



United States Department of Agriculture

Food Safety and
Inspection Service
Office of Field
Operations
Jackson District
Office
713 S Pear Orchard
Rd, Suite 402
Ridgeland, MS 39157

September 12, 2019

**Via Facsimile: marblecitymeats@gmail.com
and FedEx Tracking Number # 776221682920**

Mr. Matthew Lawrence, Owner/HACCP Coordinator
Marble City Meats, LLC, Est. M46070
514 Odena Road North
Sylacauga, AL 35150

NOTICE OF SUSPENSION HELD IN ABEYANCE

Dear Mr. Lawrence:

On September 9, 2019, a "Notice of Suspension" was issued to suspend the assignment of inspectors for your federal slaughter activities at Marble City Meats, LLC, Est. M46070. This action was based on your establishment's failure to handle livestock humanely according to 9 CFR Part 313. Specifically, on Monday, September 9, 2019, while performing a Humane Handling task, "Category 8" of the last inspected animal of the day, the IIC observed Establishment Owner/HACCP Coordinator Mr. Matthew Lawrence performing stunning procedures on a Kune-Kune pig over the age of two. Your establishment uses a hand-held captive bolt (HHCB) as your primary and secondary stunning method. The first stun attempt was ineffective. The establishment owner immediately retrieved the backup HHCB and immediately conducted a second stun. The second stun attempt was also ineffective to render the animal insensible. The owner reloaded the primary HHCB and issued a third stun which was also ineffective. The owner reloaded the backup HHCB and delivered a fourth stun which again failed to render the animal insensible. The owner then retrieved a .22 caliber rifle and attempted a fifth attempt with the rifle and was ineffective to render the animal insensible to pain. Finally, on the second attempt with the rifle (6th overall attempt), the animal was rendered unconscious and insensible to pain. The IIC tagged the knocking box with U.S. Reject Tag #B-45 308594.

On September 9, 2019, you submitted your first response with written corrective actions and preventive measures to meet the requirements of the Humane Methods of Slaughter Act. The Jackson District Office analyzed your response and advised you that the proffered corrective actions and preventive measures were not adequate. Specifically, you were informed that you should provide adequate training for stun employees with training logs; description of how to hit or stun the animal in the proper location; practice methods for stunning employees; standard operating procedures and; associated logs for weapon maintenance/performance.

On September 11, 2019, you submitted your second response with written corrective actions and preventive measures to meet the requirements of the Humane Methods of Slaughter Act. The Jackson District Office analyzed your response and determined that

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the response adequately addressed the identified issues. On September 12, 2019, at 8:03 AM CDT, a Deputy District Manager telephoned you and verbally notified you that the corrective actions and preventive measures you proffered were adequate to meet the requirements to place Marble City Meats, Est. M46070, under a "Notice of Suspension Held in Abeyance." This letter formally informs you of this action. Specifically, you stated that you will cease taking hogs that have an atypical head conformation as your primary method of stun is a captive bolt and a clear placement that strikes the brain is essential; you will modify your Humane Handling procedures to reflect a new policy where if the second backup stun is ineffective, the third stun method will be a .22 rifle; you will modify your preoperational log to account for this stun method being present in the room and loaded prior to the start of slaughter operations so that it is immediately available if needed; you provided weapon maintenance and performance for your captive bolts and .22 rifle; you provided descriptions of how to hit the proper locations of the animals; you stated that you have developed a detailed training program that outlines new procedures for humane slaughter, humane handling, and training for all stunner personal and this includes testing as well as training; you provided training logs for your stunning operators and stated that this log will be maintained in the employees file and retained for up to one year after an employee leaves the operation; you stated that all stun employees must pass training and testing prior to the restart of slaughter operations; you provided practice methods for your stunning employees; you stated that you have modified your procedures on stun weapon maintenance and charge use; you stated that landmark charts will be printed and placed on the wall of the slaughter room near the knock box.

A copy of the FSIS Verification Plan (VP) 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 and preventive measures stated in your September 9 and September 11, 2019 responses and that these revisions and corrective actions and preventive measures 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 proffered action plan.

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. Agency personnel will begin immediate verification of your corrective actions and preventive measures.

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. In these situations, FSIS personnel will take regulatory control of product or other appropriate action.

Please be advised that as a federally inspected establishment, you are expected to comply with the Federal Meat Inspection Act and the Humane Methods of Slaughter Act, and all applicable regulations and other requirements concerning the preparation, sale, and transportation of meat products. Failure to comply with these requirements or to effectively implement the measures addressed in your responses, dated September 9 and September 11, 2019, could result in the immediate suspension of inspection at your establishment or other appropriate action(s).

If you have any questions about this action, please contact the Jackson District Office at (601) 965-4312.

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Sincerely,

A handwritten signature in blue ink, appearing to read "Dr. Larry Davis".

Dr. Larry Davis

District Manager

Jackson District Office