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September 16, 2024

Mr. Wayne H. Kreisl Sr., President
USA Pork Packers, Inc. (Est. M20760)
328 South Wyoming Street
Hazelton, Pennsylvania 18201
usapork@epix.net
Ph: (570) 501-7675

NOTICE OF SUSPENSION Held in Abeyance

Attention: Mr. Wayne H. Kreisl Sr., President

This letter serves as official notification by the Food Safety and Inspection Service (FSIS) of our decision to place the suspension action at **USA Pork Packers, Inc.**, (Est. M20760) located at 328 South Wyoming Street, Hazelton, Pennsylvania 18201 in abeyance.

This letter follows verbal notification of the abeyance action, provided by Mr. Joseph Schein, Deputy District Manager (DDM) to (b) (6) establishment administrator, at approximately 1600 hours on Friday, September 13, 2024.

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, via email, on September 11, 2024. FSIS submitted multiple requests for further clarification to those responses, to which you provided additional information on September 12, and 13, 2024.

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

1. The employee that performed the offending electric stun, (b) (6), has been transferred to a different position and will not be a stunning operator.
2. Meetings/training(s) were held September 11, and 12, 2024 with all employees that work in the stunning/bleeding area, utilizing a video from Dr. Temple Grandin for training. The establishment provided two (2) employee signoff sheets listing the meeting/training participants.
3. For new general employees, Humane Handling training utilizing the Temple Grandin video will be provided, and the training form will be available to FSIS before animals are handled.

4. All stunning operators trained by establishment management, (b) (6) and/or (b) (6), in the Stunning Procedure, and upon completion, the form titled "Stunning Operator Training Form" will be signed. This form will be available to FSIS prior to the operator performing stunning procedures.
 - a. Each new stunning operator will then be monitored continuously by management for the first week of stunning.
 - b. This monitoring will be documented on the "Shackling and Stunning Checklist", completed daily, and made available to FSIS upon request
5. If there are no new stunning operators and only listed experienced stunning operator(s) (b) (6), or (b) (6) are working, the Roaster Swine Check monitoring and/or Market Hog Check monitoring are to be performed (b) (4). These forms will be made available to FSIS upon request.
 - a. Utilizes the information from "Shackling and Stunning Checklist" during the continuous monitoring week for a new stunning operator.
6. The updated version of USA Pork's Robust Systematic Approach will be presented to FSIS by September 20, 2024, Additionally, this will be made available to FSIS upon request.
7. Provided an updated stunning protocol that states "(b) (4)".
8. A backup electric stunner will be kept in easy access to the line in the stunning/bleeding area to ensure that if the event were to recur and the backup is needed, the stunning equipment is in easy reach of the stunning operator. ** If a delay occurs before shackling, or sticking, a security stun will be administered. If a security stun is performed, it will be head-only.
9. Electrical stunning equipment including prong and electrodes, will be examined and tested for effectiveness (every) (b) (4) days. A power check will be conducted (b) (4).

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 Mr. Joseph Schein, DDM, via electronic mail at joseph.schein@usda.gov or by telephone at (267) 355-9761. Additionally, you can contact the Philadelphia District Office at (800) 637-6681.

Sincerely,

**JOSEPH
SCHEIN**

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SCHEIN
Date: 2024.09.16 14:22:06
-04'00'

Mr. George Slobodjian
Acting District Manager

Enclosure: FSIS Verification Plan for USA Pork Packers, Inc. (Est. M20760)

USA Pork Packers, Inc. (EST M20760) Verification Plan
September 16, 2024

ESTABLISHMENT ACTION PLAN	9 CFR REGULATION	HUMANE HANDLING VERIFICATION CATEGORY	FREQUENCY
1.The establishment employee ((b) (6) (b) (6) involved in the Humane Handling incident on September 11, 2024, does not perform (electrical) stunning procedures at Est M20760 USA Pork Packers, Inc.	313.30(a)(1)(3)(4) 313.30(b)(1) 313.2(f)	Category VIII and Category IX	1.Upon implementation, September 16, 2024, and each pork slaughter day during the abeyance period.
2. Establishment management maintains documentation that all employees that (currently) work in the stunning/bleeding area, were trained utilizing a video from Dr. Temple Grandin for training. The establishment provided two (2) employee signoff sheets listing the meeting/training participants. These logs/sheets will be available for IPP review upon request. ** <u>All new employees</u> will be trained in Humane Handling training utilizing the Temple Grandin video. A training attestation sheet/log will be maintained and available for IPP review upon request.	313.30(a)(1)(3)(4) 313.30(b)(1) 313.2(f)	Category VIII and Category IX	2.Upon implementation, September 16, 2024, <u>and/or upon each new employee hiring during the abeyance period.</u>
3.Establishment management maintains and follows the supplied updated stunning protocol : a) (b) (4) b) (b) (4) c) (b) (4) d) (b) (4)	313.30(a)(1)(3)(4) 313.30(b)(1) 313.2(f)	Category VIII and Category IX	3. Upon implementation, September 16, 2024, and each pork slaughter day during the abeyance period.

<p>4. All stunning operators are trained, by establishment management, in the updated stunning protocol. Current trained (experienced) stunners are (b) (6), (b) (6), (b) (6), and (b) (6). Upon completion, the form/sheet titled "Stunning Operator Training Form" will be signed. The training attestation sheet/log will be maintained and available for IPP review upon request.</p> <p>** All new <u>stunning</u> employees will be trained in the updated stunning protocol. The training attestation sheet/log will be maintained and available for IPP review upon request.</p> <p>5. Establishment management maintains the Roaster Swine Check monitoring and/or Market Hog Check logs/sheets. (b) (4)</p> <p>These logs/sheets will be available for IPP review upon request.</p> <p>5A. For <u>all new <u>stunning</u> employees</u>, establishment management utilizes the "<u>Shackling and Stunning Checklist</u>" to continuously monitor the (new) employee(s) for a period of one (1) week, prior to moving to the monitoring listed above in #5.</p>	<p>313.30(a)(1)(3)(4) 313.30(b)(1) 313.2(f)</p> <p>313.30(a)(1)(3)(4) 313.30(b)(1) 313.2(f)</p> <p>313.30(a)(1)(3)(4) 313.30(b)(1) 313.2(f)</p>	<p>Category VIII and Category IX</p> <p>Category VIII and Category IX</p> <p>Category VIII and Category IX</p>	<p>4. Upon implementation, September 16, 2024, <u>and/or upon each new <u>stunning</u> employee hiring during the abeyance period.</u></p> <p>5. Upon implementation, September 16, 2024, and each pork slaughter day during the abeyance period.</p> <p>5A. Upon implementation, September 16, 2024, <u>and upon each new <u>stunning</u> employee hiring during the abeyance period.</u></p>
<p>6. Establishment management maintains a backup electric stunner that will be kept in easy access to the line in the stunning/bleeding area to ensure that if the event were to recur and the backup is needed, the stunning equipment is in easy reach of the stunning operator.</p> <p>** If a delay occurs before shackling, or sticking, a security stun is administered. If a security stun is performed, it will be head-only.</p>	<p>313.30(a)(1)(3)(4) 313.30(b)(1) 313.2(f)</p>	<p>Category VIII and Category IX</p>	<p>6. Upon implementation, September 16, 2024, and each pork slaughter day during the abeyance period.</p>

7. Establishment management/personnel conduct the following: Electrical stunning equipment including prong and electrodes, will be examined and tested for effectiveness (every) 7 to 10 days. A power check will be conducted monthly.	313.30(b)(3)	Category VIII and Category IX	7. Both will occur upon implementation, September 16, 2024, and for stunning effectiveness every 7-10 days during the abeyance period; power check monthly during the abeyance period.
8. Establishment management will provide an updated version of their Systematic Approach to Humane Handling to FSIS by September 20, 2024, Additionally, this will be available for IPP review upon request.	313.30(a)(1)(3)(4) 313.30(b)(1) 313.2(f)	Category VIII and Category IX	8. Upon implementation, September 20, 2024

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 review all monitoring, verification, and corrective action records to verify procedures are being conducted as prescribed and at the specified frequency.**

CC:

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

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

Mr. George Slobodjian, DDM (acting DM), FSIS, OFO, Philadelphia District Office

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

Dr. Beth Lehman, FLS (acting DDM), FSIS, OFO, Philadelphia District

Mr. Scott Benek, DCS, FSIS, OFO, Philadelphia District Office

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

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

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

Official Files Establishment Folder – Est. M20760

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