



United States Department of Agriculture

Food Safety and  
Inspection Service

Office of Field  
Operations

Springdale District

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Suite B-201  
Springdale, AR 72764  
Voice 479-751-8412  
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July 15, 2020

Via Email: [travis@powellmeatco.com](mailto:travis@powellmeatco.com)  
FedEx Tracking # 770966445515

Mr. Travis Powell, Owner  
Powell Meat Company LLC, Est. M51306+V51306  
117 Rives Rd  
Clinton, MO 64735

## **NOTICE OF RE-INSTATEMENT SUSPENSION HELD IN ABEYANCE**

Dear Mr. Powell,

On July 14, 2020, the Food Safety and Inspection Service (FSIS) notified you of the re-instatement of suspension of the assignment of inspection personnel at your facility. This Notice of Re-Instatement of Suspension (NROS) was based on the Rules of Practice due to your establishment's failure to prevent inhumane handling and slaughtering of livestock at your facility as required by 9 CFR 313.16(a)(1) and 313.(a)(3).

On July 14, 2020, you provided a written response (Action Plan) to the NROS via email, beginning a dialogue with FSIS that concluded with your final Action Plan submission on July 15, 2020. FSIS analyzed the corrective and preventive measures provided in your Action Plan and subsequent revisions and determined they represented compliance or the intent to comply with all applicable regulations. Therefore, FSIS will hold the suspension in abeyance pending verification by FSIS personnel that your Action Plan is effectively implemented. You were verbally notified of the suspension being held in abeyance on July 15, 2020, and this letter serves as formal, written notification of the same.

An abeyance is a moratorium on the effect of a suspension. Once a suspension is imposed, the Agency may put it into abeyance if the establishment undertakes corrective and preventive actions that they Agency finds will ensure that the conditions that were the basis for the suspension will be eliminated, and the Action Plan is effectively implemented. During the abeyance period, FSIS personnel will evaluate your corrective actions and preventive measures to ensure their effectiveness.

A copy of the FSIS Verification Plan is being shared with you to assist 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 Action Plan identified in your proposal and subsequent clarifications, and that measures proffered are effective in assuring ongoing regulatory compliance. It identifies the regulatory noncompliance, your actions, and FSIS verification procedures.

**Mr. Travis Powell, Owner**  
**Powell Meat Company LLC, Est. M51306+V51306**  
**Notice of Re-Instatement of Suspension Held in Abeyance**  
**July 15, 2020**  
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Please be advised that your failure to comply with statutory and regulatory requirements, to implement the corrective actions identified in the Action Plan, and/or failure to notify this office in writing of any changes to the Action plan may result in us initiating further regulatory action as deemed necessary at the time. **During this period of abeyance, any changes made to the Action plan need to be submitted to this office for review and comment prior to you putting the changes into place/implementation.** FSIS inspection program personnel will notify the Frontline Supervisor and District Office immediately when modifications are made to the Action Plan and your establishment fails to notify this office.

If you have any questions, please contact this office.

Sincerely,

Dr. Don Dowdle  
Acting District Manager

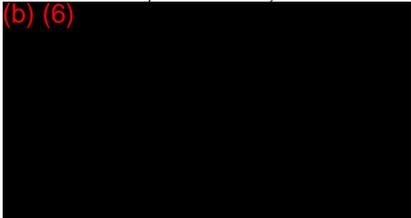
**DONALD**  
**DOWDLE**

Digitally signed  
by DONALD  
DOWDLE

Date: 2020.07.16  
07:33:17 -05'00'

cc: Ms. Geraldine French, Acting EARO  
Dr. Evan Sumner, DDM  
Dr. Don Dowdle, DDM  
Mr. Jeffery Barham, DDM

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FO/Quarterly Reports

## FSIS Verification Plan

**Establishment Name (M51306 /V51306)**

<i>Background that led to enforcement action (Bkgd)</i>
<i>Related Regulations (Reg)</i>
<i>Establishment Action Plan (AP)</i>
<i>Related Establishment Records (Rec)</i>
<i>FSIS Verification Activity (VA)</i>
<i>Frequency of Verification Activity (Freq)</i>
<i>Related PHIS Task (PHIS)</i>

VP1	<p>Bkgd1 At 10:10am, on July 13, 2020, an establishment employee attempted to stun a steer in the head using a .22 Mag caliber rifle. After being stunned, the animal was not rendered unconscious but rather moved its head violently back and forth and began moving back and forward in the knock box. The employee took aim with the rifle and quickly applied a second stun and the animal continued to shake its head violently. The employee applied a third stun and the animal fell to the floor immediately and was rendered unconscious.</p>
	<p>Reg1 9 CFR 313.16(b)(1)(iv)</p>
	<p>AP1 Retrain Stun Operators using "Guidance Notes No. 3 Humane Killing of Livestock Using Firearms" pages 5 - 15. Refresher training will be conducted monthly to include reviewing the previous month's Slaughter Reliability records. A beef silhouette head will be put up near the knock box in sight of the stun operator as a guide before stunning beef.</p>
	<p>Rec1 Training records; Guidance Notes No. 3 Humane Killing of Livestock using Firearms</p>
	<p>VA1 Review training documentation to ensure it is maintained on site. Review monthly training. Verify beef silhouette head is maintained at knock box in view of the stun operator</p>
	<p>Freq1 Monthly PHIS1 Humane Handling</p>
VP2	<p>Bkgd2 At 10:10am, on July 13, 2020, an establishment employee attempted to stun a steer in the head using a .22 Mag caliber rifle. After being stunned, the animal was not rendered unconscious but rather moved its head violently back and forth and began moving back and forward in the knock box. The employee took aim with the rifle and quickly applied a second stun and the animal continued to shake its head violently. The employee applied a third stun and the animal fell to the floor immediately and was rendered unconscious.</p>
	<p>Reg2 9 CFR 313.16(b)(1)(ii); 313.16(b)(1)(i)</p>
	<p>AP2 All ammunition will be stored in the front office in an ammunition box. All firearms used for stunning will be cleaned at the end of each slaughter day. A larger caliber firearm (12 or 20 gauge shotgun) will be maintained next to the knock box.</p>
	<p>Rec2 Slaughter Reliability Checklist</p>
	<p>VA2 IPP are to review Slaughter Reliability Checklist to ensure plant is documenting monitoring preventative measures. IPP are to perform direct observations during slaughter to ensure shotguns are beside the knock box and guns are cleaned daily</p>
	<p>Freq2 Daily PHIS2 Humane Handling</p>
VP3	<p>Bkgd3 At 10:10am, on July 13, 2020, an establishment employee attempted to stun a steer in the head using a .22 Mag caliber rifle. After being stunned, the animal was not rendered unconscious but rather moved its head violently back and forth and began moving back and forward in the knock box. The employee took aim with the rifle and quickly applied a second stun and the animal continued to shake its head violently. The employee applied a third stun and the animal fell to the floor immediately and was rendered unconscious.</p>
	<p>Reg3 9 CFR 313.16(b)(1)(iv); 313.16(a)(1); 313.16(a)(3)</p>

VP3	<p>AP3 The establishment will install an object on the left side of the knock box to aid in restricting head movement. The stunner will adjust the height when taller beef enter knock box to ensure proper perpendicular shot placement. The first shot will be with a .22 mag. If not successful, the shotgun (within arm's reach) will immediately be used.</p>
	<p>Rec3 direct observations only</p>
	<p>VA3 IPP are to directly observe knock box to verify the plant attempting to decrease head movement. Verify Stun operator is able to ensure proper shot placement when taller beef enter knock box. Verify the shot gun is used immediately after a first attempt is unsuccessful</p>
	<p>Freq3 a minimum of 3 times per day</p>
	<p>PHIS3 Humane Handling</p>
VP4	<p>Bkgd4 At 10:10am, on July 13, 2020, an establishment employee attempted to stun a steer in the head using a .22 Mag caliber rifle. After being stunned, the animal was not rendered unconscious but rather moved its head violently back and forth and began moving back and forward in the knock box. The employee took aim with the rifle and quickly applied a second stun and the animal continued to shake its head violently. The employee applied a third stun and the animal fell to the floor immediately and was rendered unconscious.</p>
	<p>Reg4 9 CFR 313.16(b)(1)(iv); 313.16(a)(1); 313.16(a)(3)</p>
	<p>AP4 Establishment will verify shot placement by directly observing 20% of the stuns. During this monitoring, the designee will ensure the weapon was perpendicular to skull, and pithing will be performed to check bullet placement. If pith is solid, skull will be split to determine route/angle of bullet and to discuss with stun operator. Findings of pith will be documented.</p>
	<p>Rec4 Slaughter Reliability Checklist</p>
	<p>VA4 IPP are to ensure establishment is performing placement verification checks on 20% of beef slaughtered. They are to directly observe the designee monitor the stun operator and perform pithing on the skull.</p>
	<p>Freq4 3 times per day</p>
	<p>PHIS4 Humane Handling</p>