



United States Department of Agriculture

Food Safety and
Inspection Service

Certified Mail

Office of Field
Operations

Atlanta District Office

May 19, 2022

100 Alabama St., SW.
Suite 3R90
Atlanta, GA, 30303
Phone: 404-562-

(b) (6)
White Oak Pastures, Est. M34729
22775B US Highway 27
Bluffton, GA 39824

5900

Fax: 404-562-5877
Toll Free:
800-282-7005

NOTICE OF DEFERRAL

Dear (b) (6)

On May 16, 2022, the Food Safety and Inspection Service (FSIS) implemented an enforcement action Notice of Intended Enforcement (NOIE) for livestock slaughter at White Oak Pastures, Est. M34729, Located at 22775B US Highway 27 Bluffton, GA 39284. This action was based on your establishment's failure to handle livestock humanely according to 9 CFR Part 313.

On May 17, 2022, you submitted written corrective actions and preventive measures to meet the requirements of the Humane Methods of Slaughter Act. Based on your assessment, you determined that shot placement with the captive bolt was correct but that the bolt did not fully penetrate the skull because of the thickness of the bull's skull. Your corrective actions included: using a .22 magnum rifle as the primary stunning device for all bulls; using a 20 gauge shotgun with a slug as secondary stunning device for bulls; perform a one-hour visual monitoring of the stunning process for 30 days; and record the monitoring of stunning effectiveness on the "Daily Stun Effectiveness Report".

On May 18, 2022, FSIS determined that your proffered corrective actions and preventive measures were not adequate to properly address the inhumane handling incident and further clarification was requested. Based on our conversation, FSIS requested clarification regarding:

1. Provide a copy of the record used to document assessment of the bull's skull with the signatures of employees.
2. Providing a copy of the corrected record titled "Daily Stun Effectiveness Report".
3. Confirm that the 20 gauge shotgun is scheduled to be delivered on May 20, 2022.

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4. Confirm that you will monitor and record 100% of the stunning effectiveness for all bulls (currently only one cull bull is scheduled to be killed) and that you will monitor and record the stunning effectiveness of four bovine, excluding bulls, each day of slaughter during the Deferral Period with two bovine (steer, heifer, or cow) being monitored before lunch and two bovine (steer heifer or cow) being monitored after lunch.
5. Confirm that a security stun will be used on each bovine during the Deferral Period and this will be documented on the "Daily Stun Effectiveness Report".

On May 19, 2022, at approximately 10:31am, you submitted copies of the two documents requested but you did not confirm that the information in items 3, 4 & 5 (listed above) was accurate.

On May 19, 2022, at approximately 11:01 am, FSIS requested further clarification regarding your failure to confirm that the information in items 3, 4 & 5 (listed above) were accurate.

On May 19, 2022, at approximately 2:11 pm, you submitted confirmation that the information in items 3, 4 & 5 (listed above) were accurate.

On May 19, 2022, at approximately 2:45 pm, you were verbally notified by the District Veterinary Medical Specialist (DVMS) that your corrective actions and preventive measure met the requirements to place White Oak Pastures, Est. M34729, in a Notice of Deferral (NOD).

FSIS has designed a Verification Plan (VP), and Inspection Program Personnel (IPP) will use it to monitor and verify that you have effectively implemented your proposed actions. The VP identifies your corrective actions based on your responses, the relevant regulatory requirements, the tasks IPP will use to conduct verification activities, and the time frames that you identified. While these verification activities are targeted at your plant's livestock handling, FSIS personnel will continue to ensure all humane handling/stunning regulatory requirements of 9 CFR Part 313 are being met. We have attached a copy of the VP to assist you as a reference during the Agency's verification activities.

As an operator of a federally inspected facility, we expect you to comply with FSIS regulations and to take appropriate corrective actions 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 to operate in accordance with the regulations. 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 deferral 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 in this matter, contact me at (404) 562-5900.

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Sincerely,

MUHAMMAD

Digitally signed by
MUHAMMAD MUGHAL
Date: 2022.05.20 13:03:21
-04'00'

For/ **MUGHAL**

Dr. Phyllis Adams
District Manager
Atlanta District Office
USDA/FSIS/OFO

- cc: Philip Bronstein, AA/OFO
Hany Sidrak, DAA/OFO
Melissa Moore, EARO/OFO
Scott Safian, EOS/OIEA
Larry Hortert, RD/CID/OIEA

(b) (6)

- Barney Welch, DDM/OFO
Ghias Mughal, DDM/OFO
Tracy Bryant, DDM/OFO

(b) (6)



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White Oak Pastures Establishment M34729 Verification Plan

Week ending: _____

This Food Safety and Inspection Service (FSIS) Verification Plan is designed to verify that the establishment fully implements the corrective actions and preventive measures proffered in response to the Notice of Intended Enforcement (NOIE) issued on May 16, 2022.

The Verification Plan will be utilized by inspection personnel and the Atlanta District Office to evaluate the effectiveness of the corrective actions in assuring future regulatory compliance. This FSIS Verification Plan identifies the corrective actions, the relevant regulatory requirements, and the PHIS Task under which FSIS officials will verify the implementation and effectiveness of the proposed action plan. These tasks can be performed as an unscheduled task if the task is not scheduled on the Daily Procedure Schedule. After completion, inspection personnel will send this report on a Bi-weekly basis to the District Case Specialist and the District Veterinary Medical Office for review. Complete this report once every two (2) weeks.

Handling of Livestock

<u>Issue/Action</u>	<u>Regulation</u>	<u>PHIS Code</u>
1. Verify by Direct Observation &/or Record Review that a .22 magnum rifle is used as the primary stunning method to stun all bulls & that a 20 gauge shotgun (with slugs) is present on the kill floor to use as a secondary stunning method to stun all bulls if needed. (Every day bulls are slaughtered).	9 CFR 313.16	HH Task – PHIS HATS Category VIII.

Finding:

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<p>2. Verify by Direct Observation &/or Record Review that the establishment monitors & records monitoring results of stunning effectiveness for 100% of the bulls slaughtered on the document titled "Daily Stun Effectiveness Report". This document includes the date, start time, end time, number of animals killed, the stunners name, type of animal (bull, steer, heifer, or cow) device used, stunner verified sensibility, stun effective, security stun, re-stun & vocalization. (Every day bulls are slaughtered).</p>	<p>9 CFR313.16</p>	<p>HH Task – PHIS HATS Category VIII.</p>
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Finding:

<p>3. Verify by Direct Observation &/or Record Review that daily monitoring of stunning effectiveness is documented on the document titled "Daily Stun Effectiveness Report". Frequency of plant monitoring: The plant will monitor and record stunning effectiveness for 4 bovine, excluding bulls, each day of slaughter during the Deferral Period at a</p>	<p>9 CFR 313.15 or 313.16</p>	<p>HH Task – PHIS HATS Category VIII.</p>
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frequency of 2 bovine (steer, heifer, or cow) before lunch and 2 bovine (steer, heifer, or cow) after lunch. (Each day of bovine slaughter).		
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Finding:

4. Verify by Direct Observation &/or Record Review that a security stun is performed on each bovine slaughtered. The document titled "Daily Stun Effectiveness Report" will be used to document performance of a security stun. (Each day of bovine slaughter).	9 CFR 313.15 or 313.16	HH Task – PHIS HATS Category III, VI or VII.
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Finding:

COMMENTS AND RECOMMENDATIONS

Two Week Period Ending -

Comments:

Continue Verification Process: Yes/No

No Further Action/ Close with a Letter of Warning:

Yes/No Signature of IPP: