



United States Department of Agriculture

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Food Safety and  
Inspection Service

Office of Field  
Operations

Atlanta District Office

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

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

**Certified mail**

August 26, 2022

Mr. David Gregerson, Plant Manager  
FPL Food, Est. M332  
1301 New Savannah Road  
Augusta, GA 30901

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

Dear Mr. Gregerson:

On August 24, 2022, the Food Safety, and Inspection Service (FSIS) issued a Notice of Suspension (NOS) withholding the marks of inspection and suspending the assignment of slaughter inspection program personnel for livestock slaughter at FPL Food, Est. 332 located at 1301 New Savannah Road Augusta, GA 30901. This action was based on your establishment's failure to handle livestock humanely according to 9 CFR Part 313.

On August 24, 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 the knock and bleeding were done properly but the animal "came back to consciousness" after dragging from the trailer and that the employee immediately stopped dragging the animal and applied another properly placed knock to render the cow unconscious. Your corrective actions included: retraining employees in the barn to allow the animal to properly bleed out to ensure it is dead/unconscious prior to moving the animal; and verifying and documenting daily the bleeding process.

On August 25, 2022, FSIS determined that the proffered corrective actions and preventive measures submitted were not adequate to properly address the inhumane handling incident and further clarification was requested. Specifically, FSIS requested clarification regarding your assessment process and determination that the cow was properly stunned and bleed; retraining of plant employees did not address stunning shot placement, verification that the animal was unconscious and proper sticking of cattle to ensure proper bleeding.

On August 25, 2022, you submitted your second response to provide clarification to your proffered corrective actions. Your response included:

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evaluation of the skinned head revealed that the initial knock was slightly high on the head resulting in a temporary stun which allowed the animal to regain consciousness; barn employees were retrained on proper knock placement, checking for consciousness (no vocalization, no rhythmic breathing, no righting reflex, no tracking eye movement) and ensuring the artery is cut and a good flow of blood is leaving the animal; observing the animal while bleeding and waiting to move it if necessary; and stunning of each animal will be monitored and records will be maintained during the abeyance period. You provided a copy of the training material, a record documenting employee that were retrained and copy of the form that will be used to document monitoring.

On August 25, 2022, you were verbally notified by FSIS that the corrective actions and preventive measures met the requirements to place FPL Food, Est. M34729, in Abeyance and that a Notice of Suspension Held in Abeyance (NOSHA) and Verification Plan (VP) would be issued. You are hereby being provided written notification of the Notice of Suspension Held in Abeyance.

Please be further advised that the 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 and preventing the inhumane treatment of animals. Agency personnel will begin immediate verification of your corrective actions and preventive measures.

A copy of the FSIS Verification Plan is attached 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 stated in your responses, and that these revisions and corrective actions are effective in ensuring future regulatory compliance. The FSIS Verification Plan identifies your proposed corrective actions, the regulatory requirement(s), and the PHIS Task under which FSIS officials will verify the implementation and effectiveness of your proposed action plan.

Please be reminded that as a federally inspected establishment, you are expected to comply with FSIS regulations and to take appropriate actions to prevent the inhumane handling of animals. 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. Please be advised that failure to comply with these regulatory requirements or failure to effectively implement your proposed corrective actions and preventive measures could result in the immediate suspension of inspection at your establishment or other appropriate action.

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If you have any questions, please contact the Atlanta District Office at 404-562-5900.

Sincerely,

**TRACY  
BRYANT**

Digitally signed by  
TRACY BRYANT  
Date: 2022.08.30  
14:43:26 -0400

Dr. Phyllis Adams

District Manager

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

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