



March 4, 2025

Electronically Submitted on March 5, 2025

GREENBRIER MEAT COMPANY, INC., ESTABLISHMENT M4593
508 FEAMSTER ROAD, LEWISBURG, WV 24901
(b) (6) [@hotmail.com](mailto:(b)(6)@hotmail.com)
(304) 645-1710

Attention: REMINGTON HOKE, OWNER

NOTICE OF SUSPENSION

This letter serves as official notification by the Food Safety and Inspection Service (FSIS) of its decision to, effective immediately, withhold the marks of inspection and suspend inspection services for the Slaughter Hazard Analysis Critical Control Point (HACCP) processes at Greenbrier Meat Company (Greenbrier Meats), Inc., M4593, located at 508 Feamster Road, Lewisburg, WV 24901. This letter follows verbal notification of the suspension action provided to Remington Hoke (Owner) at approximately 0815 hours on March 4, 2025.

FSIS is taking this action in accordance with Title 9 of the Code Federal Regulations (CFR) Rules of Practice 500.3(b), based on the determination that Greenbrier Meats handled or slaughtered livestock inhumanely, in violation of the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 *et seq.*), the Humane Methods of Slaughter Act (HMSA) (7 U.S.C. 1901 *et seq.*), and the relevant regulatory requirements (9 CFR Part 313).

This letter provides you with information on the Agency's authority, the facts supporting FSIS' action, and information on how you can respond.

Background/Authority

FSIS is the agency in the U.S. Department of Agriculture responsible for protecting the public's health by ensuring the nation's supply of meat, poultry, and processed egg products for sale and distribution in commerce is safe, unadulterated, wholesome, and correctly labeled and packaged. FSIS administers and enforces, among other laws, the FMIA, HMSA, and the statutes' implementing regulations. FSIS has prescribed rules and regulations required for establishments producing meat/meat food products, including requirements pertaining to humane handling and slaughtering of livestock (9 CFR Part 313) and other matters. FSIS has also developed the Rules of Practice regarding enforcement (9 CFR Part 500). The Rules of Practice describe the types of enforcement action that FSIS may take and include procedures for taking a withholding action and/or suspension, with or without prior notification, and for filing a complaint to withdraw a Federal Grant of Inspection.

Should FSIS personnel document serious or repetitive food safety, sanitation, humane handling, slaughter, or other violations, FSIS may take enforcement action under 9 CFR Part 500.

Links to the Acts and the Rules of Practice are enclosed for your information and review.

FMIA: <https://www.fsis.usda.gov/policy/food-safety-acts/federal-meat-inspection-act>

HMSA: <https://www.fsis.usda.gov/policy/food-safety-acts/humane-methods-slaughter-act>

FSIS Rules of Practice: <https://www.ecfr.gov/current/title-9/chapter-III/subchapter-E/part-500>

Findings/Basis for Action

At approximately 0745 hours on March 4, 2025, Inspection Program Personnel (IPP) observed an employee load a large bull into the knock box. The employee then attempted to stun the bull using a .22 Magnum rifle. The bull dropped after the first stun attempt and appeared to be stunned effectively. Following his normal practice, the employee administered a security stun using the same .22 Magnum rifle. The employee then administered a second security stun using the same .22 Magnum rifle. Neither IPP nor the employee observed signs of consciousness in the bull; however, the employee was not confident that the bull would remain unconscious and left the kill floor to retrieve a backup .38 pistol to administer a third security stun. While the employee was retrieving the .38 pistol, IPP observed the bull regain consciousness and stand up in the knock box. The employee returned and rendered the bull unconscious using the .38 pistol. The employee then administered a security stun with the .38 pistol, and the bull remained unconscious for the remainder of the shackling, hoisting, and bleeding steps. IPP then placed US Reject/Retain Tag #B38098464 to the stunning area.

These findings are considered noncompliance because your establishment failed to meet the regulatory requirements of 9 CFR 313.16(a)(1), which states, 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." This incident is considered egregious because the animal regained consciousness after the initial stun and security stuns had been administered.

Conclusion

On September 9, 2004, FSIS published "*Humane Handling and Slaughter Requirements and the Merits of a Systematic Approach to Meet Such Requirements*" in the Federal Register (69 FR 54625). Subsequently, on October 23, 2013, FSIS issued guidance, titled "*FSIS Compliance Guide for a Systematic Approach to the Humane Handling of Livestock*," to promote a systematic approach to achieve compliance with the FSIS requirements for the humane handling and slaughter of livestock.

If an establishment maintains a robust humane handling program, FSIS can exercise regulatory discretion when an inhumane handling or slaughter incident is observed. Greenbrier Meats does not currently maintain a written humane handling program for consideration.

Based on the findings described above, Greenbrier Meats handled or slaughtered livestock inhumanely, in violation of the FMIA 21 U.S.C. 603(b), HMSA 7 U.S.C. 1901 – 1902, and 9 CFR 313.16(a)(1). In accordance with 9 CFR Part 500.3(b), FSIS is exercising its authority to withhold

the marks of inspection and suspend inspection services for the Slaughter HACCP processes at Greenbrier Meat Company, Inc., effective immediately.

How to Respond to this Letter

Please be advised that this suspension will remain in effect for the Slaughter HACCP processes at Greenbrier Meats until you provide adequate written corrective action and preventative measures to demonstrate adherence to regulatory requirements. Your written response is expected to include:

- An evaluation and identification of the nature and cause of the incident.
- A description of the specific actions taken to eliminate the cause of the incident and prevent future recurrences.
- Any corrective actions, preventative measures, and monitoring activities to ensure continued compliance.
- Copies of supporting documentation and records maintained and/or associated with the proposed corrective actions and preventative measures.

You may submit your response by electronic mail (travis.auxier@usda.gov).

You are reminded that, as an operator of a federally inspected establishment, you are expected to comply with FSIS regulations and to take appropriate corrective actions to prevent the inhumane handling and slaughtering of livestock. Please be advised that failure to respond adequately to these issues may result in additional enforcement action, including initiation of administrative proceedings to withdraw Federal inspection services from Greenbrier Meats or other appropriate action.

Appeal and Hearing Rights

You have the right to appeal this matter and can do so by contacting:

Paul Wolseley
Executive Associate for Regulatory Operations
Office of Field Operations
Food Safety and Inspection Service
United States Department of Agriculture
1400 Independence Avenue, SW
SB, Room 1329
Washington, DC 20250
Email: Paul.Wolseley@usda.gov
Phone: 202-708-9506 (Main)

Pursuant to 9 CFR 500.5(d), you may also request a hearing regarding this determination. 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, please contact:

Remington Hoke, Owner
Greenbrier Meat Company, Inc, M4593

Notice of Suspension
March 5, 2025

Scott C. Safian, Director
Enforcement Operations Staff (EOS)
Office of Investigation, Enforcement and Audit (OIEA)
Food Safety and Inspection Service
United States Department of Agriculture
Stop Code 3753, SB - Room 2148
1400 Independence Avenue, SW
Washington, DC 20250
Telephone: (202) 418-8872
Facsimile: (202) 245-5097
E-mail: EOSCorrespondence@usda.gov

If you have any questions, please contact Dr. Arial Gupton, Deputy District Manager (DDM) via telephone at (b) (6) or via electronic mail at Arial.Gupton@usda.gov. Additionally, you can contact the Raleigh District Office at 919-214-1984.

Sincerely,

ARIAL GUPTON

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GUPTON
Date: 2025.03.05 11:21:37
-05'00'

Todd Furey
District Manager

cc: P. Wolseley, EARO/FO
J. Priore, RD/CID/OIEA
T. Furey, DM/RDO/FO
H. Havens, DDM/RDO/FO
A. Gupton, DDM/RDO/FO
D. Lilly, DCS/RDO/FO
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(b) (6), SPHV/RDO/FO
(b) (6), CSI/RDO/FO
FO/Quarterly Reports