



December 1, 2021

Tran Meat Corporation
Establishment 34660
5429 Clara Road
Houston, TX 77041

HAND DELIVERED
CERTIFIED - RETURN
RECEIPT REQUESTED
7017 2680 0000 3189 1120

Attention: Mr. James Tran, President

NOTICE OF SUSPENSION

This letter confirms the verbal notification provided to you December 1, 2021, by Dr. Kinsey Naylor-Byles, Deputy District Manager, that the Food Safety Inspection Service (FSIS) is suspending the assignment of inspectors related to the Slaughter Hazard Analysis and Critical Control Point (HACCP) plan at Establishment 34660, Tran Meat Corporation, Houston, Texas.

On December 1, 2021, (b) (6), documented on Noncompliance Record # XVC2709125601N/1, *Approximately at 9:00 AM while conducting HAT categories 8 & 9, I (b) (6) a long with (b) (6) we observed a plant employee brought (5) goats in the knocking box. He shot each with a rifle. The animals piled up. He opened the restrainer gate and shackled and hoisted (3) of the goats together to the bleeding area. One of the goats started to vocalize on sticking. The goat bled out to death. The same employee then shackled and hoisted the last (2) goats of the group, and one goat started to vocalize on the rail. The employee immediately administered a second shot with the rifle on that goat while on the rail and render it unconsciousness and remained so through bleeding. A conscious animal on the rail is an egregious incident in violation for 9 CFR 316.3(a)(3). I have immediately tagged the restraint box with a tag#B36347450. (b) (6) informed the manager with this egregious noncompliance and she is to expect a formal notification from the Dallas District office about what to do next. The plant does not have a robust systematic approach program.*

This egregious act does not meet the regulatory requirements of 9 CFR 313.16(a)(3) which states, *Immediately after the firearm is discharged and the projectile is delivered, the animal shall be in a state of complete unconsciousness and remain in this condition throughout shackling, sticking and bleeding.*

Further, the actions taken clearly show that your establishment failed to handle and/or slaughter animals humanely, as required in the Humane Methods of Slaughter Act of 1978, Title 7, Section 1902, which states in part, *all animals are rendered insensible to pain by a single blow or gunshot...*

This suspension action, without prior notification, is taken in accordance with the Rules of Practice, Title 9 of the Code of Federal Regulations (CFR), Part 500.3(b) which states, *FSIS also may impose a suspension without providing the establishment prior notification because the establishment is handling or slaughtering animals inhumanely.*

Your establishment allowed animals to regain consciousness on the rail. FSIS is issuing a Notice of Suspension for this egregious inhumane handling event.

The suspension of the assignment of inspectors will remain in effect until such time as you provide adequate written assurance to this office of corrective actions and preventive measures to assure that the handling and/or slaughter of animals will be done humanely and in accordance with the Federal Meat Inspection Act (FMIA), 21 United States Code (USC) 603(b), and the regulations promulgated therein. You may submit your corrective and preventive actions to my attention at the Dallas District Office.

You are reminded that as an operator of a federally inspected establishment, you are expected to comply with FSIS regulations and to take appropriate corrective actions to prevent inhumane slaughter. Please be advised that your failure to respond adequately to these rules may result in our initiating action to withdraw inspection from your establishment.

In accordance with 9 CFR 500.5(a)(5), you may appeal this action by contacting:

Paul V. Wolseley
Executive Associate for Regulatory Operations
Office of Field Operations
Food Safety and Inspection Service, USDA
1400 Independence Ave. SW
Room 1329 South Building
Washington, DC 20250
Office: (202) 708-9506
Cell: (630) 544-9805
paul.wolseley@usda.gov

In addition, you may request a hearing regarding this determination pursuant to FSIS's Rules of Practice, 9 CFR 500. The Rules of Practice were published in the Federal Register, Volume 64, Number 228, on November 29, 1999. As specified in Section 500.5(d), should you request a hearing, FSIS will file a complaint that will include a request for an expedited hearing.

Tran Meat Corporation
December 1, 2021

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If you wish to request a hearing regarding this determination, you should contact:

Scott C. Safian, Director
Enforcement Operations Staff
Office of Investigation, Enforcement and Audit
Food Safety and Inspection Service
United States Department of Agriculture
Stop Code 3753, PP3, Cubicle 9-235-A
1400 Independence Avenue, SW
Washington, DC 20250
Telephone: (202) 418-8872
Fax Number: (202) 245-5097

If you have any questions, please contact (b) (6)
(b) (6), or (b) (6)

Sincerely,

KINSEY
NAYLOR-
BYLES

c=US, o=U.S. Government,
ou=Department of
Agriculture, cn=KINSEY
NAYLOR-BYLES,
0.9.2342.19200300.100.1.1
=12001001913944

Jennifer Beasley-McKean, DVM
District Manager

cc:

(b) (6)
Inspector in Charge, Establishment 34660, Houston, TX

for

Tran Meat Corporation
December 1, 2021

I received a copy of this Notice of Suspension dated December 1, 2021, on:

Date

Responsible Plant Official

Signature of FSIS Witness