



United States
Department of
Agriculture

Food Safety
and Inspection
Service

Office of Policy
and Program
Development

Washington, DC
20250

Ricardo De Los Santos
Est. M 7299, Valley Meat Company LLC
3845 Cedarvale Rd
Roswell, NM, 88203

MAR 02 2012

Dear Mr. De Los Santos:

We have received your inquiry concerning the possibility of slaughtering horses in a facility that also slaughters other Federally inspected livestock. Current regulations require equine slaughter or other preparation of products of equine to be done in establishments separate from any establishment in which cattle, sheep, swine or goats are prepared (9 CFR 305.2(b)).

While FSIS regulations provide authority for waivers for purposes of permitting experimentation so that new procedures, equipment, or processing techniques may be tested to facilitate specific and definite improvements (9 CFR 303.1(h)), we have concluded that a waiver under the circumstances of this case would not be appropriate. Simply permitting a practice that is prohibited under our current regulations would not be consistent with the purpose of the regulation that provides authority for such waivers.

If you wish to request a grant for Federal inspection of horse slaughter and processing in a facility separate from other livestock slaughter or processing, consistent with current procedures and regulations, you may request from the FSIS Denver District Office a grant of inspection via FSIS Form 5200-2. Application for Federal Meat and Poultry and Import Inspection.

Thank you for your inquiry. If you have additional questions please do not hesitate to contact me at (301) 504-0852 or by e-mail at William.Shaw@FSIS.USDA.gov.

Sincerely,

William K. Shaw, Jr.

Director
Risk, Innovations, and Management Division
Office of Policy and Program Development

Cc:
Ron Nelson, DM, Denver DO, OFO
Daniel Engeljohn, AA, OPPD
Kenneth Petersen, AA, OFO
Amia Tawadrous, EARO, OFO
Haroon Mian, EARO, OFO
Isabel Arrington, RIMD, OPPD

Collection of this information is voluntary. It is needed before Federal inspection of meat and poultry is granted. It is used by FSIS to determine whether the applicant should be issued a grant of inspection. 19 CFR 304.1 and 9 CFR 381.181 FORM APPROVED OMB 0583-0082

U.S. DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
**APPLICATION FOR FEDERAL MEAT,
POULTRY, OR IMPORT INSPECTION**

INSTRUCTIONS:
Submit this application to the District Manager, Food Safety and Inspection Service, U.S. Department of Agriculture for applicable inspection requests. Complete all sections. If a section is not applicable enter "N/A" or "None." If additional space is needed for any item, attach sheet and number the item.

SECTION I (to be completed for Import or Domestic Inspection Activities)

1. DATE OF APPLICATION 3-1-12	2. TYPE OF APPLICATION <input checked="" type="checkbox"/> NEW <input type="checkbox"/> CHANGE OF OWNER <input type="checkbox"/> CHANGE OF LOCATION <input type="checkbox"/> OTHER (Specify)	3. TYPE OF INSPECTION REQUIRED <input type="checkbox"/> MEAT <input type="checkbox"/> IMPORT <input type="checkbox"/> POULTRY	4. EXEMPTED ACTIVITIES (Specify)
5. FORM OF ORGANIZATION <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> COOPERATIVE ASSOCIATION <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION <input checked="" type="checkbox"/> OTHER (Specify) LLC		6. IF CORPORATION; NAME OF STATE WHERE INCORPORATED N.M.	
7. DATE INCORPORATED (Month and Year) 02/2011		8. NAME OF APPLICANT (Company Name) AND MAILING ADDRESS (Include Zip Code) Alley Meat Co. 3545 Cedarvale Rd Poswell, NM 88213	
9. AREA CODE TELEPHONE NUMBER 575 622 1214		FEDERAL EMPLOYER IDENTIFICATION NO. (As assigned by Internal Revenue Service)	
10a. LOCATION OF PLANT AND MAILING ADDRESS IF DIFFERENT FROM ITEM 8 (Include Zip Code) Same		11. AREA CODE TELEPHONE NUMBER	

10b. ATTACH A DESCRIPTION OF THE LIMITS OF THE ESTABLISHMENT PREMISES THAT IS REQUESTED TO BE UNDER FEDERAL INSPECTION (e.g., Diagram, written narrative, or schematic)

12. NAME AND ESTABLISHMENT NUMBER OF OTHER ESTABLISHMENTS LOCATED IN THE SAME FACILITY Alley Meat Co. 7239 n. 7249 P	13. OTHER NAMES (if any) UNDER WHICH BUSINESS WILL BE CONDUCTED N/A
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14. DAYS PER YEAR PLANT WILL OPERATE		15. HOURS PER WEEK PLANT WILL OPERATE		16. HOURS PER DAY PLANT WILL OPERATE		17. MONTH AND YEAR WHEN PLANT WILL BE READY TO OPERATE UNDER INSPECTION PROGRAM	
EXEMPT	NON-EXEMPT	EXEMPT	NON-EXEMPT	EXEMPT	NON-EXEMPT	EXEMPT	NON-EXEMPT
260	260	10	40	2	8	-	Now

SECTION II (to be completed for Domestic Inspection Activities)

18. ANIMALS TO BE SLAUGHTERED WHEN INSPECTION IS INAUGURATED	
SLAUGHTER ONLY	<input type="checkbox"/> CATTLE <input type="checkbox"/> CALVES <input type="checkbox"/> SHEEP <input type="checkbox"/> GOATS <input type="checkbox"/> SWINE <input checked="" type="checkbox"/> EQUINES
	<input type="checkbox"/> YOUNG CHICKENS <input type="checkbox"/> MATURE CHICKENS <input type="checkbox"/> TURKEYS <input type="checkbox"/> GEESE <input type="checkbox"/> DUCKS <input type="checkbox"/> GUINEAS
19. FRESH MEAT OR READY-TO-COOK POULTRY TO BE DISPOSED OF IN COMMERCE (1)	
COMMERCE ONLY	<input type="checkbox"/> BEEF <input type="checkbox"/> VEAL <input type="checkbox"/> LAMB OR MUTTON <input type="checkbox"/> GOAT MEAT <input type="checkbox"/> PORK <input checked="" type="checkbox"/> EQUINE MEAT
	<input type="checkbox"/> YOUNG CHICKENS <input type="checkbox"/> MATURE CHICKENS <input type="checkbox"/> TURKEYS <input type="checkbox"/> GOOSE <input type="checkbox"/> DUCK <input type="checkbox"/> GUINEA
20. PREPARED OR PROCESSED WHEN INSPECTION IS INAUGURATED	
PROCESSING	TYPE OF PRODUCT <input type="checkbox"/> MEAT <input type="checkbox"/> POULTRY <input type="checkbox"/> BOTH
	a. <input checked="" type="checkbox"/> BREAKING/CUTTING (carcasses, primal cuts, whole poultry, poultry parts etc.)
	b. <input checked="" type="checkbox"/> BONING (manual boning meat/poultry)
	c. <input type="checkbox"/> MECHANICAL DEBONING (mechanical deboning meat/poultry)
	d. <input checked="" type="checkbox"/> FABRICATING (meat, steaks, chops, ground beef, hamburger etc.)
	e. <input type="checkbox"/> CURING (pork cuts, beef cuts, turkey, ham etc.)
	f. <input type="checkbox"/> FORMULATING (fresh-cured sausages, loaves, poultry rolls, patio mix etc.)
	g. <input type="checkbox"/> COOKING/SMOKING (pork cuts, beef cuts, sausage, loaves etc.)
	h. <input type="checkbox"/> CANNING (shelf stable, perishes, curd, pouches, glass)
	i. <input type="checkbox"/> DRYING (pork cuts, beef cuts, sausage, dehydrated products)
	j. <input type="checkbox"/> CONVENIENCE ITEMS (entrees, dinners, pies, pizzas etc.)
k. <input type="checkbox"/> SLICING (bacon, luncheon meats, sausage etc.)	
l. <input type="checkbox"/> FAT/SOILS (lard, tallow, shortening, margarine etc.)	
m. <input type="checkbox"/> OTHER (Specify)	

Gallegos, Anna - FSIS

From: Sarah De Los Santos [REDACTED]@yahoo.com]
Sent: Friday, February 10, 2012 2:48 PM
To: Gallegos, Anna - FSIS
Subject: Fw: Waiver
Attachments: DRAFT cover letter ms arrington 2012[1].doc

— On Tue, 1/24/12, Sarah De Los Santos [REDACTED]@yahoo.com> wrote:

From: Sarah De Los Santos [REDACTED]@yahoo.com>
Subject: Fw: Waiver
To: "ms arrington" <sjp.mailbox@fsis.usda.gov>
Date: Tuesday, January 24, 2012, 3:26 PM

--- On Tue, 1/24/12, Sarah De Los Santos [REDACTED]@yahoo.com> wrote:

From: Sarah De Los Santos [REDACTED]@yahoo.com>
Subject: Fw: Waiver
To: isabel.arrington@fsis.usda.gov
Date: Tuesday, January 24, 2012, 3:22 PM

Hello Ms Arrington,

I was emailing to see if there were any updates from this last email with DRAFT attachment from me on the requested waiver for equine slaughter addition to my grant of inspection. I believe there are still some questions possibly to clear up.

I am working on a few renovations that will apply to my pens and knock chute currently.

Please advise on any relevant information.

Ricardo De Los Santos

--- On Thu, 1/12/12, Sarah De Los Santos [REDACTED]@yahoo.com> wrote:

From: Sarah De Los Santos [REDACTED]@yahoo.com>
Subject: Waiver
To: isabel.arrington@fsis.USDA.gov
Date: Thursday, January 12, 2012, 1:28 PM

Ms Arrington,

I think I sent the wrong draft...Here is the last revision. Sorry.

Thanks

Sarah

DRAFT

Est. #7299
Valley Meat Company LLC
3845 Cedarvale Rd
Roswell, NM 88203
Phone: (575)-622-1214 Fax (575)-622-0708

Cover Letter

Contact Person RICARDO DE LOS SANTOS Date JANUARY 05, 2012

Email [REDACTED]@yahoo.com

To: ISABEL ARRINGTON
isabel.arrington@fsis.usda.gov

Ms. Arrington,

I am requesting a waiver to 9CFR 305.2 in order to add the slaughter of equine to my current Grant of Inspection and as such will agree to participate in Salmonella Initiative Program (SIP) and agree to abide by the program criteria as per Federal Register Notice 76 FR 41176 (July, 13, 2011). The alternative procedures for slaughtering horses and cattle in the same facility that will be used in place of 9 CFR 305.2 are alternating horse and cattle slaughter days. (ei. Horse slaughter on Monday, Wednesday and Fridays and Cattle slaughter on Tuesday and Thursday)

My last two FSIS, PR salmonella sets in 2010 consisted of 3 positives in Set B and 2 positives in set C.

I currently operate [REDACTED] with [REDACTED] My current rate of slaughter is [REDACTED] I am projecting to slaughter approximately [REDACTED] using an [REDACTED] at the final wash station. I currently have a [REDACTED] inspection system.

Est M- 7299 will develop a specific [REDACTED]
[REDACTED] to demonstrate process control including:



Est M 7299 will conduct generic E Coli sampling as per 310.25 (a). In excess of [REDACTED] animals per year, we would then proceed accordingly.

Est M 7299 agrees to:

1. Maintain records in same manner and for the same duration as Hazard Analysis and Critical Control Points (HACCP) records (9CFR 417.5) allow access to records necessary to document SIP process control, including microbiological test results to FSIS IPP. FSIS requires access to the records at least weekly.

2. Submit microbiological test results to FSIS headquarters according to the FSIS electronic template and instructions on how to submit which can be obtained by emailing the FSIS -SIP.mailbox@fsis.usda.gov

3. Provide FSIS 30 days prior written notice if the establishment decides to stop participation in the SIP and stop functioning under the waivers.

Thank you for your time and consideration.

Ricardo De Los Santos