



Food Safety and Inspection Service

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

August 29, 2023

Trackside Butcher Shoppe
Est. Number: M45607
123 Commerce Parkway
Campbellsburg, KY 40011
office@tracksidebutchershoppe.com
502-532-3015

ELECTRONIC MAIL on August 29, 2023
FEDEX TRACKING #773240362180

Attention: Mr. John Edwards, Owner

NOTICE OF SUSPENSION HELD IN ABEYANCE

On August 28, 2023, the Food Safety and Inspection Service (FSIS) issued a Notice of Suspension to your establishment to withhold the federal marks of inspection and suspend the assignment of Inspection Program Personnel (IPP) at Trackside Butcher Shoppe, Est. M45607, located at 123 Commerce Parkway, Campbellsburg, KY. This action included your Slaughter Hazard Analysis Critical Control Point (HACCP) processes employed at your establishment. The decision to institute this enforcement action was in accordance with Title 9 of the Code of Federal Regulations (CFR), Rules of Practice 500.3(b), based on the determination that your establishment did not handle or slaughter animals humanely. The evidence demonstrated failure to comply with the Federal Meat Inspection Act (FMIA) (21 U.S.C. 603), the Humane Methods of Slaughter Act (HMSA) (7 U.S.C. 1901 et seq.), and the regulatory requirements (9 CFR Part 313).

On August 28, 2023, at 9:10 AM, while performing the Humane Handling task at Trackside Butcher Shoppe, Est. M45607 in Campbellsburg, KY, the CSI observed a 2300-pound beef bull enter the knock box, and the establishment stun operator was unable to properly restrain the animal. Your establishment's stun operator made four stun attempts with a .22 mag rifle, which contacted the animal, but were ineffective, as evidenced by the animal remained standing. The establishment owner, Chris Wright was notified. Mr. Wright immediately used a 223-caliber rifle to render the animal insensible on the fifth stun attempt, a security knock was applied, and the animal remained insensible thereafter. Mr. Wright was notified of the non-compliance and of the regulatory control action. The CSI placed US Rejected tag number B-45710449, rejecting the knock box.

On August 28, 2023, you submitted your first written response with corrective actions and preventive measures to meet regulatory requirements. 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 and additional information was sent via electronic mail from the JDO to your establishment on August 29, 2023.

On August 29, 2023, you submitted all clarification and additional information with written corrective actions and preventive measures to meet regulatory requirements.

John Edwards, Owner
Trackside Butcher Shoppe, Est. M45607

Notice of Suspension Held in Abeyance
August 29, 2023

The Jackson District Office analyzed your proffered corrective actions and preventive measures and determined that the response adequately addressed the identified issues. On August 29, 2023, at approximately 10:30 AM, the FSIS Jackson District Office verbally informed you of FSIS's decision to hold the suspension in abeyance. This letter is to formally inform you of this action.

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 properly implements the revisions to its humane handling of animals and other corrective actions and preventive measures stated in your August 28 and August 29, 2023, responses 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. Only FSIS can amend the verification plan and any modifications to your submitted acceptable corrective actions made during the abeyance period will need to be submitted in writing to FSIS for verification of compliance prior to implementation by your establishment.

Please be 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 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 further 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 August 28 and August 29, 2023, could result in the immediate suspension of inspection at your establishment or other appropriate action(s).

If you have any questions, please contact Dr. Larry Davis via telephone at (601) 863-4206 or via electronic mail at larry.davis4@usda.gov. Additionally, you can contact the Jackson District Office at (601) 965-4312 or by fax at (601) 965-5901.

Sincerely,

LARRY DAVIS

Digitally signed by LARRY
DAVIS
Date: 2023.08.29 10:54:28
-05'00'

Dr. Larry Davis
District Manager
Jackson District Office

John Edwards, Owner
Trackside Butcher Shoppe, Est. M45607

Notice of Suspension Held in Abeyance
August 29, 2023

Cc: Ms. Melissa Moore, EARO
(b) (6), Humane Handling Enforcement Coordinator
Mr. Larry Hortert, OIEA Regional Director
Dr. Larry Davis, DM
Dr. Kermit Harvey, DDM
Ms. Cheryl Henry, DDM
Dr. Erin Moses, DDM/FLS
(b) (6) SEIAO
(b) (6) DCS
(b) (6) DVMS
(b) (6) CSI at Est. M45607
FO/Quarterly Reports