USDA

United States Department of Agriculture

Food Safety and Inspection Service
Office of Field Operations
Jackson District Office
713 S Pear Orchard Rd,
Plaza 2, Suite 402
Ridgeland, MS 39157

June 15, 2020

Via Email: chris@petescountrymeats.com

Mr. Chris Jones, Owner
Pete's Country Meats, Est. M6636
953 Lexington Highway
Loretto, TN 38469

NOTICE OF SUSPENSION HELD IN ABEYANCE

Dear Mr. Jones:

On June 11, 2020, a "Notice of Suspension" was issued to suspend the assignment of inspectors for your federal slaughter activities at Pete's Country Meats, Est. M6636. This action was based on your establishment's failure to handle livestock humanely according to 9 CFR Part 313. Specifically, on June 11, 2020, at approximately 0945 hours, the CSI observed a heifer being loaded into the knock box at Pete's Country Meats, Est. M6636. Using a .22 mag Long Rifle ammunition, your plant employee administered the first stun attempt to the animal's forehead wherein the animal remained standing and consciously breathing. A second stun attempt was immediately administered to the animal's forehead using the same device and size ammunition wherein the animal remained standing. A second plant employee immediately administered a successful third stun to the animal's forehead using a back-up 9 mm pistol rendering the animal unconscious. It remained unconscious and insensible to pain throughout shackling, sticking, and bleeding. The knock box was rejected and tagged with USDA Reject tag number B25008661. Plant Owner Chris Jones was notified of the regulatory control action. Your establishment is currently not operating under a Robust Systematic Humane Handling Program.

On June 11, 2020, 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 analyzed your response and advised you that the proffered corrective actions and preventive measures were not adequate. Specifically, you were informed that you should provide your weapon selection (size of caliber) and associated selected cartridge (bullet) energy; provide clear corrective action of storage SOP with verifiable log; provide a clear and verifiable SOP/LOG of first in-first out to ensure the freshness of the ammunition used; provide your corrective actions on how you will segregate and control ammunition returned from the kill floor to the primary ammunition dry box to ensure that specific ammunition is used first on the next available kill day/animal; provide your corrective actions on how you will ensure ammunition in the wet kill floor environment is kept as dry as possible, whether it is used or returned to the dry box; provide specific details for your employee training, training materials, training logs, and the frequency of your employee refresher training.

On June 12, 2020, 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 informed you that your responses were not adequate. Specifically, you were informed that you should determine who will be responsible for cleaning and inspecting the firearms; provide additional information on how you plan to segregate the bullets that are returned from the kill floor and what happens to unused ammunition after 7 days; provide if any desiccant packages will be kept in the kill floor ammunition box and any use and frequency of maintenance or replacement of moisture packs; and provide specific employee training materials that you will utilize for new employees and refresher training.

On June 12, 2020, you provided your third response. The Jackson District Office analyzed your response and determined that the response adequately addressed the identified issues. On June 12, 2020, at 3:15 PM CDT, the Deputy District Manager telephoned you and verbally notified you that the corrective actions and preventive measures you proffered were adequate to meet the requirements to place Pete's Country Meats, Est. M6636, under a "Notice of Suspension Held in Abeyance." This letter formally informs you of this action. Specifically, you stated that the root cause of the ineffective stun was determined to be cartridge/bullet performance; you stated that all cartridges will be stored in a sealed dry box designed for storing ammunition in accordance with the manufacturer's guidelines and your Stun Weapon and Ammunition SOP; you stated that each package of ammunition will be dated when it is received and cartridges will not be used for USDA slaughter after two months from the date of receipt; you stated all cartridges will be stored in the facility office when slaughter operations are not being performed; you stated unused cartridges will be returned to the office and stored in the dry box; you stated each employee performing slaughter operations will read and sign training materials associated with proper ammunition storage; you provided your Slaughter Employee Training Log; you provided your Weapon Maintenance Log; you provided your Slaughter Employee Training Log; you stated a 22 WMR (.22 Mag) will be used for beef weighing approximately 1600 pounds and below (live weight) and hogs weighing less than 300 pounds (live weight); you stated a 30-30 WIN will be used for beef weighing over 1600 pounds and hogs weighing over 300 pounds; you stated a .22 Long Rifle will be used for sheep and goats; you stated a 9 MM will be used for backup; you stated that your stun weapons will be stored in your facility's office; you stated that all ammunition will be stored in an airtight ammunition storage box with moisture-indicating desiccant packs inside; you stated that this pack will be changed as indicated by the color per the manufacturer's recommendation; you stated that your dry box will be stored in your facility's office; you stated that ammunition will be used in a FIFO basis (First In-First Out); you stated new ammunition will be vacuum sealed in lots of 50-100 rounds; you stated for slaughter operations, ammunition will be removed from the office ammo box and placed in the kill floor ammo box; you stated this volume will be sufficient for the day's slaughter operations including backup; you stated that only ammunition that is loaded into the weapon magazine shall be considered exposed to the kill floor environment and unused ammunition that is exposed to the kill floor environment shall be discarded; you stated that after slaughter operations are complete, unused ammunition that remained in the dry box shall be returned to the facility office; you stated that stun weapons will be cleaned and inspected monthly or more frequently as needed and documented on your Stun Weapon Maintenance and Cleaning Log; you stated all slaughter employees shall be trained quarterly or upon hiring; you stated this training will be documented on your Slaughter Employee Training Log; you provided your revised Slaughter Employee Training Log to include training for Humane Handling/Shot Placement; and you provided Shot Placement Diagrams and stated that the Shot Placement Diagrams are posted in the kill floor area for employee reference and training.

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 June 11 and June 12, 2020, 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.

Please be further advise 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 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 June 11 and June 12, 2020, 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,

DONALD FICKEY Digitally signed by DONALD FICKEY Date: 2020.06.15 06:37:58 -05'00' /FOR

Dr. Larry Davis
District Manager
Jackson District Office