



September 14, 2023

Regal Meat
Establishment 47876
5401 CR 2515
Moore, TX 78057

Sent via email & USPS

Attention: Mr. William Bineham, Owner

LETTER OF DEFERRAL

On August 31, 2023, the Dallas District Office (DDO) issued a Notice of Intended Enforcement to Regal Meat, Establishment 47876, Uvalde, Texas, notifying you of our intent to withhold the marks of inspection and suspend the assignment of inspection program personnel at your establishment. This enforcement action was taken based on your establishment's failure to implement effective corrective actions and preventive measures in response to repeated humane handling noncompliances; violations of Title 9 of the Code of Federal Regulations (CFR), Part 313.15 (a)(1) documented on Noncompliance Record (NR) GVE3214084928 N/1, dated July 24, 2023, and NR GVE3214084928 N/1, dated August 28, 2023.

On September 6, 2023, September 11, 2023, and September 13, 2023, your establishment submitted written responses to the DDO containing immediate corrective actions and further preventive measures to ensure that animals would be handled and slaughtered humanely at your facility. Your planned corrective actions and preventive measures included the following:

1. Install a head restraint attached to the metal restraint box.
2. Develop and implement a written robust humane handling program.
3. Train employees on "Consciousness and Stunning;" documented on the Sign In Log.
4. Monitor daily humane handling activities and a management member or Quality Assurance (QA) employee will verify. The result will be documented on Humane Handling Log.
5. Sensibility check and security knock will be performed on each animal and 10% will be verified by QA or management personnel. The result will be documented on Sensibility Log.
6. Maintenance of stun devices will be completed before the start of each day of slaughter and documented on Stunning Equipment Check and Maintenance Log.
7. All procedures that checked daily will be verified weekly by an assigned management personnel.

Based on your written corrective actions and further verbal clarification during a teleconference on September 13, 2023, Dr. Samuel Dragoi, Deputy District Manager, verbally informed you of the decision to defer enforcement. Dr. Dragoi explained the deferral process, including verification that the corrective actions proffered by your establishment are successfully implemented.

A copy of the Food Safety and Inspection Service (FSIS) Verification Plan is enclosed to

**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**

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assist you in understanding the nature and importance of the Agency's verification activities. This Verification Plan is designed to verify that your establishment fully implements the corrective actions in your response and that these actions are effective in assuring ongoing regulatory compliance. It identifies the corrective action elements, the relevant regulatory requirements, and the Public Health Information System (PHIS) tasks under which each corrective action element will be verified.

Your establishment's personnel should continue to monitor operations to prevent the inhumane handling and slaughter of animals. It is also important for you to understand FSIS's responsibility to initiate action when there is a failure to handle or slaughter animals humanely, in accordance with the Humane Methods of Slaughter Act of 1978 (HMSA), Title 7, Chapter 48, Section 1902, the Federal Meat Inspection Act (FMIA), 21 United States Code (USC) 610(b), regulations promulgated thereunder, and in accordance with 9 CFR 500.3 (b). When these conditions exist, FSIS personnel will continue to take action until plant management institutes effective actions.

Be advised, as a federally inspected establishment you are expected to comply with all parts of 9 CFR 313 and all other requirements concerning the preparation, sale, and transportation of meat products. Failure to comply with these requirements or to implement effectively the measures outlined in your responses could lead to a withholding or suspension of inspection, or other appropriate action.

If you have any questions, please contact (b) (6) District Veterinary Medical Specialists, at (b) (6)

Sincerely
(b) (6) (b) (6)

Jennifer Beasley-McKean, DVM
District Manager

cc:
(b) (6) Acting Frontline Supervisor, San Antonio, TX
Inspector in Charge, Establishment 47876, Uvalde, TX

VERIFICATION PLAN

Regal Meat

Establishment 47876

September 14, 2023

On August 31, 2023, Regal Meat, Establishment 47876, Uvalde, Texas, was issued a Notice of Intended Enforcement for failure to implement effective corrective and preventive measures in response to repeated stun violations to render animal unconscious on the first stunning attempt (3 NRs). This verification plan is designed to verify the corrective actions and preventive measures listed in the establishment's responses submitted on September 6, 2023, September 11, 2023, and September 13, 2023, are effectively implemented.

Livestock Humane Handling

9 CFR 320.1 (a)

Verify once

Verify that a head restraint has been installed and is in working condition.

Verify that training of employees has been completed and employees' names and signatures match the individuals who perform stunning and other Humane Handling activities.

Verify that a written Humane Handling Robust Systematic Approach is developed.

Livestock Humane Handling

9 CFR 313.15 (a)(1), 9 CFR 313.1, 9 CFR 313.2, and 9 CFR 320.1(a)

Verify On each day of slaughter.

Verify that daily Humane Handling activities are monitored and verified by a management member or Quality Assurance (QA) employee and the results are documented on the Humane Handling Log.

Verify that a sensibility check and a security knock are performed on each animal, and that 10% are verified by management or QA; the results documented on the Sensibility Log.

Verify that maintenance of all stun devices is completed before each day of slaughter and documented on the Stunning Equipment Check and Maintenance Log.

Livestock Humane Handling

9 CFR 313.15 (a)(1), 9 CFR 313.1, 9 CFR 313.2, and 9 CFR 320.1(a)

Verify weekly.

Verify that all the procedures checked daily have been verified weekly by assigned management personnel.