



United States Department of Agriculture

Food Safety and  
Inspection Service

Office of Field  
Operations

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Atlanta, GA. 30303  
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**Certified Mail**

September 22, 2020

Mr. Terrell Hollis, Plant Manager  
Georgia Small Ruminant Research and Extension Center  
Ag Research College of Agriculture  
Est. M21741  
1005 State University Drive  
Fort Valley, GA 31030

## **NOTICE OF SUSPENSION**

Dear Mr. Hollis,

This serves as official notification by Food Safety and Inspection Service (FSIS) to withhold the marks of inspection and suspend the assignment of slaughter inspection personnel for your slaughter program at Georgia Small Ruminant Research and Extension Center, Ag Research College of Agriculture, Est. M21741, located at 1005 State University Drive Fort Valley, GA 31030.

### **Background Authority**

The Federal Meat Inspection Act (FMIA) [21 U.S.C. 603] provides that it is essential that livestock be handled with minimum of excitement and discomfort during holding and slaughtering. Section 3 (b) of the Federal Meat Inspection Act states, *“For the purpose of preventing the inhumane slaughtering of livestock, the Secretary shall cause to be made, by inspectors appointed for the purpose, an examination and inspection of the method by which cattle, sheep, swine, goats, horses, mules, or other equines are slaughtered and handled in connection with slaughter in the slaughtering establishments inspected under this Act. The Secretary may refuse to provide inspection to a new slaughtering establishment or may cause inspection to be temporarily suspended at a slaughtering establishment if the Secretary finds that any cattle, sheep, swine, goats, horses, mules, or other equine have been slaughtered or handled in connection with slaughter at such establishment by any method not in accordance with sections 1901 to 1906 title 7 until the establishment furnishes assurances satisfactory to the Secretary that all slaughtering and handling in connection with slaughter of livestock shall be in accordance with such a method.*

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Furthermore, the FMIA provides FSIS the authority to appoint inspectors to examine and inspect the method by which livestock are slaughtered and handled at slaughtering establishments. It also gives FSIS program personnel the right to examine and inspect carcasses and parts of carcasses that are further treated and prepared and the right to access and examine establishment records. When conditions exist concerning the slaughtering and handling of livestock, not by a method in accordance to sections 1901 to 1906 of Title 7, FSIS can refuse to render inspection and indefinitely withdraw inspection from an establishment, provided the establishment is afforded the right to an administrative hearing.

Under the authority of the Act, FSIS has prescribed rules and regulations required for establishments slaughtering and handling livestock according to 9 CFR 313 et seq. FSIS has also developed the Rules of Practice regarding administrative enforcement, 9 CFR Part 500. The Rules of Practice describe the types of enforcement actions that FSIS may take and include procedures for taking a withholding action and/or suspension, with or without prior notification, and for filing a complaint to withdraw a grant of inspection.

### **Basis for Action**

This Suspension is based upon your establishment being in violation of 9 CFR 313.15(a)(1)(3).

9 CFR 313.15 (a)(1) states: *Application of stunners, required effect; handling. (1) The captive bolt stunners shall be applied to the livestock in accordance with this section so as to produce immediate unconsciousness in the animals before they are shackled, hoisted, thrown, cast, or cut. The animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort.*

9 CFR 313.15(a)(3) states: *(3) Immediately after the stunning blow is delivered the animals shall be in a state of complete unconsciousness and remain in this condition throughout shackling, sticking and bleeding.*

Specifically, on September 22, 2020, at approximately 1200 hours, while performing humane handling verification activities, Inspection Program Personnel (IPP) at Georgia Small Ruminant Research and Extension Center, Est. M21741, observed that it took five (5) attempts with a hand held captive bolt (HHCB) to effectively render a boar unconscious. A security knock was then applied before the animal was shackled, hoisted and bled. Between the second and third stunning attempts, the stunner left the stunning area to retrieve a back-up captive bolt device. The IPP took a regulatory control action by applying US Rejected Tag B26036565 to the stunning chute. On postmortem examination of the head, six (6) distinct points of entry on the skull were identified. The establishment has a robust systematic approach to humane handling of livestock; however, it was determined to be inadequate.

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In accordance with 9 CFR Part 500, the suspension of the assignment of inspectors from your establishment's slaughter operations shall remain in effect until such time you provide adequate written assurances of corrective and preventive measures sufficient to assure that livestock are handled and slaughtered with minimal discomfort. These corrective actions and preventive measures should include at a minimum:

- 1) Identify the assessment process used to determine the nature and cause of the incident.
- 2) Identify what the assessment revealed as the likely cause, i.e. the specific reason(s) why the event occurred.
- 3) Describe the specific actions that will be taken to eliminate the cause of the incident.
- 4) Describe the specific actions that will be taken to prevent future reoccurrences.
- 5) Describe the future monitoring activities that your establishment will use to ensure that the actions are effective.

As a federally inspected establishment, you are expected to comply with the Humane Methods of Slaughter Act and all applicable FSIS regulations. Establishment personnel should continue to monitor operations to prevent humane handling failures from occurring in the future and maintain process control.

You may appeal this determination to:

U.S. Department of Agriculture Food Safety and Inspection Service  
Attention: Michael Watts, Executive Associate for Regulatory Operations  
1400 Independence Avenue SW  
Room 344-E, Whitten Building  
Washington, DC 20250

In accordance with 9 CFR 500.5(d), you may request a hearing concerning this action by contacting:

Physical Address:                      Scott C. Safian, Director  
(For courier)                            Enforcement and Litigation Division  
    Office of Investigation, Enforcement and Audit  
    Food Safety and Inspection Service  
    United States Department of Agriculture  
    Patriots Plaza III, 9th Floor, Cubicle 9-235A  
    355 E Street, SW  
    Washington, DC 20024-3221

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or

Mailing Address: Scott C. Safian, Director  
Enforcement and Litigation Division  
Office of Investigation, Enforcement and Audit  
Food Safety and Inspection Service  
United States Department of Agriculture  
Stop Code 3753, PP3, Cubicle 9-235A  
1400 Independence Avenue, SW  
Washington, DC 20250

Telephone: (202) 418-8872  
Fax Number: 202-245-5097

If you have any questions, please contact the Atlanta District Office at (404) 562-5900.

Sincerely,

BARNEY  
Dr. Phyllis Adams  
District Manager

Digitally signed by BARNEY WELCH  
Date: 2020.09.23 08:56:49 -04'00'

cc: Phillip Bronstein, AA/OFO  
Hany Sidrak, DAA/OFO  
Michael Watts, EARO/OFO  
Scott Safian, ELD/OIEA  
Larry Hortert, RD/CID/OIEA  
(b) (6)  
Ghias Mughal, DDM  
Tracy Bryant, DDM/OFO

(b) (6)