

# **INCIDENT STATEMENT**

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## I. AMICK FARMS

A Compassion Over Killing (“COK”) investigator was employed at Amick Farms, located at 274 Nealson St, Hurlock MD. The investigator was employed in “Live Hang” between May and August, 2018. In this position, he documented the condition and treatment of live animals at the facility with a covert camera.

Amick Farms in Hurlock, MD, is a chicken slaughterhouse that processes approximately 200,000 chickens per day. The investigator primarily worked in the live hang room, where he hung live chickens in shackles for processing as they came in on a conveyor belt. He also occasionally worked in the “Re-hang” area, where he performed a similar hanging task after the chickens had been slaughtered.

Many of the incidents detailed below occurred either in view of Amick Farms management, at the request of said management, or by the supervisors themselves. Supervisors told workers to hang dead chickens in shackles, even after being caught doing so by the USDA.

A list of employees with whom the investigator worked with is:

- [REDACTED] — Live Hang
- [REDACTED] — Human Resources
- [REDACTED] — Live Hang
- [REDACTED] — Live Hang
- [REDACTED] — Live Hang
- [REDACTED] — Live Hang
- [REDACTED] — Live Hang
- [REDACTED] — Live Hang
- [REDACTED] — Live Hang
- [REDACTED] — Live Hang
- [REDACTED] — Live Hang
- [REDACTED] — Live Hang
- [REDACTED] — Live Hang
- [REDACTED] — Supervisor
- [REDACTED] — Live Hang Line Leader
- [REDACTED] — White Helmet
- [REDACTED] — Union Representative
- [REDACTED] — Live Hang
- [REDACTED] — Kill Floor
- [REDACTED] — Human Resources
- [REDACTED] — Live Hang

- [REDACTED] — Live Hang
- [REDACTED] — Re-hang, Live Hang, and Kill Floor
- [REDACTED] — Live Hang Supervisor
- [REDACTED] — Forklift driver
- [REDACTED] — Live Hang
- [REDACTED] — Live Hang
- [REDACTED] — Supervisor
- [REDACTED] — Live Hang
- [REDACTED] — Cold side Supervisor
- [REDACTED] — Live Hang employee
- [REDACTED] — Supervisor (above Orlando)

### **III. DOCUMENTED AND WITNESSED INSTANCES OF INHUMANE TREATMENT OF ANIMALS**

#### **A. Overview**

The following summarizes the incidents of improper and inhumane treatment of the chickens at Amick Farms, in addition to other problematic conditions. COK's investigator personally witnessed these events and documented most of them.

#### **1. Rough Handling/Excessive Force**

On numerous occasions, the investigator witnessed and/or documented workers intentionally throwing, shoving, or striking birds. Workers would throw birds at the shackles for no discernable reason instead of exercising proper hanging procedure. Birds were routinely scooped up or shoved by employees trying to free up space on the conveyor belt.<sup>1</sup> These birds would often land on other birds after being shoved. In other instances, workers would punch, slap, or elbow birds as they went by in the shackles or on the conveyor belt.<sup>2</sup> These strikes were performed outside of any work related need and were only for the workers' enjoyment.

#### **2. Birds Stuck or Drowning After Line Breakdowns**

When one of the lines was broken down, the investigator documented birds shackled and stuck in the stun bath. Some of these birds had their heads stuck below the water for more than 4 minutes.<sup>3</sup> In another instance, the line broke down and left several birds stuck upside down near saw blades.<sup>4</sup> The lines would stop functioning frequently at the plant, with 7–10 breakdowns per

<sup>1</sup> 20180825\_010440.mp4, MAH08352

<sup>2</sup> 20180824\_224957.mp4, 20180825\_010440.mp4, 20180827\_175321.mp4

<sup>3</sup> 20180828\_213312.mp4

<sup>4</sup> Video IMG\_4409.MOV

shift. Most breakdowns would last for approximately 1–5 minutes before proper function was returned, with some breakdowns lasting more than 30 minutes or an hour.

### **3. Red Birds**

In one instance, the investigator documented 2 bird carcasses that had gone through the hot water bath. These carcasses had bright red skin, an indication that the birds had not bled out enough and were likely still alive when they entered the water.<sup>5</sup> The investigator witnessed similar carcasses with bright red skin on 6 more occasions. Many other birds had green skin with a powdery pus leaking from them, which could indicate deep pectoral myopathy (“green muscle disease”). Others had dark purple bruises covering entire legs.

### **4. Hanging Dead Birds**

In a total of 5 instances, the investigator witnessed or documented workers at Amick Farms hanging dead birds in the shackles to be processed for consumption<sup>6</sup>. In one instance, the investigator was told by a coworker a crate full of chickens had fallen over. When these birds were dumped onto the conveyor belt, approximately 95% were dead. [REDACTED] instructed the workers to hang all of the birds on the belt. These birds were slightly stiff to the touch with numerous injuries, including blood spots, dangling wings, and broken shanks. On 7/2/2018, the investigator heard [REDACTED] say that [REDACTED] had “screwed him over” by telling employees to hang dead birds and the USDA had found deceased birds on the line. However, [REDACTED] had also previously told employees to hang dead birds and was seen hanging a dead bird by the investigator. On 7/6/2018, the investigator again witnessed approximately 25 to 30 dead birds on the shackles. [REDACTED] and a worker with the nickname [REDACTED] were witnessed hanging dead birds.

### **5. Tar-like Substance on Birds**

On 4 separate dates, the investigator either witnessed or documented birds who had a black, oily substance on their bodies. In many of these cases, the animals’ bodies were almost completely covered in this substance.<sup>7</sup> On 2 of these dates, approximately 50 birds per day were seen with this substance on them. The substance was thick, with a smell similar to tar. It is unknown how this substance got on the chickens.

## **B. Specific Incidents**

### **1. Rough Handling/Excessive Force**

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<sup>5</sup> IMG-4512.MOV

<sup>6</sup> 20180824\_174137.mp4

<sup>7</sup> MAH06847

<b>Incident 1</b>	<b>8/24/2018</b>	<b>Video</b>	<b>00:02–00:07</b>
[REDACTED] grabs a bird in his left hand and delivers an elbow strike to the bird with his right arm.			
<b>Incident 2</b>	<b>8/27/2018</b>	<b>Video</b>	<b>00:07–00:11</b>
[REDACTED] quickly slaps a bird in the head.			
<b>Incident 3</b>	<b>8/27/2018</b>	<b>Video</b>	<b>00:11–00:24</b>
[REDACTED] holds a bird against the railing of the conveyor belt. He then pulls apart the bird's legs as if he is trying to tear the animal apart.			
<b>Incident 4</b>	<b>8/24/2018</b>	<b>Video</b>	<b>00:24–00:56</b>
Employee #2 throws punches at multiple birds' heads as they pass by in shackles. He throws at least 38 punches. All of them appear to land.			
<b>Incident 5</b>	<b>8/24/2018</b>	<b>Video</b>	<b>00:56–01:00</b>
Employee #2 grabs a bird from the rail surrounding the conveyor belt and throws the animal hard further down the belt.			
<b>Incident 6</b>	<b>8/24/2018</b>	<b>Video</b>	<b>01:00–01:22</b>
[REDACTED] and Employee #2 squeeze, pull, and shake a shackled bird's head. This contact occurs at least 4 times. The bird to the left of this one appears to be dead and does not move when the employees move their hands near his/her head.			
<b>Incident 7</b>	<b>8/24/2018</b>	<b>Video</b>	<b>01:22–01:26</b>
[REDACTED] roughly shoves a bird towards another worker across the table.			
<b>Incident 8</b>	<b>8/24/2018</b>	<b>Video</b>	<b>01:26–02:00</b>
[REDACTED] grabs a bird and holds him/her against the conveyor belt as other birds pass by. He then punches the bird he is holding in the chest.			
<b>Incident 9</b>	<b>8/24/2018</b>	<b>Video</b>	<b>02:00–02:04</b>
Employee #3 pulls on the bird who is already shackled.			
<b>Incident 10</b>	<b>8/24/2018</b>	<b>Video</b>	<b>02:04–02:07</b>

[REDACTED] punches a bird going by on the conveyor belt. The moment of contact is blocked by another worker.			
<b>Incident 11</b>	<b>8/24/2018</b>	<b>Video</b>	<b>02:07–02:14</b>
[REDACTED] follows a bird who is running away from him. [REDACTED] grabs the bird and hits him/her. The moment of contact is out of frame.			
<b>Incident 12</b>	<b>8/24/2018</b>	<b>Video</b>	<b>02:14–02:21</b>
[REDACTED] follows a bird who is running away from him. [REDACTED] grabs the bird and hits him/her. The moment of contact is out of frame.			
<b>Incident 13</b>	<b>8/24/2018</b>	<b>Video</b>	<b>02:21–02:24</b>
Employee #2 punches 2 birds on the conveyor belt. The visual is blocked by another employee.			
<b>Incident 14</b>	<b>8/24/2018</b>	<b>Video</b>	<b>02:24–02:26</b>
Employee #2 lightly punches a shackled bird as the animal passes by.			
<b>Incident 15</b>	<b>8/24/2018</b>	<b>Video</b>	<b>02:26–02:30</b>
[REDACTED] prods a shackled bird with the tips of his fingers.			
<b>Incident 16</b>	<b>8/24/2018</b>	<b>Video</b>	<b>02:30–02:43</b>
Employee #2 picks up 6 birds one at a time and throws each of them further down the conveyor belt.			
<b>Incident 17</b>	<b>8/24/2018</b>	<b>Video</b>	<b>02:43–02:49</b>
Employee #2 punches 2 birds as they pass by on the conveyor belt.			
<b>Incident 18</b>	<b>8/24/2018</b>	<b>Video</b>	<b>02:50–02:54</b>
[REDACTED] punches a bird on the conveyor belt hard. The visual is obscured by the birds in shackles.			
<b>Incident 19</b>	<b>8/24/2018</b>	<b>Video</b>	<b>02:54–02:58</b>

[REDACTED] picks a bird up from the conveyor belt in his left hand, then winds up and slams the animal back on the conveyor belt.			
<b>Incident 20</b>	<b>8/24/2018</b>	<b>Video</b>	<b>02:58–03:11</b>
Employee #2 punches 4 birds and then tosses or shoves at least 6 other birds to the other side of the conveyor belt.			
<b>Incident 21</b>	<b>8/27/2018</b>	<b>Video</b>	<b>03:11–03:15</b>
A worker grabs a bird by the head and shoves the animal to the other side of the conveyor belt.			
<b>Incident 22</b>	<b>8/27/2018</b>	<b>Video</b>	<b>03:15–03:20</b>
[REDACTED] picks a bird up from the conveyor belt, then brings it down quickly on top of another bird.			
<b>Incident 23</b>	<b>8/27/2018</b>	<b>Video</b>	<b>03:20–03:23</b>
A bird climbs up onto the railing of the conveyor belt. [REDACTED] slaps the birds off of the railing.			
<b>Incident 24</b>	<b>8/27/2018</b>	<b>Video</b>	<b>03:23–03:28</b>
[REDACTED] picks a bird up from the conveyor belt, then brings it down quickly on top of another bird.			
<b>Incident 25</b>	<b>8/27/2018</b>	<b>Video</b>	<b>03:28–03:33</b>
[REDACTED] picks a bird up from the conveyor belt, then brings it down quickly on top of another bird.			
<b>Incident 26</b>	<b>8/22/2018</b>	<b>Video</b>	<b>03:33–03:40</b>
[REDACTED] holds a bird against the rail of the conveyor belt before hanging the animal.			
<b>Incident 27</b>	<b>8/22/2018</b>	<b>Video</b>	<b>03:40–04:06</b>
[REDACTED] holds 4 birds against the rail of the conveyor belt before hanging them.			
<b>Incident 28</b>	<b>8/22/2018</b>	<b>Video</b>	<b>04:06–04:13</b>

[REDACTED] hangs a bird roughly.			
<b>Incident 29</b>	<b>8/24/2018</b>	<b>Video</b>	<b>04:13–04:26</b>
A worker hangs a bird roughly.			
<b>Incident 30</b>	<b>8/24/2018</b>	<b>Video</b>	<b>04:26–04:35</b>
[REDACTED] picks two birds off of the conveyor belt by grabbing the animals only by their heads.			
<b>Incident 31</b>	<b>8/24/2018</b>	<b>Video</b>	<b>04:35–04:44</b>
[REDACTED] roughly shoves multiple birds towards another worker across the table.			
<b>Incident 32</b>	<b>8/24/2018</b>	<b>Video</b>	<b>04:44–05:08</b>
[REDACTED] and [REDACTED] roughly shove multiple birds on the conveyor belt towards another worker across the table. [REDACTED] does this at least 7 times. [REDACTED] does this twice.			
<b>Incident 33</b>	<b>8/24/2018</b>	<b>Video</b>	<b>05:08–05:16</b>
[REDACTED] roughly shoves multiple birds towards another worker across the table. He does this 3 times.			
<b>Incident 34</b>	<b>8/24/2018</b>	<b>Video</b>	<b>05:16–05:21</b>
[REDACTED] roughly shoves multiple birds towards another worker across the table. He does this twice.			
<b>Incident 35</b>	<b>8/24/2018</b>	<b>Video</b>	<b>05:21–06:51</b>
[REDACTED] roughly shoves multiple birds further down the conveyor belt (Multiple instances).			
<b>Incident 36</b>	<b>8/24/2018</b>	<b>Video</b>	<b>06:51–06:54</b>
Employee #2 briefly picks a bird up from the conveyor belt and quickly tosses the bird to the other side of the belt.			
<b>Incident 37</b>	<b>8/24/2018</b>	<b>Video</b>	<b>06:54–07:05</b>
Employee #2 shoves or tosses at least 4 birds to the other side of the conveyor belt.			

<b>Incident 38</b>	<b>8/27/2018</b>	<b>Video</b>	<b>07:05–07:15</b>
A worker grabs multiple birds roughly off the conveyor belt. One bird is grabbed by his/her head.			
<b>Incident 39</b>	<b>8/27/2018</b>	<b>Video</b>	<b>07:15–07:18</b>
A worker grabs a bird from the conveyor belt by the head and pulls the animal towards him			
<b>Incident 40</b>	<b>8/27/2018</b>	<b>Video</b>	<b>07:18–07:43</b>
Workers roughly grab the birds from the conveyor belt			
<b>Incident 41</b>	<b>8/27/2018</b>	<b>Video</b>	<b>07:43–07:50</b>
[REDACTED] quickly sets a bird down on the railing of the conveyor belt before hanging the animal.			
<b>Incident 42</b>	<b>8/27/2018</b>	<b>Video</b>	<b>07:50–07:57</b>
[REDACTED] grabs a bird by the head and pulls the animals towards him before hanging.			
<b>Incident 43</b>	<b>8/27/2018</b>	<b>Video</b>	<b>07:57–08:01</b>
A worker slaps a bird who has moved onto the railing of the conveyor belt.			
<b>Incident 44</b>	<b>8/27/2018</b>	<b>Video</b>	<b>08:01–08:32</b>
A worker holds a bird against the railing of the conveyor belt. The bird begins to struggle and move his/her legs.			
<b>Incident 45</b>	<b>8/27/2018</b>	<b>Video</b>	<b>08:32–08:37</b>
A worker grabs a bird by the wing and shoves him/her down the conveyor belt.			
<b>Incident 46</b>	<b>8/27/2018</b>	<b>Video</b>	<b>08:37–09:58</b>
[REDACTED] uses a single hand to toss birds into the shackles. He does this at least 6 times. One bird falls down to the conveyor belt.			
<b>Incident 47</b>	<b>8/27/2018</b>	<b>Video</b>	<b>09:58–10:02</b>

A worker grabs a bird off of the conveyor belt by his/her head.			
<b>Incident 48</b>	<b>8/27/2018</b>	<b>Video</b>	<b>10:02–10:08</b>
████ picks up a bird and slams the animal lightly against the railing of the conveyor belt 5 times.			
<b>Incident 49</b>	<b>8/27/2018</b>	<b>Video</b>	<b>10:08–10:14</b>
████ roughly hangs another animal.			
<b>Incident 50</b>	<b>8/28/2018</b>	<b>Video</b>	<b>10:14–11:04</b>
A worker grabs and hangs birds roughly.			
<b>Incident 51</b>	<b>8/28/2018</b>	<b>Video</b>	<b>11:04–11:12</b>
A worker grabs and hangs birds roughly. One bird is hung so roughly the shackle is lifted from its usual position.			
<b>Incident 52</b>	<b>8/27/2018</b>	<b>Video</b>	<b>11:12–11:18</b>
████ drops a bird he was holding back onto the conveyor belt.			
<b>Incident 53</b>	<b>8/27/2018</b>	<b>Video</b>	<b>11:19–11:26</b>
████ grabs a bird from the conveyor belt by the wing. This causes the bird to flap his/her wings in panic.			
<b>Incident 54</b>	<b>6/4/2018</b>	<b>Video</b>	<b>11:26–11:55</b>
A worker uses both hands to scoop up and toss birds down the line. Some of the shoved birds land on top of other birds. The worker does this 8 times.			
<b>Incident 55</b>	<b>6/4/2018</b>	<b>Video</b>	<b>11:55–12:07</b>
A worker uses both hands to scoop up and toss birds down the line. Some of the shoved birds land on top of other birds. The worker does this 5 times.			
<b>Incident 56</b>	<b>6/4/2018</b>	<b>Video</b>	<b>12:07–12:10</b>

A worker uses both hands to scoop up and toss birds down the line. Some of the shoved birds land on top of other birds. The worker does this twice.			
<b>Incident 57</b>	<b>8/23/2018</b>	<b>Video</b>	<b>12:10–12:14</b>
A worker roughly shoves multiple birds further down the conveyor belt.			
<b>Incident 58</b>	<b>6/14/2018</b>	<b>Video</b>	<b>12:14–12:20</b>
A worker pushes a bin full of birds who supposedly arrived dead to the plant. One of the birds is alive in the bin and moves his/her leg.			
<b>Incident 59</b>	<b>8/23/2018</b>	<b>Video</b>	<b>12:20–12:37</b>
A bird thrown on the floor for being supposedly "Dead on arrival" is alive and moving.			
<b>Incident 60</b>	<b>5/16/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed a worker routinely hang birds incorrectly so that only one of their legs were in the shackles.			
<b>Incident 61</b>	<b>5/17/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed a worker throwing birds at the shackles multiple times in an attempt to hang them. In some of these instances, birds bounced off of the shackles and fell back down to the conveyor belt. In other instances, birds ended up with only 1 leg shackled.			
<b>Incident 62</b>	<b>5/22/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed a worker throwing birds at the shackles in an attempt to hang them. This was witnessed 4 times. In one of these instances, a bird bounced off of the shackles and fell back down to the conveyor belt. In another instance, a bird ended up with only one leg shackled, which another worker had to correct later on down the line.			
<b>Incident 63</b>	<b>5/24/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed a worker attempting to hang multiple birds by throwing them at the shackles. In some instances, birds ended up with only 1 leg shackled. This worker would also throw birds from one end of the conveyor belt to the other so that more chickens would be sent out. These throws were about 7 to 10 feet in distance and resulted in the pile of birds on one end.			
<b>Incident 64</b>	<b>5/25/2018</b>	<b>Witnessed Only</b>	

A worker repeatedly put a bird up to the shackles only to pull the bird back and not hang the bird. It appeared as if he was trying to extend the work period by leaving shackles not filled.			
<b>Incident 65</b>	<b>5/28/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed a worker attempting to cull a bird by placing both hands around the animal's neck and strangling him/her. The worker's hands would get tired before the bird died, so he would have to rest and try again. He attempted this for about 5 minutes and it was not clear whether he ever succeeded.			
<b>Incident 66</b>	<b>5/28/2018</b>	<b>Witnessed Only</b>	
The investigator was told by a supervisor that a truck had flipped over and the chickens who died or were injured as a result had to be placed in bins. The supervisor then said the loads of chickens were dumped on the conveyor belt. The chickens appeared dirtier than normal with more feather loss. Many birds had injuries to their legs or spots of blood on them. The line leader said all of the birds had to be killed.			
<b>Incident 67</b>	<b>6/4/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed a worker tossing and shoving birds down the conveyor belt so that more birds could be brought out.			
<b>Incident 68</b>	<b>6/6/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed a worker attempt to hang birds by throwing them at the shackles. He attempted to do this every 5 to 10 minutes and continued from roughly 4:44 PM until lunch time. The worker also carries a backpack in the work area.			
<b>Incident 69</b>	<b>6/6/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed an average of 1 to 3 injured birds per transport crate. Most of the injuries were on the wings or the legs of the animals. Some of the open wounds exposed pink flesh instead, but all of them had fresh blood dripping from them.			
<b>Incident 70</b>	<b>6/7/2018</b>	<b>Witnessed Only</b>	
A worker flipped a bird onto his/her back and when the bird would right himself/herself, the worker would flip the bird over again. The worker repeated this about 10–15 times until the bird could no longer get to his/her feet. The worker then flipped the bird about 5 more times.			
<b>Incident 71</b>	<b>6/7/2018</b>	<b>Witnessed Only</b>	
The same worker who flipped the bird over multiple times slides the animal back and forth on the railing of the conveyor belt to clean excrement off.			

<b>Incident 72</b>	<b>6/8/2018</b>	<b>Witnessed Only</b>	
In multiple instances, a worker attempted to hang birds by throwing them at the shackles. He attempted to show the investigator how to hang birds in this way.			
<b>Incident 73</b>	<b>6/14/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed a bird who was still alive in the Dead on Arrival bin.			
<b>Incident 74</b>	<b>6/29/2018</b>	<b>Witnessed Only</b>	
While picking up the dead birds who the employees tossed off of the conveyor belt, the investigator observed 2 chickens who were heavily mutilated. The first bird was missing the feathers and skin on his/her chest and had the breast muscles and bones exposed. The second chicken appeared to have had his/her stomach area completely removed.			
<b>Incident 75</b>	<b>7/2/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed numerous dead birds being tossed off of the conveyor belts. These birds appeared dry and dirty. They appeared to have died from heat exhaustion and did not look like they had been sprayed with the hose as they were supposed to have been on a hot day. The investigator gathered 76 birds from the floor and placed them in the Dead on Arrival pile.			
<b>Incident 76</b>	<b>7/9/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed [REDACTED] in separate instances throw 2 birds at the shackles in an attempt to hang them. Brodie threw the birds forcefully, as if trying to hurt them.			
<b>Incident 77</b>	<b>7/12/2018</b>	<b>Witnessed Only</b>	
[REDACTED] and [REDACTED] were stationed across from each other in the line. They took turns punching birds in shackles so the birds would swing and hit the other worker. They did this about 4 times each. Some of the birds would flap their wings and try to escape the shackles after being punched.			
<b>Incident 78</b>	<b>7/31/2018</b>	<b>Witnessed Only</b>	
The plant lost power, halting work for about an hour. Birds who were in the shackles were left there for the entirety of the break and approximately 50 birds on the conveyor belt appeared to have died from being smothered under other birds. The birds in the stun baths had drowned from having their heads stuck underwater while the line was without power. Other birds were stuck suspended upside down near the saw blades.			

<b>Incident 79</b>	<b>8/1/2018</b>	<b>Witnessed Only</b>	
A worker picked a bird up and slammed the animal down on the railing of the conveyor belt. The sound of the impact was audible even through the investigator's ear plugs. The bird did not appear to move after being placed in the shackles.			
<b>Incident 80</b>	<b>8/6/2018</b>	<b>Witnessed Only</b>	
While the line was moving quickly, workers would violently grab birds and shackle them as fast as possible. By the time the workers could grab another bird, another shackle was directly in front of them and about to pass. Some of the birds struggled to free themselves without success.			
<b>Incident 81</b>	<b>8/7/2018</b>	<b>Witnessed Only</b>	
While the line was moving quickly, workers would violently grab birds and shackle them as fast as possible. By the time the workers could grab another bird, another shackle was directly in front of them and about to pass. Some of the birds struggled to free themselves without success.			
<b>Incident 82</b>	<b>8/8/2018</b>	<b>Witnessed Only</b>	
In the re-hang area, the investigator witnessed the chute leading to the conveyor belt become jammed and 30 birds fall to the floor. The floor was extremely dirty with waste from slaughtered birds and foot traffic. A worker picked the fallen birds up and threw them back on the conveyor belt.			
<b>Incident 83</b>	<b>8/23/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed a worker throw a living bird off of the conveyor belt onto the floor. Another worker, [REDACTED], threw 7 birds at the shackles in an attempt to hang them. In 2 cases, the birds hit the shackles and fell back down to the conveyor belt.			
<b>Incident 84</b>	<b>8/24/2018</b>	<b>Witnessed Only</b>	
While the line was moving quickly, workers would roughly grab birds and shackle them as fast as possible.			
<b>Incident 85</b>	<b>8/24/2018</b>	<b>Witnessed Only</b>	
Employee #2 placed birds on their backs against the conveyor belt and delivered 8 hard and fast punches to the birds' chest. The birds appeared to have difficulty getting to their feet afterwards and one simply laid on the belt and moved his/her feet in the air. [REDACTED] also threw 4 hard, fast punches to the birds.			

<b>Incident 86</b>	<b>8/28/2018</b>	<b>Witnessed Only</b>	
While he cut the line in the lead position, [REDACTED] shackled birds in a very fast and rough manner.			
<b>Incident 87</b>	<b>8/28/2018</b>	<b>Witnessed Only</b>	
[REDACTED] grabbed a bird in the shackles and pulled the animal towards him. He then pushed the bird back against the divider wall.			

## 2. Drowning Birds

<b>Incident 88</b>	<b>8/28/2018</b>	<b>Video</b>	<b>12:40–12:45</b>
Workers with a ladder near the broken down line.			
<b>Incident 89</b>	<b>8/28/2018</b>	<b>Video</b>	<b>12:45–12:49</b>
Shackled birds stuck in the stun bath as the line breaks down. Some birds have their heads stuck immersed in the water.			
<b>Incident 90</b>	<b>8/28/2018</b>	<b>Video</b>	<b>12:49–12:55</b>
Shackled birds going through the stun bath while it is working correctly.			
<b>Incident 91</b>	<b>8/28/2018</b>	<b>Video</b>	<b>12:55–13:08</b>
Shackled birds stuck in the stun bath as the line breaks down. Some birds have their heads stuck immersed in the water. The line next to this one is functioning correctly.			
<b>Incident 92</b>	<b>8/28/2018</b>	<b>Video</b>	<b>13:08–14:40</b>
Shackled birds stuck in the stun bath as the line breaks down. Some birds have their heads stuck immersed in the water. The line next to this one is functioning correctly.			
<b>Incident 93</b>	<b>7/31/2018</b>	<b>Video</b>	<b>14:43–14:52</b>
A live bird is stuck upside down with his/her head restrained during a period when the line was broken down. The bird's head is near the saw blade.			

## 3. Red Birds

<b>Incident 94</b>	<b>8/21/2018</b>	<b>Video</b>	<b>14:55–15:03</b>
The investigator wheels out a trash can full of dead birds removed from shackles after the line had broken down. Two of the animals had bright red skin.			
<b>Incident 95</b>	<b>8/8/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed approximately 50 birds with bright pink skin after they had gone through the scalding tank.			
<b>Incident 96</b>	<b>8/9/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed approximately 200 birds in the re-hang area whose skin was bright pink. Another 10 birds had bright green skin with powdery green pus leaking out. 1 bird's leg was dark purple and appeared to be badly bruised.			
<b>Incident 97</b>	<b>8/10/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed approximately 20 birds in the re-hang area whose skin was bright pink. Another 5 birds had green skin with powdery green pus leaking out. 30 more birds had dark purple bruises covering an entire leg.			
<b>Incident 98</b>	<b>8/15/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed 1 bird in the re-hang area whose skin was bright pink. Another 15 birds had green skin with powdery green pus leaking out. 25 more birds had dark purple bruises covering an entire leg.			
<b>Incident 99</b>	<b>8/16/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed 4 birds in the re-hang area whose skin was bright pink. Another 15 birds had green skin with powdery green pus leaking out. Approximately 20 more birds had dark purple bruises covering an entire leg.			
<b>Incident 100</b>	<b>8/17/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed approximately 40 birds in the re-hang area whose skin was bright pink. Another approximately 10 birds had green skin with powdery green pus leaking out. About 25 more birds had dark purple bruises covering an entire leg.			

#### 4. Hanging Dead Birds

<b>Incident 101</b>	<b>8/24/2018</b>	<b>Video</b>	<b>15:06–15:28</b>
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<p>████ and Employee #2 squeeze, pull, and shake a shackled bird's head. This contact occurs at least 4 times. The bird to the left of this one appears to be dead and does not move when the employees move their hands near his/her head. (Same clip as Incident 6)</p>			
<b>Incident 102</b>	<b>8/24/2018</b>	<b>Video</b>	<b>15:28–15:44</b>
<p>A worker hangs a bird who appears to be dead. The bird's wings and head hang down, unmoving, as the animal is in the shackles.</p>			
<b>Incident 103</b>	<b>6/5/2018</b>	<b>Witnessed Only</b>	
<p>The investigator was told a transport crate of birds had fallen over outside. The conveyor belt began bringing in birds, about 95% of whom were dead. █████ instructed the investigator to hang all of the birds who came down the conveyor. The chickens had large spots of blood on them where their wings attach to their bodies and one bird was observed with one wing dangling from his/her body. Many birds had shanks that appeared broken or deformed.</p>			
<b>Incident 104</b>	<b>7/6/2018</b>	<b>Witnessed Only</b>	
<p>The investigator observed a large pile of birds on the conveyor belt. This pile stretched the length of the conveyor belt. About 90% of the birds in the pile were dead. He observed 25 to 30 dead birds pass by in shackles and █████ hanging dead birds. There were few birds on the ground next to the other line, making it likely that dead birds were being hung on the other line as well.</p>			
<b>Incident 105</b>	<b>7/10/2018</b>	<b>Witnessed Only</b>	
<p>The investigator picked up a dead bird with a large laceration in his/her neck and removed the bird from the conveyor belt. █████ then picked up the dead bird and hung the bird from a shackle. After that, █████ hung a few more birds as if to hide the fact that he had hung a dead one.</p>			

### 5. Birds Covered in Tar-like Substance

<b>Incident 106</b>	<b>6/14/2018</b>	<b>Video</b>	<b>15:47–15:53</b>
<p>A shackled bird is covered in a tar-like substance. The substance appears to cover the bird's entire body.</p>			
<b>Incident 107</b>	<b>6/12/2018</b>	<b>Witnessed Only</b>	
<p>While hanging birds in shackles, the investigator witnessed about 50 birds with a black, tar-like substance on their bodies. 5 of these birds were completely covered in the substance and</p>			

about 70% of the birds were more than halfway covered. These birds were hung in the shackles like normal.			
<b>Incident 108</b>	<b>6/14/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed approximately 10 birds covered in a black, tar-like substance.			
<b>Incident 109</b>	<b>8/20/2018</b>	<b>Witnessed Only</b>	
The investigator witnessed approximately 20 birds on the conveyor belt covered in a black, tar-like substance.			
<b>Incident 110</b>	<b>8/22/2018</b>	<b>Witnessed Only</b>	
While hanging birds in shackles, the investigator witnessed about 50 birds with a black, tar-like substance on their bodies. These birds were hung in the shackles like normal.			

### III. Workplace Health and Safety Violations

#### A. Overview

##### 1. Injuries

The normal work duties of the Live Hang department leave workers in great risk of developing occupational injuries. Workers repeat the same motion thousands of times in a shift and must hang roughly two dozen chickens per minute. The high line speeds and repetitive motions cause swelling, redness, and constant pain in worker's hands.

Visits to the nurse's station for hand protection were quite common due to this potential for injury. Each visit, the nurse placed a foam pad placed on the investigator's knuckles and wrapped his hands in sports tape. Still, the investigator experienced swelling and pain in his hands and was forced to take time off to heal. The investigator also met with the human resources manager.

The human resources manager asked him where he hurt his hands. He explained to her that the pain and swelling were due to the normal duties of performing live-hang and that the supervisors in the department said that it was a normal part of the job. She stated that they had given the investigator a generous amount of time off for his hands to heal and she was concerned that he took more time off after the time that they had allotted. She stated that because he was a probationary employee, his absences were counting as occurrences with the exception of the time that they had allotted. She then stated that because he reached the maximum number of

occurrences they would have to release the investigator from employment. She stated they were letting him go and he would be eligible for re-employment in 90 days.

She looked at her computer and then informed him that if he could get a doctor to approve him to return to work that she would allow a return to work. She then said she would also need the doctor to fill out a form for the investigator to qualify for ADA (Americans with Disabilities Act). She explained that qualifying for ADA would mean that cause of pain and swelling in his hands were unrelated to work and caused by personal reasons. With ADA approval it would allow her to make an exception for him reaching the 3 day occurrence limit. Documentation of the investigators injuries is as follows:

<b>Incident 111</b>	<b>8/30/2018</b>	<b>Video</b>	<b>28:41–30:56</b>
The investigator's hands after working in the Live Hang department. There is swelling, redness, as well as bruising underneath one of the nails. Hand mobility is lessened and there is an increase in pain as the investigator moves attempts to close his hands.			

## 2. Donning and Doffing Payment

Each pay stub had 0.58 hours allotted for donning and doffing per week. This means employees at Amick Farms are paid for approximately 6–7 minutes of donning and doffing per day, with paid time only beginning when birds were being hung. However, donning and doffing regularly takes longer than 6–7 minutes, forcing employees to arrive early and spend less time on breaks to don and doff equipment without being paid for doing so. Employees must check out their safety equipment each morning from the supply area and live hang employees frequently also visit the nurses' station for additional equipment such as bandages to protect their hands. The time spent at the nurses' station alone was normally 2–5 minutes. Putting all their equipment on typically takes each employee another 3–5 minutes. Much of this equipment must be washed and removed and put back on during breaks, taking more time. Washing alone can take 2–4 minutes depending on how dirty the equipment is. Additionally, the investigator frequently had extra duties after his normal shift, where he had to don and doff a separate set of equipment from what was used previously. The investigator kept track of when he clocked in and out for work as well as the time he was paid for according to his pay stub. The difference between these is documented below:

<b>Pay period start</b>	<b>Pay period end</b>	<b>Minutes worked (clock in/clock out times)</b>	<b>Minutes on pay stub</b>	<b>Difference</b>
5/16/2018	5/20/2018	1628	1558	70

5/21/2018	5/27/2018	2782	2513	269
5/28/2018	6/3/2018	2752	2527	225
6/4/2018	6/10/2018	2761	Pay stub unavailable	
6/11/2018	6/17/2018	2724	2517	207
6/18/2018	6/24/2018	2587	2384	203
6/25/2018	7/1/2018	2817	2716	101
7/2/2018	7/8/2018	2874	2657	217
7/9/2018	7/15/2018	2743	Pay stub unavailable	
7/16/2018	7/22/2018	No work done		
7/23/2018	7/29/2018	599	525	74
7/30/2018	8/5/2018	2589	2478	111
8/6/2018	8/12/2018	2603	2517	86
8/13/2018	8/19/2018	2841	2731	110
8/20/2018	8/26/2018	2908	2793	115
<b>Total</b>				<b>1788</b>

### B. Birds per Minute

Much of the unsafe and inhumane conduct at Amick arose due to the extremely fast speed at which Amick ran the plant's disassembly line. Plants operating under the New Poultry Inspection System (NPIS) can run their disassembly lines at a speed of 140 birds per minute. A small number of plants—such as Amick—that participated in the former HACCP-Based Inspection Models Project (HIMP) can run their lines at an even faster speed of 175 birds per minute. By dividing the number of birds processed each day by the number of minutes the line operated, the speed at which Amick ran the disassembly line may be calculated as follows:

<b>Date</b>	<b>Number of birds</b>	<b>Total shift length (minutes)</b>	<b>Birds per minute</b>
5/28/2018	123,000	455	135
5/29/2018	122,000	Did not work on disassembly line	
5/30/2018	126,000	438	144
5/31/2018	130,000	468	139
6/1/2018	138,000	493	140
6/4/2018	125,000	463	135
6/5/2018	128,000	535	120
6/6/2018	128,000	455	141
6/7/2018	128,000	Did not work on disassembly line	
6/8/2018	138,000	530	130

6/11/2018	115,000	428	134
6/12/2018	128,000	Did not work on disassembly line	
6/13/2018	129,000	478	135
6/14/2018	122,000	445	137
6/15/2018	128,000	472	136
6/18/2018	129,000	Did not work on disassembly line	
6/19/2018	113,000	440	128
6/20/2018	118,000	Did not work on disassembly line	
6/21/2018	130,700		
6/22/2018	128,700		
6/25/2018	119,000		
6/28/2018	128,800	460	140
6/29/2018	122,000	416	147
7/2/2018	126,000	472	133
7/3/2018	123,000	494	124
7/4/2018	114,000	404	141
7/5/2018	123,000	436	141
7/6/2018	123,000	445	138
7/9/2018	129,800	447	145
7/10/2018	124,000	476	130
7/11/2018	123,000	464	133
7/12/2018	123,000	418	147
7/23/2018	128,000	475	135
7/27/2018	137,000	Did not work on disassembly line	
7/31/2018	130,000		
8/2/2018	121,000	522	116
8/3/2018	124,000	510	122
8/6/2018	113,000	404	140
8/7/2018	121,000	442	137
8/8/2018	90,000	404	111
8/9/2018	121,000	414	146
8/10/2018	134,000	406	165
8/13/2018	121,000	426	142
8/14/2018	126,000	424	149
8/15/2018	123,000	453	136
8/16/2018	130,000	485	134
8/17/2018	128,000	446	143
8/20/2018	126,000	425	148

8/21/2018	139,000	488	142
8/22/2018	120,000	373	161
8/23/2018	120,000	408	147
8/24/2018	139,000	593	117
8/27/2018	127,000	472	135
8/28/2018	126,000	384	164
<b>Average</b>	125,000	454	138