



United States Department of Agriculture

Food Safety and
Inspection Service

Office of Field
Operations

Atlanta District Office

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Certified Mail

December 17, 2019

Mr. Reed Brown, Plant Manager
Brown Packing Co., Inc., Est. M1085
116 Willis St.
Gaffney, SC 29340

NOTICE OF DEFERRAL

Dear Mr. Brown:

On November 15, 2019, the Food Safety and Inspection Service (FSIS) implemented an enforcement action for livestock slaughter at Brown Packing Co., Inc., Est. M1085, located at 116 Willis St. Gaffney, SC 29340. This action was based on your establishment's failure to handle livestock humanely according to 9 CFR Part 313.

On November 15, 2019, 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 an employee did not follow livestock handling training and procedures in your humane handling program. Your corrective actions included: the employee was suspended and will be transferred to another department when his suspension is completed and an increase of animal welfare audits from twice weekly to daily for the next two weeks.

On November 15, 2019, you were notified by FSIS that your corrective actions were inadequate and needed further clarification and supporting documentation. You were asked to provide a copy of Brown Packing Co., Inc.'s current animal welfare program, a copy of the record used to document monitoring, documentation to support that your employees have been retrained in the proper movement of livestock and proper prod usage, and clarification of the number of audits that will be done daily. You were also notified that increasing the animal welfare audits from twice weekly to daily for the next two weeks was not adequate to ensure that employees are properly trained and following plant procedures.

On November 15, 2019, you submitted additional clarification for your written corrective actions and preventive measures to meet the requirements of the

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Humane Methods of Slaughter Act. The additional clarification addressed all the above issues.

On November 15, 2019, you were verbally notified that these corrective actions and preventive measure met the requirements to enable Brown Packing Co., Inc., to resume slaughter operations.

FSIS has designed a Verification Plan (VP), and Inspection Program Personnel (IPP) will use it to monitor and verify that you have effectively implemented your proposed actions. The VP identifies your corrective actions based on your responses, the relevant regulatory requirements, the tasks IPP will use to conduct verification activities, and the time frames that you identified. While these verification activities are targeted at your plant's livestock handling, FSIS personnel will continue to ensure all humane handling/stunning regulatory requirements of 9 CFR Part 313 are being met. We have attached a copy of the VP to assist you as a reference during the Agency's verification activities.

As an operator of a federally inspected facility, we expect you to comply with FSIS regulations and to take appropriate corrective actions 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 to operate in accordance with the regulations. 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 deferral 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 in this matter, contact me at (404) 562-5900.

Sincerely,



Dr. Phyllis Adams
District Manager
Atlanta District Office
USDA/FSIS/OFO

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

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Barney Welch, DDM/OFO
Tracy Bryant, DDM/OFO
Ghias Mughal, DDM/OFO

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