



September 25, 2020

Tejas Premium Meats, LLC
Establishment 46339
3555 FM 67
Itasca, TX 76055

SENT VIA EMAIL
CERTIFIED - RETURN
RECEIPT REQUESTED
7019 2970 0000 2488 0603

Attention: Mr. Allen Gilbert, Plant Manager

NOTICE OF DEFERRAL

On September 21, 2020, a Notice of Intended Enforcement (NOIE) was issued to your establishment, providing notification of the Dallas District Office's (DDO) intent to withhold the marks of inspection and suspend the assignment of inspection program personnel at Tejas Premium Meats, LLC, Establishment 46339, Itasca, Texas. This enforcement action was based on the observation by inspection program personnel (IPP) of an inhumane handling incident in violation of Title 9 of the Code of Federal Regulations (CFR), Part 313.15(a)(3).

On September 23, 2020, and September 25, 2020, your establishment submitted responses via email to the DDO containing the immediate corrective actions and further preventive measures to ensure that animals would be handled and slaughtered humanely at your facility. Your planned corrective actions and preventive measures include the following: 1) training of livestock handlers, stun operators, and Quality Assurance personnel (QA) on signs of consciousness using Temple Grandin's materials, 2) reassessing the plant's robust systematic approach program to include the new corrective and preventive measures, 3) posting signs of unconsciousness, quoted from Temple Grandin, on the restraint box, 4) reversing the direction of the man-door to the knock box to open inwards instead of outward, 5) testing and maintaining captive bolts on each day of slaughter, 6) for the next (90) days, in each day of slaughter QA and/or management personnel to monitor knocking and bleeding of five (5) head of animals per hour and document on the daily humane handling form, 7) security knock be applied as needed, and 8) stun operators to sign and date/time and attendance sheet and to rotate weekly, with each working at least one shift per month.

After careful review and consideration of your written corrective and preventions actions, you were contacted on September 25, 2020, by Dr. Gary Davis, Deputy District Manager, and verbally informed of the decision to defer enforcement. Dr. Davis explained the deferral process, including verification that the corrective actions proffered by your establishment are successfully implemented.

A copy of the Food Safety and Inspection Service (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 proffered corrective actions, and that these actions are effective in assuring on-going regulatory

**Food Safety and Inspection Service
Office of Field Operations
Dallas District Office
1100 Commerce Street, Room 516
Dallas, TX 75242
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An Equal Opportunity Provider and Employer**

compliance. The plan identifies the corrective action elements, the regulatory requirements, and the Public Health Information System (PHIS) tasks under which each corrective action element will be verified.

Your establishment's personnel should continue to monitor operations to prevent the inhumane handling and slaughter of animals. It is also important for you to understand FSIS's responsibility to initiate action when there is a failure to handle or slaughter animals humanely, in accordance with the Humane Methods of Slaughter Act of 1978 (HMSA), Title 7, Chapter 48, Section 1902, the Federal Meat Inspection Act (FMIA), 21 United States Code (USC) 610(b), regulations promulgated thereunder, and in accordance with 9 CFR 500.3 (b). When these conditions exist, FSIS personnel will continue to take action until plant management institutes effective actions.

Be advised, as a federally inspected establishment you are expected to comply with all parts of 9 CFR Part 313 and all other requirements concerning the preparation, sale, and transportation of meat products. Failure to comply with these requirements or to effectively implement the measures outlined in your responses could lead to a withholding or suspension of inspection, or other appropriate action.

If you have any questions, please contact (b) (6)

(b) (6)

Sincerely,

JENNIFER
BEASLEY
MCKEAN

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ou=Department of Agriculture,
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2020.09.25 13:58:51 -0500'

Jennifer Beasley-McKean, DVM
District Manager

cc:

(b) (6)

Inspector in Charge, Establishment 46339, Itasca, TX

VERIFICATION PLAN
Tejas Premium Meats, LLC
Establishment 46339
September 25, 2020

On September 21, 2020, Tejas Premium Meats, LLC, Establishment 46339, Itasca, TX, was issued a Notice of Intended Enforcement (NOIE) for an egregious incident of inhumane handling. This verification plan is designed to verify the written corrective actions and preventive measures proffered by the establishment on September 23, 2020, and September 25, 2020, are effectively implemented.

Livestock Humane Handling

9 CFR 320.1(a)

Verify Once Upon Completion

Verify that all livestock handlers, stunning operators, and QA's auditing the process are trained using Temple Grandin's materials. Training recorded on Training form, TPM 18.05.

Verify the establishment has reassessed its Robust Systematic Approach for Animal Handling program to include all these new measures in response to the NOIE.

Verify posted signs of unconsciousness quoted from Temple Grandin material.

Verify that the man-door to the knock box area has been reversed to only open inward to prevent an animal from pushing it open to escape onto the slaughter floor.

Livestock Humane Handling

9 CFR 313.15, and 320.1(a)

Verify On Each Day of Slaughter

Verify that captive bolts are maintained and tested prior to start of slaughter operation and documented on the Humane Handling form TPM 18.22.

Verify that QA and/or management personnel monitor slaughter activity between the knocking and bleeding for the next 90 days or until the closure of this NOIE. The monitoring frequency will be 5 head per hour; documented on the daily Humane Handling form TPM 18.18.

Verify that a security knock will be applied as needed before shackling and hoisting.

Verify that the stunning operators sign and date/time and attendance sheet, and are rotated on a weekly basis with each one working at least one shift per month as the stun operator.