



United States Department of Agriculture

Food Safety and
Inspection Service

Office of Field
Operations

Springdale District

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Springdale, AR 72764
Voice 479-751-8412
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May 13, 2022

Verbal: May 12, 2022

Via Email: jrobinson@republic-foods.com

FedEx Tracking: 776854813637

Mr. Jeremy Robinson, Owner
ZMDR, LLC DBA Republic Foods
1921 W. 50 Hwy
Lone Jack, Mo 64070

NOTICE OF SUSPENSION HELD IN ABEYANCE

Dear Mr. Robinson,

On May 11, 2022, the Food Safety and Inspection Service (FSIS) notified you of the suspension of the assignment of inspection personnel related to your Slaughter process at Est. M46017 (ZMDR LLC DBA Republic Foods; Lone Jack, MO), as per Title 9 of the Code of Federal Regulations (9 CFR) 500.3(b) (Rules of Practice). The Notice of Suspension (NOS) was based on your failure to prevent inhumane handling and slaughter of livestock at your facility as required by 9 CFR 313.1(b) and 313.2.

On May 11, 2022, you provided a written response (Action Plan) to the NOS via email, beginning a dialog that ended with your final updates to the Action Plan on May 12, 2022. FSIS analyzed the corrective and preventive measures provided in your Action Plan 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 May 12, 2022, 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 the 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 and preventive actions 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. Jeremy Robinson, Owner
ZMDR LLC DBA Republic Foods, Est. M46017
Notice of Suspension Held in Abeyance
May 13, 2022
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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.** 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.

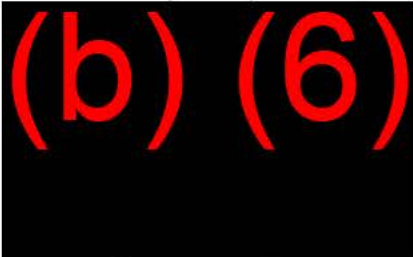
Sincerely,



For

Jeffery Barham
District Manager

cc: Ms. Geraldine French, EARO
Dr. Evan Sumner, DDM
Dr. Don Dowdle, DDM
Dr. Daran (Curtis) Stovall, DDM



Ms. Lisa Hernandez, Plant Manager
FO/Quarterly Reports

FSIS Verification Plan

ZMDR LLC DBA Republic Foods (M46017 / V46017)

Background that led to enforcement action (Bkgd)

Related Regulations (Reg)

Establishment Action Plan (AP)

Related Establishment Records (Rec)

FSIS Verification Activity (VA)

Frequency of Verification Activity (Freq)

Related PHIS Task (PHIS)

Bkgd

As in NR SDY2007053111N, IPP observed a slip and fall due to muddy conditions in the alleyway leading to the knock box. Due to the muddy conditions, the cow was unable to rise. IPP took a RCA of the alleyway until better footing was available. To prevent cattle from reaching the alleyway, the establishment closed the gate between the crowding pen and alleyway. When the alleyway was released, the establishment opened the gate and another cow was observed in the mud and unable to rise. The establishment had already began driving the animals resulting in the cow being trampled and requiring the animal to be euthanized.

Reg 9 CFR 313.1(b) and 313.2

VP1

AP

Establishment will apply concrete with proper grooves for slip resistant alleyways from the barn to the entrance of the single file chute within 30 days. Concrete is scheduled to be poured on 5/12/2022 and will be set in time for start of production on 5/13/2022. Plant management will be onsite prior to the start of shift to assess the alleyways and will monitor throughout the day to ensure safe footing.

Rec N/A

VA

Verify through review and observation concrete is poured from the barn to the entrance of the single file chute and that there are no sharp or protruding objects that may cause injury or pain to the animals. Verify that plant management is onsite to assess the alleyway and monitors the alleyway through the day.

Freq Once

PHIS Livestock Humane Handling

Bkgd

As in NR SDY2007053111N, IPP observed a slip and fall due to muddy conditions in the alleyway leading to the knock box. Due to the muddy conditions, the cow was unable to rise. IPP took a RCA of the alleyway until better footing was available. To prevent cattle from reaching the alleyway, the establishment closed the gate between the crowding pen and alleyway. When the alleyway was released, the establishment opened the gate and another cow was observed in the mud and unable to rise. The establishment had already began driving the animals resulting in the cow being trampled and requiring the animal to be euthanized.

Reg 9 CFR 313.1(b) and 313.2

VP2

AP

QA will conduct a Daily Alley Inspection for mud levels (no mud above hoof hairline), condition of alley way, overcrowding, and movement of animals, and take corrective actions when the findings are determined to be unacceptable. The establishment trained applicable QA on daily alleyway inspections. The establishment's animal welfare audit evaluates footing by monitoring the number of slips and falls which will be prevented by proper monitoring and cleaning to prevent the accumulation of mud.

Rec Daily Alley Way Inspection Form (AW-F-001); Weekly Livestock Humane Handling Audit: Beef (Dated 1/4/2022);

VA

Verify through review and observation and record review that the establishment is monitoring at the start of shift and once per period for mud level, condition of alley way, and movement of animals and initiates corrective actions when monitoring results are unacceptable. Additionally, verify that the establishment is monitoring slips and falls and documenting results on their animal welfare audit.

Freq Daily (Review and Observation) and Weekly (Record Review)

PHIS Livestock Humane Handling

VP3	Bkgd	As in NR SDY2007053111N, IPP observed a slip and fall due to muddy conditions in the alleyway leading to the knock box. Due to the muddy conditions, the cow was unable to rise. IPP took a RCA of the alleyway until better footing was available. To prevent cattle from reaching the alleyway, the establishment closed the gate between the crowding pen and alleyway. When the alleyway was released, the establishment opened the gate and another cow was observed in the mud and unable to rise. The establishment had already began driving the animals resulting in the cow being trampled and requiring the animal to be euthanized.
	Reg	9 CFR 313.1(b) and 313.2
	AP	All animal handling personnel are trained on handling of downer animals in accordance with Downer (Non-Ambulatory) Procedure.
	Rec	Training Record (Admin-F-040);
	VA	Verify through review and observation and record review that all personnel handling animals are trained on Downer (Non-Ambulatory) Policy and Procedures (AW-P-005).
	Freq	Initially and once weekly
VP4	PHIS	Livestock Humane Handling
	Bkgd	As in NR SDY2007053111N, IPP observed a slip and fall due to muddy conditions in the alleyway leading to the knock box. Due to the muddy conditions, the cow was unable to rise. IPP took a RCA of the alleyway until better footing was available. To prevent cattle from reaching the alleyway, the establishment closed the gate between the crowding pen and alleyway. When the alleyway was released, the establishment opened the gate and another cow was observed in the mud and unable to rise. The establishment had already began driving the animals resulting in the cow being trampled and requiring the animal to be euthanized.
	Reg	9 CFR 313.1(b) and 313.2
	AP	The establishment updated the Holding and Handling section (Page 8) of their Humane Handling Policy) to include no more than 75% and or 10 animals in each section (gate to gate) of the crowding pen at one time. The establishment also added monitoring procedure on the Daily Alley Way Inspection Form.
	Rec	Daily Alley Way Inspection Form (AW-F-001)
	VA	Verify through review and observation that the establishment is following their Humane Handling Policy regarding no more than 10 animals in each section of the crowding pens at one time. Verify that the establishment is monitoring and documenting results on the Daily Alley Way Inspection Form (AW-F-001). If any results are unacceptable, verify that the establishment implements corrective actions.
	Freq	Daily (Review and Observation) and Weekly (Record Review)
VP4	PHIS	Livestock Humane Handling