



May 13, 2024

Lighthouse Custom Meats LLC
Est. M47916
464 North Indiana State Road 57
Bloomfield, IN 47424

(b) (6)
(812) 645-9673

HAND DELIVERED on 05/13/24
ELECTRONIC MAIL on 05/13/24
FEDEX Tracking #: 776325064110

Attention: Mr. Delmar Wagler, Owner

NOTICE OF SUSPENSION HELD IN ABEYANCE

This letter confirms verbal notification provided to (b) (6), Plant Manager, by Mr. William Cranford, Deputy District Manager, on May 10, 2024, of the Food Safety and Inspection Service's (FSIS) decision to place the Notice of Suspension (NOS) issued to your establishment on May 9, 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 May 10, 2024.

Background

On May 9, 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 Lighthouse Custom Meats LLC, establishment M47916, located at 464 North Indiana State Road 57 in Bloomfield, Indiana. 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 313.2(f), 313.30(a)(1), and 313.30(a)(3). 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 May 10, 2024, the FSIS Chicago District Office received your initial written response as requested.

You identified the cause of the incident was the result of an incorrectly oriented spur on the end of the electrical stunning wand. It had been turned in a direction away from contact on the pig, reducing the contact surface and causing ineffective stunning. Additionally, you identified a failure to recognize the hog was not unconscious before the knock box door was opened, allowing the hog to escape confinement and onto the slaughter floor.

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

1. The electric stunner was tested right after the incident and the results were 576 volts on the “Hi” setting. The manufacturer specifies the maximum voltage on “Hi” is 580 volts. The right spur on the wand was observed to be turned away from the contact point. It was turned to the correct position.
2. Training was conducted according to Temple Grandin’s “Electrical Stunning of Sheep and Pigs.” The reference link for the training document was provided.
3. Training was conducted for employees who perform stunning, and the employees signed and dated the acknowledgement form. Documentation of the training session was provided for review.
4. The position of the spurs on the wand will be verified to be correct as part of pre-op on hog slaughter days and extension rods for the wands have been ordered and will be attached to the wand when they arrive. You provided a copy of the pre-op form.
5. Verification of the stunning procedure will include that the hog is electrically head stunned, verified unconscious/insensible, the knock box door will then be opened to facilitate heart stunning, and a heart stun will be placed. The hog will be verified unconscious again.
6. Verification of stunning effectivity will be conducted by the plant manager or designee on hog slaughter days at a frequency of 25% for the duration of the enforcement action. If any issues or noncompliance occur, immediate corrective actions will be taken and the frequency will be increased to 50% for one day, and if the corrective actions are effective, the frequency will return to 25%. The results of verification stunning will be documented on the verification form. You provided the 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

Mr. Delmar Wagler, Owner
Lighthouse Custom Meats LLC, Est. M47916

Notice of Suspension Held in Abeyance
May 13, 2024

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 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), (b) (6) at (b) (6), or you may contact this office at (630) 317-1293.

Sincerely,

DONALD
FICKEY
Digitally signed by
DONALD FICKEY
Date: 2024.05.13
06:51:03 -0500

Dr. Donald B. Fickey
District Manager
FSIS Chicago District