



United States Department of Agriculture

Food Safety and
Inspection Service

Raleigh District Office

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

November 1, 2022

EMAIL

Greg Dronen, Plant Manager
Randolph Packing Company, Inc., Est. M6590
403 West Balfour Avenue
Asheboro, NC 27203

NOTICE OF SUSPENSION

Dear Mr. Dronen,

This letter confirms the verbal notification given on November 1, 2022, at approximately 1040 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 Randolph Packing Company, Inc., Est. M6590, 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 1025 hours on Tuesday, November 1, 2022, at your establishment, IPP identified an egregious humane handling noncompliance in which an employee required multiple stun attempts to render a bull unconscious. The SPHV was notified that there was a bull in the knock box that had had 2 unsuccessful stunning attempts performed on it. The SPHV immediately proceeded to the platform above the knocking box and observed a large Brahman-cross bull that was alert, standing, and not observably in distress or a state of agitation. The SPHV observed two (2) sites on the bull's forehead where the hair was disturbed in the temporal region about midline and above the eyes, consistent with unsuccessful stunning attempts. After further inquiry, it was revealed that after the employee attempted the 2 unsuccessful stun attempts on the bull using a .25 caliber hand-held captive bolt stunning device (HHCB), establishment management halted operations to determine the next course of action. The SPHV informed the Floor Supervisor that the incident constituted an egregious stunning violation and proceeded to contact the Frontline Supervisor, who advised him to contact the DVMS. After consultation with the DVMS, the SPHV returned to the kill floor and informed the Floor Supervisor and the establishment owner that the bull needed to be immediately rendered unconscious. The owner then immediately and effectively stunned the bull, again using the same HHCB. The SPHV applied US Reject tag #B-45815740 to the knock box and at approximately 1040 hours, informed the Owner and Floor Supervisor of the pending enforcement action. Subsequent post-mortem examination of the bull's head confirmed the account described above.

This incident represents a violation of 9 CFR 313.15(a)(1) which says in part "The captive bolt stunners shall be applied to the livestock in accordance with this section so as to produce immediate unconsciousness in the animals before they are shackled, hoisted, thrown, cast, or cut. The animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort." This incident is considered egregious because there were multiple attempts (i.e., more than one attempt) to stun the animal with a failure to apply an immediate corrective action. The establishment does not operate under a Robust Systematic Approach for Humane Handling.

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:

Sherri Johnson
Executive Associate for Regulatory Operations
Office of Field Operations
Food Safety and Inspection Service
United States Department of Agriculture
1400 Independence Avenue, SW
South Building, Room 3154
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. You may also contact Mark Roling, Deputy District Manager, at 919-208-2935. We urge your cooperation and voluntary compliance.

Sincerely,

**MARK
ROLING**

Digitally signed by MARK
ROLING
Date: 2022.11.01 16:21:49
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For

Todd Furey
District Manager
Raleigh, NC

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

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Quarterly Enforcement Report
Establishment File (Est. M6590)