



October 10, 2019

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Mr. Michael Welu, Plant Manager
Rantoul Foods, LLC
Est. M35
205 Turner Drive
Rantoul, IL 61866

LETTER OF DEFERRAL

Dear Mr. Welu:

This letter serves as official notification of the Food Safety and Inspection Service's (FSIS) decision to place the Notice of Intended Enforcement (NOIE), dated October 7, 2019, into deferral. This action is based on the review, analysis, and acceptance of your proposed corrective actions and preventive measures submitted to the FSIS Chicago District Office on October 8, 9, and 10, 2019.

Background

On October 5, 2019, the FSIS Chicago District Office notified you of the intent to withhold the marks of inspection and suspend the assignment of inspectors from your slaughter process at Rantoul Foods, LLC, located at 205 Turner Drive in Rantoul, Illinois. This action was based on your establishment's failure to effectively implement humane methods of slaughtering and handling animals in a manner that complies with the requirements prescribed by the Federal Meat Inspection Act (FMIA) and the Humane Methods of Slaughter Act (HMSA). Your establishment was in violation of Title 9 of the Code of Federal Regulations (9 CFR), Section 313.5(a)(3). The Rules of Practice, 9 CFR 500.3(b), specify that FSIS may issue a suspension without providing prior notification if it is determined that an establishment is handling or slaughtering animals inhumanely.

Because your establishment maintains a written systematic approach for the humane handling of livestock consistent with the guidelines for robustness and you had previously implemented this program successfully, the decision was to issue an NOIE in lieu of a suspension.

Within the NOIE, the FSIS Chicago District Office requested that you submit a written response to this office within three (3) working days from the date of your receipt of the written NOIE. The NOIE requested that the corrective actions in your response address the following:

1. Identify the specific reason(s) why the events described occurred.
2. Describe the specific action(s) that will be implemented to eliminate the cause of the incident and prevent future recurrences.
3. Describe the specific future monitoring activity or activities that your establishment will employ to ensure the actions implemented are effective.
4. Provide any supporting documentation and records maintained and associated with your proposed corrective actions and preventive measures.

Corrective Actions

On October 8, 2019, the FSIS Chicago District Office received your written response dated that same day. You identified the cause of the incident was a delay in bringing stunned hogs to the sticking area due to a mechanical issue with the rail. Hogs had been hanging on the line for approximately 60 seconds and the chain was not moving. You proposed corrective actions intended to restore and maintain regulatory compliance.

After a review and analysis of your proposed corrective actions, the FSIS Chicago District Office concluded that your response was inadequate and did not sufficiently provide for how you will ensure regulatory compliance is reestablished and maintained. You were issued a letter on October 9, 2019, specifying additional information requested.

On October 9, 2019, you submitted an updated response to address the information requested. After a review of your proposed corrective actions, the FSIS Chicago District Office initiated a telephone call on October 10, 2019, to discuss monitoring and documentation of the pre-operational shackle greasing and line breakage/extended line stoppage, which were not addressed in the response.

On October 10, 2019, you submitted supplemental materials for your corrective actions and preventive measures to address the issues discussed on the conference call. Your response to the NOIE included the following:

1. Maintenance personnel were immediately notified and were informed of the problem with the production line and worked on the rail the night of 10/05/2019 to eliminate the issue to make sure the hogs roll down effectively all the way to the indexer.
2. The shackles will be greased properly to ensure they roll down effectively. This task is conducted daily prior to the start of operations by maintenance and company staff and will be verified and documented on SOP-145A. You provided a copy of SOP-145 A.
3. The stunning time setting for the CO2 stunners was increased to 185 seconds for the remainder of the day to make sure the animals had enough stunning time in the chamber and to assure there was no sensibility and no chances of regaining consciousness.
4. Each sticking area for each CO2 stunning system was monitored 100% for the remainder of the day on 10/05/2019 and for 10/07/2019 to make sure hogs were not regaining consciousness.
5. The stunning time will be run at 180 seconds indefinitely and will be verified once per period and documented on SOP-145 A by QA staff.
6. In the event of a line breakage or extended period for line stoppage, the hogs on the shackle table and sticking area will be captive bolted and bled out. The plant personnel will follow the protocols stated in the Livestock Emergency Action Plan SOP-119. QA staff will monitor that the protocols are being followed and document their findings on SOP-145 A. You provided a copy of SOP-119.
7. The effectiveness of stunning will be monitored by QA personnel every hour as stated in SOP-145. The monitoring areas include the shackle table, sticking station, and the bleed chain. Each hour they are to observe 50 hogs per station to identify signs of sensibility. Findings will be documented on SOP-145 A. You provided a copy of SOP-145.
8. In the event of an audit failure wherein hogs are found with signs of sensibility, the protocols for rendering animals insensible will be applied immediately. The line will be stopped if necessary, and management will be informed immediately. A corrective action will be filled out and preventive measures will be implemented accordingly, based on the investigation results.

9. Plant personnel and QA staff have been retrained on recognizing and identifying signs of sensibility and the corrective actions to take place if hogs are showing signs of sensibility. You provided a copy of the training sign off sheets.
10. QA staff were retrained on responsibilities for monitoring for the effectiveness of stunning and for documentation responsibilities. You provided a copy of the training sign off sheets.

After a review and analysis of your proposed corrective actions, the FSIS Chicago District Office has concluded that these proposed measures, provided they are successfully implemented, will serve to adequately address the regulatory issues identified within the NOIE.

Summary and Conclusion

This letter serves as written notification that FSIS is deferring the decision to suspend the assignment of inspectors from the slaughter process at your establishment. The deferral of this decision will remain in effect until your proposed corrective actions are demonstrated to have been successfully implemented on a consistent and continuous basis. The corrective actions you proposed will be subject to verification by FSIS inspection program personnel (IPP). This is to ensure no repetition of events related to your establishment's obligation for compliance with the FMIA, HMSA, and all applicable FSIS regulations.

FSIS is committed to monitoring establishments' operations to verify compliance with the regulatory requirements. To assist in those verification activities, FSIS has developed a Verification Plan Report (VPR) based on your proposed corrective actions. The VPR will be completed by FSIS IPP as a means to verify and document regulatory compliance in conjunction with the conditions of this deferral. The VPR identifies specific elements of your corrective actions and the associated regulatory requirements. These will be subject to verification until FSIS has made the determination that your establishment has effectively implemented these corrective actions. FSIS verification includes the expectation that you meet any time associated commitments identified within your proposal. Should your establishment fail to operate in accordance with these commitments or fail to comply with the regulatory requirements; FSIS will take appropriate and immediate regulatory control actions.

If you have questions regarding this matter, you may contact (b) (6) [REDACTED]
(b) (6) [REDACTED] or this office at (630) 620-7474 or fax at (630) 620-7599.

Sincerely,

Jamara M. Davis, DVM

Paul V. Wolseley
District Manager
Chicago District

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