



December 26, 2023

Donald's Meat Processing, LLC
M39968
194 McCorkle Drive
Lexington, VA 24450
donaldsmeatprocessing@gmail.com; (b) (6) @gmail.com;
540-463-2333

ELECTRONIC MAIL on DECEMBER 26, 2023

Attention: Charles A Potter, Jr. (Member Manager); Rosalea Potter (Plant Manager)

NOTICE OF REINSTATEMENT OF SUSPENSION HELD IN ABEYANCE

On December 13, 2023, your establishment received official notification from the Food Safety and Inspection Service (FSIS) of the reinstatement of suspension of the assignment of inspection personnel for slaughter operations at Donald's Meat Processing, LLC, Est. M39968. The decision to re-suspend inspection at your establishment was based on the determination by FSIS that your establishment failed to slaughter and handle animals humanely.

On December 13, 14, 15, & 18, 2023, you provided FSIS with proposed responses to the suspension action. You submitted additional corrective actions in the form of a response to a Show Cause letter issued to your establishment on December 18, 2023. Those additional responses were submitted on December 19, 21, 22, and 26, 2023. Your responses outlined written corrective and preventive measures to bring your establishment into compliance with humane handling of livestock requirements and to achieve compliance with the Federal Meat Inspection Act (FMIA) (Title 21 of the United States Code {21 U.S.C} 603), the Humane Methods of Slaughter act of 1978 (HMSA) (7 U.S.C. 1901 et seq.), and federal regulations {Title 9 of the Code of Federal Regulations (9 CFR) parts 313}. Based on your submitted written assurances, we have determined that the reinstated suspension of the assignment of inspectors for slaughter operations at your plant will be held in abeyance, in accordance with 9 CFR Part 500.5(e).

The reinstated suspension will remain in abeyance pending verification by FSIS that your proposed corrective and preventive measures have been effectively implemented. Plant personnel should monitor operations to prevent violations of humane handling and slaughter from occurring in the future. It is also important for you to understand the responsibility of FSIS to initiate action when there is a failure to operate in accordance with 9 CFR Part 313 of the regulations.

A copy of the FSIS Verification Plan is enclosed to assist you in understanding the nature and importance of the Agency's verification activities. This FSIS Verification Plan is designed to verify that your establishment fully implements the corrective actions proffered in your proposed corrective actions, and that these revisions and corrective actions are effective in assuring ongoing regulatory compliance. It identifies your corrective action elements, the relevant regulatory requirements, the PHIS task under which corrective action elements will be verified, and the monitoring frequency. Only FSIS can amend the verification plan and any modifications to your submitted acceptable corrective actions made during the abeyance period will need to be submitted

Charles A Potter, Member/Manager Notice of Reinstatement of Suspension Held in Abeyance
Donald's Meat Processing, LLC December 26, 2023

in writing to FSIS for verification of compliance prior to implementation by your establishment. FSIS will begin verification of your proposed actions before startup of your next scheduled slaughter.

Please be advised that, as a federally inspected establishment, you are expected to comply with FSIS regulations and to take appropriate corrective action to prevent Inhumane Handling of Livestock at your establishment. Your failure to comply with these requirements or to implement the measures in your action plan could result in reinstatement of the suspension of inspection at your establishment or other appropriate administrative or legal action.

If you have any questions, please contact Todd Furey via telephone at 919-326-5281 or via electronic mail at todd.furey2@usda.gov. Additionally, you can contact Raleigh District Office at 919-844-8400 or by fax at 844-839-6359.

Sincerely,

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GUPTON
Date: 2023.12.26 16:14:32
-05'00'

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
M. Roling, 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), IIC/VDACS
Quarterly Enforcement Report
Establishment File (Est. M39968)

Establishment Name: Donald's Meat Processing
Establishment Number: M39968
Two-Week Period Ending: _____

Reason for Verification: On 12/13/2023, Establishment M39968 was issued a NOROS for failure to meet 9 CFR 313 of the regulations. On 12/26/2023, the establishment was issued a NOROSHIA after submitting acceptable corrective actions and preventive measures.

Information for Establishment Management: This verification plan was created from the corrective actions and preventive measures which were submitted to, and which were accepted by, the Raleigh District Office. As such, any changes to these corrective actions and preventive measures needs to be approved by the Raleigh District Office prior to implementation.

Instructions for completion of Humane Handling and Slaughter Verification form:

1. "Results of Verification" column should be recorded as "Acceptable", "Unacceptable", or "N/A"
2. "Inspection Actions" column should be used to document unacceptable findings or any additional corrective actions taken in compliance with 9 CFR 313.
3. The implementation and effectiveness of the establishment's corrective actions should be verified at the frequencies stated below. The in-plant inspection team (IPP) can request, through supervisory channels, a change in the frequencies when the determination is made that the establishment has effectively implemented the corrective actions.
4. Each day verification activities are performed, IPP should add a Directed Livestock Humane Handling Verification task in PHIS and use the justification "Verification Plan for Enforcement Actions" to justify the scheduling of the Directed task.
5. IPP will provide bi-weekly verification updates detailing the results of verification activities and submit to the SPHV/FLS for review.
6. The completed bi-weekly report will be submitted via email to (b) (6), District Veterinary Medical Specialist, and to (b) (6), District Case Specialist.

Items to Verify	Results of Verification	Inspection Actions
1. Verify that kill floor employees have reviewed documentation that demonstrates stunning placement for all species. (Once)		
2. Verify that employees have signed off that they		

understand proper firearm placement. (Once)		
3. Verify that employees have reviewed the Slaughter SOP document and have signed off that they have read/understand it. (Once)		
4. Verify that employees have reviewed the Kill Floor Employee Handbook and that they have signed off that they have read/understand it. (Once)		
5. Verify that any new employees complete 30 days of training on the kill floor before they are able to use a firearm or stun an animal. (As applicable)		
6. Verify that after the 30-day training period, a new employee completes additional training on Custom or non-USDA inspected animals under the supervision of a trained employee. (As applicable)		
7. Verify that employee training also includes gun cleaning and maintenance and is administered by a senior level employee. (As applicable)		
8. Verify that all employees have a firearm safety certificate, a hunter safety certificate, or have completed a firearm safety course. (Once, and as then applicable for new employees)		

<p>9. Verify that there is an annual review of all employees and that review is recorded in the employee training manual. (As applicable)</p>		
<p>10. Verify that the guns are cleaned daily after use. (Daily, as applicable)</p>		
<p>11. Verify that gun cleaning is documented on the Gun Cleaning Log (Daily, as applicable)</p>		
<p>12. Verify that the guns are sighted for accuracy annually. Verify that the guns are taken to a gunsmith whenever there is a question about the integrity of the firearm's ability to function properly. (As applicable)</p>		
<p>13. Verify that for stunning, only one animal is presented at a time. (Daily, for each slaughter day)</p>		
<p>14. Verify that for stunning of sheep/goats, the sheep/goat's head is restrained perpendicular to the kill floor. (Daily, for each slaughter day when sheep/goats are harvested)</p>		
<p>15. Verify that sheep/goats are stunned using a .22 rifle and the stunning shot is placed in accordance with the stunning placement diagram. (Daily, for each slaughter day when sheep/goats are harvested)</p>		

<p>16. Verify that a loaded .22 rifle is available for backup when stunning sheep/goats. (Daily, for each slaughter day, when sheep/goats are harvested)</p>		
<p>17. Verify that for stunning of cattle, the animal's head is secured in the head restraint and that the side of the knock box has been drawn in for smaller animals. (Daily, for each slaughter day, when cattle are harvested)</p>		
<p>18. Verify that for cattle, a .45 caliber pistol is used for stunning and the stunning shot is placed in accordance with the stunning placement diagram. (Daily, for each slaughter day, when cattle are harvested)</p>		
<p>19. Verify that for cattle, a .45 caliber pistol is readily available as a back-up stunning device. (Daily, for each slaughter day, when cattle are harvested)</p>		
<p>20. Verify that for swine, the sides of the knock box are drawn in to reduce the free movement of the animals in the knock box. (Daily, for each slaughter day, when swine are harvested)</p>		
<p>21. Verify that for swine, a .22 Magnum rifle (market size hogs) or a .45 caliber pistol (older, larger, heavier swine) is used for stunning and the stunning shot is placed in accordance with</p>		

<p>the stunning placement diagram. (Daily, for each slaughter day, when swine are harvested)</p>		
<p>22. Verify that for swine, a .45 caliber pistol is readily available as a back-up stunning device. (Daily, for each slaughter day, when swine are harvested)</p>		
<p>23. For all animals that are stunned, verify that the employee verifies the effectiveness of the stun prior to making any further cuts. (Daily, for each slaughter day)</p>		
<p>24. Verify that stunning effectiveness is verified by the stunner/operator, a humane handling auditor, and a member of management. (Daily for each slaughter day)</p>		
<p>25. Verify that stunning effectiveness is documented on the Slaughter Audit Form. (Daily for each slaughter day)</p>		
<p>26. Verify that in the event of an ineffective initial stun, an immediate re-stun is performed as appropriate.</p> <p>a. If the ineffective stun is due to firearm failure, the employee should immediately retrieve the backup stunning device and render a second shot.</p>		

<p>b. If the ineffective stun is due to improper placement, employee should immediately render a second shot in the correct location. (As applicable)</p>		
<p>27. Verify that if the ineffective stun is due to improper placement, the employee will need to be evaluated as appropriate. a. If the cause of the issue is animal restraint, then the restraint issue needs to be addressed before further slaughter can continue. b. If the cause of the issue is employee error, then the employee will need to be evaluated by management before stunning can continue. (As applicable)</p>		
<p>28. Verify that if an animal is observed to be conscious at any point after it has been stunned, an immediate re-stun should occur. (As applicable)</p>		
<p>29. Verify that if a stunner/operator is not capable of performing the stunning, the stunning responsibilities are passed to another qualified stunner. (Daily, for each slaughter day, when needed)</p>		
<p>30. Verify that if only one employee is working on the kill floor and that employee becomes unable to perform stunning duties, all further</p>		

<p>stunning activity will stop until the employee (or a suitable replacement) is able to continue. (Daily, for each slaughter day, when needed)</p>		
<p>31. Verify that animals are bled out as soon as possible, using a sharp knife capable of cutting both carotid arteries, resulting in rapid blood loss. (Daily, for each slaughter day)</p>		
<p>32. Verify that once the animal has been cut and bled effectively, the employees follow the HACCP plan guidelines to continue the slaughter process. Verify that employees follow alternate procedures for cattle >30 months old. (Daily for each slaughter day, and as applicable)</p>		
<p>33. Verify that flooring in areas where animals are moved or kept provides traction to prevent slipping and falling. (Daily for each slaughter day)</p>		
<p>34. Verify that loud noises and heavy foot traffic are limited in animal holding areas. (Daily for each slaughter day)</p>		
<p>35. Verify daily cleaning of the kill floor. (Daily for each slaughter day)</p>		
<p>36. Verify that holding pens, floors, and walkways are cleaned weekly. If an area becomes unsafe, verify that</p>		

it is cleaned immediately. (Weekly)		
37. Verify that there is a weekly check of the holding pen area to ensure animal safety. (Weekly)		
38. Verify that a white board is in place in the alley in the holding pen area to allow producers/customers to provide information to establishment employees. (Weekly)		
39. Verify that sanitation operating procedures are performed each day, regardless of the type of animals being presented. (Daily)		
40. Verify that a kill floor employee or a member of management is present to assist and oversee farmers/producers delivering animals for slaughter. (Daily, as applicable)		
41. Verify that any animals suspected of having a disease or otherwise Suspect are segregated to await disposition from a VDACS veterinarian. (As applicable)		
42. Verify that only ambulatory animals are accepted and unloaded for slaughter. (Daily, as applicable)		
43. Verify that all animals in the holding pens have access to water and that employees check for water availability		

and/or cleanliness each morning. (Daily)		
44. Verify that all animals held longer than 24 hours are provided with feed. (Daily, as applicable)		
45. Verify that animals are moved using only non-electric prods unless deemed necessary for animal and/or employee safety. Verify management approval prior to use of electric prod. (Daily, as applicable)		
46. Verify that no abuse or mistreatment of animals occurs. (Daily)		
47. Verify that employees follow the Slaughter SOP guidelines for Inedible Materials, Cleaning/Maintenance Procedures, and Recordkeeping. (Daily)		

Comments and Recommendations

Two-Week Period Ending:

IIC Comments/Recommendation:

SPHV Comments/Recommendation (if not the IIC):

FLS Comments/Recommendation: