



Food Safety and
Inspection Service

August 26, 2019

Office of Field Operations

**ORIGINAL SENT VIA FEDEX NEXT DAY AIR
DELIVERY CONFIRMATION REQUESTED**

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

Mr. Ed Maltby, General Manager
Adams Farm Slaughterhouse, LLC (Est. 5497)
854 Bearsden Road
Athol, MA 01331

NOTICE OF SUSPENSION HELD IN ABEYANCE

Dear Mr. Maltby,

This letter confirms verbal notification to Mr. Ed Maltby, General Manager, by Mr. Joseph Schein, Deputy District Manager (DDM), at approximately 8:30 A.M. on August 27, 2019, of our decision to place the Notice of Suspension (NOS), issued to you on August 26, 2019 into abeyance. FSIS is providing you with this Notice of Suspension Held in Abeyance (NOSHIA) based on your proposed corrective actions and preventive measures. FSIS determined that the suspension action will be placed in abeyance and 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.

On August 26, 2019, FSIS issued a NOS to withhold the marks of inspection and suspend the assignment of inspectors for your slaughter operation. This action was initiated in accordance with Title 9 of the Code of Federal Regulation (9 CFR) Part 500.3(b), after FSIS determined that your establishment failed to handle animals humanely, in violation of the Federal Meat Inspection Act (FMIA) [21 U.S.C 603] and 9 CFR 313.16 on August 23, 2019.

In response to the notice of suspension, you submitted written corrective actions and preventive measures on August 26, 2019. FSIS requested further clarification to your proposed actions, and you then submitted additional corrective actions on August 26, 2019.

Your Corrective and Preventive Measures are:

1. AFS will develop and build a removable squeeze chute within the current kill box that will ensure that sows and boars, no matter what size, cannot turn around by Tuesday September 03, 2019.
2. No boars or sows will be killed prior to the new squeeze chute being in place.

3. Continuing to expand the on-site library of pictures to demonstrate skull and head anatomy for stunner's reference. This will be accomplished by splitting each head of a sow or boar for the stunner to observe as well as having photographs of heads taken for future reference
4. Stunner will be observed for stunning of sows and boars by (b) (6) for placement and effectiveness for the next 15 animals slaughtered.
5. When the .40 pistol is used for stunning, the .357 magnum rifle will be present on the floor as a back-up device.
6. General Manager will develop recommendations for changes to AFS protocols for stunning of swine (with emphasis on boars and sows) to present to the owners of AFS for implementation.
7. Retraining of stunning personnel will be completed by August 29, 2019 and will be provided to the In-Plant Personnel for review.
8. All sows and boars (over 500#) stunned will have the effectiveness recorded on the Monitoring of Humane Handling during the abeyance period.

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 corrective 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 Mr. Joseph Schein, Deputy District Manager (DDM) at Joseph.schein@usda.gov or by phone at (215) 430-6219.

Sincerely,

JOSEPH SCHEIN Digitally signed by JOSEPH SCHEIN
Date: 2019.08.27 10:10:09 -04'00'

Dr. Lynda Lilyestrom,
District Manager
Philadelphia District Office

Verification Plan for Adams Farm Slaughterhouse, LLC (Est. 5497) August 26, 2019

ESTABLISHMENT ACTION PLAN	REGULATION	HUMANE HANDLING VERIFICATION CATEGORY	FREQUENCY
Development and install removable squeeze chute within the current kill box that will ensure that sows and boars, no matter what size, cannot turn around by Tuesday September 03, 2019	9 CFR 313.16	Category VIII - Stunning effectiveness.	Confirmed by observation once completed
No boars or sows will be killed prior to the new squeeze chute being in place.	9 CFR 313.16	Category VIII - Stunning effectiveness.	Confirm by observation each slaughter day
When the .40 pistol is used for stunning, the .357 magnum rifle will be present on the floor as a back-up device.	9 CFR 313.16	Category VIII - Stunning effectiveness.	Confirm by observation each slaughter day
Each sow or boar slaughtered will have its head split for the stunner to observe as well as having photographs taken for future reference	9 CFR 313.16	Category VIII - Stunning effectiveness.	Confirm by observation sow/boar slaughter day
Stunner will be observed by one of the owners for placement and effectiveness for the next 15 sows and boars slaughtered.	9 CFR 313.16	Category VIII - Stunning effectiveness.	Confirm by observation sow/boar slaughter day
Retraining of stunning personnel will be completed by August 29, 2019 and will be provided to the In-Plant Personnel for review.	9 CFR 313.16	Category VIII - Stunning effectiveness.	Confirm by record review once completed
All sows and boars (over 500#) stunned will have the effectiveness recorded on the Monitoring of Humane Handling during the abeyance period.	9 CFR 313.16	Category VIII - Stunning effectiveness.	Confirm by record review each sow/boar slaughter day

Inspection Program Personnel will perform 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 in compliance 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.

CC:

FSIS - FO/Quarterly Enforcement Report

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

Mr. James Borda, RD, FSIS, OIEA, Philadelphia, PA

Dr. Geraldine French, Acting EARO, FSIS, OFO, Washington, DC

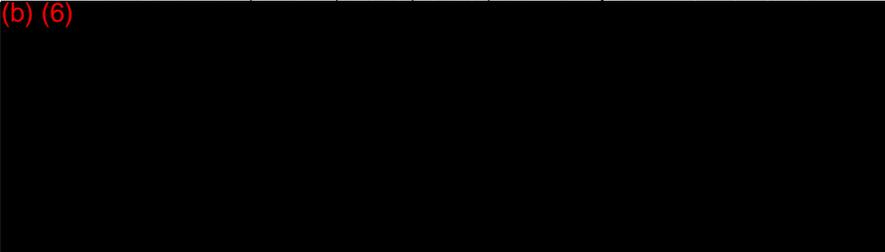
Dr. Lynda Lilyestrom, DM, FSIS, OFO, Philadelphia District Office

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

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

Mr. Salah Ibrahim, DDM, FSIS, OFO, Philadelphia District Office

(b) (6)



Est. File M 5497

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(b) (6)

