



United States Department of Agriculture

Food Safety and
Inspection Service

Office of Field
Operations

Springdale District

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Springdale, AR 72764
Voice 479-751-8412
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August 12, 2022

*Via Email: jrobinson@republic-foods.com
FedEx Tracking: 777650753276*

Mr. Jeremy Robinson, Owner
ZMDR, LLC DBA Republic Foods
1921 W. 50 Hwy
Lone Jack, Mo 64070

NOTICE OF SUSPENSION HELD IN ABEYANCE

Dear Mr. Robinson,

On August 11, 2022, the Food Safety and Inspection Service (FSIS) notified you of the suspension of the assignment of inspection personnel related to your Slaughter process at Est. M46017 (ZMDR LLC DBA Republic Foods; Lone Jack, MO), as per Title 9 of the Code of Federal Regulations (9 CFR) 500.3(b) (Rules of Practice). The Notice of Suspension (NOS) was based on your failure to prevent inhumane handling and slaughter of livestock at your facility as required by 9 CFR 313.15(a)(1).

On August 11, 2022, you provided a written response (Action Plan) to the NOS via email, beginning a dialog that ended with your final updates to the Action Plan on August 12, 2022. FSIS analyzed the corrective and preventive measures provided in your Action Plan and determined they represented compliance or the intent to comply with all applicable regulations. Therefore, FSIS will hold the suspension in abeyance pending verification by FSIS personnel that your Action Plan is effectively implemented. You were verbally notified of the suspension being held in abeyance on August 12, 2022, and this letter serves as formal, written notification of the same.

An abeyance is a moratorium on the effect of a suspension. Once a suspension is imposed, the Agency may put it into abeyance if the establishment undertakes corrective and preventive actions that the Agency finds will ensure that the conditions that were the basis for the suspension will be eliminated, and the Action Plan is effectively implemented. During the abeyance period, FSIS personnel will evaluate your corrective and preventive actions to ensure their effectiveness.

A copy of the FSIS Verification Plan is being shared with you to assist 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 Action Plan identified in your proposal and subsequent clarifications, and that measures proffered are effective in assuring ongoing regulatory compliance. It identifies the regulatory noncompliance, your actions, and FSIS verification procedures.

Mr. Jeremy Robinson, Owner
ZMDR LLC DBA Republic Foods, Est. M46017
Notice of Suspension Held in Abeyance
August 12, 2022
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Please be advised that your failure to comply with statutory and regulatory requirements, to implement the corrective actions identified in the Action Plan, and/or failure to notify this office in writing of any changes to the Action Plan may result in us initiating further regulatory action as deemed necessary at the time. **During this period of abeyance, any changes made to the Action Plan need to be submitted to this office for review and comment prior to you putting the changes into place.** FSIS inspection program personnel will notify the Frontline Supervisor and District Office immediately when modifications are made to the Action Plan and your establishment fails to notify this office.

If you have any questions, please contact this office.

Sincerely,



For
Jeffery Barham
District Manager

cc: Ms. Geraldine French, EARO
Dr. Evan Sumner, DDM
Dr. Don Dowdle, DDM
Dr. Daran (Curtis) Stovall, DDM

(b) (6)

Ms. Lisa Hernandez, Plant Manager
FO/Quarterly Reports

FSIS Verification Plan

Establishment Name (M46017 / V46017)

Background that led to enforcement action (Bkgd)

Related Regulations (Reg)

Establishment Action Plan (AP)

Related Establishment Records (Rec)

FSIS Verification Activity (VA)

Frequency of Verification Activity (Freq)

Related PHIS Task (PHIS)

Bkgd

As in NR SDY4010082111N/1, IPP observed an animal lying on its side and kicking its front legs in the area designated for dead animals. IPP observed a knock hole on the front of the head near the top of the forehead, animal vocalizing, and rhythmic motions of the chest indicative of breathing. The animal was repeatedly trying to right itself by attempting to lift its head and kicking its feet. After attempting to locate est. mgmt., IPP returned to the animal that continued to vocalize and attempted to right itself by lifting its head and kicking its feet. After IPP requested, the animal was stunned and euthanized.

Reg 9 CFR 313.15(a)(1)

VP1

AP

The establishment revised their AW-P-005 to include specific stunning procedures, verification by QA (or second trained employee), and criteria to assess for death.

Rec FSQA-F-118;

VA

Verify through review and observation (R & O) and record review (RR) that the establishment conducts the stun and safety stun, sticks the animal, piths the cranial cavity of the animal to induce death, and assesses whether whether these actions induced death and QA verifies the stun, sticking, pithing, and assessment of death from euthanasia.

Freq Daily (R & O); Weekly (RR)

PHIS Livestock Humane Handling

Bkgd

As in NR SDY4010082111N/1, IPP observed an animal lying on its side and kicking its front legs in the area designated for dead animals. IPP observed a knock hole on the front of the head near the top of the forehead, animal vocalizing, and rhythmic motions of the chest indicative of breathing. The animal was repeatedly trying to right itself by attempting to lift its head and kicking its feet. After attempting to locate est. mgmt., IPP returned to the animal that continued to vocalize and attempted to right itself by lifting its head and kicking its feet. After IPP requested, the animal was stunned and euthanized.

Reg 9 CFR 313.15(a)(1)

VP2

AP

The establishment revised their AW-P-005 to include specific monitoring procedures of the euthanasia process for the barn outside of operating hours. Employees performing euthanasia outside of operating hours will still follow the process for during operating hours except another trained employee will verify the process instead of QA.

Rec AW-F-099; FSQA-F-118

VA

Verify through record review that the barn is monitored twice per night (AW-F-099) and records demonstrate that a different second trained employee verified the euthanasia process (FSQA-F-118). If feasible, verify through review and observation that the barn is monitored twice per night and that the establishment is following AW-P-005 procedures (as described in VP1).

Freq Once Weekly (R & O if feasible and RR)

PHIS Livestock Humane Handling

VP3	Bkgd	As in NR SDY4010082111N/1, IPP observed an animal lying on its side and kicking its front legs in the area designated for dead animals. IPP observed a knock hole on the front of the head near the top of the forehead, animal vocalizing, and rhythmic motions of the chest indicative of breathing. The animal was repeatedly trying to right itself by attempting to lift its head and kicking its feet. After attempting to locate est. mgmt., IPP returned to the animal that continued to vocalize and attempted to right itself by lifting its head and kicking its feet. After IPP requested, the animal was stunned and euthanized.
	Reg	9 CFR 313.15(a)(1)
	AP	The establishment retrained employees that may encounter downer (non-ambulatory) animals including Slaughter Management, Lead Personnel and trainers, yard personnel (including driver alley workers), QA personnel, and night shift maintenance.
	Rec	Admin-F-040
	VA	Verify through review and observation and record review that all employees that may encounter downer (non-ambulatory) animals were trained on proper stunning procedures and the establishment's AW-P-005 procedures initially. Verify through record review that any newly hired employees are trained prior to working areas where they may encounter downer (non-ambulatory) animals.
	Freq	Once Weekly
	PHIS	Livestock Humane Handling