



February 2, 2024

Bowman's Butcher Shop LLC  
M44985  
3452 Churchville Road  
Aberdeen, MD 21001  
[bowmansbutchershop@gmail.com](mailto:bowmansbutchershop@gmail.com)  
410-914-5607

ELECTRONIC MAIL on February 2, 2024

**Attention: Alice Schott, Owner**

## **NOTICE OF SUSPENSION**

Dear Ms. Schott,

This letter confirms the verbal notification given on February 2, 2024, at approximately 1205 hours, by the Food Safety and Inspection Service (FSIS) Inspection Program Personnel (IPP) of the suspension of the assignment of inspectors for slaughter operations at Bowman's Butcher Shop, LLC, Est. M44985, herein after referred to as "your establishment." This action was initiated in accordance with Title 9 of the Code of Federal Regulations (9 CFR) 500.3, after FSIS determined that your establishment failed to slaughter and handle animals humanely.

### **Background/Authority**

The Federal Meat Inspection Act (FMIA) (Title 21 of the United States Code {21 U.S.C.} 603 et seq.) provides that for the purpose of preventing the inhumane slaughtering of livestock, the Secretary shall cause to be made, by inspectors appointed for that purpose, an examination and inspection of the methods by which cattle, sheep, swine, goats, horses, mules, or other equines are slaughtered and handled in connection with slaughter in the slaughtering establishments inspected under this Act. The Secretary may refuse to provide inspection to a new slaughtering establishment or may cause slaughtering to be temporarily suspended at a slaughtering establishment if the Secretary finds that any cattle, sheep, swine, goats, horses, mules, or other equines have been slaughtered or handled in connection with slaughter at such establishments by any method not in accordance with sections 1901 to 1906 of Title 7 until the establishment furnishes assurances, satisfactory to the Secretary, that all slaughtering and handling in connection with slaughter of livestock shall be in accordance with such a method.

The Humane Methods of Slaughter Act of 1978 (7 U.S.C. 1901 et seq.) provides that Congress finds that the use of humane methods in the slaughter of livestock prevents needless suffering; results in safer and better working conditions for persons engaged in the slaughtering industry; brings about improvement of products and economies in slaughtering operations; and produces other benefits for producers, processors, and consumers which tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce. It is therefore declared to be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.

### **Findings/Basis for Suspension**

At approximately 0910 hours on Friday, February 2, 2024, IPP identified an egregious humane handling non-compliance in which it required multiple stun attempts to render a steer unconscious. A black Angus steer was loaded into the knock box and the employee attempted the initial stun using a 9mm rifle. After the stun attempt, the steer remained conscious, standing in the box. The employee immediately reloaded the same 9mm rifle and attempted a second stun, which was also ineffective as the steer remained standing. The employee then immediately retrieved a backup .22 Magnum rifle and administered two successive stun attempts. Again, the animal remained conscious, standing in the knock box. The employee then immediately retrieved the 9mm rifle and administered a final stun to the steer, rendering it unconscious. IPP applied US Retain/Reject Tag # B14092357 to the knock box to prevent further slaughter of livestock; this is in accordance with 9 CFR 313.50(c). Examination of the steer's skull showed that 4 of the holes (2 from the 9mm rifle and 2 from the .22 Magnum rifle) were below the zone of effectiveness, while one hole was slightly to the left of midline. The District Veterinary Medical Specialist (DVMS) notified establishment management of the recommendation for further enforcement action at approximately 1045 hours. The establishment was operating under a robust systematic approach at the time of the incident; management proffered immediate and appropriate corrective measures and the establishment was allowed to resume slaughter operations.

At approximately 1200 hours, IPP observed a second stunning noncompliance. A black Angus steer was loaded into the knock box and head restraint. The employee attempted to stun the steer using the 9mm rifle, but the stun attempt was ineffective, and the steer remained conscious and standing in the knock box. The employee administered an immediate second stun using the 9mm rifle, effectively rendering the steer unconscious, and it remained unconscious throughout the remainder of the shackling, hoisting, and bleeding processes. IPP placed US Retain/Reject Tag # B14092361 on the knock box in accordance with 9 CFR 313.50(c). Examination of the steer's skull showed one hole approximately 1" to the left of midline and a second hole that was in the zone of effectiveness. IPP notified the establishment owner of the decision for further enforcement action at approximately 1205 hours.

Both incidents represent a violation of 9 CFR 313.16(a)(1) which says in part "The firearms shall be employed in the delivery of a bullet or projectile into the animal in accordance with this section so as to produce immediate unconsciousness in the animal by a single shot before it is shackled, hoisted, thrown, cast, or cut." The incident was considered egregious because there was prolonged discomfort of the animal before an effective corrective action could be administered. Furthermore, the corrective actions that your proffered failed to prevent recurrence of the ineffective stun. The establishment had been operating under a Robust Systematic Approach for Humane Handling; however, the repetitive nature of these incidents precludes the offering of regulatory discretion, and this Suspension action is being initiated.

Alice Schott Owner  
Bowman's Butcher Shop, LLC, M44985

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The suspension action will remain in effect until you provide the Raleigh District Office with adequate written assurances, including corrective actions and further planned preventive measures, to assure that livestock at your establishment are slaughtered humanely. In order to resume inspected operations, you must submit corrective actions to my attention at the District Office. These corrective actions should include at a minimum the following:

1. Identify the assessment process used to determine the nature and cause of the noncompliances.
2. Identify what the assessment revealed as the likely cause of the system failure.
3. Describe the specific actions that will be taken to eliminate the cause of the failures.
4. Describe the future monitoring activities you will use to ensure that changes are implemented and are effective.

You are reminded that, as an operator of a federally inspected plant, you are expected to comply with FSIS regulations and to take appropriate corrective actions to prevent inhumane handling of livestock at your establishment. Please be advised that your failure to respond adequately to these issues may result in our initiating action to withdraw inspection from your establishment. Please also be advised that you have the right to appeal this matter.

In accordance with 9 CFR 500.5(a)(5), you may appeal this action by contacting:

Sherri Johnson  
Executive Associate for Regulatory Operations  
Office of Field Operations  
Food Safety and Inspection Service  
United States Department of Agriculture  
1400 Independence Avenue, SW  
South Building, Room 3154  
Washington, DC 20250  
Phone: (b) (6)

In addition, you may also request a hearing regarding this determination pursuant to FSIS' Rules of Practice (9 CFR 500.). The rules of Practice were published in the Federal Register, Vol. 64, No. 228, on November 29, 1999. As specified in Section 500.5(d), should you request a hearing, FSIS will file a complaint that will include a request for an expedited hearing. If you wish to request a hearing regarding this determination, you should contact:

Scott C. Safian, Branch Chief  
Enforcement Operations Branch  
Office of Investigation, Enforcement and Audit  
Food Safety and Inspection Service  
Stop Code 3753, PP3, Cubicle 9-235-A  
1400 Independence Avenue, SW  
Washington, D.C. 20250  
Voice: (202) 418-8872  
Fax: (202) 245-5097

Alice Schott Owner  
Bowman's Butcher Shop, LLC, M44985

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It is our hope that this matter can be resolved quickly. If you have any questions, please contact me via telephone at 919-326-5281 or via electronic mail at [todd.furey2@usda.gov](mailto:todd.furey2@usda.gov) Additionally, you can contact the Raleigh District Office at 919-844-8400 or by fax at 844-839-6359.

Sincerely,

**ARIAL GUPTON** Digitally signed by ARIAL  
GUPTON  
Date: 2024.02.02 14:47:37 -05'00'

Todd Furey  
District Manager

Alice Schott Owner  
Bowman's Butcher Shop, LLC, M44985

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cc: S. Johnson, EARO/FO  
L. Hortert, RD/CID/OIEA  
(b) (6), HHEC/FO  
T. Furey, DM/RDO/FO  
R. Murphy, 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) FLS/RDO/FO  
(b) (6) SPHV/RDO/FO  
(b) (6), CSI/RDO/FO  
Quarterly Enforcement Report  
Establishment File (Est. M44985)