



United States Department of Agriculture

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Food Safety and  
Inspection Service

Raleigh District Office

6020 Six Forks Road  
Raleigh, NC. 27609  
Voice: 919-844-8400  
Fax: 1-844-839-6359

August 28, 2020

**EMAIL**

Mr. Jimmy Mays, Owner  
Wayne Mays Meat Processing, Est. M21848  
541 East Main Avenue  
Taylorsville, NC 28681

**NOTICE OF DEFERRAL**

Dear Mr. Mays,

On August 24, 2020, the Food Safety and Inspection Service (FSIS) issued a Notice of Intended Enforcement (NOIE) to your establishment, Wayne Mays Meat Processing, Est. M21848. The NOIE provided your firm with official notification of our intent to suspend the assignment of inspectors for the slaughter process at your establishment located at 541 East Main Avenue, Taylorsville, NC, in accordance with Title 9 of the Code of Federal Regulations (9 CFR), part 500.3(b). This action was based on the egregious humane handling incident in which a sow required three stunning attempts before it was rendered unconscious.

In the NOIE, FSIS requested the following information be provided within three working days from the date of your establishment's receipt of the NOIE letter.

1. Identify the specific reason(s) why the event occurred.
2. Describe the specific actions that will be taken to eliminate the cause of the incident and prevent future recurrences.
3. Describe the future monitoring activities that your establishment will use to ensure that the actions are effective.

On August 24, 2020, you submitted your initial response, and through continued communication, your additional responses on April 25, 26, & 27, 2020. After careful review of all your submitted responses, the Raleigh District Office (RDO) found that you adequately addressed FSIS's concerns.

This letter serves as written notification that FSIS is deferring the decision to suspend slaughter inspection at your facility. The deferral of this decision will remain in effect until your firm has demonstrated effective implementation of its proposed corrective and preventive measures, and that those measures have been verified by FSIS to ensure no repetition of noncompliance related to your facility's responsibilities for the Humane Methods of Slaughter Act and FSIS regulations.

FSIS is committed to monitoring establishment's operations to see that they are fully complying with regulatory requirements. Because of this commitment, enclosed is a copy of FSIS' Verification Plan which will be used by inspection personnel to verify your facility's regulatory compliance in conjunction with the conditions of this Notice of Deferral. This specific Verification Plan is designed to verify that your establishment fully implements corrective measures proffered and that these actions are effective in assuring ongoing regulatory compliance. It identifies specific elements of your corrective measures and the relevant regulatory requirements that Inspection Program Personnel will verify until FSIS determines that your establishment has effectively implemented its proposed corrective and preventive measures. Our verification includes the expectation that you meet any timeframe commitments you have identified in your proposed corrective actions. Should your firm fail to operate in accordance with its commitments, or to comply with the regulatory requirements, FSIS will take immediate and appropriate regulatory control actions.

You are reminded that as an operator of a federally inspected facility, you are expected to fully comply with all FSIS regulations and to take appropriate corrective actions to prevent the inhumane treatment and slaughter of livestock. The Humane Methods of Slaughter Act of 1978 (Section 1901, 1902, and 1906) states that the slaughtering and handling of livestock are to be carried out only by humane methods. 9 CFR 313 contains the FSIS regulatory requirements that were promulgated based on the HMSA and the Federal Meat Inspection Act (FMIA). It is fully expected that you comply with the HMSA, FMIA, and the regulatory requirements of Part 313, and that you carry out each of the corrective and preventive actions you proffered in response to the egregious incident. Failure to comply could result in the suspension at your facility or other appropriate administrative or legal actions. We urge your company's cooperation and voluntary compliance.

If you have any questions, you may call me at 919-208-2945 or contact me via email at [todd.furey2@usda.gov](mailto:todd.furey2@usda.gov). You may also contact Dr. Roger Murphy, Deputy District Manager, at 919-208-2947.

for

Sincerely,

**MACIEJ  
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Todd Furey  
District Manager  
Raleigh, NC

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MACIEJ NOWICKI  
Date: 2020.08.28  
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cc:

P. Bronstein, AA/FO

H. Sidrak, DAA/FO

M. Watts, EARO/FO

S. Safian, ELD/OIEA

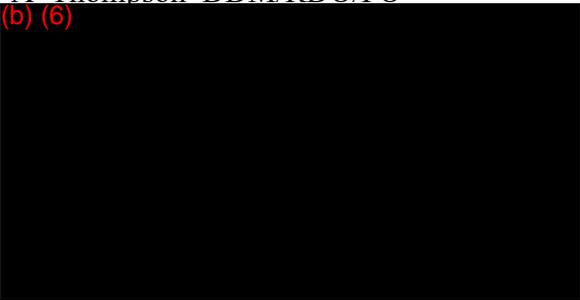
L. Hortert, RD/CID/OIEA

R. Murphy, DDM/RDO/FO

M. Roling, DDM/RDO/FO

A. Thompson DDM/RDO/FO

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Quarterly Enforcement Report  
Establishment File (Est. M21848)