



July 30, 2024

3D Meats, LLC  
Est. M45377  
14740 E. Lincoln Way  
Dalton, OH 44618  
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HAND DELIVERED on 07/30/2024  
ELECTRONIC MAIL on 07/30/2024  
FEDEX TRACKING #777683852208

Attention: Mr. Logan Rohr, Owner

## **NOTICE OF SUSPENSION HELD IN ABEYANCE**

This letter confirms verbal notification provided to you, Mr. Logan Rohr, Owner, by Dr. Kelsey Travis, Deputy District Manager, on July 30, 2024, of the Food Safety and Inspection Service's (FSIS) decision to place the Notice of Suspension (NOS) issued to your establishment on July 29, 2024, into abeyance. This action is based on the review, analysis, and acceptance of your proposed corrective actions and preventive measures submitted to the FSIS Chicago District Office on July 29 and 30, 2024.

### **Background**

On July 29, 2024, your establishment was notified of the FSIS decision to withhold the marks of inspection and suspend the assignment of inspection program personnel (IPP) from your slaughter process at 3D Meats, LLC, establishment M45377, located at 14740 E. Lincoln Way in Dalton, OH. This action was based on your establishment's failure to effectively implement humane methods of slaughtering and handling animals in a manner that complies with the requirements prescribed by the Federal Meat Inspection Act (FMIA) and the Humane Methods of Slaughter Act of 1978 (HMSA). Your establishment was in violation of Title 9 of the Code of Federal Regulations (9 CFR), Section 313.16(a)(1). The Rules of Practice, 9 CFR 500.3(b), specify that FSIS may issue a suspension without providing prior notification if an establishment is observed to be handling or slaughtering animals inhumanely. You were provided a written copy of the NOS.

Within the NOS, the FSIS Chicago District Office requested that you submit a written response with corrective actions and preventive measures to address the following:

- Evaluate and identify the nature and cause of the incident.
- Describe the specific actions taken to eliminate the cause of the incident and prevent future recurrences.
- Describe specific monitoring activities planned to ensure future compliance.
- Provide any supporting documentation and records maintained and/or associated with the proposed corrective actions and preventive measures.

### **Corrective Actions**

On July 29, 2024, the FSIS Chicago District Office received your initial written response as requested. After a review and analysis, the District Veterinary Medical Specialist (DVMS) notified your establishment on July 29, 2024, via e-mail, that additional details and clarifications were requested. On July 29 and 30, 2024, you provided revised responses to include the additional details requested.

You identified that the cause of the incident was due to the stunning operator not lining up the shot correctly (i.e., improper shot placement) on the first 3 shots fired.

You proposed the following corrective actions and preventive measures as a means to restore and maintain regulatory compliance as required:

1. You have implemented a new live round training program. This program will need to be completed before any employee is to use a live round to slaughter a hog. This program will need to be completed annually as a refresher. You provided a copy of the training program, the training material (a PowerPoint presentation by Dr. Temple Grandin), and a blank sign off sheet for review.
2. A manager or supervisor will monitor the stunning of the first hog each day by a firearm and will document the caliber of firearm used and whether the shot was effective on the first attempt and in the proper location. You provided a copy of the monitoring form for review.

After a review and analysis of your proposed corrective actions, the FSIS Chicago District Office has concluded that these activities, provided they are successfully implemented, will serve to adequately address the regulatory requirements identified within the NOS.

### **Summary and Conclusion**

This letter serves as written notification that FSIS is placing the suspension of the assignment of IPP at your establishment into abeyance. The abeyance will remain in effect until your proposed corrective actions have been verified to be successfully implemented on a consistent and continuous basis. The corrective actions you proposed will be subject to verification by FSIS IPP. These verification activities will serve to assess the implementation of the corrective actions and the requirement to maintain compliance with the FMIA, HMSA, and all applicable FSIS regulations.

FSIS is committed to monitoring establishments' operations to verify compliance with the regulatory requirements. To assist in those verification activities as a contingency of abeyance, FSIS has developed a Verification Plan Report (VPR) based on your corrective actions. The VPR will be completed by FSIS IPP as a means to document the implementation of the corrective actions throughout the abeyance period. The VPR identifies specific elements of your corrective actions and the associated regulatory requirements. These will be subject to verification until FSIS has made the determination that your establishment has effectively implemented these corrective actions. Additionally, during the abeyance period, humane handling verification visits (HHVV) will be conducted at 30-day intervals to assess your progress in implementing the corrective actions. FSIS verification includes the expectation that you meet any time associated commitments identified within your proposal. Should your establishment fail to operate in accordance with these commitments or fail to comply with the regulatory requirements, FSIS will take immediate and appropriate regulatory control actions.

You are reminded that as an operator of a federally inspected facility, you are expected to fully comply with all FSIS regulations and to take appropriate corrective actions to prevent the inhumane treatment and slaughter of livestock. The HMSA, Sections 1901, 1902, and 1906, state that the slaughtering and handling

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of livestock are to be carried out only by humane methods. 9 CFR 313 contains the FSIS regulatory requirements that were promulgated based on the HMSA and the FMIA. It is fully expected that you comply with the HMSA, FMIA, and the regulatory requirements of Part 313, and that you carry out each of the corrective and preventive actions you proposed in response to the egregious incident. Failure to comply could result in the reinstatement of suspension at your facility or other appropriate administrative or legal actions. We urge your cooperation and voluntary compliance.

If you have questions regarding this matter, you may contact (b) (6), DVMS, at (b) (6), or you may contact this office at (630) 317-1293.

Sincerely,

**KELSEY TRAVIS**

Digitally signed by KELSEY  
TRAVIS  
Date: 2024.07.30 09:50:31 -0500

Dr. Donald B. Fickey  
District Manager  
FSIS Chicago District