



Electronically Submitted on October 19, 2023
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Food Safety and
Inspection Service

Office of Field Operations

Philadelphia District
Mellon Independence
Center,
701 Market Street Suite
4100-A
Philadelphia, PA 19106

Mr. Nicholas Phillips Vice President of Operations
Copper City Meats DBA Gold Medal Packing (Est. M -17965)
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Rome, New York 13440
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NOTICE OF SUSPENSION HELD IN ABEYANCE

Dear Mr. Phillips,

This letter serves as official notification by the Food Safety and Inspection Service (FSIS) of our decision to place the suspension action at Copper City Meats, Establishment M17965, located at 8301 River Road, Rome, New York 13440 in abeyance. This letter follows verbal notification of the abeyance action, provided by Dr. Chelsea Buckley, Deputy District Manager (DDM) to Mr. Nicholas Phillips Vice President of Operations at approximately 1730 hours on Wednesday, October 18, 2023.

The decision to institute the abeyance was made in accordance with the Rules of Practice, Title 9 of the Code of Federal Regulations (9 CFR) Part 500.5 part (e).

In response to the Notice of Suspension (NOS), you submitted proposed corrective actions and preventative measures on October 17, 2023. On October 17, 2023, FSIS requested clarification on the responses. On October 18, 2023, you submitted responses to the clarification request which included corrective actions and program updates.

Your corrective and preventative measures include but are not limited to:

1. Termination of the offending employee
2. Counseling and Retraining of all kill floor personnel with the following:
 - a. Alchemy Training
 - b. Humane Stunning Practices for Cattle
 - c. Unloading and Receiving Cattle at Processing Facilities
 - d. Proper Handling and Moving of Cattle
3. Only trained employees will be allowed to handle live animals and participate in slaughter up to the bleeding step. See list of trained personnel kept on file in plant office.

Notice of Suspension Held in Abeyance

4. An in-house auditor (one of the following: Plant Manager, Food Safety Manager, Quality Control, or Slaughter Supervisor) will monitor (observe) 25% of all animals from start of operations to slaughter for the following.
 - a. Handling of suspected disabled and disabled animals.
 - b. Driving of animals.
 - c. Paddles and alternate objects used.
 - d. Food and water availability.
 - e. Observation of stunning and sticking.
5. Staff and Management will undergo a training seminar on October 26, 2023, conducted by the UWRF Humane Handling Institute, to review and discuss humane handling issues and implementation of robust humane handling programs.

FSIS has carefully reviewed your responses and made the decision to place the NOS in abeyance. FSIS has designed a Verification Plan (VP), and Inspection Program Personnel (IPP) will use it to monitor and verify that you have effectively implemented your proposed actions. The VP identifies your corrective actions based on your responses, the relevant regulatory requirements, the tasks IPP will use to conduct verification activities, and the time frames that you identified. IPP will continue to ensure all humane handling/stunning regulatory requirements of 9 CFR Part 313 are in regulatory compliance. We have attached a copy of the VP to assist you as a reference during the Agency's verification activities.

A final decision relative to this enforcement action will be determined based on your establishment's ability to execute and comply with your proffered corrective actions and all applicable regulatory requirements. Your establishment's failure to meet the conditions of this abeyance may result in additional regulatory and/or administrative actions in accordance with the Rules of Practice 9 CFR Part 500.

If you have any questions regarding this matter, please feel free to contact Dr. Chelsea Buckley, DDM, via electronic mail at chelsea.buckley@usda.gov or by telephone at (267) 807-7615. Additionally, you can contact the Philadelphia District Office at (800) 637-6681.

Sincerely,

CHELSEA
BUCKLEY

Digitally signed by
CHELSEA BUCKLEY
Date: 2023.10.19
06:42:29 -04'00'

Mr. Jason Orlando
District Manager

**Copper City Meats (EST M17965) Verification Plan
October 19, 2023**

ESTABLISHMENT ACTION PLAN	9 CFR REGULATION	HUMANE HANDLING VERIFICATION CATEGORY	FREQUENCY
Only trained employees will be allowed to handle live animals and participate in slaughter up to the bleeding step. See list of trained personnel kept on file in plant office.	313.2 313.15	Category IV - Ante-mortem Handling Category VIII – Stunning effectiveness	Each calf slaughter day
An in-house auditor (one of the following: Plant Manager, Food Safety Manager, Quality Control, or Slaughter Supervisor) will monitor (observe) 25% of all animals from start of operations to slaughter for the following. <ul style="list-style-type: none"> a. Handling of suspected disabled and disabled animals. b. Driving of animals. c. Paddles and alternate objects used. d. Food and water availability. e. Observation of stunning and sticking. This will be recorded on GMP Humane Handling In-House Audit Form	313.2 313.15	Category IV - Ante-mortem Handling Category VIII – Stunning effectiveness	Each calf slaughter day
Staff and Management will undergo a training seminar on October 26, 2023, conducted by the UWRF Humane Handling Institute, to review and discuss humane handling issues and implementation of robust humane handling programs.	313.2 313.15	Category IV - Ante-mortem Handling Category VIII – Stunning effectiveness	Once after October 26, 2023

Humane handling verification every slaughter operation day to verify the adequacy and effectiveness of the establishment’s compliance with the humane handling regulatory requirements of 9 CFR Part 313.
***Inspection Program Personnel will ensure all humane handling/stunning regulatory requirements are complying daily on each slaughter day, regardless of the stunning method.**
***Inspection Program Personnel will review all monitoring, verification, and corrective action records to verify procedures are being conducted as prescribed and at the specified frequency.**

Notice of Suspension Held in Abeyance

CC:

FSIS - FO/Quarterly Enforcement Report

Ms. Melissa Moore, EARO, FSIS, OFO, Washington D.C.

Mr. Joseph Priore, RD, FSIS, OIEA, Northeast Region

Mr. Jason Orlando, DM, FSIS, OFO, Philadelphia District Office

Mr. Joseph Schein, DDM, FSIS, OFO, Philadelphia District Office

Mr. George Slobodjian, DDM, FSIS, OFO, Philadelphia District Office

Dr. Chelsea Buckley, DDM, FSIS, OFO, Philadelphia District Office

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(b) (6), DCS, FSIS, OFO, Philadelphia District Office

(b) (6), SEIAO, FSIS, OFO, Philadelphia District Office

(b) (6) FLS, FSIS, OFO, Philadelphia District

(b) (6), SPHV, FSIS, OFO, Philadelphia District

Official Files Establishment Folder – Est. 17965