



June 3, 2024

Puro Alentejano Iberian Pork Corp.  
M47945  
31 Jerico Road  
Salem, NJ 08079  
(b) (6) @HOTMAIL.COM  
862-755-6583

ELECTRONIC MAIL on June 3, 2024

**Attention: Rodrigo Duarte, Owner**

### **NOTICE OF REINSTATEMENT OF SUSPENSION**

This letter confirms the verbal notification given on June 3, 2024, at approximately 0941 hours, by the Food Safety and Inspection Service (FSIS) Inspection Program Personnel (IPP) of the reinstatement of suspension of the assignment of inspectors for slaughter operations at Puro Alentejano Iberian Pork Corp., Est. M47945, herein after referred to as “your establishment.” This action was initiated in accordance with Title 9 of the Code of Federal Regulations (9 CFR) 500.3, after FSIS determined that your establishment failed to slaughter and handle animals humanely.

#### **Background/Authority**

The Federal Meat Inspection Act (FMIA) (Title 21 of the United States Code {21 U.S.C.} 603 et seq.) provides that for the purpose of preventing the inhumane slaughtering of livestock, the Secretary shall cause to be made, by inspectors appointed for that purpose, an examination and inspection of the methods by which cattle, sheep, swine, goats, horses, mules, or other equines are slaughtered and handled in connection with slaughter in the slaughtering establishments inspected under this Act. The Secretary may refuse to provide inspection to a new slaughtering establishment or may cause slaughtering to be temporarily suspended at a slaughtering establishment if the Secretary finds that any cattle, sheep, swine, goats, horses, mules, or other equines have been slaughtered or handled in connection with slaughter at such establishments by any method not in accordance with sections 1901 to 1906 of Title 7 until the establishment furnishes assurances, satisfactory to the Secretary, that all slaughtering and handling in connection with slaughter of livestock shall be in accordance with such a method.

The Humane Methods of Slaughter Act of 1978 (7 U.S.C. 1901 et seq.) provides that Congress finds that the use of humane methods in the slaughter of livestock prevents needless suffering; results in safer and better working conditions for persons engaged in the slaughtering industry; brings about improvement of products and economies in slaughtering operations; and produces other benefits for producers, processors, and consumers which tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce. It is therefore declared to be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.

### **Findings/Basis for Suspension**

At approximately 0850 hours on Monday, June 3, 2024, IPP identified an egregious humane handling non-compliance in which there were multiple attempts to stun a boar hog without an immediate corrective action. An employee attempted to stun a boar hog using a .22 rifle. While the inspector was positioned behind a closed door adjacent to the kill floor, she heard three (3) shots from the rifle. After the first shot, IPP heard the boar squeal, and after the second shot, IPP opened the door slightly and observed the boar to be standing and moving in the knock box. After the third shot, IPP heard the hog grunt and opened the door slightly to again observe the boar to be standing and moving in the knock box. The employee approached IPP and informed her that he only had one (1) bullet left and didn't want to use it because it looked damaged. When IPP entered the kill floor, she observed that the boar was still standing in the knock box and that there was at least one hole in the skull which had blood trickling from it. The employee informed IPP that they were waiting for a higher caliber backup rifle to be brought to the establishment. IPP placed US Retain/Reject tag #B45-791678 to the knock box to prevent further slaughter of livestock in accordance with 9 CFR 313.50(c). IPP then informed the employee that the animal needed to be stunned effectively as soon as the backup firearm arrived. A backup firearm was delivered to the establishment (a (b) (4) rifle) and the boar was effectively rendered unconscious. Examination of the boar's skull revealed that two (2) of the .22 bullets failed to penetrate the skull at all and one (1) .22 bullet made a penetrating mark approximately 1/16"; all 3 of the .22 caliber bullets were lodged between the skin and bone. One (1) hole from the (b) (4) rifle was observed to have completely penetrated the skull.

This incident represents a violation of 9 CFR 313.16(a)(1) which says 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. The animal shall be shot in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort." The incident is considered egregious because there were multiple attempts to stun the boar without an effective corrective action and because there was prolonged discomfort to the animal because of the delay in producing an effective corrective action. The establishment is currently in abeyance for a previous stunning incident; therefore, this reinstatement action is being initiated.

The reinstated suspension action will remain in effect until you provide the Raleigh District Office with adequate written assurances, including corrective actions and further planned preventive measures, to assure that livestock at your establishment are slaughtered humanely. In order to resume inspected operations, you must submit corrective actions to my attention at the District Office. These corrective actions should include at a minimum the following:

1. Identify the assessment process used to determine the nature and cause of the noncompliances.
2. Identify what the assessment revealed as the likely cause of the system failure.
3. Describe the specific actions that will be taken to eliminate the cause of the failures.
4. Describe the future monitoring activities you will use to ensure that changes are implemented and are effective.

Rodrigo Duarte, Owner  
Puro Alentejano Iberian Pork Corp., M47945

Notice of Reinstatement of Suspension  
June 3, 2024

You are reminded that, as an operator of a federally inspected plant, you are expected to comply with FSIS regulations and to take appropriate corrective actions to prevent inhumane handling of livestock at your establishment. Please be advised that your failure to respond adequately to these issues may result in our initiating action to withdraw inspection from your establishment. Please also be advised that you have the right to appeal this matter.

In accordance with 9 CFR 500.5(a)(5), you may appeal this action by contacting:

Sherrri Johnson  
Executive Associate for Regulatory Operations  
Office of Field Operations  
Food Safety and Inspection Service  
United States Department of Agriculture  
1400 Independence Avenue, SW  
South Building, Room 3154  
Washington, DC 20250  
Phone: (b) (6)

In addition, you may also request a hearing regarding this determination pursuant to FSIS' Rules of Practice (9 CFR 500.). The rules of Practice were published in the Federal Register, Vol. 64, No. 228, on November 29, 1999. As specified in Section 500.5(d), 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, you should contact:

Scott C. Safian, Branch Chief  
Enforcement Operations Branch  
Office of Investigation, Enforcement and Audit  
Food Safety and Inspection Service  
Stop Code 3753, PP3, Cubicle 9-235-A  
1400 Independence Avenue, SW  
Washington, D.C. 20250  
Voice: (202) 418-8872  
Fax: (202) 245-5097

It is our hope that this matter can be resolved quickly. If you have any questions, please contact me via telephone at 919-326-5281 or via electronic mail at [todd.furey2@usda.gov](mailto:todd.furey2@usda.gov). Additionally, you can contact the Raleigh District Office at 919-844-8400 or by fax at 844-839-6359.

Sincerely,

HEATHER  
HAVENS

Digitally signed by HEATHER  
HAVENS  
Date: 2024.06.03 11:59:55  
-04'00'

Todd Furey  
District Manager

Rodrigo Duarte, Owner  
Puro Alentejano Iberian Pork Corp., M47945

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June 3, 2024

cc: S. Johnson, EARO/FO  
L. Hortert, RD/CID/OIEA  
(b) (6), HHEC/FO  
T. Furey, DM/RDO/FO  
R. Murphy, DDM/RDO/FO  
A. Gupton, DDM/RDO/FO  
H. Havens, DDM/RDO/FO  
(b) (6) DCS/RDO/FO  
(b) (6), DVMS/RDO/FO  
(b) (6), SEIAO/RDO/FO  
(b) (6), FLS/RDO/FO  
(b) (6), CSI/RDO/FO  
Quarterly Enforcement Report  
Establishment File (Est. M47945)