



United States Department of Agriculture

Food Safety and Inspection  
Service

April 29, 2022

Office of Field Operations  
Jackson District Office  
713 S Pear Orchard Rd.  
Plaza 2, Suite 402  
Ridgeland, MS 39157

**Via Email:**  
**[larry.masters@undergroundslaughter.com](mailto:larry.masters@undergroundslaughter.com)**  
**And FedEx Tracking Number**  
**#776732889417**

Mr. Larry Masters, Owner  
Underground Slaughter, LLC, Est. M51351  
6821 Franks Ferry Road  
Walling, TN 38587

### **NOTICE OF SUSPENSION HELD IN ABEYANCE**

Dear Mr. Masters:

On April 28, 2022, a “Notice of Suspension” was issued to suspend the assignment of inspectors for your federal slaughter activities at Underground Slaughter, LLC, Est. M51351. This action was based on your establishment’s failure to handle livestock humanely according to 9 CFR Part 313. Specifically, on April 28, 2022, at approximately 0720 hours, the CSI was observing stunning procedures at Establishment M51351. The first animal to be slaughtered for the day (lamb) was being manually restrained by two of your plant employees during the stunning procedure. One of your employees applied the stunning device (captive bolt) to the lamb’s head and the stun was ineffective in causing immediate insensibility. Your employees lost control of the animal and it ran back into the holding pen bleeding from its nose and mouth. Your establishment did not have a backup stunning device available and instead reloaded the same captive bolt device used for the initial stun and applied a second stunning attempt. The second attempt to stun was also ineffective and did not cause immediate insensibility, and again your employees lost manual restraint of the animal and had to retrieve it from the holding pen again. Your employee performing the stunning again reloaded the captive bolt device and applied a third stun. The third stun rendered the animal insensible, and it remained so thereafter. The CSI informed your (b) (6) of the non-compliance and that he would be taking a regulatory control action. The CSI placed US Reject tag #B33648053 to the stunning area at 0728 hours.

On April 28, 2022, 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

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were not adequate. Specifically, you were informed to provide clarification on the use of your gambrel device and whether it would be used to restrain all sheep; provide any criteria for different restraint methods on different size sheep and ruminants; provide additional information and clarification for your firearm maintenance and whether this is a inspection or cleaning procedure; provide clarification on whether there would be any testing of your stun and firearm devices and if the devices would be professionally serviced; provide information on whether you have considered a mechanical issue as a contributing factor; provide additional information on whether any new kill floor employees would receive training on restraint and proper captive bolt placement prior to working on the kill floor; provide information on whether there would be an SOP for remedial “retraining” of any employee deemed to be demonstrating any trends of deficient practices as it relates to the humane handling failure; provide additional information on your procedures for your backup stun device (.22 caliber pistol) when stunning small ruminants and the location of your backup stun device to be available for immediate retrieval and utilization, in the event of a single ineffective stun; provide clarification on whether the .22 caliber pistol maintenance would be included weekly on the same log; provide clarification on whether your establishment has considered the potential for moisture infiltration of your firearm and captive bolt charges and subsequent weakening of their discharge effect, which can lead to weak and ineffective stunning attempts and; provide clarification on whether your establishment implements a dry box procedure for storage of charges/ammunition and your first-in-first-out procedures to ensure that the oldest ammunition is utilized first (a rotation to ensure the charges remain fresh), if so, provide such procedures and any associated logs.

On April 29, 2022, you provided your second response. The Jackson District Office analyzed your response and determined that the response adequately addressed the identified issues. On April 29, 2022, at 2:30 PM CDT, 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 Underground Slaughter, LLC, Est. M51351, under a “Notice of Suspension Held in Abeyance.” This letter formally informs you of this action. Specifically, you stated that the root cause of the humane handling failure was due to the lamb not properly restrained during the stunning process; you stated that you will use the largest gambrel at your facility which has worked for smaller and larger sheep that you have slaughtered; you stated that you have weld your own restraint that is larger and can be used if needed for larger sheep and that the design is similar to the one in the brochure that you provided; you provided photos of the larger gambrel; you stated that your employee has been retrained on the proper way to restrain sheep using the gambrel and the proper placement for the captive bolt to render the animal insensible or unconscious with one shot; you stated that you will be using a .22 caliber pistol as a backup stunning device and that you have two additional captive bolt stunners on back order; you stated that you have a Robust Systematic Humane Handling and Slaughter Plan in place and all your employees that work the kill floor are trained on the proper handling of livestock and the techniques you use to stun animals; you provided a copy of your most recent Monthly Evaluation Form for Humane Handling of Livestock and your Humane Handling and Stunning Training log with the last two training sessions recorded; you provided landmark placement charts and stated that these landmark charts have been placed in your kill floor area showing the proper placement

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of a shot to render the animal insensible to pain; you stated that your employees will be trained on the proper use of the sheep gambrel and how to hold the animals head firmly to a solid surface before attempting to fire the stunning device; you stated that all new kill floor employees will be trained on the proper use of restraints and firearms that they will use on the kill floor and that kill floor employees are required to undergo retraining every 6 months; you stated that you use the Temple Grandin material for most of your animal handling procedures; you stated that issues will be reported verbally to the owner at the time the issue or problem is noticed and a written report will be prepared by the Plant Manager detailing the issues or problems and possible corrective actions; you provided your Kill Floor observation logs which were created to monitor the proper restraint of sheep and placement of the stunning device and you stated that this will be done at least once per week when you slaughter sheep for a period of 6 months and then monitored monthly after the initial 6 months; you provided photos and information for the gambrel restrainer that your establishment will use on sheep slaughtered at your facility; you provided your Captive Bolt Testing Log and stated that your captive bolt will be tested each morning before the first animal is stunned to verify that it is firing properly; you stated that if the captive bolt fails testing, the captive bolt will be disassembled and cleaned; you stated that corrective actions will be recorded on the back of the Captive Bolt Testing Log with the date and signature of the person performing the corrective action and that the Manager will verify testing at least once every 6 months; you stated that as a precaution, you did a complete rebuild of the captive bolt stunner internals and sharpened the bolt on April 28, 2022 as noted on your Firearm Maintenance Log; you stated that you have not thought of having your captive bolt device serviced unless there is a physical issue with the main body of the stunner, the way the device is designed; you stated that you keep two extra rebuild kits on hand for the CASH Special .25R HD and you provided the manufacturer's user manual that has the cleaning and maintenance procedures that you stated you follow; you provided your Firearm Maintenance Log; you stated that your firearms are cleaned and inspected at the end of the day on slaughter days; you stated that you will keep the .22 caliber pistol within the immediate area where sheep are being stunned; you stated that the .22 caliber pistol will also be included on the weekly maintenance log; you stated that when the new captive bolt stunners arrive, you will have three captive bolt stunners in the immediate area; you stated that all ammunition are kept in a 8.7 x 15.5 x 9 inches sealed, waterproof dry box with 100 gram desiccant packets; you stated that ammunition that is used on days of slaughter is placed in a smaller dry box and taken to the kill floor; you stated that you do have a first-in-first-out procedure but it is not logged and; you stated that you order ammunition when needed and do not have regular delivery of ammunition that would be stored at the plant.

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 April 28 and April 29, 2022, responses and that these revisions and corrective actions and preventive measures are effective in ensuring future regulatory compliance. The FSIS Verification Plan

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identifies your corrective actions, the regulatory requirement(s), 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 April 28 and April 29, 2022, could result in the immediate suspension of inspection at your establishment or other appropriate action(s).

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

Sincerely,

**DAMON  
RANFTLE**

Digitally signed by DAMON  
RANFTLE  
Date: 2022.04.29 14:25:09  
-05'00'

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)