



United States  
Department of  
Agriculture

Food Safety  
and Inspection  
Service

Denver District Office of Field Operations  
Denver Federal Center, Building 45  
PO Box 25387  
Denver, Colorado 80225-0387  
Telephone: (303) 236-9800  
Fax: (303) 236-9794

**SENT VIA FEDEX &  
FACSIMILE**

January 23, 2009

Mr. Ricardo De Los Santos, Owner  
Pecos Valley Meat Company  
Establishment 7299  
3845 Cedarvale Road  
Roswell, New Mexico 88203

**NOTICE OF SUSPENSION**

Dear Mr. De Los Santos

This letter serves as official notification of suspension of the assignment of inspectors at your establishment, Pecos Valley Meats, Est. 7299, Roswell, New Mexico, in accordance with 9 CFR 500.4 (a)(2), (3), (4), and (5) (Rules of Practice). You were verbally notified of the suspension by Denver Deputy District Manager James Adams on January 23, 2009, at approximately 12:45 p.m. The suspension is based on findings during a review of your establishment's Sanitation Standard Operating Procedures, (SSOP), Sanitation Performance Standards, (SPS), and Pathogen Reduction / Hazard Analysis Critical Control Point (HACCP) regulatory requirements of 9 CFR 416 and 417 and other food safety hazards.

On December 6 and 7, 2008, and again on January 6 and 7, 2009, FSIS personnel conducted a review of your establishment's HACCP and SSOP procedures as per 9 CFR 416 and 417. FSIS personnel found the firm did not meet the regulatory requirements of 9 CFR 416.2(a), and 416.11 through 416.16. Further, non-compliances were found related to 9 CFR 417.2, 417.3 and 417.5. The review found irregularities regarding the separation, segregation and disposal of SRM's in accordance with 9 CFR 310.22. Non-compliances were documented regarding Generic *E. coli* sampling as per 9 CFR 310.25. As a result of these findings, a Notice of Intended Enforcement (NOIE) was issued to Pecos Valley Meats, Est. 7299 of Roswell, New Mexico on January 12, 2009. Your firm responded in writing to the NOIE via facsimiles sent to the Denver District Office on January 15 and 22, 2009.

Your responses failed to adequately address all of the issues identified in the Notice of Intended Enforcement issued on January 12, 2009. The issues not adequately addressed include: CCP 1 in the Slaughter HACCP plan; the cold storage step in the Slaughter HACCP plan; illegible thermometer calibration documents submitted; supporting documentation for CCP 2; inadequate responses to Noncompliance Records (NRs); inadequate Generic *E. coli* program; inadequate

SRM control program; and inadequate corrective and preventative measure to address the on-going pest control issues at your firm.

Based on these findings and lack of adequate establishment response, the Denver District Office has concluded that a suspension action at Est. 7299, Pecos Valley Meat Company, is effective with the receipt of this letter and will remain in effect until you provide adequate written assurance to the Denver District Office with a detailed description of all the corrective actions and preventive measures you will take and implement to assure that no food products posing a food safety hazard are being sent out into commerce.

Section 10 of the *Federal Meat Inspection Act* (FMIA) clearly states that no person, firm or corporation shall, sell, transport, offer for sale or transportation, or receive for transportation, in commerce, any such articles which are adulterated or misbranded at the time of such sale, transportation, offer for sale or transportation, or receipt for transportation any articles required to be inspected under this title unless they have been so inspected and passed.

You must submit the corrective actions and preventive measures to the Denver District Office to reinstate the assignment of FSIS inspectors at Est. 7299. Provide comprehensive written documentation describing all of the corrective actions to be taken to prevent the preparation of misbranded or adulterated meat and/or poultry products. The corrective and preventive actions should include the written procedures for the process. The Denver District Office will take your proposals under consideration and will evaluate them for adequacy.

You may appeal this action by contacting:

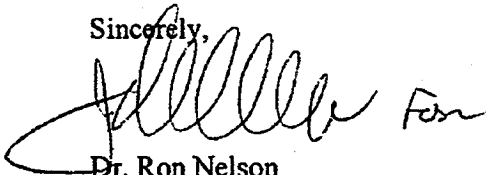
Dr. Armia Tawadrous  
Executive Associate for Regulatory Operations  
USDA/FSIS/OFO  
3157 South Agriculture Building  
14<sup>th</sup> and Independence Avenue, S.W.  
Washington, D.C. 20250  
Phone: (202) 720-3697  
Fax: (202) 690-3287

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

Director, Evaluation and Enforcement Division  
USDA/FSIS/OPEER  
Congressional Quarterly Building, Room 300  
Washington, D.C. 20250  
Phone: (202) 418-8872  
Fax: (202) 418-8896

Please submit all written responses to the Denver District Office. If you have any questions regarding this matter, you may contact the Denver District Office at (303) 236-9800.

Sincerely,



Dr. Ron Nelson  
District Manager  
Denver District

cc: Establishment File  
Reader File  
J. Adams, DDM  
A. Gallegos, DDM  
R. Reeder, DDM  
S. Symons, DDCCS  
C. Southard, DDDA  
[REDACTED] FLS  
[REDACTED] CSI  
[REDACTED] IIC  
M. Siller, RM/OPEER