



Food Safety and
Inspection Service

June 08, 2022

Office of Field Operations

**ORIGINAL VIA FED EX NEXT DAY AIR –
DELIVERY CONFIRMATION REQUESTED**

Philadelphia District
Mellon Independence
Center,
701 Market Street Suite
4100-A
Philadelphia, PA 19106

Ms. Tara Oeschger, President
Northeast Kingdom Processing, LLC. (EST 46706)
796 Industrial Parkway
St. Johnsbury, VT 05819

REINSTATEMENT OF SUSPENSION HELD IN ABEYANCE

Dear Ms. Oeschger,

This letter confirms verbal notification to Ms. Tara Oeschger, President, at approximately 1000 hours, on June 08, 2022, by Ms. Valerie Clay, Deputy District Manager (DDM), Philadelphia District Office, of our decision to place the Reinstatement of Suspension (ROS), issued to you on June 06, 2022, into abeyance. FSIS is providing you with this Reinstatement of Suspension Held in Abeyance (ROSHIA) based on your proposed corrective actions and preventive measures. The assignment of Inspection Program Personnel (IPP) will resume, pending FSIS verification of the adequacy of your humane handling program in achieving regulatory compliance. FSIS will be verifying your actions to ensure that you effectively implement the proffered corrective actions and preventive measures. This letter provides you with the chronology of events and conclusions, including your responsibilities as a federally inspected establishment.

In response to the ROS, you submitted corrective actions on June 07, 2022. FSIS submitted a Request for Clarification on June 07, 2022, to which you responded on June 08, 2022. You provided updated corrective actions to include more extensive information, as well as some changes from the original plan that was submitted.

Your Corrective and Preventive Measures are, but not limited to:

1. The three (3) employees involved in the incident have received disciplinary action. Employees have a full understanding of following plant slaughter protocols moving forward.
2. Retraining of all kill floor personnel with the following source materials
 - a. Systematic Approach to Humane Handling PowerPoint by USDA-FSIS
 - b. Stunning Pigs with a B&D Stunner slides by Erica Voogd
 - c. Firearm Physics PowerPoint by (b) (6), USDA-FSIS
 - d. Proper Cattle Restraint for Stunning by Temple Grandin

- e. Observations on Stunning Placement in Cattle by ISU
 - f. Anatomical Landmarks Iowa State University College of Veterinary Medicine Website
 - g. Captive Bolt Guns for Pigs YouTube video
 - h. Relationship of Tissue Dimension and Captive Bolt Placement on Mature Swine YouTube video
 - i. Recommended Animal Handling Guidelines & Audit Guide: A Systematic Approach to Animal Welfare by NAMI
3. Only trained personnel will be allowed to perform stunning. A listing of these trained personnel will be kept in the HACCP book for FSIS review as need be.
 4. Boars and sows will not be accepted for slaughter for the remainder of 2022. You may reassess this policy in January 2023. There is, currently, one sow left in the barn as of June 6, 2022. That sow will be properly stunned upon resumption of inspected slaughter activities.
 5. Each swine will receive a captive bolt security stun after the head then heart electrical stun and prior to shackling.
 6. Monitor stunning effectiveness by the Slaughter Floor Supervisor, or Plant Manager of every second swine for ninety (90) days
 7. General Manager (GM), or plant manager in absence of GM, will monitor swine stunning three times daily to ensure procedures are being implemented as submitted for the next ninety (90) days.

FSIS inspection personnel have designed a Verification Plan (VP) and will use it to monitor and verify that you have effectively implemented your proposed actions. The VP identifies your corrective actions from your responses submitted to FSIS, the relevant regulatory requirements, the tasks FSIS will use to conduct verification activities, and the time frames that you identified. While these verification activities are targeted to your plant's animal handling, FSIS personnel will continue to ensure all humane handling/stunning regulatory requirements of 9 CFR Part 313 are in regulatory compliance. A copy of the VP is attached as a reference to assist you in understanding Agency verification activities.

As an operator of a federally inspected facility, we expect you to comply with FSIS regulations and to take appropriate correctives action 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 either to operate in accordance with the regulations or to operate under sanitary conditions. 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 abeyance 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 regarding this matter, please feel free to contact Ms. Valerie Clay, Deputy District Manager (DDM) at Valerie.Clay@usda.gov or by phone at (202) 763-9672.

Sincerely,

VALERIE CLAY Digitally signed by VALERIE
CLAY
Date: 2022.06.08 10:35:50 -0400

Ms. Melissa Moore
Acting District Manager
Philadelphia District Office

**Northeast Kingdom Processing, LLC. (EST 46706) Verification Plan
June 08, 2022**

ESTABLISHMENT ACTION PLAN	9 CFR REGULATION	HUMANE HANDLING VERIFICATION CATEGORY	FREQUENCY
Only trained EST personnel will be allowed to perform stunning. A list of these trained personnel will be kept in the HACCP book for IPP review.	313.30	Category VIII – Stunning effectiveness	Upon implementation, June 8, 2022, and Each swine slaughter day thereafter.
Each swine will receive a captive bolt security stun after the head then heart electrical stun and prior to shackling.	313.30 313.15	Category VIII – Stunning effectiveness	Upon implementation, June 8, 2022, and Each swine slaughter day thereafter.
The Slaughter Floor Supervisor or Plant Manager will monitor swine stunning effectiveness of every second (every other) swine for ninety (90) days. This will be recorded on the NEKP Swine Stun Log.	313.30 313.15	Category VIII – Stunning effectiveness	Upon implementation, June 8, 2022, and Each swine slaughter day thereafter.
General Manager will monitor the swine stunning three times daily to ensure the procedures are being implemented as required. The Plant Manager can monitor in place of the General Manager only if the General Manager is not present in the building during the 90 days. This will be recorded on the NEKP Employee Stunning Effectiveness Log.	313.30 313.15	Category VIII – Stunning effectiveness	Upon implementation, June 8, 2022, and Each swine slaughter day thereafter.
No boars or sows will be accepted for the remainder of 2022. Only market swine and smaller will be slaughtered.	313.30 313.15	Category VIII – Stunning effectiveness	Upon implementation, June 8, 2022, and Each swine slaughter day thereafter.

Humane handling verification every slaughter operation day to verify the adequacy and effectiveness of the establishment’s compliance with the humane handling regulatory requirements of 9 CFR Part 313.

***Inspection Program Personnel will ensure all humane handling/stunning regulatory requirements are complying daily on each slaughter day, regardless of the stunning method.**

***Inspection Program Personnel will review all monitoring, verification, and corrective action records to verify procedures are being conducted as prescribed and at the specified frequency.**

***Please notify the Frontline Supervisor (FLS) and the District Veterinary Medical Specialist (DVMS) if there is any change in the establishment's corrective action or preventive measures. The verification plan will then be modified appropriately.**

CC:

FSIS - FO/Quarterly Enforcement Report

Mr. Mark Crowe, Director, CID, FSIS, OIEA, Washington, DC

Ms. Melissa Moore, EARO, FSIS, OFO, Washington, DC

Mr. Joseph Priore, RD, FSIS, OIEA, Northeast Region

Ms. Valerie Clay, DDM, FSIS, OFO, Philadelphia District Office

Mr. Michael Osifat, DDM, FSIS, OFO, Philadelphia District Office

Mr. Joseph Schein, DDM, FSIS, OFO, Philadelphia District Office



Official Files Establishment Folder – Est. 46706

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