**Former Chino slaughterhouse worker to testify against managers**

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Greg Vojtko / The Press-Enterprise

By DARRELL R. SANTSCHI | The Press-Enterprise

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The attorney for a former slaughterhouse worker at the Westland/Hallmark Meat Co. said his client has agreed to testify against company managers in exchange for as little as seven months of house arrest for prodding downer cows.

Fontana lawyer Ruben Salazar disputed allegations by investigators and a former worker at the Chino plant who contended that Daniel Ugarte Navarro, 49, of Pomona, was a pen manager at Hallmark who ordered others to abuse sick and injured cows.

"He was a pen worker," Salazar said of Ugarte in a telephone interview. "He was not a boss."

Ugarte said through an interpreter Monday afternoon that he will speak with his attorney before answering questions.

The U.S. Department of Agriculture ordered the recall of 143 million pounds of beef, the largest recall in its history, on Feb. 17 after video footage was taken in October and November by an undercover investigator from the Humane Society of the United States. The video appears to show workers at the Chino plant using electric prods, chains and a forklift to beat, shock and shove cows to force them to stand for slaughter.

Cows must be able to stand and pass an initial inspection to be accepted for slaughter. A veterinarian must re-evaluate any animals that go down after the initial inspection for them to be eligible for the food supply. Downer cows pose a risk of mad cow disease, federal officials have said.

Salazar said Ugarte is shown on the video prodding sickly cows, but that he did so under orders from Pablo Salas, who Salazar said was a pen manager who supervised Ugarte.

"He's the guy that my client insists directly ordered him, under threat of firing him, to move the downer cows with forklifts, chains and electrical prods," Salazar said. "All those were provided by the employer."

Salas, who could not be reached Monday for comment, in earlier interviews has denied any wrongdoing.

Salazar said abuse of downer cows "had been going on for 23 years (that Ugarte worked at Hallmark) and nobody ever complained or disciplined him for the manner in which he did it."

Salazar said Ugarte had no idea it was illegal to do what he was doing.

"He was basically under the impression that his employer knew the law," Salazar said, "and they would not have told him to do this had it been illegal."

According to the attorney, Ugarte will tell federal investigators that high-level officials at Hallmark struck a deal with Chino-area dairy farmers and other farmers from as far as Arizona to pay them for cows that were no longer producing milk and would otherwise have to be euthanized by a veterinarian and disposed of at the farmers' expense.

The cows were taken to the slaughterhouse, Salazar said, where they were placed in a pen for inspection by USDA inspectors, but many cows were processed on days and at times when the inspectors were not around.

He said he is not sure how much of this the USDA investigators are aware of. A USDA investigator could not be reached Monday.

Under the deal with a prosecutor struck at San Bernardino County Superior Court in Chino, Salazar said Ugarte pleaded guilty to two felony counts of animal cruelty and two misdemeanor counts of illegally moving a nonambulatory animal.

As part of the deal, Salazar said, the district attorney's office dropped three other felony counts of animal cruelty and one other misdemeanor count of moving a nonambulatory animal.

Ugarte's sentencing was postponed to 8:30 a.m. Sept. 24 in the Chino court. Ugarte will submit to an interview with federal investigators "sometime between now and then," Salazar said.

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<http://www.pe.com/local-news/reports/beef-recall/beef-recall-headlines/20080826-former-chino-slaughterhouse-worker-to-testify-against-managers.ece>

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