



United States Department of Agriculture

Food Safety and Inspection
Service

Office of Field Operations
Jackson District Office
713 S Pear Orchard Rd.
Plaza 2, Suite 402
Ridgeland, MS 39157

October 20, 2023

The Butcher Barn
Est. M47576
765 Anderson Road
Dyersburg, Tennessee 38024
circlecattleco@gmail.com
731-589-3548

ELECTRONIC MAIL on October 20, 2023
FEDEX TRACKING # 773810945247

Attention: Mr. Jared Lee, Owner

NOTICE OF SUSPENSION HELD IN ABEYANCE

On October 18, 2023, the Food Safety and Inspection Service (FSIS) issued a Notice of Suspension to your establishment to withhold the federal marks of inspection and suspend the assignment of Inspection Program Personnel (IPP) at The Butcher Barn, Est. M47576, located at 765 Anderson Road, Dyersburg, TN. This action included your Slaughter Hazard Analysis Critical Control Point (HACCP) processes employed at your establishment. The decision to institute this enforcement action was in accordance with Title 9 of the Code of Federal Regulations (CFR), Rules of Practice 500.3(b), based on the determination that your establishment did not handle or slaughter animals humanely. The evidence demonstrated failure to comply with the Federal Meat Inspection Act (FMIA) (21 U.S.C. 603), the Humane Methods of Slaughter Act (HMSA) (7 U.S.C. 1901 et seq.), and the regulatory requirements (9 CFR Part 313).

Specifically, on October 18, 2023, at approximately 0805 while performing a humane handling verification task, the Supervisory Public Health Veterinarian (SPHV), observed the following: a pig was loaded into the knock box with no head restraint available. Your employee first attempted to apply stunning methods with a .22 caliber handgun. The pig remained standing and conscious after the first attempt. Your employee made a second attempt with the .22 which contacted the animal, but was again ineffective, the pig remained standing. There was a delay as a second establishment employee left the area to a separate part of the building to retrieve a .357 handgun as it was not immediately available. Your employee then made a third stunning attempt with the .357 which contacted the animal but was ineffective, as the animal remained standing. Your employee immediately fired a fourth shot with the .357 handgun which effectively rendered the animal unconscious, and it remained so thereafter. Immediate regulatory control action was taken by placing U.S. Reject/Retain tag (NO. B-45400145) on the knock box and Establishment Owner, Mr. Jared Lee was notified of the non-compliance and of the regulatory control action.

On October 18, 2023, you submitted your first written response with corrective actions and preventive measures to meet the requirements of the Humane Methods of Slaughter Act. The Jackson District Office (JDO) analyzed your response and advised you that the proffered corrective actions and preventive measures were inadequate. A request for clarification and additional information were sent via electronic mail from the JDO to your establishment on October 19, 2023. On October 19, 2023, you submitted all clarification and additional information with written corrective actions and preventive measures to meet regulatory requirements. The JDO analyzed your proffered corrective actions and preventive measures and determined that the response adequately addressed the identified issues.

On October 20, 2023, at approximately 8:15 AM, the FSIS JDO verbally informed you of FSIS's decision to hold the suspension in abeyance. This letter is to formally inform you of this action. Please be advised that this suspension of inspection at your establishment will remain in abeyance pending verification by FSIS personnel that your proffered corrective actions and preventive measures have been implemented and are effective in ensuring future regulatory compliance. Agency personnel will begin immediate verification of your corrective actions and preventive measures.

A copy of the FSIS Verification Plan (VP) will be provided to assist you in understanding the nature and importance of the Agency's verification activities. The FSIS Verification Plan is designed to verify that your establishment fully implements the revisions to its humane handling of animals and other corrective actions and preventive measures stated in your October 18 and October 19, 2023, responses and that these revisions and corrective actions and preventive measures are effective in ensuring future regulatory compliance. The FSIS Verification Plan identifies your corrective actions, the regulatory requirement(s), and the PHIS Task under which FSIS officials will verify the implementation and effectiveness of your proffered action plan. Only FSIS can amend the verification plan and any modifications to your submitted acceptable corrective actions made during the abeyance period will need to be submitted in writing to FSIS for verification of compliance prior to implementation by your establishment.

It is important for you to understand that FSIS has the responsibility to initiate action if your establishment fails to operate in accordance with the regulations, or conditions occur that do not comply with the Humane Methods of Slaughter Act. In these situations, FSIS personnel will take regulatory control of product or other appropriate action.

Please be further advised that as a federally inspected establishment, you are expected to comply with the Federal Meat Inspection Act and the Humane Methods of Slaughter Act, and all applicable regulations and other requirements concerning the preparation, sale, and transportation of meat products. Failure to comply with these requirements or to effectively implement the measures addressed in your responses, dated October 18 and October 19, 2023, could result in the immediate suspension of inspection at your establishment or other appropriate action(s).

Jared Lee, Owner
The Butcher Barn, Est. M47576

Notice of Suspension Held in Abeyance
October 20, 2023

If you have any questions, please contact Dr. Larry Davis via telephone at (601) 863-4206 or via electronic mail at larry.davis4@usda.gov. Additionally, you can contact the Jackson District Office at (601) 965-4312 or by fax at (601) 965-5901.

Sincerely,

**CHERYL
HENRY**

Digitally signed by
CHERYL HENRY
Date: 2023.10.20 09:52:47
-05'00'

for:

Dr. Larry Davis
District Manager
Jackson District Office

Jared Lee, Owner
The Butcher Barn, Est. M47576

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October 20, 2023

Cc: Ms. Melissa Moore, EARO
(b) (6), Humane Handling Enforcement Coordinator
Mr. Larry Hortert, OIEA Regional Director
Dr. Larry Davis, DM
Dr. Kermit Harvey, DDM
Ms. Cheryl Henry, DDM
Dr. Erin Moses, DDM
(b) (6) SEIAO
(b) (6), DCS
(b) (6), DVMS
(b) (6), FLS
(b) (6), SPHV at Est. M47576
(b) (6), CSI at Est. M47576
FO/Quarterly Reports