



Food Safety and  
Inspection Service

February 01, 2021

Office of Field Operations

**ORIGINAL VIA FED EX NEXT DAY AIR –  
DELIVERY CONFIRMATION REQUESTED**

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

Mr. Barry Gross, Plant Manager  
**Meatworks (EST 46351)**  
287 State Road  
Westport, MA 02790

**NOTICE OF SUSPENSION HELD IN ABEYANCE**

Dear Mr. Gross,

This letter confirms verbal notification to Mr. Barry Gross, Plant Manager, at approximately 1420 hours on February 01, 2021, by Mr. Michael Osifat, Deputy District Manager (DDM), Philadelphia District Office, of our decision to place the Notice of Suspension (NOS), issued to your firm, on January 29, 2021, 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.

In response to the suspension, you submitted written corrective actions and preventive measures on January 29, 2021, after hours. FSIS requested clarification of your response and you submitted further corrective actions on February 01, 2021.

**Your Corrective and Preventive Measures are:**

1. Training on stunning procedures using the following source materials of management and stunning employees:
  - a. Meatworks Stunning SOP
  - b. Meatworks Humane Handling SOP
  - c. Meatworks Livestock Handling SOP
  - d. Accles & Shelvoke Cash Magnum XL User Manual
  - e. Temple Grandin's Recommended Captive Bolt Stunning Techniques for Cattle

2. Only trained personnel will be allowed to stun animals:

(b) (6)

e. Barry Gross

3. As these employees trained, and IPP can verify they will be allowed to stun the animals:

(b) (6)

4. The bovines' heads will be restrained utilizing the pneumatic head restrainer and if needed, for an agitated animal, a rope halter will be utilized to further limit movement.
5. A security stun will be administered to each bovine.
6. Stun verification of two beef per slaughter day to verify the positioning of stunner, angle of penetration, and brain matter was contacted during the abeyance period. This will be done by splitting of the heads and usage of a thin rod to verify angle of penetration along with visual examination. This will be recorded on the Meatworks Stun Verification Log.
7. Management oversight of preventive measures for the following frequencies:
  - a. 50% of beef stunned each day for the first week.
  - b. 20% of beef stunned each day for second week.
  - c. 2 beef stunned each day for the remainder of the abeyance period.

\*Management personnel to provide the oversight of preventive measures:

a. Barry Gross, Plant Manager

(b) (6)

8. Stunning Effectiveness will be recorded on the Meatworks Management Oversight Log

FSIS has designed a Verification Plan (VP) and IPP 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 IPP will continue to ensure all humane handling/stunning regulatory requirements of 9 CFR Part 313 are in 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 correctives 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 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, please contact Mr. Michael Osifat, Deputy District Manager via email at [michael.osifat@usda.gov](mailto:michael.osifat@usda.gov) or by phone at (215)-430-6218.

Sincerely,

MICHAEL  
OSIFAT

Digitally signed by  
MICHAEL OSIFAT  
Date: 2021.02.01 14:47:33  
-05'00'

Dr. Lynda Lilyestrom  
District Manager  
Philadelphia District Office

**Meatworks (EST 46351) Verification Plan  
February 01, 2021**

ESTABLISHMENT ACTION PLAN	REGULATION	HUMANE HANDLING VERIFICATION CATEGORY	FREQUENCY
<p>1. Training on stunning procedures using the following source materials of management and stunning employees:</p> <ul style="list-style-type: none"> <li>a. Meatworks Stunning SOP</li> <li>b. Meatworks Humane Handling SOP</li> <li>c. Meatworks Livestock Handling SOP</li> <li>d. Accles &amp; Shelvoke Cash Magnum XL User Manual</li> <li>e. Temple Grandin’s Recommended Captive Bolt Stunning Techniques for Cattle</li> </ul>	9 CFR 313.15	Category VIII – Stunning Effectiveness.	1. Once upon resumption of slaughter activities <b>and</b> as new employees are added
<p>2. Only trained personnel will be allowed to stun animals:</p> <p><b>(b) (6)</b></p> <p>e. Barry Gross</p> <p>*As these employees are also trained and IPP can verify they will be allowed to stun the animals:</p> <p><b>(b) (6)</b></p>	9 CFR 313.15	Category VIII – Stunning Effectiveness.	2. Upon resumption of slaughter activities <b>and</b> each Bovine Slaughter Day
<p>3. The bovines’ heads will be restrained utilizing the pneumatic head restrainer and if needed for an agitated animal, a rope halter will be utilized to further limit movement.</p>	9 CFR 313.15	Category VIII – Stunning Effectiveness.	3. Upon resumption of slaughter activities <b>and</b> each Bovine Slaughter Day
<p>4. A security stun will be administered to each bovine.</p>	9 CFR 313.15	Category VIII – Stunning Effectiveness.	4. Upon resumption of slaughter activities <b>and</b> each Bovine Slaughter Day
<p>5. Stun verification of two beef per slaughter day to verify the positioning of stunner, angle of penetration, and brain matter was contacted during the abeyance period. This will be done by splitting of the heads and usage of a thin rod to verify angle of</p>	9 CFR 313.15	Category VIII – Stunning Effectiveness.	5. Upon resumption of slaughter activities <b>and</b> each Bovine Slaughter Day

<p>penetration along with visual examination. This will be recorded on the Meatworks Stun Verification Log.</p>			
<p>6. Management oversight of preventive measures for the following frequencies:</p> <ul style="list-style-type: none"> <li>a. 50% of beef stunned each day for the first week.</li> <li>b. 20% of beef stunned each day for second week.</li> <li>c. 2 beef stunned each day for the remainder of the abeyance period.</li> </ul> <p>Management personnel to provide the oversight of preventive measures:</p> <ul style="list-style-type: none"> <li>a. Barry Gross, Plant Manager</li> </ul> <div style="background-color: black; color: red; padding: 5px; text-align: center; font-weight: bold; font-size: 2em;">(b) (6)</div> <p>*Stunning Effectiveness will be recorded on the Meatworks Management Oversight Log</p>	<p>9 CFR 313.15</p>	<p>Category VIII – Stunning Effectiveness.</p>	<p>6. Upon resumption of slaughter activities <b>and</b> weekly each Bovine Slaughter Day</p>

- \*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 comply 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.
- \*Please notify the Frontline Supervisor (FLS) and the District Veterinary Medical Specialist (DVMS) if there is any change in the establishment’s corrective action or preventive measures. The verification plan will then be modified appropriately.

**CC:**

**FSIS - FO/Quarterly Enforcement Report**

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

Ms. Geraldine French, EARO, FSIS, OFO, Washington, DC

Mr. Joseph Priore, RD, FSIS, OIEA, Northeast Region

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

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**Official Files Establishment Folder – Est. 46351**

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