



United States Department of Agriculture

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Food Safety and  
Inspection Service

July 26, 2019

Office of Field  
Operations

Atlanta District Office

**Certified mail**

100 Alabama St., SW.  
Suite 3R90  
Atlanta, GA. 30303  
Phone: 404-562-5900  
Fax: 404-562-5877  
Toll Free:  
800-282-7005

Mr. Troy Wainwright, Owner  
WJ Wainwright and Son, Inc.  
Est. M48277  
135 Wil Wainwright Road  
Nahunta, GA 31553

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

Dear Mr. Wainwright:

On July 23, 2019 the Food Safety and Inspection Service (FSIS) issued a Notice of Reinstatement of Suspension (NOROS) withholding the marks of inspection and suspending the assignment of slaughter inspection program personnel for livestock slaughter at WJ Wainwright and Son, Inc., Est. M48277, in Nahunta, GA. This action was based on your establishment's failure to handle livestock humanely according to 9 CFR Part 313.

On July 25, 2019, you submitted written corrective actions and preventive measures to meet the requirements of the Humane Methods of Slaughter Act. The cause of the incident was determined to be due the improper shot placement associated with the captive bolt and improper penetration of the skull of a sow with hollow point .22 long rifle (LR) bullets. Your corrective actions included; plant employees were retrained in proper shot placement; you would use full metal jacket .22 magnum caliber ammo, and; you would continue to monitor and record 100% of stunning effectiveness during the abeyance period.

On July 26, 2019, you were notified by FSIS that your corrective actions were inadequate and needed clarification. You were provided a copy of regulation 9 CFR 313.16 Mechanical; gunshot and were notified that full metal jacket bullets were not acceptable when using small-bore firearms. You were asked to; provide a copy of the training material used to retrain establishment employees on proper shot placement; provide a record documenting retraining of establishment employees for shot placement, and; clarify what stunning devices and backup stunning devices would be used.

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Mr. Troy Wainwright, Owner

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On July 26, 2019, you submitted the requested clarification which included; a copy of the training material used to retrain establishment employees on proper shot placement; a copy of the record used to document retraining of establishment employees, and; a clarified that a hand held captive bolt will be the primary stunning device and if necessary employees will use a 9 mm or .22 magnum firearm with appropriate ammunition depending on the sex and age of the animal. These corrective actions and preventive measure meet the requirements to place WJ Wainwright and Son, Inc. in a Notice of Suspension Held in Abeyance (NOSHA).

Please be further advised that this 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 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 and preventive actions addressed in the prior Notice of Suspension Held in Abeyance (NOSHA) dated May 28, 2019 and in your current responses dated July 25 and 26, 2019, could result in the immediate suspension of inspection at your establishment or other appropriate action.

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

**NOTICE OF SUSPENSION HELD IN ABEYANCE**

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Sincerely,



Dr. Phyllis Adams

District Manager

cc: Phil Bronstein, AA/OFO  
Hany Sidrak, DAA/OFO  
Michael Watts, EARO/OFO  
Scott Safian, ELD/OIEA  
Larry Hortert, RD/CID/OIEA

(b) (6)

Ghias Mughal, DDM/OFO

Tracy Bryant, DDM/OFO

(b) (6)



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**WJ Wainwright and Son, Inc.**  
**Establishment M48277**  
**Biweekly Verification Plan**

Week Ending: \_\_\_\_\_

This Food Safety and Inspection Service (FSIS) Verification Plan is designed to verify that the establishment fully implements the revisions to its Livestock Humane Handling Program as stated in the prior Notice of Suspension Held in Abeyance (NOSHA) dated May 28, 2019 and in your current responses dated July 25 and 26, 2019 to the Notice of Reinstatement of Suspension (NOROS) issued on July 23, 2019.

The Verification Plan will be utilized by inspection personnel and the Atlanta District Office to evaluate the effectiveness of the revisions and corrective actions in assuring future regulatory compliance. This FSIS Verification Plan identifies the corrective actions, the relevant regulatory requirements, and the PHIS Task under which FSIS officials will verify the implementation and effectiveness of the proposed action plan. These tasks can be performed as an unscheduled task, if the task is not scheduled on the Daily Procedure Schedule. After completion, send this report on a Bi-weekly basis to the District Case Specialist and the District Veterinary Medical Specialist for review. Complete this report once every two (2) weeks.

**Handling of Livestock**

<b><u>Issue/Action</u></b>	<b><u>Regulation</u></b>	<b><u>PHIS Code</u></b>
1) Verify by direct observation & record review that establishment personnel monitor and record the result of stunning effectiveness for 100% of the livestock stunned (each day of slaughter)	9 CFR §313.15 & 313.16	HH Task – PHIS HATS Category VIII

**Finding:**

**VERIFICATION PLAN**

Mr. Troy Wainwright, Owner  
WJ Wainwright and Son, Inc., Est. M48277  
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2) Verify by direct observation stunning effectiveness of livestock. (each day of slaughter)	9 CFR §313.15 & 313.16	HH Task – PHIS HATS Category VIII & IX
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**Finding:**

3) Verify by direct observation that a petition gate (removable) is installed in the stun chute during swine slaughter to narrow the chute and minimize movement of the hogs during stunning. (each day of hog slaughter)	9 CFR §313.15 & 313.16	HH Task – PHIS HATS Category VIII & IX
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**Finding:**

**COMMENTS AND RECOMMENDATIONS**

**Two Week Period Ending -**

**Comments:**

**Continue Verification Process:**            Yes/No

**No Further Action/ Close with a Letter of Warning:**

**Yes/No Signature of IPP:**