



United States Department of Agriculture

Food Safety and Inspection
Service
Office of Field Operations
Jackson District Office
713 S Pear Orchard Rd,
Plaza 2, Suite 402
Ridgeland, MS 39157

December 23, 2021

**Via Email to: allison@boonesbutchershop.com
and FedEx Tracking # 7755 9247 9073**

Ms. Allison Boone Porteus, Owner
Boone's Abattoir, LLC, Est. M8078
100 Old Bloomfield Pike
Bardstown, Kentucky 40004

NOTICE OF SUSPENSION HELD IN ABEYANCE

Dear Ms. Porteus:

On December 22, 2021, a "Notice of Suspension" was issued to suspend the assignment of inspectors for your federal slaughter activities at Boone's Abattoir, LLC, 100 Old Bloomfield Pike, Bardstown, Kentucky, Est. M8078. This action was based on your establishment's failure to handle livestock humanely according to 9 CFR Part 313. Specifically, on December 22, 2021, while performing the Livestock Humane Handling task at Boone's Abattoir (M8078) Bardstown, KY, the Supervisory Veterinary Medical Officer (SVMO) made the following observation at approximately 0830 hrs.: Establishment personnel placed three (3) market swine in the knock box in preparation for stunning with the handheld captive bolt device (HHCBD). While in the adjacent room to the kill floor the SVMO heard the HHCBD fire followed by vocalization coming from the knock box. When the SVMO entered the kill floor, two animals were observed insensible in the knock box; the third animal was observed sitting upright looking about with a wound on the forehead and blood trickling down its face. Establishment personnel reloaded the HHCBD and fired a second time; the animal remained sitting upright, looking about. Establishment personnel again loaded the same HHCBD and fired a third time; the animal again sat upright and looked about, displaying a conscious righting reflex and conscious eye-tracking. Establishment personnel loaded the same HHCBD for a fourth time and fired, rendering the animal insensible, and so it remained for the duration of the slaughter process. USDA FSIS IPP (In-Plant Personnel) determined that the establishment failed to deliver immediate and effective corrective actions following the initial failed stun attempt, and U.S. Rejected tag #45422883 was placed upon the knock box. Establishment owner Mr. Jerry Boone was notified of the observation and regulatory control action.

On December 22, 2021, you submitted your first response with written corrective actions and preventive measures to meet the requirements of the Humane Methods of Slaughter Act. The Jackson District Office analyzed your response and advised you that the proffered corrective actions and preventive measures were not adequate. Specifically, you were informed that you should provide documentation of the materials reviewed for proper stun angle training, so that District management can verify if adequate; provide a log of who attended proffered training with signatures to

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verify completion; provide clarification for if there will be scheduled re-training for all kill floor personnel, and what materials will be covered in said training, and at what frequency, and provide associated log with signatures and verified by what establishment personnel; provide clarification for any planned SOP for continued intermittent review of skulls for appropriate stun location, frequency for such an SOP, Log, and verified by what establishment personnel; provide any landmark charts which are reviewed with the training and are such landmark charts readily available for review by stunning personnel on the kill floor; provide written SOP for any situation when the establishment will only move a single animal into the knocking box at a time, and proposed method to restrain and minimize the free movement of the animal; provide criteria for species/type/size of animal for which any restraint will be provided (i.e. head catch vs. sorting board/push up gate); provide any criteria for species/type/size of animal for which an alternative stunning method may be utilized (i.e. Bovine vs swine, weight cut off within species for which a larger caliber stun device or different stun method utilized); provide the humane handling SOP in the event of an ineffective stun, is a secondary backup device loaded and at the ready in an event of an ineffective stun, when is the backup utilized, are there written procedures for this so that verifiable by IPP, provide stun device preventive maintenance SOP, cleaning and maintenance, performed at what frequency, log and verified by who of establishment personnel, provide ammunition and charges storage/dry box SOP, how is ammunition/charges stored to ensure charges are kept dry, are there first-in-first-out procedures to ensure that the oldest ammunition is utilized first, to keep the supply fresh, written log and signed, verification frequency, and verified by what establishment personnel.

On December 23, 2021, you submitted your second response with written corrective actions and preventive measures to meet the requirements of the Humane Methods of Slaughter Act. The Jackson District Office analyzed your response and determined that the response adequately addressed the identified issues. On December 23, 2021, at 10:45AM Central Time, the Deputy District Manager telephoned you and verbally notified you that the corrective actions and preventive measures you proffered were adequate to meet the requirements to place Boone's Abattoir, under a "Notice of Suspension Held in Abeyance." This letter formally informs you of this action. Specifically, you stated that to ensure large hogs are effectively stunned, you will use an electrical stunner to render hogs insensible; you have obtained an operating Best & Donovan ES Stunner to use for the stunning of hogs; you have retrained all employees responsible for stunning on the use of the stunner using the Best & Donovan training manual and Temple Grandin's with regard to head stunning followed by chest stunning using a two prong stunner; you used Appendix D for the Best & Donovan manual and Appendix E for Temple Grandin's guide for retraining and Appendix F for documentation of each employee's training; you will continue to keep a loaded HHCBD available next to the knock box as a backup to the electrical stunner; a step was added to your daily humane handling form to verify that HHCBD cartridges are kept in a dry, clean place and that cartridges are used in a first-in, first-out order; you referenced Appendix G for the updated form; you trained all kill floor employees on the proper placement and angle of HHCBD using a landmark chart for swine obtained from Temple Grandin's "Stunning, Handling, and Determining insensibility in Pig's" Colorado State University PowerPoint; you laminated the diagram and attached it to the wall on the kill floor for visual confirmation for proper placement and angle of the HHCBD for swine stunning if a backup form of stunning is necessary.

A copy of the FSIS Verification Plan (VP) will be provided to assist you in understanding the nature and importance of the Agency's verification activities. The FSIS Verification Plan is designed to verify that your establishment fully implements the revisions to its humane handling of animals and other corrective actions and preventive measures stated in your December 22 and December 23, 2021, responses and that these revisions and corrective actions and preventive measures are effective in ensuring future regulatory compliance. The FSIS Verification Plan identifies your corrective actions, the regulatory requirement(s),

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and the PHIS Task under which FSIS officials will verify the implementation and effectiveness of your proffered action plan.

Please be further advised that this suspension of inspection at your establishment will remain in Abeyance pending verification by FSIS that your proposed corrective actions and preventive measures have been implemented and are effective in ensuring future regulatory compliance. Agency personnel will begin immediate verification of your corrective actions and preventive measures.

It is important for you to understand that FSIS has the responsibility to initiate action if your establishment fails to operate in accordance with the regulations, or conditions occur that do not comply with the Humane Methods of Slaughter Act. In these situations, FSIS personnel will take regulatory control of product or other appropriate action.

Please be advised that as a federally inspected establishment, you are expected to comply with the Federal Meat Inspection Act and the Humane Methods of Slaughter Act, and all applicable regulations and other requirements concerning the preparation, sale, and transportation of meat products. Failure to comply with these requirements or to effectively implement the measures addressed in your responses, dated December 22 and December 23, 2021, could result in the immediate suspension of inspection at your establishment or other appropriate action(s).

If you have any questions regarding this matter, please contact the Jackson District Office at (601) 965-4312.

Sincerely,

DAMON RANFTLE

Digitally signed by DAMON

RANFTLE

Date: 2021.12.23 14:07:30 -06'00'

For:

Dr. Larry Davis
District Manager
Jackson District Office

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cc:

(b) (6)

Dr. Larry Davis, DM (via electronic copy)

Dr. Damon Ranftle, DDM (via electronic copy)

Dr. Kermit Harvey, DDM (via electronic copy)

Mr. Jason Orlando, DDM (via electronic copy)

(b) (6)

Ms. Melissa Moore, EARO (via electronic copy)

Washington, D. C. FSIS HQ personnel (via electronic copy)