



U.S. DEPARTMENT OF AGRICULTURE

**Food Safety and Inspection Service**  
1400 Independence Avenue, SW  
Washington, DC 20250

May 7, 2025

Electronically Submitted on May 7, 2025

BIERIG BROTHER, INC., ESTABLISHMENT M5430+V5430  
3539 REILLY COURT, VINELAND, NJ 08360  
[michael@bierigbrothers.com](mailto:michael@bierigbrothers.com)  
(856) 691-9765

Attention: Michael Bierig, Corporate Administrator

## **NOTICE OF SUSPENSION HELD IN ABEYANCE**

This letter serves as official notification by the Food Safety and Inspection Service (FSIS) of its decision to place the May 7, 2025, suspension action in abeyance at Bierig Brothers, Inc., (Bierig Brothers), M5430, located at 3539 Reilly Court, Vineland, NJ 08360. Bierig Brothers was notified electronically of this decision on May 7, 2025.

Previously, on May 7, 2025, FSIS issued Bierig Brothers a Notice of Suspension (NOS), which informed you that FSIS was taking action to withhold the marks of inspection and suspend inspection services, in accordance with Title 9 Code of the Federal Regulations (CFR) Rules of Practice 500.3(b), for Bierig Brothers' Slaughter Hazard Analysis Critical Control Point (HACCP) processes.

On May 7, 2025, FSIS received your responses to the NOS, both written and oral, which identified corrective and preventative actions Bierig Brothers has taken or will take to ensure compliance with applicable statutory and regulatory requirements. After careful review of this matter, FSIS is placing the suspension action in abeyance.

During this abeyance period, FSIS will conduct inspection and verification activities, as described in the enclosed Verification Plan (VP). The VP is designed to assist FSIS inspection personnel in verifying that Bierig Brothers has fully implemented the proposed corrective actions and demonstrated their effectiveness in ensuring continued statutory and regulatory compliance. FSIS will verify each corrective and preventive action, including whether Bierig Brothers meets any deadlines associated with its proposed actions.

**Note: Any changes to your proposed and accepted corrective actions dated May 7, 2025, must be submitted in writing to the District Manager for prior approval.**

Please be advised that failure to effectively execute the conditions of this abeyance action or additional noncompliance with the requirements of the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 *et seq.*), and the regulations promulgated thereunder may result in further enforcement action by FSIS, including

withholding the marks of inspection or suspending inspection services at Bierig Brothers, or other appropriate action.

If you have any questions, please contact Dr. Ariel Gupton, Deputy District Manager (DDM) via telephone at 919-624-0638 or via electronic mail at [Ariel.Gupton@usda.gov](mailto:Ariel.Gupton@usda.gov). Additionally, you can contact the Raleigh District Office at 919-844-8400.

Sincerely,

**ARIAL GUPTON** Digitally signed by ARIAL  
GUPTON  
Date: 2025.05.08 10:09:57 -04'00'

Todd Furey  
District Manager

Cc M. Moore, DAA  
T. Furey, DM  
S. Safian, OIEA Regional Director  
A. Gupton, DDM  
H. Havens, DDM  
(b) (6), DVMS  
(b) (6), DVMO  
(b) (6), SEAIO  
(b) (6), FLS  
(b) (6), SPHV  
FO/Quarterly Reports

**Establishment Name: Bierig Brothers, Inc.**  
**Establishment Number: M5430**  
**Two-Week Period Ending: \_\_\_\_\_**

Reason for Verification: On 05/07/2025, Establishment M5430 was issued an NOS for failure to meet 9 CFR 313 of the regulations. On 05/07/2025, the establishment was issued a NOSHIA after submitting acceptable corrective actions and preventive measures.

Information for Establishment Management: This verification plan was created from the corrective actions and preventive measures which were submitted to, and which were accepted by, the Raleigh District Office. As such, any changes to these corrective actions and preventive measures needs to be approved by the Raleigh District Office prior to implementation.

**Instructions for completion of Humane Handling and Slaughter Verification form:**

1. "Results of Verification" column should be recorded as "Acceptable", "Unacceptable", or "N/A"
2. "Inspection Actions" column should be used to document unacceptable findings or any additional corrective actions taken in compliance with 9 CFR 313.
3. The implementation and effectiveness of the establishment's corrective actions should be verified at the frequencies stated below. The in-plant inspection team (IPP) can request, through supervisory channels, a change in the frequencies when the determination is made that the establishment has effectively implemented the corrective actions.
4. Each day verification activities are performed, IPP should add a Directed Livestock Humane Handling Verification task in PHIS and use the justification "Verification Plan for Enforcement Actions" to justify the scheduling of the Directed task.
5. IPP will provide bi-weekly verification updates detailing the results of verification activities and submit to the SPHV/FLS for review.
6. The completed bi-weekly report will be submitted via email to (b) (6), District Veterinary Medical Specialist, and to Mr. David Lilly, District Case Specialist.

Items to Verify	Results of Verification	Inspection Actions
1. Verify that any non-ambulatory disabled (NAD) calves are stunned and then immediately cut for bleeding. (Daily, for each slaughter day, as applicable)		

2. Verify that an establishment employee monitors the stunning procedure for 100% of the NAD calves. ( <b>Daily, for each slaughter day, as applicable</b> )		
3. Verify that the monitoring results are recorded on the Bierig Brothers Stunning Conformation Log for 100% of the NAD calves. ( <b>Daily, for each slaughter day, as applicable</b> )		

#### **Comments and Recommendations**

##### **Two-Week Period Ending:**

IIC Comments/Recommendation:

SPHV Comments/Recommendation (if not the IIC):

FLS Comments/Recommendation: