



March 11, 2024

Herscher Halal Meat Locker
Est. M47553
11260 W. State Route 115
Herscher, IL 60941
herscherhalalmeatlocker@gmail.com
(708) 712-0877

HAND DELIVERED on 03/11/2024
ELECTRONIC MAIL on 03/11/2024
FEDEX TRACKING #775479558994

Attention: Mr. Azme Taha, Owner

NOTICE OF SUSPENSION HELD IN ABEYANCE

This letter confirms verbal notification provided to you by Dr. Donald Fickey, District Manager, on March 11, 2024, of the Food Safety and Inspection Service's (FSIS) decision to place the Notice of Suspension (NOS) issued to your establishment on March 8, 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 March 8 and 9, 2024.

Background

On March 8, 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 Herscher Halal Meat Locker, establishment M47553, located at 11260 W. State Route 115 in Herscher, Illinois. 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 313.15(a)(1) and 313.15(b)(1)(iv). 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 March 8, 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 March 9, 2024, via e-mail, that additional details and clarifications were requested. Later that same day, you provided a revised response to include the additional details requested.

You identified that an employee who had not received training for the captive bolt gun, quickly and voluntarily took the gun and stunned the animal in the wrong spot.

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

1. Only properly trained and authorized employees are allowed to touch or use a captive bolt gun. You identified three individuals that are authorized to use the captive bolt gun at this time.
2. The manager held a meeting with all employees and informed them that no one, except the trained and authorized individuals, is allowed to use the captive bolt gun. The manager further reviewed all the effective stunning procedures, how to use the captive bolt gun, how to make sure that the stunning device was effective, and what to do if the first attempt was not correct. You provided documentation of this meeting.
3. The captive bolt gun will be kept in a plastic container with cartridges with a paper sign that states "only authorized employees can use it."
4. The trained employees are aware of the signs of unconsciousness. They are aware of making sure to have extra cartridges once they stun the animals in case of an ineffective stunning attempt. The stunning operators were retrained using materials from Dr. Temple Grandin, Humane Slaughter Association, and FSIS. Training materials and documentation of the training session were provided.
5. The manager on duty will monitor every time the captive bolt gun is determined to be needed for the slaughter process to ensure that all measures are done properly. The manager will observe if the stunning is effective on the first attempt and if any corrective actions are needed. The manager will make sure that only trained and authorized employees use the stunning equipment. The monitoring findings will be documented on the form provided.

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.

Mr. Azme Taha, Owner
Herscher Halal Meat Locker, Est. M47553

Notice of Suspension Held in Abeyance
March 11, 2024

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 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), District Veterinary Medical Specialist (DVMS), at (b) (6), or you may contact this office at (630) 317-1293.

Sincerely,

DONALD
FICKEY

Digitally signed by
DONALD FICKEY
Date: 2024.03.11
07:26:09 -0500

Dr. Donald B. Fickey
District Manager
FSIS Chicago District