



United States Department of Agriculture

Food Safety and
Inspection Service

Office of Field
Operations
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Electronic Delivery: July 11, 2024
Certified Mail: July 12, 2024

July 11, 2024

Mr. Eric Costa, Owner
South Marion Meats and Retail Market Inc.,
Est. M11115
13770 S. Hwy 475
Summerfield, Florida 34491

(b) (6) [\[REDACTED\]@yahoo.com](mailto:[REDACTED]@yahoo.com)

NOTICE OF SUSPENSION HELD IN ABEYANCE

Dear Mr. Eric Costa:

On July 8, 2024, the Food Safety and Inspection Service (FSIS) issued a Notice of Suspension (NOS) withholding the marks of inspection and suspending the assignment of slaughter inspection program personnel for livestock slaughter at South Marion Meats and Retail Market Inc., Est. M11115, located at 13770 S. Hwy 475 Summerfield, Florida 34491. This action was based on your establishment's failure to handle livestock humanely according to 9 CFR Part 313.

On July 9, 2024, you submitted written corrective actions and preventive measures to meet the requirements of the Humane Methods of Slaughter Act. Your corrective actions and preventive measures included: providing proper training to employees who handle and slaughter all animals to include holding the animal down after the ritual cut until the animal becomes disable (video to be used for training); and using a monitor log to document the kill and handling of animals for 30 days.

On July 9, 2024, FSIS determined that the proffered corrective actions and preventive measures submitted were not adequate to address the inhumane handling incident and clarification was requested. Specifically, FSIS requested you to: provide a copy of the training material that will be given along with completion signatures of everyone that will be doing the ritual (Halal) slaughter; provide a copy of the monitoring log for humane handling; clarify

what you will monitor/observe to document the kill and handling and who will be completing this; provide clarification for approximately how many animals are killed per day at your establishment and how many animals will be monitored; and provide clarification that these corrective actions will continue until after the abeyance period has ended.

On July 10, 2024, you submitted your second response to provide clarification to your proffered corrective actions. Your response included: copies of the training videos used; a copy of the record documenting that each employee who will complete the ritual (Halal) cut viewed the training videos on July 10, 2024; a copy of the monitoring log for humane handling; clarification that the plant manager will be completing the monitoring and recording of humane handling for one animal each day that the establishment kills while looking for signs of unconsciousness (no righting reflex, no vocalization and no tracking eye movement) before releasing the animal; and clarification that the establishment kills approximately (b) (4) head per day.

On July 10, 2024, FSIS determined that the proffered corrective actions and preventive measures submitted were not adequate to address the inhumane handling incident and additional clarification was requested. Specifically, FSIS requested: due to the number of animals killed per day, there should be an increase in the number of animals monitored for humane handling per day to accurately depict humane handling practices.

On July 10, 2024, you submitted your third response to provide additional clarification to your proffered corrective action. Your response included: a change in the frequency of monitoring of the kill and handling of animals to five animals per hour each day.

On July 10, 2024, you were verbally notified by FSIS that the corrective actions and preventive measures met the requirements to place South Marion Meats and Retail Market, Inc., Est. M11115, in Abeyance and that a Notice of Suspension Held in Abeyance (NOSHA) and Verification Plan (VP) would be issued. You are hereby being provided written notification of the Notice of Suspension Held in Abeyance.

Please be further advised that the suspension of inspection at your establishment will remain in abeyance pending verification by FSIS that your proposed corrective actions and preventive measures have been implemented and are effective in ensuring future regulatory compliance and preventing the inhumane treatment of animals. Agency personnel will begin immediate verification of your corrective actions and preventive measures.

Mr. Eric Costa, Owner
South Marion Meats and Retail Market, Inc., M11115

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A copy of the FSIS Verification Plan is attached to assist you in understanding the nature and importance of the agency's verification activities. The FSIS Verification Plan is designed to verify that your establishment fully implements the revisions to its humane handling of animals and other corrective actions stated in your responses, and that these revisions and corrective actions are effective in ensuring future regulatory compliance. The FSIS Verification Plan identifies your proposed corrective actions, the regulatory requirement(s), and the PHIS Task under which FSIS officials will verify the implementation and effectiveness of your proposed action plan.

Please be reminded that as a federally inspected establishment, you are expected to comply with FSIS regulations and to take appropriate actions to prevent the inhumane handling of animals. It is important for you to understand that FSIS has the responsibility to initiate action if your establishment fails to operate in accordance with the regulations, or conditions occur that do not comply with the Humane Methods of Slaughter Act. Please be advised that failure to comply with these regulatory requirements or failure to effectively implement your proposed corrective actions and preventive measures could result in the immediate suspension of inspection at your establishment or other appropriate action.

If you have any questions, please contact the Atlanta District Office at 404-562-5900.

Sincerely,

PHYLLIS
ADAMS
Digitally signed
by PHYLLIS
ADAMS
Date: 2024.07.11
17:43:58 -04'00'

Dr. Phyllis Adams
District Manager

Mr. Eric Costa, Owner
South Marion Meats and Retail Market, Inc., M11115

Notice of Suspension Held in Abeyance
July 11, 2024

cc: Karen Hunter, EARO
Phyllis Adams, DM
(b) (6) Humane Handling Enforcement Coordinator
Larry Hortert, OIEA Regional Director
Edward Hepburn, DDM
Barney Welch, DDM
Tracy Bryant, DDM
(b) (6), SEIAO
(b) (6), DCS
(b) (6), DVMS
(b) (6), FLS
(b) (6), SPHV
(b) (6), SPHV
FO/Quarterly Reports