



Food Safety and
Inspection Service

September 2, 2021

Office of Field Operations

**ORIGINAL SENT VIA UPS NEXT DAY AIR
DELIVERY CONFIRMATION REQUESTED**

Philadelphia District
Mellon Independence
Center,
701 Market Street Suite
4100-A
Philadelphia, PA 19106

Mr. John Young, President
Abattoir Associates Inc. (Est 44910)
119 Cooper Street
Spring Mills, PA 16875

REINSTATEMENT OF SUSPENSION HELD IN ABEYANCE

Dear Mr. Young,

This letter confirms verbal notification to Mr. Jay Young, President, at approximately 1605 hours on September 2, 2021, by Mr. Joseph Schein, Deputy District Manager (DDM), Philadelphia District Office, of our decision to place the Reinstatement of Suspension (ROS), issued to you on August 31, 2021, into abeyance. FSIS is providing you with this Reinstatement of Suspension Held in Abeyance (ROSHIA) based on your proposed corrective actions and preventive measures. FSIS determined that the reinstatement of suspension action will be placed in abeyance and the assignment of Inspection Program Personnel (IPP) will resume. IPP will be verifying your actions to ensure that you effectively implement the proffered corrective actions and preventive measures. This letter provides you with the chronology of events and conclusions, including your responsibilities as a federally inspected establishment.

FSIS issued a Reinstatement of Suspension (ROS) to withhold the marks of inspection and suspend the assignment of inspectors for your slaughter operation on August 31, 2021. This action was initiated in accordance with Title 9 of the Code of Federal Regulation (9 CFR) Part 500.3(b), after FSIS determined that your establishment failed to handle animals humanely, in violation of the Federal Meat Inspection Act (FMIA) [21 U.S.C 603] and 9 CFR 313.15 and 313.16.

In response to the ROS, you submitted a written description of your evaluation of the events on the morning of September 1, 2021. FSIS requested clarification of your response on the morning of September 2, 2021. You then submitted further corrective actions and preventive measures on September 2, 2021.

Your assessment of the root causes include:

- Shot placement
- Restraint methods for swine
- Possible fatigue of the stunning operator

Your Corrective and Preventive Measures are but not limited to:

1. Adding a removable barrier in the stunning box which narrows the space, reducing movement of the hogs and sows/boars. It will allow for the stunning operator to not physically participate in the animal restraint. This will be used for market hogs and sows/boars that will fit. If an animal is too large for the reduced size, the full stunning box will be used for restraint.
2. In the case of market hogs, the next more powerful options of the .22 magnum caliber handgun with CCI MAXIMAG .22 WMR 40 grain, 1875 FPS or the .38 can be used at the stunning operator's discretion.
3. In the case of market hogs, the next more powerful backup will be immediately available in the stunning area in the cases of upgrades to more powerful primary stunning implements being chosen as listed above.
4. In the cases of both market hogs and sows/boars, a second shot from the primary stunning implement will be permissible in a scenario in which the primary stun was ineffective due to an obvious problem with aim.
5. The establishment will progressively train team members to become stunning operators. Only staff that have documented training over the Temple Grandin material will proceed to any hands-on training of stunning federally inspected animals. At the end of their training period (to be determined by Mr. Young), the establishment will provide the name of any employee that officially becomes a stunning operator to IPP.
6. No captive bolt stunning attempts behind the ear will be utilized for swine

FSIS has designed a Verification Plan (VP) and IPP will use it to monitor and verify that you have effectively implemented your proposed actions. The VP identifies your corrective actions from your responses submitted to FSIS, the relevant regulatory requirements, the tasks FSIS will use to conduct verification activities, and the time frames that you identified. While these verification activities are targeted to your plant's animal handling, IPP will continue to ensure all humane handling/stunning establishment activities are in regulatory compliance. A copy of the VP is attached as a reference to assist you in understanding Agency verification activities.

Carried forward to this Verification Plan for the Reinstatement of Suspension Held in Abeyance are the other terms of the initial abeyance and corresponding VP.

As an operator of a federally inspected facility, we expect you to comply with FSIS regulations and to take appropriate corrective action when either the establishment or FSIS identifies regulatory noncompliance. FSIS has the responsibility to initiate regulatory control or other appropriate action if your establishment fails either to operate in accordance with the regulations or to operate under sanitary conditions. A final decision relative to this enforcement action will be determined based on your establishment's ability to execute and comply with your proffered corrective actions and all applicable regulatory requirements. Your establishment's failure to meet the conditions of this abeyance may result in additional regulatory and/or administrative actions in accordance with the Rules of Practice 9 CFR Part 500.

If you have any questions regarding this matter, please feel free to contact Mr. Joseph Schein, Deputy District Manager (DDM) at joseph.schein@usda.gov or by phone at (215) 430-6219.

Sincerely,

**JOSEPH
SCHEIN**

Digitally signed by JOSEPH
SCHEIN
Date: 2021.09.03 07:25:12
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Dr. Lynda Lilyestrom
District Manager
Philadelphia District Office

**Abattoir Associates Inc (Est. 44910) Verification Plan (ROSHIA)
September 2, 2021**

ESTABLISHMENT ACTION PLAN	REGULATION 9 CFR	HUMANE HANDLING VERIFICATION CATEGORY	FREQUENCY
<p>1.All relevant employees will be trained in the effective usage of the appropriate firearm (rifle, pistol, captive bolt) and ammunition.</p> <p>Training material: Temple Grandin’s “Recommended Animal Handling Guideline’s & Audit Guide” 2nd edition, 2019.</p> <p>Those employees are: (b) (6)</p> <p>*This documentation will be available for IPP to review.</p> <p>1a. In addition, employees on this list or new employees trained in the material can proceed to hands-on training at establishment owner’s discretion</p>	<p>313.15 313.16</p>	<p>Category VIII – Stunning Effectiveness</p>	<p>1.Upon implementation, August 11, 2021, and once prior to resuming slaughter and as new employees are trained in stunning.</p> <p>1a. Upon implementation September 2, 2021 and each occurrence.</p>
<p>2.Training will be documented with names, signatures, and dates, the training info itself or a link to it, and any names of who performed the training submitted, and kept available for FSIS review.</p> <p>*This documentation will be available for IPP to review.</p>	<p>313.15 313.16</p>	<p>Category VIII – Stunning Effectiveness</p>	<p>2.Upon implementation, August 11, 2021, and once prior to resuming slaughter and as new employees are trained in stunning.</p>
<p>3.Documentation will be submitted of the new Kill Log with column added for noting effective and ineffective stuns as well as which stunning implement was used for each animal slaughtered.</p>	<p>313.15 313.16</p>	<p>Category VIII – Stunning Effectiveness</p>	<p>3.Upon implementation, August 11, 2021, and once prior to resuming</p>

			slaughter.
4. Removal of the .22 caliber handgun with CCI-Mini-MAG .22LR, 40 grain 1235 FPS ammunition as primary stunning implement for swine.	313.16	Category VIII – Stunning Effectiveness	4. Upon implementation, August 11, 2021, and once upon resumption of slaughtering swine.
5. Captive Bolt (Cash Special HD.25) will be used as the primary stunning implement for hogs.	313.15	Category VIII – Stunning Effectiveness	5. Upon implementation, August 11, 2021, and each Slaughter day for hogs.
6. A .22 magnum caliber handgun with CCI MAXIMAG .22 WMR 40 grain, 1875 FPS, or equivalent manufacturer, ammunition will be used as the backup stunning implement for hogs to assure penetration.	313.16	Category VIII – Stunning Effectiveness	6. Upon implementation, August 11, 2021, and each slaughter day for hogs.
7. Sows will be stunned using at minimum a .38, with a .410 slug as backup.	313.16	Category VIII – Stunning Effectiveness	7. Upon implementation, August 11, 2021, and each Slaughter day for sow(s).
8. In the case of market hogs, the next more powerful options of a .22 magnum caliber handgun with CCI MAXIMAG .22 WMR 40 grain, 1875 FPS OR a .38 can be used at the stunning operator's discretion.	313.16	Category VIII – Stunning Effectiveness	8. Upon implementation, September 2, 2021, and each slaughter day for market hogs
9. In the case of market hogs, the next more powerful backup will be immediately available in the stunning area in the cases of upgrades to more powerful primary stunning implements being chosen as listed above.	313.16	Category VIII – Stunning Effectiveness	9. Upon implementation, September 2, 2021, and each slaughter day for market hogs
10. If a failed first stunning attempt is due to aim, a second shot from the primary stunning implement can be utilized.	313.15 313.16	Category VIII – Stunning Effectiveness	10. Upon implementation, September 2, 2021, and each slaughter day for market hogs,

			sows, and boars
11.No captive bolt stunning attempts behind the ear will be utilized for swine	313.15	Category VIII – Stunning Effectiveness	11.Upon implementation, September 2, 2021, and each slaughter day for market hogs, sows, and boars
12.A removable barrier will be added in the stunning box which narrows the space, reducing movement of the hogs and sows/boars, allowing the stunning operator to not physically participate in the animal restraint. This will be used for market hogs and sows/boars that will fit. 12 a. Should an animal be too large for the reduced size, the full stunning box will be used for restraint.	313.15 313.16	Category VIII – Stunning Effectiveness	12/12a.Upon implementation September 2, 2021, and each slaughter day after for market hogs, sows, and boars.

Inspection Program Personnel will perform humane handling verification every slaughter operation day to verify the adequacy and effectiveness of the establishment’s compliance with the humane handling regulatory requirements of 9 CFR Part 313. Inspection Program Personnel will ensure all humane handling/stunning regulatory requirements comply daily on each slaughter day, regardless of the stunning method. Inspection Program Personnel will review all monitoring, verification, and corrective action records to verify procedures are being conducted as prescribed and at the specified frequency.

CC:

FSIS - FO/Quarterly Enforcement Report

Mr. Mark Crowe, Director, CID, FSIS, OIEA, Washington, DC

Ms. Geraldine French, EARO, FSIS, OFO, Washington, DC

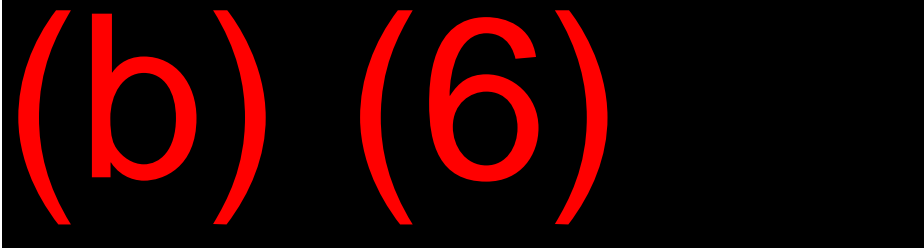
Mr. Joseph Priore, RD, FSIS, OIEA, Northeast Region

Dr. Lynda Lilyestrom, DM, FSIS, OFO, Philadelphia District Office

Ms. Valerie Clay, DDM, FSIS, OFO, Philadelphia District Office

Mr. Michael Osifat, DDM, FSIS, OFO, Philadelphia District Office

Mr. Joseph Schein, DDM, FSIS, OFO, Philadelphia District Office



Official Files Establishment Folder – Est. 44910

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