



July 9, 2024

Powell Meat Company LLC
Est. M51306+V51306
117 W Rives Road
Clinton, Missouri 64735
travis@powellmeatco.com
(660) 383-9001

ELECTRONIC MAIL on July 9, 2024
FEDEX TRACKING 7773 0013 7682

Attention: Travis Powell, Owner

NOTICE OF SUSPENSION HELD IN ABEYANCE

On July 3, 2024, the Food Safety and Inspection Service (FSIS) notified you of the suspension of the assignment of inspection personnel related to your Slaughter process at Powell Meat Company LLC, Est. M51306+V51306, as per Title 9 of the Code of Federal Regulations (CFR), Rules of Practice 500.3(b). The Notice of Suspension (NOS) was based on your failure to prevent inhumane handling and slaughtering of livestock at your facility as required by 9 CFR 313.16(a)(1) and 313.16(a)(3).

On July 3, 2024, you provided a written response (Action Plan) to the Notice of Suspension (NOS) via electronic mail, beginning a dialogue that ended with your final updates to the Action Plan on July 5, 2024. FSIS analyzed the corrective and preventative measures provided in your Action Plan and determined they represent 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 July 5, 2024, and this letter serves as formal, written notification of the same.

An abeyance is a postponement 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.

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

Travis Powell, Owner
Powell Meat Company LLC, Est. M51306+V51306

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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 Dr. Dakota Baker via telephone at (479) 717-5064 or via electronic mail at dakota.baker@usda.gov. Additionally, you can contact Springdale District Office at 479-751-8412 or by fax at 479-751-4739.

Sincerely,

(b) (6)

Jeffery Barnham
District Manager

FSIS Verification Plan

Powel Meat Company (M51306 / V51306)

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| <i>Background that led to enforcement action (Bkgd)</i> | |
| <i>Related Regulations (Reg)</i> | |
| <i>Establishment Action Plan (AP)</i> | |
| <i>Related Establishment Records (Rec)</i> | |
| <i>FSIS Verification Activity (VA)</i> | |
| <i>Frequency of Verification Activity (Freq)</i> | |
| <i>Related PHIS Task (PHIS)</i> | |
| VP1 | <p><i>Bkgd</i> IPP observed (NR#MCU3108073003) an est. employee attempt to stun a lamb with a .22-caliber rifle using 22 short bullets on the top middle of the skull, behind the ears. The lamb remained conscious and standing. The est. employee shot the lamb again and it remained standing and conscious. The est. employee reloaded the rifle and shot the lamb a third time and it remained conscious. The est. employee shot the lamb a fourth time and it remained conscious. On the fifth stun attempt, the lamb was rendered unconscious.</p> |
| | <p><i>Reg</i> 9 CFR 313.16(a), 313.16(b)(i)</p> |
| | <p><i>AP</i> The est. determined the cause of the failed stun was the ammunition, a 22-short hollow point bullet. The est. will now stun lambs, sheep and goats with a .22 long rifle full metal jacket. The est. trained personnel and management or designee will randomly observe the stun operator perform the stun procedure on lamb, sheep and goat and perform a head audit and slaughter reliability checklist on 10% of animals or a min. of one everyday lambs, sheep, and goats are slaughtered. Est manager or designee will: verify the ammunition; observe the skinned, split head; and document, date, and initial the results on the Stunning Log.</p> |
| | <p><i>Rec</i> Head Audit Form, Slaughter Reliability Checklist/Stunning Log.</p> |
| | <p><i>VA</i> Verify by review and observation that a .22 long rifle full metal jacket is used and is effective to immediately stun lambs, sheep, and goats. Verify by review and observation and record review that est. management or designee observes the stun procedure, verifies the ammunition, performs and documents the head audit and slaughter reliability checklist on 10% or a minimum of at least one lamb, sheep, or goat each day they are slaughtered.</p> |
| | <p><i>Freq</i> Daily when lamb, sheep, or goats are slaughtered.</p> |
| VP2 | <p><i>PHIS</i> Livestock Humane Handling task</p> |
| | <p><i>Bkgd</i> IPP observed (NR#MCU3108073003) an est. employee attempt to stun a lamb with a .22-caliber rifle using 22 short bullets on the top middle of the skull, behind the ears. The lamb remained conscious and standing. The est employee shot the lamb again and it remained standing and conscious. The est. employee reloaded the rifle and shot the lamb a third time and it remained conscious. The est. employee shot the lamb a fourth time and it remained conscious. On the fifth stun attempt, the lamb was rendered unconscious.</p> |
| | <p><i>Reg</i> 9 CFR 313.16(a)(1), 313.16(a)(3)</p> |
| | <p><i>AP</i> The est. determined the cause of the failed stun was the weapon and ammunition choice using a 22-short hollow point bullet. The est. will continue with a robust systematic approach to humane handling plan and record keeping system.</p> |
| | <p><i>Rec</i> Monitoring of Systematic Approach to Humane Handling</p> |
| | <p><i>VA</i> Verify by observation and record review the est. implements its Systematic Approach to Humane Handling and documents the results.</p> |
| VP2 | <p><i>Freq</i> Once per week</p> |
| | <p><i>PHIS</i> Livestock Humane Handling Task</p> |

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| VP3 | Bkgd | IPP observed (NR#MCU3108073003) an est. employee attempt to stun a lamb with a .22-caliber rifle using 22 short bullets on the top middle of the skull, behind the ears. The lamb remained conscious and standing. The est. employee shot the lamb again and it remained standing and conscious. The est. employee reloaded the rifle and shot the lamb a third time and it remained conscious. The est. employee shot the lamb a fourth time and it remained conscious. On the fifth stun attempt, the lamb was rendered unconscious. |
| | Reg | 9 CFR 313.16(a)(1), 313.16(a)(3) |
| | AP | The est. determined the cause of the failed stun was the weapon and ammunition choice using a 22-short hollow point bullet. The establishment will now stun lambs, sheep and goats with a .22 long rifle full metal jacket. The establishment will implement a robust systematic approach to humane handling. The establishment trained personnel on the stunning method for lambs, sheep, and goats and to use a robust systematic approach. The Slaughter Reliability Checklist includes monthly refresher and review of all slaughter employees. |
| | Rec | Slaughter Training Plan, Slaughter Reliability Checklist/Stunning Log |
| | VA | Verify by record review once initially that all slaughter employees completed training. Verify by record review monthly that any new slaughter employees are trained and all slaughter employees complete monthly refresher training. |
| | Freq | Initially, then once per month to verify any new employees and refresher training. |
| | PHIS | Livestock Humane Handling Task |