



United States Department of Agriculture

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Food Safety and  
Inspection Service

Raleigh District Office

6020 Six Forks Road  
Raleigh, NC. 27609  
Voice: 919-844-8400  
Fax: 1-844-839-6359

March 8, 2022

**EMAIL**

Mr. Darrin Stevens, Owner  
Stevens Abattoir, Inc., Est. M46085  
281 Sisk Mill Loop  
Madison, NC 27025

**NOTICE OF SUSPENSION - REVISED**

Dear Mr. Stevens,

This letter confirms the verbal notification given on March 8, 2022, at approximately 1515 hours, by the Food Safety and Inspection Service (FSIS) Inspection Program Personnel (IPP) of the suspension of the assignment of inspectors for slaughter operations at Stevens Abattoir, Inc., Est. M46085, herein after referred to as “your establishment.” This action was initiated in accordance with Title 9 of the Code of Federal Regulations (9 CFR) 500.3, after FSIS determined that your establishment failed to slaughter and handle animals humanely.

**Background/Authority**

The Federal Meat Inspection Act (FMIA) (Title 21 of the United States Code {21 U.S.C.} 603 et seq.) provides that for the purpose of preventing the inhumane slaughtering of livestock, the Secretary shall cause to be made, by inspectors appointed for that purpose, an examination and inspection of the methods by which cattle, sheep, swine, goats, horses, mules, or other equines are slaughtered and handled in connection with slaughter in the slaughtering establishments inspected under this Act. The Secretary may refuse to provide inspection to a new slaughtering establishment or may cause slaughtering to be temporarily suspended at a slaughtering establishment if the Secretary finds that any cattle, sheep, swine, goats, horses, mules, or other equines have been slaughtered or handled in connection with slaughter at such establishments by any method not in accordance with sections 1901 to 1906 of Title 7 until the establishment furnishes assurances, satisfactory to the Secretary, that all slaughtering and handling in connection with slaughter of livestock shall be in accordance with such a method.

The Humane Methods of Slaughter Act of 1978 (7 U.S.C. 1901 et seq.) provides that Congress finds that the use of humane methods in the slaughter of livestock prevents needless suffering; results in safer and better working conditions for persons engaged in the slaughtering industry; brings about improvement of products and economies in slaughtering operations; and produces other benefits for producers, processors, and consumers which tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce. It is therefore declared to be the policy of the United

States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.

### **Findings/Basis for Suspension**

At approximately 1000 hours on Tuesday, March 8, 2022, at Stevens Abattoir, Inc., Est. M46085, IPP identified an egregious humane handling non-compliance in which a hog regained consciousness after being stunned. IPP observed as a hog was loaded into the knock box, and then IPP left the immediate vicinity as an employee prepared to stun the hog using a .22 Magnum rifle. IPP noticed that the employee was taking longer than usual to stun the hog, so he looked back onto the kill floor and noticed the employee backing the hog into the staging area leading to the kill floor and closing the door behind him. IPP heard the first shot with the rifle and then the employee came back onto the kill floor and placed the rifle on its storage rack. The employee went back into the staging area to stick the hog for bleeding, but before he attempted to stick the hog, the hog began actively vocalizing. The establishment owner, who was standing at the door of the staging area, stopped the employee from making any cuts to the hog, retrieved the same rifle, chambered another round, and applied a second stun which rendered the hog unconscious. IPP applied US Retain/Reject Tag #B45613576 to the knock box to prevent further slaughter of livestock; this is in accordance with 9 CFR 313.50(c). IPP notified establishment personnel of the suspension of the assignment of inspection at approximately 1515 hours.

This incident represents a violation of 9 CFR 313.16(a)(1), which states “The firearms shall be employed in the delivery of a bullet or projectile into the animal in accordance with this section so as to produce immediate unconsciousness in the animal by a single shot before it is shackled, hoisted, thrown, cast, or cut. The animal shall be shot in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort.”. There is also a violation 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.” This incident is considered egregious because there were multiple attempts to stun the hog by an inexperienced employee and because the animal regained consciousness after being stunned. The establishment has created a documented systematic approach for humane handling which has been considered robust in the past; however, due to a recent non-egregious stunning incident and the establishment’s failure to implement their proposed corrective actions following that incident, the Raleigh District Office (RDO) is issuing a Suspension Without Prior Notification, in accordance with regulatory authority granted in 9 CFR 500.3(b).

The suspension action will remain in effect until you provide the Raleigh District Office with adequate written assurances, including corrective actions and further planned preventive measures, to assure that livestock at your establishment are slaughtered humanely. In order to resume inspected operations, you must submit corrective actions to my attention at the District Office. These corrective actions should include at a minimum the following:

1. Identify the assessment process used to determine the nature and cause of the noncompliances.
2. Identify what the assessment revealed as the likely cause of the system failure.
3. Describe the specific actions that will be taken to eliminate the cause of the failures.
4. Describe the future monitoring activities you will use to ensure that changes are implemented and are effective.

You are reminded that, as an operator of a federally inspected plant, you are expected to comply with FSIS regulations and to take appropriate corrective actions to prevent inhumane handling of livestock at your establishment. Please be advised that your failure to respond adequately to these issues may result in our initiating action to withdraw inspection from your establishment. Please also be advised that you have the right to appeal this matter.

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

Sherry Johnson  
Executive Associate for Regulatory Operations  
Office of Field Operations  
Food Safety and Inspection Service  
United States Department of Agriculture  
1400 Independence Avenue, SW  
Room 3161, South Building  
Washington, DC 20250  
Phone: (202) 205-0001

In addition, you may also request a hearing regarding this determination pursuant to FSIS' Rules of Practice (9 CFR 500.). The rules of Practice were published in the Federal Register, Vol. 64, No. 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. If you wish to request a hearing regarding this determination, you should contact:

Scott C. Safian, Branch Chief  
Enforcement Operations Branch  
Office of Investigation, Enforcement and Audit  
Food Safety and Inspection Service  
Stop Code 3753, PP3, Cubicle 9-235-A  
1400 Independence Avenue, SW  
Washington, D.C. 20250  
Voice: (202) 418-8872  
Fax: (202) 245-5097

It is our hope that this matter can be resolved quickly. If you have any questions, you may call me at 919-208-2945 or contact me via email at [todd.furey2@usda.gov](mailto:todd.furey2@usda.gov). You may also contact Mark Roling, Deputy District Manager, at 919-208-2935. We urge your cooperation and voluntary compliance.

Sincerely,

**ARIAL**  
**THOMPSON**

Todd Furey  
District Manager  
Raleigh, NC

Digitally signed by ARIAL  
THOMPSON  
Date: 2022.03.10 07:51:36  
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cc:

P. Bronstein, AA/FO

H. Sidrak, DAA/FO

S. Johnson, EARO/FO

P. Wolseley, EARO/FO

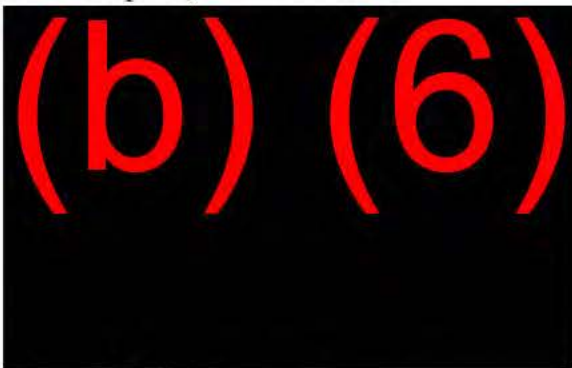
S. Safian, ELD/OIEA

L. Hortert, RD/CID/OIEA

R. Murphy, DDM/RDO/FO

M. Roling, DDM/RDO/FO

A. Thompson, DDM/RDO/FO



Quarterly Enforcement Report  
Establishment File (Est. M46085)