

The request for this information is voluntary. It is needed to monitor defects found in this inspection system. It is used by FSIS to determine whether establishments are in compliance. 9 CFR 301 and 9 CFR 301. FORM APPROVED OMB No. 0523-0088. OMB DISCLOSURE STATEMENT: Public reporting burden for this collection of information is estimated to average 7 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, Room 204-VI, Washington, DC 20260; and the Office of Information and Regulatory Affairs, Office of Management and Budget.

US Department of Agriculture  
FOOD SAFETY AND INSPECTION SERVICE  
NONCOMPLIANCE RECORD

TYPE OF NONCOMPLIANCE

Food Safety  Other Computer Protection

1. DATE

2. RECORD NO.

3. ESTABLISHMENT NO.

02/23/2005

0003-2005-4793

05544 M / 1

4. TO (Name and Title)

5. PERSONNEL NOTIFIED

Rick Hoerman, Owner

6. RELEVANT REGULATION(S)

314.3(a); 416.13(b)

7. SECTION/PAGE OF EST. PROCEDURE PLAN

HACCP

SSOP

OTHER

SSOP-BSE SRMs

8. ISP CODE

06D01

9. NONCOMPLIANCE CLASSIFICATION INDICATORS

FACILITY - Product Based

10. DESCRIPTION OF NONCOMPLIANCE

At approximately 1600 hrs on 02/22/05, [redacted] noticed beef heads being loaded onto a pickup truck directly from the offal room. Discussion with the truck driver, who is the [redacted] revealed that he feeds the heads to his dogs. None of the heads, and none of the inedible product that was stored in barrels in the offal room had been denatured. [redacted] informed the driver that the heads would have to be returned to the offal room. [redacted] then informed [redacted] that only Missouri State Licensed offal handlers could remove inedible product from the plant.

Failure to denature any condemned or inedible product is a non-compliance with 9 CFR 314.3(a) which states, "Carcasses, parts of carcasses, and other product condemned at an official establishment which has no facilities for tanking shall, except as provided by paragraph b of this section or elsewhere in this part, be destroyed in the presence of an Inspector by incineration, or denatured by crude carbolic acid, or cresylic disinfectant, or a formula consisting of one part FD&C no. 3 green coloring, 40 parts water, 40 parts liquid detergent, and 40 parts oil of citronella or any other proprietary material approved by the Administrator in specific cases. When such product is to be denatured it shall be freely slashed before the denaturing agent is applied, except that, in the case of dead animals that have not been dressed, the denaturant may be applied by injection. The denaturant must be deposited in all portions of the carcass or product to the extent necessary to

11. SIGNATURE OF INSPECTION PROGRAM EMPLOYEE

You are hereby advised of your right to appear (in person or by counsel) and file a written statement with the Inspector.

12. PLANT MANAGEMENT RESPONSE (immediate action(s)):

Removed heads from truck and placed in offal room and applied denaturing solution.

13. PLANT MANAGEMENT RESPONSE (further planned action(s)):

Notified plant personnel and customer that we would not be able to provide beef heads for his dogs in the future.

Instructed [redacted] (Slaughter Assistant) that we need to spray denaturing solution to contents within inedible barrels at the conclusion of slaughter.

This document serves to inform you that your failure to comply with regulatory requirements could result in additional regulatory or administrative action.

14. SIGNATURE

AGENT

15. DATE

3-1-05

16. VERIFICATION SIGNATURE OF

PROGRAM EMPLOYEE

17. DATE

03-01-05

US Department of Agriculture  
**FOOD SAFETY AND INSPECTION SERVICE**  
**NONCOMPLIANCE RECORD CONTINUATION SHEET**

TYPE OF NONCOMPLIANCE  
 Food Safety     Other Consumer Protection

1. DATE: 02/23/2005      2. RECORD NO.: 0003-2005-4793      3. ESTABLISHMENT NO.: 05544 M/1

4. TO (Name and Title): Rick Hoerman, Owner      5. PERSONNEL NOTIFIED: [REDACTED]

6. RELEVANT REGULATION(S): 314.3(a); 416.13(b)

7. SECTION/PAGE OF EST. PROCEDURE PLAN:    HACCP    SSOP    OTHER: SSOP-BSE SRMs

8. ISP CODE: 06D01      9. NONCOMPLIANCE CLASSIFICATION INDICATORS: FACILITY - Product Based

10. DESCRIPTION OF NONCOMPLIANCE  
 preclude its use for food purposes."

Beef heads contain Specified Risk Materials (SRMs) for Bovine Spongiform Encephalopathy (BSE), and are therefore subject to additional handling restrictions. The establishment's SSOP states [REDACTED]  
 By allowing beef heads to leave the establishment without denaturing, and by allowing a person other than one licensed by the state to remove inedible material from the premises, the establishment has failed to implement this SOP.

Failure to implement the SSOP is a non-compliance with 9 CFR 416.13(b), which states, "Each official establishment shall conduct all other procedures in the sanitation SOPs at the frequency specified."

11. SIGNATURE OF INSPECTOR: [REDACTED]      02-23-05

Form 5400-4 (7/98)      DISTRIBUTION: Original & 1 Copy to Establishment, 1 Copy to Inspector  
 Rep. 5400-4 (9/97), which includes instructions (10/98)      Page 2 of 2