



United States  
Department of  
Agriculture

Food Safety  
and Inspection  
Service

Office of Field  
Operations

Denver District Office  
Denver Federal Center  
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P.O. Box 25387  
Denver, CO 80225-0387  
Telephone: (303) 236-9800  
Fax: (303) 236-9794

**SENT VIA FEDEX  
& FACSIMILE**

July 26, 2010

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

**NOTICE OF SUSPENSION HELD IN ABEYANCE**

Dear Mr. De Los Santos:

On July 23, 2010, the Food Safety and Inspection Service (FSIS) provided you with a written "Notice of Suspension" of the assignment of inspectors at your establishment, Pecos Valley Meats, Est. 7299 M, located in Roswell, New Mexico, in accordance with 9 CFR 500.4 (d) (Rules of Practice).

The decision to take enforcement action was based on your firm's failure to test for and record Generic *E. coli* test results as required by 9 CFR 310.25 (a)(2)(v)(A) and 310.25 (a)(4). Your firm has slaughtered dairy cows under federal inspection at least five weeks since June 1, 2010, when the Generic *E. coli* sampling was to have been started per the regulatory requirements of 310.25 (a)(2)(v)(A), yet no samples have been collected or tested.

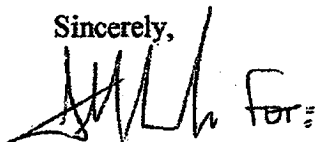
On July 23, 2010, the Denver District Office received your firm's written response via facsimile, addressing measures to prevent future occurrences of failing to test and record the results of the Generic *E. coli* testing. After reviewing your responses, FSIS determined that your written assurances have adequately addressed the concerns outlined in the letter of suspension and hold the Suspension in Abeyance.

As a federally inspected establishment, you are expected to comply with the *Federal Meat Inspection Act* (FMIA) and all regulations promulgated there under. Regulation 9 CFR 500.4 (d) states that the Food Safety Inspection Service (FSIS) has the authority to take a Suspension action without providing the establishment prior notification because "The establishment did not collect and analyze samples for *Escherichia coli* Biotype I and record results in accordance with §310.25 (a)."

Failure to comply with the regulatory requirements may result in our initiating further enforcement action which could include a recommendation to withdraw inspection, or other appropriate administrative or legal action. It is important for you to understand that FSIS has responsibility to initiate action if your establishment fails to operate in accordance with the regulatory requirements.

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: FO/QER  
Establishment File  
Reader File  
S. Wagner, DDM  
A. Gallegos, DDM  
R. Reeder, DDM  
S. Symons, DDCS  
[REDACTED] FLS  
[REDACTED] CSI  
[REDACTED] IIC/PHV  
M. Siller, RM/OPEER