



May 12, 2023

Appalachian Abattoir
M7457A
4808 Kanawha Boulevard East
Charleston, West Virginia 25306
[REDACTED]@beef.buzz
[REDACTED]

ELECTRONIC MAIL on May 12, 2023

Attention: [REDACTED], Establishment Administrator

NOTICE OF SUSPENSION HELD IN ABEYANCE

On May 5, 2023, your establishment received official notification from the Food Safety and Inspection Service (FSIS) of the suspension of the assignment of inspection personnel for slaughter operations at Appalachian Abattoir, Est. M7457A. The decision to suspend inspection at your establishment was based on the determination by FSIS that your establishment failed to slaughter and handle animals humanely.

On May 9 and 10, 2023, you provided FSIS with proposed responses to the suspension action. Your responses outlined written corrective and preventive measures to bring your establishment into compliance with humane handling of livestock requirements and to achieve compliance with the Federal Meat Inspection Act (FMIA) (Title 21 of the United States Code {21 U.S.C} 603), the Humane Methods of Slaughter act of 1978 (HMSA) (7 U.S.C. 1901 et seq.), and federal regulations {Title 9 of the Code of Federal Regulations (9 CFR) parts 313}. Based on your submitted written assurances, we have determined that the suspension of the assignment of inspectors for slaughter operations at your plant will be held in abeyance, in accordance with 9 CFR Part 500.5(e).

The suspension will remain in abeyance pending verification by FSIS that your proposed corrective and preventive measures have been effectively implemented. Plant personnel should monitor operations to prevent violations of humane handling and slaughter from occurring in the future. It is also important for you to understand the responsibility of FSIS to initiate action when there is a failure to operate in accordance with 9 CFR Part 313 of the regulations.

A copy of the FSIS Verification Plan is enclosed to assist you 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 corrective actions proffered in your proposed corrective actions, and that these revisions and corrective actions are effective in assuring ongoing regulatory compliance. It identifies your corrective action elements, the relevant regulatory requirements, the PHIS task under which corrective action elements will be verified, and the monitoring frequency. 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. FSIS will begin verification of your proposed actions before startup of your next scheduled slaughter.

(b) (6), Establishment Administrator
Appalachian Abattoir, M7457A

Notice of Suspension
May 11, 2023

Please be advised that, as a federally inspected establishment, you are expected to comply with FSIS regulations and to take appropriate corrective action to prevent Inhumane Handling of Livestock at your establishment. Your failure to comply with these requirements or to implement the measures in your action plan could result in reinstatement of the suspension of inspection at your establishment or other appropriate administrative or legal action.

If you have any questions, please contact Todd Furey via telephone at 919-326-5281 or via electronic mail at todd.furey2@usda.gov. Additionally, you can contact the Raleigh District Office at 919-844-8400 or by fax at 844-839-6359.

Sincerely,

ROGER MURPHY

Digitally signed by ROGER

MURPHY

Date: 2023.05.12 09:43:56 -04'00'

Todd Furey
District Manager

cc: S. Johnson, EARO/FO
L. Hortert, RD/CID/OIEA
(b) (6), HHEC/FO
T. Furey, DM/RDO/FO
R. Murphy, DDM/RDO/FO
M. Roling, DDM/RDO/FO
A. Thompson, DDM/RDO/FO
(b) (6), DCS/RDO/FO
(b) (6), DVMS/RDO/FO
(b) (6), SELAO/RDO/FO
(b) (6), FLS/RDO/FO
(b) (6), SPHV/RDO/FO
Quarterly Enforcement Report
Establishment File (Est. M7457A)

Establishment Name: Appalachian Abattoir
Establishment Number: M7457A
Two-Week Period Ending: _____

Reason for Verification: On 05/09/2023, Establishment M7457A was issued a NOS for failure to meet 9 CFR 313 of the regulations (Incident occurred on 05/05/2023). On 05/11/2023, 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 (b) (6), District Case Specialist.

Items to Verify	Results of Verification	Inspection Actions
1. Verify that members of upper management have received HH training. (Once)		
2. Verify that Kill Floor Supervisor has been re-trained for HH. (Once)		

3. Verify that all employees have been updated on the new training protocols. (Once)		
4. Verify that no OJT occurs during the first 4 weeks of verification. (Daily on days of slaughter for 4 weeks)		
5. Verify that any OJT that occurs after the initial 4-week period follows the new OJT training procedures. (Daily, on days of slaughter, as needed)		
6. Verify that OJT training is conducted in the presence of one of the named members of upper management. (Daily, on days of slaughter, as needed)		
7. Verify that one of the named individuals is present to observe 100% of slaughter for the next 4 weeks. (Daily, on days of slaughter)		
8. Verify that the Daily Humane Handling Monitoring Record is completed daily for a period of 4 weeks. (Daily, on days of slaughter)		
9. Verify that the Direct Observation of Stunning Methods form is filled out for 100% of the stunning for a period of 4 weeks. (Daily, on days of slaughter)		

10. Verify that, after the initial 4-week observation period, observation of stunning is performed once per hour and documented on the appropriate form. (Daily, on days of slaughter)		
11. Verify that, after the second 4-week period, an assessment is performed to determine whether additional monitoring needs to occur. (Once, at the end of 8 weeks)		

Comments and Recommendations

Two-Week Period Ending:

IIC Comments/Recommendation:

SPHV Comments/Recommendation (if not the IIC):

FLS Comments/Recommendation: