



U.S. DEPARTMENT OF AGRICULTURE

---

March 25, 2025

Hand delivered and sent via USPS

Klassen Custom Butchering, LLC  
Establishment 2416  
134 County Road 320  
Seminole, TX 79360  
[Kcbutchering@gmail.com](mailto:Kcbutchering@gmail.com)  
(432) 955-0767

Attention: Mr. Franz Klassen, Owner

**NOTICE OF SUSPENSION**

This letter serves as official notification by the Food Safety and Inspection Service (FSIS) of its decision to, effective immediately, withhold the marks of inspection and suspend inspection services for the Slaughter Hazard Analysis Critical Control Point (HACCP) processes at Klassen Custom Butchering, LLC, Establishment 2416, 134 County Road, Seminole, Texas 79360. This letter follows verbal notification of the suspension action, provided by Dr. Gary Davis, Deputy District Manager (DDM), to you at approximately 4:05 p.m., March 24, 2025.

FSIS is taking this action in accordance with Title 9 of the Code Federal Regulations (CFR) Rules of Practice 500.3(b), based on the determination that Klassen Custom Butchering, LLC handled or slaughtered livestock inhumanely, in violation of the Federal Meat Inspection Act (FMIA), 21 United States Code (USC) Section 601 (*et seq.*), the Humane Methods of Slaughter Act (HMSA), 7 USC 1901 (*et seq.*), and the relevant regulatory requirements of 9 CFR 313.

This letter provides you with information on the Agency's authority, the facts supporting FSIS' action, and information on how you can respond.

**Background/Authority**

FSIS is the agency in the U.S. Department of Agriculture responsible for protecting the public's health by ensuring the nation's supply of meat, poultry, and processed egg products for sale and distribution in commerce is safe, unadulterated, wholesome, and correctly labeled and packaged. FSIS administers and enforces, among other laws, the FMIA, HMSA, and the statutes' implementing regulations. FSIS has prescribed rules and regulations required for establishments producing meat/meat food products, including requirements pertaining to humane handling and slaughtering of livestock (9 CFR Part 313) and other matters. FSIS has also developed the Rules of Practice regarding enforcement (9 CFR Part 500). The Rules of Practice describe the types of enforcement action that FSIS may take and include procedures for taking a withholding action

Food Safety and Inspection Service  
Office of Field Operations  
Dallas District Office  
1100 Commerce Street, Room 516  
Dallas, TX 75242  
Voice 214-767-9116 Fax 844-622-0080  
An Equal Opportunity Provider and Employer

and/or suspension, with or without prior notification, and for filing a complaint to withdraw a Federal Grant of Inspection.

Should FSIS personnel document serious or repetitive food safety, sanitation, humane handling, slaughter, or other violations, FSIS may take enforcement action under 9 CFR Part 500.

Links to the Acts and the Rules of Practice are enclosed for your information and review.

FMIA : <https://www.fsis.usda.gov/policy/food-safety-acts/federal-meat-inspection-act>

HMSA: <https://www.fsis.usda.gov/policy/food-safety-acts/humane-methods-slaughter-act>

FSIS Rules of Practice: <https://www.ecfr.gov/current/title-9/chapter-III/subchapter-E/part-500>

### **Findings/Basis for Action**

On March 24, 2025, at approximately 1:30 p.m. (b) (6) Supervisory Consumer Safety Inspector (SCSI), observed the following: He heard a shot from the captive bolt fire, then he heard a hog squalling. He looked and saw a hog standing. The knocker then knocked the animal again with the captive bolt. The knock was placed, and the hog remained standing. The knocker motioned for CSI (b) (6) to move because a firearm was to be used. CSI (b) (6) stepped out the side door. He then heard a gunshot, looked inside and saw the hog still standing. He stepped back outside, then heard the second gunshot shot, a fourth stunning attempt. CSI (b) (6) looked inside and saw the hog was rendered unconscious. CSI (b) (6) then took regulatory action by applying a US Retain tag #B40140412 to the knocking box. He explained to plant management that there would be no additional slaughter until direction was provided by the Dallas District Office. CSI (b) (6) also informed the plant of a forthcoming noncompliance. The establishment failed to render the animal unconscious in a manner that would minimize discomfort and excitement. Having an ineffective stun does not meet regulatory requirement of 9 CFR 313.15(a)(1) and 9 CFR 313.16(a)(1).

### **Conclusion**

On September 9, 2004, FSIS published *Humane Handling and Slaughter Requirements and the Merits of a Systematic Approach to Meet Such Requirements* in the Federal Register (69 FR 54625). Subsequently, on October 23, 2013, FSIS issued guidance, titled *FSIS Compliance Guide for a Systematic Approach to the Humane Handling of Livestock*, to promote a systematic approach to achieve compliance with the FSIS requirements for the humane handling and slaughter of livestock.

If an establishment maintains a robust humane handling program, FSIS can exercise regulatory discretion when an inhumane handling or slaughter incident is observed. Your establishment does not have a robust systematic approach to humane handling, and it was evident from the animal's prolonged discomfort due to the establishment failure to render an animal unconsciousness after multiple attempts with different stun methods to produce the desired result.

Based on these findings, Klassen Custom Butchering handled or slaughtered livestock inhumanely, in violation of the FMIA 21 U.S.C. 603(b), HMSA 7 U.S.C. 1901 – 1902, and

Mr. Franz Klassen, Owner  
Klassen Custom Butchering, LLC, Est 2416

Notice of Suspension  
March 25, 2025

9 CFR 313.15(a)(1) and 9 CFR 313.16(a)(1). In accordance with 9 CFR Part 500.3(b), FSIS is exercising its authority to withhold the marks of inspection and suspend inspection services for the Slaughter HACCP processes at Klassen Custom Butchering, LLC effective immediately.

### **How to Respond to this Letter**

Please be advised that this suspension will remain in effect for the Slaughter HACCP processes at Klassen Custom Butchering, LLC until you provide adequate written corrective actions and preventive measures to demonstrate adherence to regulatory requirements. Your written response is expected to include:

- An evaluation and identification of the nature and cause of the incident.
- A description of the specific actions taken to eliminate the cause of the incident and prevent future recurrences.
- Any corrective actions, preventive measures, and monitoring activities to ensure continued compliance.
- Copies of supporting documentation and records maintained and/or associated with the proposed corrective actions and preventive measures.

You may submit your response by fax to (844) 622-0080, or by electronic mail to [Jennifer.mckean@usda.gov](mailto:Jennifer.mckean@usda.gov).

You are reminded that, as an operator of a federally inspected establishment, you are expected to comply with FSIS regulations and to take appropriate corrective actions to prevent the inhumane handling and slaughtering of livestock. Please be advised that failure to respond adequately to these issues may result in additional enforcement action, including initiation of administrative proceedings to withdraw Federal inspection services from Klassen Custom Butchering or other appropriate action.

### **Appeal and Hearing Rights**

You have the right to appeal this matter and can do so by contacting:

Mr. Robert Bane  
Executive Associate for Regulatory Operations  
Office of Field Operations  
Food Safety and Inspection Service, USDA  
4700 S. Thompson, Bldg. B, Ste. 201  
Springdale, AR 72764  
Telephone: 479-221-5461  
E-mail: [robert.bane@usda.gov](mailto:robert.bane@usda.gov)

Mr. Franz Klassen, Owner  
Klassen Custom Butchering, LLC, Est 2416

Notice of Suspension  
March 25, 2025

Pursuant to 9 CFR 500.5(d), you may also request a hearing regarding this determination. Should you request a hearing, FSIS will file a complaint that will include a request for an expedited hearing. If you wish to request a hearing regarding this determination, please contact:

Mr. Scott C. Safian, Director  
Enforcement Operations Staff (EOS)  
Office of Investigation, Enforcement and Audit (OIEA)  
Food Safety and Inspection Service  
United States Department of Agriculture  
Stop Code 3753, SB - Room 2148  
1400 Independence Avenue, SW  
Washington, DC 20250  
Telephone: (202) 418-8872  
Facsimile: (202) 245-5097  
E-mail: [AEBCorrespondence@usda.gov](mailto:AEBCorrespondence@usda.gov)

If you have any questions, please contact (b) (6) District Veterinary Medical Specialist (DVMS), via telephone at (b) (6) or via electronic mail at (b) (6)@usda.gov. Additionally, you may contact Dr. Kinsey Naylor-Byles, DDM, in the Dallas District Office at (b) (6) via electronic mail at [kinsey.naylorbyles@usda.gov](mailto:kinsey.naylorbyles@usda.gov), or by fax at 844-622-0080.

Sincerely,

(b) (6)

Jennifer Beasley-McKean, DVM  
District Manager

cc: Mr. Robert Bane, EARO  
Mr. Shaun Smith, OIEA Regional Director  
Dr. Gary Davis, DDM  
Dr. Samuel Dragoi, DDM  
Dr. Kinsey Naylor-Byles, DDM  
(b) (6) FLS  
(b) (6) DVMS  
Inspector in Charge, Est. M2416  
FO/Quarterly Reports

Mr. Franz Klassen, Owner  
Klassen Custom Butchering, LLC, Est 2416

Notice of Suspension  
March 25, 2025

I received a copy of this Notice of Suspension dated March 25, 2025, on

\_\_\_\_\_  
Date

\_\_\_\_\_  
Responsible Plant Official

\_\_\_\_\_  
Signature of FSIS Witness