



April 25, 2024

Honest Meats, LLC

M7420+V7420

256 Charles Street

Harrisonburg, VA 22802-4612

[office@temeats.com](mailto:office@temeats.com); [lauren@temeats.com](mailto:lauren@temeats.com)

540-434-4415

ELECTRONIC MAIL on April 25, 2024

Attention: Lauren Iverson, Managing Partner

## **NOTICE OF REINSTATEMENT OF SUSPENSION**

This letter confirms the verbal notification given on April 25, 2024, at approximately 1420 hours, by the Food Safety and Inspection Service (FSIS) Inspection Program Personnel (IPP) of the reinstatement of suspension of the assignment of inspectors for slaughter operations at Honest Meats, LLC, Est. M7420 + V7420, herein after referred to as “your establishment.” This action was initiated in accordance with Title 9 of the Code of Federal Regulations (9 CFR) 500.3, after FSIS determined that your establishment failed to slaughter and handle animals humanely.

### **Background/Authority**

The Federal Meat Inspection Act (FMIA) (Title 21 of the United States Code {21 U.S.C.} 603 et seq.) provides that for the purpose of preventing the inhumane slaughtering of livestock, the Secretary shall cause to be made, by inspectors appointed for that purpose, an examination and inspection of the methods by which cattle, sheep, swine, goats, horses, mules, or other equines are slaughtered and handled in connection with slaughter in the slaughtering establishments inspected under this Act. The Secretary may refuse to provide inspection to a new slaughtering establishment or may cause slaughtering to be temporarily suspended at a slaughtering establishment if the Secretary finds that any cattle, sheep, swine, goats, horses, mules, or other equines have been slaughtered or handled in connection with slaughter at such establishments by any method not in accordance with sections 1901 to 1906 of Title 7 until the establishment furnishes assurances, satisfactory to the Secretary, that all slaughtering and handling in connection with slaughter of livestock shall be in accordance with such a method.

The Humane Methods of Slaughter Act of 1978 (7 U.S.C. 1901 et seq.) provides that Congress finds that the use of humane methods in the slaughter of livestock prevents needless suffering; results in safer and better working conditions for persons engaged in the slaughtering industry; brings about improvement of products and economies in slaughtering operations; and produces other benefits for producers, processors, and consumers which tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce. It is therefore declared to be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.

### **Findings/Basis for Suspension**

At approximately 1340 hours on Thursday, April 25, 2024, IPP identified a humane handling noncompliance in which multiple attempts were made to stun a sow. A large sow (approximately 800 lbs.) was placed in the knock box and an employee attempted to stun the sow using a .25 caliber hand-held captive bolt stunning device (HHCB). The sow remained standing in the knock box and then began squealing, attributes which indicated that the sow was still conscious. The employee then attempted to stun the sow again using a loaded backup HHCB, and the sow dropped in the knock box and showed no further signs of consciousness. The employee then applied a security stun using the Electrical Stunning Device (ESD). The sow remained unconscious for the bleeding, shackling, and hoisting steps. IPP applied US Retain/Reject Tag # B37724700 to the knock box to prevent further slaughter of livestock; this is in accordance with 9 CFR 313.50(c). The Inspector in Charge (IIC) notified establishment management of the recommendation for further enforcement action at approximately 1420 hours. Examination of the sow's skull revealed two (2) holes, which were both placed in the proper location to elicit an effective stun.

This incident represents a violation of 9 CFR 313.15(a)(1) which says in part "The captive bolt stunners shall be applied to the livestock in accordance with this section so as to produce immediate unconsciousness in the animals before they are shackled, hoisted, thrown, cast, or cut. The animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort." This enforcement action is being initiated because the establishment failed to follow the stunning procedure that it proffered for large sows, which resulted in noncompliance. The establishment had been operating under a documented systematic approach to humane handling that was considered robust, but they are currently operating under an abeyance from a previous humane handling incident that resulted in the issuance of a Notice of Suspension. As such, no regulatory discretion was able to be provided and this Reinstated Suspension action was initiated.

The reinstated suspension action will remain in effect until you provide the Raleigh District Office with adequate written assurances, including corrective actions and further planned preventive measures, to assure that livestock at your establishment are slaughtered humanely. In order to resume inspected operations, you must submit corrective actions to my attention at the District Office. These corrective actions should include at a minimum the following:

1. Identify the assessment process used to determine the nature and cause of the noncompliances.
2. Identify what the assessment revealed as the likely cause of the system failure.
3. Describe the specific actions that will be taken to eliminate the cause of the failures.
4. Describe the future monitoring activities you will use to ensure that changes are implemented and are effective.

You are reminded that, as an operator of a federally inspected plant, you are expected to comply with FSIS regulations and to take appropriate corrective actions to prevent inhumane handling of livestock at your establishment. Please be advised that your failure to respond adequately to these issues may result in our initiating action to withdraw inspection from your establishment. Please also be advised that you have the right to appeal this matter.

In accordance with 9 CFR 500.5(a)(5), you may appeal this action by contacting:

Sherri Johnson  
Executive Associate for Regulatory Operations  
Office of Field Operations  
Food Safety and Inspection Service  
United States Department of Agriculture  
1400 Independence Avenue, SW  
South Building, Room 3154  
Washington, DC 20250

(b) (6)

In addition, you may also request a hearing regarding this determination pursuant to FSIS' Rules of Practice (9 CFR 500.). The rules of Practice were published in the Federal Register, Vol. 64, No. 228, on November 29, 1999. As specified in Section 500.5(d), 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, you should contact:

Scott C. Safian, Branch Chief  
Enforcement Operations Branch  
Office of Investigation, Enforcement and Audit  
Food Safety and Inspection Service  
Stop Code 3753, PP3, Cubicle 9-235-A  
1400 Independence Avenue, SW  
Washington, D.C. 20250  
Voice: (202) 418-8872  
Fax: (202) 245-5097

It is our hope that this matter can be resolved quickly. If you have any questions, please contact Dr. Ariel Gupton via telephone at 919-326-5282 or via electronic mail at [arial.gupton@usda.gov](mailto:arial.gupton@usda.gov). Additionally, you can contact the Raleigh District Office at 919-844-8400 or by fax at 844-839-6359.

Sincerely,

**ARIAL  
GUPTON**

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GUPTON  
Date: 2024.04.25 16:56:41  
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Todd Furey  
District Manager

cc: S. Johnson, EARO/FO  
L. Hortert, RD/CID/OIEA  
(b) (6) HHEC/FO  
T. Furey, DM/RDO/FO  
R. Murphy, DDM/RDO/FO  
A. Gupton, DDM/RDO/FO  
(b) (6) DCS/RDO/FO  
(b) (6), DVMS/RDO/FO  
(b) (6), SEIAO/RDO/FO  
(b) (6), Program Manager/VDACS  
(b) (6), Inspection Manager/VDACS  
(b) (6), Supervisor/VDACS  
(b) (6), State Public Health Veterinarian/VDACS  
(b) (6), State Public Health Veterinarian/VDACS  
(b) (6), Inspector in Charge/VDACS  
Quarterly Enforcement Report  
Establishment File (Est. M7420)