animals during transport and throughout the slaughter process, including care prior to slaughter and methods of slaughter.”³⁷⁵

Animals certified as organic must be identified as being organic and traceable for the duration of transport.³⁷⁶ The transporter has flexibility in determining the method for tracking animal's identity.³⁷⁷ Organic livestock and poultry must be fit for transport to buyers, sale barns, or slaughterhouses.³⁷⁸ Calves should have a dry navel cord and walk without assistance; seriously crippled and lame livestock are not fit for transport.³⁷⁹ Seriously crippled and lame animals should either be treated until they are able to walk again or be euthanized if the animal cannot recover.³⁸⁰

The trailer or shipping container used to transport the certified organic animals should have “season-appropriate ventilation.”³⁸¹ Air flow through the trailer should be adjusted depending on the season and temperature.³⁸² Bedding, based upon the type of species and transport, should also be on the floor to keep livestock “clean, dry, and

the car for feed and rest,” they should remain unloaded in the pens for at least 1 hour.” [9 C.F.R. § 89.5\(a\)](#); [9 C.F.R. § 89.5\(b\)](#); [9 C.F.R. § 89.3](#); [9 C.F.R. § 89.3\(a\)-\(b\)](#). For hogs, water should be available for at least 1 hour; [9 C.F.R. § 89.3\(e\)](#); [9 C.F.R. § 89.3\(c\)](#); [9 C.F.R. § 89.3\(d\)](#).

See [Michelle Pawliger and Dena Jones, Animals in Transport Languish as Twenty-Eight Hour Law Goes Off the Rails, 25 Animal L. Rev. 1, 8 \(2018\)](#).

³⁶⁹ [FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, 5 USDA FSIS](#) (Sept. 24, 2020). At this point, the Humane Methods of Slaughter Act (7 U.S.C. §§ [1901](#), [1902](#), and [1906](#)) applies; *Cooper v. Chicago, R.I. & P.R. Co.*, 217 F.2d 683, 686 (8th Cir. 1954).

³⁷⁰ [FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, 5 USDA FSIS](#) (Sept. 24, 2020).

³⁷¹ [FSIS Directive 6900.2 Rev. 3, Humane Handling and Slaughter of Livestock, 5 USDA FSIS](#) (Sept. 24, 2020).

³⁷² [AVMA Guidelines for the Humane Slaughter of Animals: 2024 Edition, 46 AM. VETERINARY MED. ASS'N](#) (2024). As mentioned above in Chapter 1, Animals must be moved into holding pens with access to water and access to food if held longer than 24 hours. If the animals are held overnight, the pens should also have enough space for them to lie down. [9 C.F.R. § 313.2](#). See also [Meat Institute Animal Handling Guidelines and Audit](#).

³⁷³ [9 C.F.R. § 313.50](#).

³⁷⁴ [Congressional Research Service, USDA's Organic Livestock and Poultry Standards Regulations 1](#) (2023).

³⁷⁵ [National Organic Program \(NOP\); Organic Livestock and Poultry Standards, 88 Fed. Reg. 75394, 75427](#) (Nov. 2, 2023).

³⁷⁶ [7 C.F.R. § 205.242\(a\)\(1\)](#).

³⁷⁷ [National Organic Program \(NOP\); Organic Livestock and Poultry Standards, 88 Fed. Reg. at 75427](#).

³⁷⁸ [7 C.F.R. § 205.242\(a\)\(2\)](#). An animal that is fit for transport is able to walk on its own.

³⁷⁹ [7 C.F.R. § 205.242\(a\)\(2\)](#). Seriously crippled livestock are those that can move but are unwell. [National Organic Program \(NOP\); Organic Livestock and Poultry Standards, 88 Fed. Reg. at 75430](#).

³⁸⁰ [National Organic Program \(NOP\); Organic Livestock and Poultry Standards, 88 Fed. Reg. at 75427](#).

³⁸¹ [7 C.F.R. § 205.242\(a\)\(3\)](#).

³⁸² [National Organic Program \(NOP\); Organic Livestock and Poultry Standards, 88 Fed. Reg. at 75427](#).

comfortable.”³⁸³ This is only required when it is necessary, because there are instances when it is impossible or unsafe to provide animal bedding.³⁸⁴ If roughage is used for bedding, it must be certified organic since the livestock is likely to consume it.³⁸⁵ Bedding requirements do not apply to transportation in poultry crates.³⁸⁶

If organic animals’ transportation exceeds 8 hours, the operation must describe how it will maintain organic management and animal welfare.³⁸⁷ These records must be available for inspection by certifying agents.³⁸⁸ These records may include animals’ access to water and organic feed, although this is not required.³⁸⁹ The 8-hour time frame begins the moment all of the animals are loaded until arrival at the final destination.³⁹⁰ The operation should also implement an emergency plan to address potential animal welfare issues that may occur during the transport.³⁹¹ An emergency plan should address issues regarding animal welfare maintenance, escape, or euthanasia.³⁹²

4. Arrival at the Plant

How your animals are unloaded and held impacts both meat quality and regulatory compliance.

Bring:

- Your **cut sheet**;
- Animal identification (tags, RFID, tattoos);
- Any pre-approved **labeling documentation**; and
- A copy of your **handling expectations** (yes, you can bring one!).

You can request:

- To observe unloading;
- To be present for the initial inspection (some facilities allow this); and
- A walk-through of holding pens and kill floor protocols (ahead of time).

Look for signs of humane handling:

- Calm movement, no shouting or electric prods;
- Adequate space and species-appropriate water;³⁹³
- Facilities kept in good repair and non-slip surfaces; and
- Separation of species if applicable.

5. Slaughter & Inspection

USDA inspectors are present at all federally inspected plants. Their role includes:

- Ante-mortem inspection (signs of illness, injury, distress);

³⁸³ [7 C.F.R. § 205.242\(a\)\(4\)](#).

³⁸⁴ [National Organic Program \(NOP\); Organic Livestock and Poultry Standards, 88 Fed. Reg. at 75427](#).

³⁸⁵ [7 C.F.R. § 205.242\(a\)\(4\)](#).

³⁸⁶ *Id.*

³⁸⁷ [Id. § 205.242\(a\)\(5\)](#).

³⁸⁸ [Id. § 205.242\(a\)\(5\)\(i\)](#).

³⁸⁹ [National Organic Program \(NOP\); Organic Livestock and Poultry Standards, 88 Fed. Reg. at 75428](#).

³⁹⁰ [7 C.F.R. § 205.242\(a\)\(5\)](#).

³⁹¹ [Id. § 205.242\(a\)\(6\)](#).

³⁹² [National Organic Program \(NOP\); Organic Livestock and Poultry Standards, 88 Fed. Reg. at 75428](#).

³⁹³ For example, a nipple drinker is acceptable for pigs, but not for cattle. [Humane Handling of Livestock, 17 HUMANE SLAUGHTER ASS’N \(2013\)](#).

- Oversight of humane handling under the Humane Methods of Slaughter Act (HMSA);
- Inspection of carcass, parts, and internal organs for food safety; and
- Review of product labels.

If you suspect mishandling or see signs like bruising, broken bones, or stress indicators in your boxed meat, you have the right to ask questions and request further review.

6. Pickup and Debrief

When you pick up your meat:

- Inspect each box and package for:
 - Correct labeling (weight, species, your business info);
 - Packaging issues (tears, freezer burn, unsealed edges); and
 - Missing or incorrect cuts.
 - Check for bruising or signs of stress in the meat color/texture.

If There's an Issue, Use This Script:

"Hello, I noticed the [cut/label/weight] isn't quite what we expected. Was there an issue during slaughter or cutting? I'd love to understand how we can fine-tune this for next time."

Always keep records of:

- Each animal's ID, processing date, and yield;
- Any problems and how they were resolved; and
- Feedback from customers about packaging or meat quality.

Quick Checklist for Humane Handling and Processing Success

- Schedule at least 3–6 months in advance.
- Ask about custom labeling and packaging when you schedule if possible.
- Tour the facility or ask to observe unloading.
- Confirm humane handling expectations in writing.
- Document everything: transport, drop-off, inspection, and pickup.
- Debrief with the processor after pickup.

APPENDIX: ADDITIONAL RESOURCES

- Compliance Assistance: HMSC – FSIS shares outreach initiatives, training materials and other resources to enhance humane handling
 - [FSIS Compliance Guide for a Systematic Approach to the Humane Handling of Livestock](#)
- [Summary of Federal Inspection Requirements for Meat Products](#)
- [Humane Handling Basics](#) - This training informs inspection program personnel of the regulatory requirements, verification activities, and enforcement actions for ensuring that the handling and slaughter of livestock is humane.
 - [AgLearn Course: Humane Handling Basics](#)
 - [Humane Handling Basics PPT](#)
 - [AgLearn Course: FSIS - Situation Based HH Part 1](#)
 - [AgLearn Course: FSIS - Situation Based HH Part 2](#)
- [Humane Handling Consciousness and Stunning](#)
This training covers establishment and Inspection Program Personnel (IPP) Humane Handling (HH) responsibilities related to animal consciousness and stunning, including relevant scenarios.
 - [AgLearn Course: FSIS - Humane Handling: Consciousness and Stunning](#)
 - [Humane Handling Consciousness and Stunning PPT](#)
- [Humane Interactive Knowledge Exchange \(HIKE\)](#)
- [Recommended Animal Handling Guidelines & Audit Guide: A Systematic Approach to Animal Welfare](#) - Guide produced by the North American Meat Institute based on research by Dr. Temple Grandin.
- [Humane Handling of Livestock and Poultry Booklet](#) – An educational guidebook based on FSIS policies
- [Back to Blueprint Designs that Work - Temple Grandin](#)
- [Stunning Pigs PPT- Temple Grandin](#)
- [Stun-to-Stick Times - Electrical Stunning HSA](#)
- [Firearm Physics FSIS PPT](#)
- [Observations on Stunning Placement in Cattle - JK Shearer ISU](#)
- [Firearm Stunning for Small Plants -AMI Jennifer Woods](#)
- [Stunning Pigs with a BD Stunner - Voogd Consulting](#)
- [Electric Stunning of Pigs and Sheep - Temple Grandin](#)
- [Humane Slaughter Association - Captive Bolt Stunning](#)
- [Humane Slaughter Association - Electric Stunning](#)
- [Humane Slaughter Association - Firearms](#)
- [Electrical and CO2 Stunning, Handling and Determining Insensibility in Pigs and Sheep - 2nd Edition by Temple Grandin](#)
- [Captive Pneumatic Bolt Guns and Electrical Stunners - Bunzl](#)
- [Stunning Guide](#)
- [Humane Handling of Livestock and Poultry Booklet](#)
- [Working with your Meat Processor – ATTRA, NCAT.](#)

Best Practices and Compliance Guides:

- [FSIS Directive 6900.2 - Humane Handling and Slaughter of Livestock](#)
- [FSIS-2013-0003](#) - Availability of FSIS Compliance Guide for a Systematic Approach to the Humane Handling of Livestock
- [FSIS Compliance Guide for a Systematic Approach to the Humane Handling of Livestock](#) -

- [Compliance Guidelines](#) for Use of Video or Other Electronic Monitoring or Recording Equipment in Federally Inspected Establishments
- [Kurt Vogel, Teachable Moments in Humane Animal Handling, The National Provisioner \(Jun. 1, 2022\)](#)
- [Faith Baier, Data Pinpoints Need for a Continued Focus on Stunning Efficacy and Management, The National Provisioner \(Jun. 13, 2018\)](#)
- [Karly Anderson & Kurt Vogel, Animal Welfare Teachable Moments of 2018, The National Provisioner \(Jan. 14, 2020\)](#)
- [Hannah Olsen, et al., Humane Handling Teachable Moments from 2020, The National Provisioner.](#)
- [Kelsey Kuehni, et al., Teachable Moments from 2022, The National Provisioner.](#)
- [Kurt Vogel, et al., Teachable Moments in Humane Handling, the National Provisioner.](#)
- [Karly Anderson, Animal Welfare in Action: Teachable Moments of 2024, Meat + Poultry \(Jun 11, 2025\).](#)
- [Karly Anderson, et al., Assessment of United States Department of Agriculture Food Safety Inspection Service Humane Handling Enforcement Actions: 2018–2020, *Translational Animal Science*, Volume 7, Issue 1, 2023.](#)

Resources for Poultry:

- [FSIS Directive 6110.1, Verification of Poultry Good Commercial Practices, Food Safety and Inspection Service, USDA \(2018\).](#)
- [9 C.F.R. pt. 381.](#)
- [21 U.S.C. § 453\(g\)\(5\).](#)
- [Humane Handling Verification for Livestock and Good Commercial Practices for Poultry, Food Safety and Inspection Service, USDA \(2021\).](#)
- [Treatment of Live Poultry Before Slaughter, Food Safety and Inspection Service, USDA \(2005\).](#)
- [FSIS Directive 6100.3 Revision 2, Ante-Mortem and Post-Mortem Poultry Inspection, Food Safety and Inspection Service, USDA \(2023\).](#)
- [Humane Handling of Livestock and Good Commercial Practices in Poultry, Food Safety and Inspection Service, USDA \(2018\).](#)
- [FSIS Directive 5000.9, Verifying Video or Other Electronic Monitoring Records, Food Safety and Inspection Service, USDA \(2011\).](#)
- [Approaches to Processing Poultry Meat for Sale: Navigating Regulations Across the United States, NCAT ATTRA \(Sept. 2021\).](#)

State-Specific Resources:

- [209.01.21 Ark. Code R. §004.](#)
- [Okla. Admin. Code §35:37-5.](#)
- [Cal. Code Regs. Tit. 3, § 1246.2.](#)
- [Good Commercial Practices \(GCP\) Humane Handling Poultry, California Department of Food and Agriculture](#)
- [MSA Directive 6110.1, Verification of Poultry Good Commercial Practices, Texas Department of State Health Services, Meat Safety Assurance \(2018\).](#)
- [25 Tex. Admin. Code § 221.12.](#)
- [25 Tex. Admin. Code § 221.11.](#)
- [Guidance on the Writing of a Humane Handling Plan for Poultry, Vermont Agency of Agriculture, Food, and Markets.](#)

Additional Resources for “Exempt” Facilities:

- [FSIS Directive 8160.1 Rev. 1 Custom Exempt Review Process, U.S.D.A. \(2022\).](#)

- [Rebecca Thistlethwaite, Frequently Asked Questions About Using Custom-exempt Slaughter and Processing Facilities in Oregon for Beef, Pork, Lamb and Goat, OR. STATE UNIV. \(2022\).](#)
- [FSIS Guideline for Determining Whether a Livestock Slaughter or Processing Firm is Exempt from the Inspection Requirements of the Federal Meat Inspection Act, U.S.D.A. \(2018\).](#)
- [Guidance for Determining Whether a Poultry Slaughter or Processing Operation is Exempt from Inspection Requirements of the Poultry Products Inspection Act, U.S.D.A. \(2006\).](#)
- [“Custom Exempt” Slaughter: The Exception, or the Rule?, NAT’L AG. L. CTR. \(2021\).](#)
- [Beth Rumley, Q&A: Custom exempt slaughter and processing, NAT’L AG. L. CTR.](#)
- [FSIS Directive 6900.2 Rev. 3 Humane Handling and Slaughter of Livestock, U.S.D.A. \(2020\).](#)
- [Poultry Map and Chart, FARM-TO-CONSUMER LEGAL DEFENSE FUND \(last visited November 4, 2024\)](#)

This information is provided by the [Food & Agriculture Impact Project](#) at the University of Arkansas School of Law with funding and support from the Southern Sustainable Agriculture Research & Education program and U.S. Department of Agriculture National Institute of Food and Agriculture.

