



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

July 28, 2022

EMAIL

James Harding, Plant Manager
The Pork Company, Est. M20608
892 Penny Branch Road
Warsaw, NC 28398

NOTICE OF SUSPENSION HELD IN ABEYANCE

Dear Mr. Harding,

On July 27, 2022, your establishment received official notification from the Food Safety and Inspection Service (FSIS) of the suspension of the assignment of inspection personnel for slaughter operations at The Pork Company, Est. M20608. The decision to suspend inspection at your establishment was based on the determination by FSIS that your establishment failed to slaughter and handle animals humanely.

On July 27, 2022, you provided FSIS with proposed responses to the suspension action. Your responses outlined written corrective and preventive measures to bring your establishment into compliance with humane handling of livestock requirements and to achieve compliance with the Federal Meat Inspection Act (FMIA) (Title 21 of the United States Code {21 U.S.C} 603), the Humane Methods of Slaughter act of 1978 (HMSA) (7 U.S.C. 1901 et seq.), and federal regulations {Title 9 of the Code of Federal Regulations (9 CFR) parts 313}. Based on your submitted written assurances, we have determined that the suspension of the assignment of inspectors for slaughter operations at your plant will be held in abeyance, in accordance with 9 CFR Part 500.5(e).

The suspension will remain in abeyance pending verification by FSIS that your proposed corrective and preventive measures have been effectively implemented. Plant personnel should monitor operations to prevent violations of humane handling and slaughter from occurring in the future. It is also important for you to understand the responsibility of FSIS to initiate action when there is a failure to operate in accordance with 9 CFR Part 313 of the regulations.

A copy of the FSIS Verification Plan is enclosed to assist you in understanding the nature and importance of the Agency's verification activities. This FSIS Verification Plan is designed to verify that your establishment fully implements the corrective actions proffered in your proposed corrective actions, and that these revisions and corrective actions are effective in assuring ongoing regulatory compliance. It identifies your corrective action elements, the relevant regulatory requirements, the PHIS task under which corrective action elements will be verified, and the monitoring frequency.

Only FSIS can amend the verification plan and any modifications to your submitted acceptable corrective actions made during the abeyance period will need to be submitted in writing to FSIS for verification of compliance prior to implementation by your establishment. FSIS will begin verification of your proposed actions before startup of your next scheduled slaughter.

Please be advised that, as a federally inspected establishment, you are expected to comply with FSIS regulations and to take appropriate corrective action to prevent Inhumane Handling of Livestock at your establishment. Your failure to comply with these requirements or to implement the measures in your action plan could result in reinstatement of the suspension of inspection at your establishment or other appropriate administrative or legal action.

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 Mr. Mark Roling, Deputy District Manager, at 919-208-2935.

Sincerely,

TODD Digitally signed
by TODD FUREY
FUREY Date: 2022.07.28
12:26:39 -04'00'

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

(b) (6)

Quarterly Enforcement Report
Establishment File (Est. M20608)

Establishment Name: The Pork Company
Establishment Number: M20608
Two-Week Period Ending: _____

Reason for Verification: On 07/27/2022, Establishment M20608 was issued a NOS for failure to meet 9 CFR 313 of the regulations. On 07/28/2022, the establishment was issued a NOSHIA after submitting acceptable corrective actions and preventive measures.

Information for Establishment Management: This verification plan was created from the corrective actions and preventive measures which were submitted to, and which were accepted by, the Raleigh District Office. As such, any changes to these corrective actions and preventive measures needs to be approved by the Raleigh District Office prior to implementation.

Instructions for completion of Humane Handling and Slaughter Verification form:

1. "Results of Verification" column should be recorded as "Acceptable", "Unacceptable", or "N/A"
2. "Inspection Actions" column should be used to document unacceptable findings or any additional corrective actions taken in compliance with 9 CFR 313.
3. The implementation and effectiveness of the establishment's corrective actions should be verified at the frequencies stated below. The in-plant inspection team (IPP) can request, through supervisory channels, a change in the frequencies when the determination is made that the establishment has effectively implemented the corrective actions.
4. Each day verification activities are performed, IPP should add a Directed Livestock Humane Handling Verification task in PHIS and use the justification "Verification Plan for Enforcement Actions" to justify the scheduling of the Directed task.
5. IPP will provide bi-weekly verification updates detailing the results of verification activities and submit to the SPHV/FLS for review.
6. The completed bi-weekly report will be submitted via email to (b) (6)

(b) (6)

Items to Verify	Results of Verification	Inspection Actions
1. Verify that employees have been re-trained on using the captive bolt device for stunning. (Once)		
2. Verify that a portable box containing 2 captive bolt guns is stationed in the barn and can be carried directly to a suspect animal. (Once)		

<p>3. Verify that employees have been trained on the procedure for use of the portable captive bolt box. (Once)</p>		
<p>4. Verify that for 30 days a member of Plant Management verifies 4 timers per production day that the captive bolt box is properly placed in the barn and that the box contains 2 captive bolts. (Daily, for each production days)</p>		
<p>5. Verify that for 30 days Captive Bolt checks are performed 6 times per production day to ensure captive bolt devices are working properly. (Daily, for each production day)</p>		
<p>6. Verify that for 30 days, a member of Plant Management verifies the monitoring activity 2 times per production day and signs off on the Supervisor Gun Check Sheet. (Daily, for each production day)</p>		
<p>7. Verify that a trained employee performs direct observation of the captive bolt stunning process to ensure effective stunning on the following schedule:</p> <ul style="list-style-type: none"> a. For 30 days, 100% direct observation b. After 30 days, 50% direct observation for 2 weeks c. After 2 weeks, 25% direct observation for 2 weeks <p>(Daily, for each production day)</p>		

8. Verify that beginning 05/18, documented refresher meetings for stunning, sticking, bleeding, and captive bolt are held weekly for Production employees. (Weekly)		
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Comments and Recommendations

Two-Week Period Ending:

IIC Comments/Recommendation:

SPHV Comments/Recommendation (if not the IIC):

FLS Comments/Recommendation: