



Food Safety and Inspection  
Service

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

April 17, 2023

Fayette Packing Company  
Est. M6555  
16620 Highway 196  
Eads, Tennessee 38028  
fayettepackingco@bellsouth.net  
901-867-3826

ELECTRONIC MAIL on April 17, 2023  
FEDEX TRACKING 397041609211

Attention: David Keith, Owner

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

On April 13, 2023, the Food Safety and Inspection Service (FSIS) issued a Notice of Suspension to suspend the assignment of inspectors for your federal slaughter activities at Fayette Packing Company, Est. M6555, located at 16620 Highway 196, Eads, TN 38028. This action was based on your establishment's failure to handle livestock humanely according to 9 CFR Part 313. Specifically, on April 13, 2023, at approximately 1248 hours, the CSI observed Fayette Packing, Establishment M6555, stunning a beef cow. The beef cow was driven into the knock chute, the head gate closed, and the nose clamp applied to control the head. The establishment followed their stunning procedure with three stuns rapidly successive with a handheld captive bolt device. The three stuns were ineffective as the animal remaining standing and vocalizing. A second establishment kill floor employee reloaded the captive bolt device with a new charge and delivered a fourth and effective corrective action stun with a handheld captive bolt device, rendering the animal insensible and it remained so thereafter. The stun operator delivered a security stun per the establishments stunning procedures. U.S. Reject tag No. B43049256 was applied to the knock box and David Keith, Establishment Owner, was notified of the noncompliance with 9 CFR 313.15(a)(1) and 9 CFR 313.15(a)(3).

On April 14, 2023, you submitted your first response with written 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 not adequate. A request for clarification was sent via electronic mail from the JDO to your establishment on April 14, 2023.

On April 14, 2023, you submitted your second response with written corrective actions and preventive measures to meet the requirements of the Humane Methods of Slaughter Act. The Jackson District Office analyzed your response and determined that the response adequately addressed the identified issues. On

April 14, 2023, at 2:50 PM CST, the Deputy District Manager verbally notified you that the corrective actions and preventive measures you proffered were adequate to meet the regulatory requirements and to place Fayette Packing Company, Est. M6555, under abeyance. This letter formally informs you of this action. Specifically, you stated that after close evaluation of the video evidence, you came to the conclusion that your slaughter employee was in need of retraining; you stated that your slaughter employee was instructed verbally on the correct way to handle the bolt stun gun and shown the diagram of the beef head stun gun recommendations set by Temple Grandin; you stated that you have a diagram of beef stun recommendations will be placed outside of your kill area for refreshers on beef stun training; you stated that daily pre-slaughter testing will be completed for your establishment stun devices and the testing/firing results will be recorded on your establishment's inspection and cleaning log; you stated that the frequency of training for all your slaughter employees will be done on a quarterly basis; you stated that all of your slaughter employees will complete the retraining this quarter with your new quarterly training requirements to ensure all your employees are refreshed on what is required of them during the slaughter process; you stated your equipment cleaning records are done daily and stored on your Stunning Equipment Check and Maintenance Log; you stated that during your daily inspection of the stun gun equipment, you will be checking for such problems (i.e., firing pens and O-rings) and testing the guns before use in your slaughter room; you stated that you will store your ammunition in your HACCP Coordinator's office to ensure no damage is caused by climate; you stated that you will implement a weekly check of employee restraining and stunning procedures and address any problems that may arise; you stated that any employee in need of retraining will be recorded in your Retraining folder; you provided your Stunning Equipment Check and Maintenance Log; you provided the Recommended Captive Bolt Stunning Techniques for Cattle by Temple Grandin; you provided your Slaughter hazard analysis; you provided your Employee Re-Training Program and the description of your Employee Re-Training and you provided your HACCP Corrective Action Log.

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 April 14, 2023, response 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.

Please be further advised that this suspension of inspection at your establishment will remain in Abeyance pending verification by FSIS that your proposed 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.

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

David Keith, Owner  
Fayette Packing Company, Est. M6555

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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 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 April 14, 2023, could result in the immediate suspension of inspection at your establishment or other appropriate action(s).

If you have any questions about this action, please contact the Jackson District Office at (601) 965-4312.

Sincerely,

CLAURIC Digitally signed by  
CLAURICE BUCKLEY  
BUCKLEY Date: 2023.04.17  
07:09:53 -0500

Dr. Larry Davis  
District Manager  
Jackson District Office

David Keith, Owner  
Fayette Packing Company, Est. M6555

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Cc: Mr. Paul Wolseley, EARO  
Dr. Larry Davis, DM  
(b) (6), Humane Handling Enforcement Coordinator  
Mr. Scott Ehle, OIEA Regional Director  
Dr. Kermit Harvey, DDM  
Ms. Cheryl Henry, DDM  
(b) (6), SEIAO  
(b) (6) DCS  
(b) (6), DVMS  
(b) (6), FLS  
(b) (6) at Est. M6555  
(b) (6), CSI at Est. M6555  
FO/Quarterly Reports