



**United States  
Department of  
Agriculture**

**Food Safety and  
Inspection Service**

**Washington, D. C.  
20250**

**To:** RICARDO DE LOS SANTOS

**From:** [REDACTED]

**Date:** 12/29/2011

**Meeting Start Time:** 10:30 AM

**FSA:**

**Open NRs:**

**NRs Under Appeal:**

**Subject:** Establishment Awareness Meeting Agenda

Sampling:

KIS: MPD57275938 (+) 12/15, posted (-) and released 12/27/11  
MPD57275943 posted (-) and released 12/23/11.

MPD57275965 (+)12/21, posted (-) and released 12/28/11.

Directed: MT43 #11620581 collected and submitted 12/22 for O157:H7 in ground beef. Due to carrier delay, sample was not analyzed. LEARN reported 12/27 and FSIS verbally notified Mr. Eddie De Los Santos 12/27.

As of 1030 hours 12/29/11, USDA:FSIS does not have any establishment carcasses or products retained.

Establishment: E. coli O157:H7 negative for beef trim sample 12/15/11.

Old Business:

1. NR status: YJL4316100112N: 10/12 - moving uncovered inedible through hotbox containing product. OPEN, company written response provided 10/24 by Mr. Eddie De Los Santos. SPHV [REDACTED] began observing the use of the new barrels on 11/2/11 and had last observed the use of the older barrels (not white) in processing on 12/19 and only white barrels since that date.

YJL011113528N: Ice condensate on freezer curtains and floor 11/28: A written response has been provided; however SPHV [REDACTED] has observed the continued presence of ice condensate on curtain flaps and freezer floor. Mr. De Los Santos stated he would investigate why there was so much ice. SPHV [REDACTED] stated the NR will be left open until the root cause of the issue is corrected and that progress will be documented in the weekly meetings. As of 12/28 there was a significant amount of condensate. During the meeting, Mr. De Los Santos asked what he could do in terms of a GMP or like program for freezer maintenance as the condensation is likely from the fluctuation in outside temperatures. Mr. De Los Santos provided the example of a GMP addressing daily removal of condensate. SPHV [REDACTED] stated Mr. De Los Santos would need to first remove the existing condensate to close the noncompliance record and then include in the further planned actions the preventive measures which could be a GMP addressing daily, weekly, and monthly freezer maintenance. SPHV [REDACTED] stated records for this GMP would need to be kept.

YJL0012125808N: Insanitary processing table during pre-operational verification 12/8. OPEN. A written response was provided to SPHV [REDACTED] by Mr. Eddie De Los Santos 12/20/11 in the afternoon. SPHV [REDACTED] asked Mr. De Los Santos if the further planned actions were meant to be written as a second employee will always verify the processing sanitation monitor's findings, or only when a particular sanitation monitor is used. Mr. De Los Santos stated he would report the question to Mr. Rick De Los Santos. Mr. Eddie De Los Santos returned a few minutes later and stated Mr. Rick De Los Santos would reword the plant response. During the meeting, Mr. De Los Santos reported he needed to locate the document change the response.

YJL4409122927N: Custom beef product stored unprotected 12/27. OPEN. No written response yet provided. During the meeting, SPHV [REDACTED] reported to Mr. De Los Santos that on 12/27, Mr. Jeremy De Los Santos had asked questions about the regulations cited in this noncompliance record. SPHV [REDACTED] reported to Mr. Rick De Los Santos she had provided the example of creating a GMP which could serve as means supporting uncovered product was protected. SPHV [REDACTED] explained she wanted to alert Mr. Rick De Los Santos that the GMP was used as an example only and in no way was she stating the company needed one. Mr. De Los Santos reported he has encouraged his sons to become familiar with the USDA regulations. SPHV [REDACTED] replied she welcomed any questions.

YJL4616124628N: Processing hand saw hung on cooler door latch 12/28. OPEN. Mr. De Los Santos provided SPHV [REDACTED] with the document at the end of the meeting for appeal. Mr. De Los Santos verbally stated the company was submitting an appeal because the saw was not going to be used again for that day's production. SPHV [REDACTED] stated, because the company does not use the electronic response process, there may be additional time in handling the appeal via paper. ADDENDUM: after the meeting, at approximately 1115 hours, SPHV [REDACTED] asked Mr. De Los Santos if he would be willing to wait until next week for the appeal process because FLS [REDACTED] was on annual leave today through 1/3/12 and acting FLS Dr. [REDACTED] was taking annual leave beginning 1/1/12. Mr. De Los Santos reported

the establishment could wait until FLS [REDACTED] returns.

YJL0710120729N: Processing room insanitary at pre-operational sanitation verification 12/29. OPEN. No written response yet provided. Mr. De Los Santos reported he needs to work out an employee schedule to have a designated employee stay after production to clean the room and not have employees needed for processing conducting sanitation to enable disciplinary actions to be taken for inadequate sanitation without affecting company production.

1. USDA internet provider: SPHV [REDACTED] reported no additional news regarding when the USDA office would be changing providers.
2. Natural Label: Not discussed as Mrs. De Los Santos was absent from the meeting.
3. Verification Plan: plan continues to be followed. Cattle are moving well through the new chutes and the use of appropriate [REDACTED] firearms have been implemented.
4. Horse Slaughter: On 12/27/11, Mr. De Los Santos had asked SPHV [REDACTED] for the Denver District Office address for receipt of FedEx deliveries. Mr. De Los Santos had prepared the grant of inspection request and wanted to confirm the correct address. SPHV [REDACTED] confirmed the address Mr. De Los Santos had affixed to the envelope as correct. Mr. De Los Santos reported during the meeting he had sent the document on 12/28.
5. SPHV [REDACTED] reminded Mr. De Los Santos of the upcoming federal holiday; January 2, 2012 New Year's Day observed.
6. Kill floor light: replaced 12/22 and observed functional 12/23.
7. Slaughter volume/sanitation: SPHV [REDACTED] reported immediate improvements in sanitation on 12/23 with [REDACTED] cattle slaughtered and continued success through 12/28 with [REDACTED] animals slaughtered each day.
8. Mexican Export Status: SPHV [REDACTED] reported emailing PDD on 12/27 to inquire if the company was to conduct the "renewal" of export eligibility with Mexico solely or if there was also FSIS involvement. PDD replied with instructions for the establishment to contact the FSIS Office of International Affairs at 202-729-0082 with information regarding expiration on hand. SPHV [REDACTED] provided a printed copy of the PDD email reply with the above telephone number highlighted to Mrs. De Los Santos on 12/28/11. Mr. De Los Santos reported the company should also be contacting small plant outreach with these matters. Mr. De Los Santos stated he had not observed any export requirement for Mexico pertaining to horses. SPHV [REDACTED] explained that currently, the protocol is that if there are no requirements listed for a specific product for a country, than FSIS does not verify any additional specifications. SPHV [REDACTED] reported it is between the company and the importing country and company what product specifications are required aside from FSIS regulations.
9. Holiday Slaughter Plan: SPHV [REDACTED] asked if Mr. De Los Santos anticipated slaughtering on Tuesday 1/3/2012 and the remainder of the week. Mr. De Los Santos reported he was anticipating approximately thirty head of cattle for tomorrow (12/30) slaughter. Mr. De Los Santos reported that some cattle were being delivered at the time of the meeting, some were expected to be purchased at the sale today, and some additional beef cattle were to be delivered tomorrow. Mr. De Los Santos also stated the company intends to buy cattle at the sale held on Monday 1/2/12.

#### New Business:

1. Access to water: SPHV [REDACTED] reported that on 12/27 she had observed cattle arrive on premises and a frozen water tub have half the ice broken by a company employee as a means to provide water. SPHV [REDACTED] checked the availability of water at 0740 on 12/28 to verify the animals held overnight had had access to water. SPHV [REDACTED] observed the black plastic 50-100 gallon tub to have been approximately two thirds full, the top portion frozen at least eight inches where it had not been broken the day before. SPHV [REDACTED] did observe the presence of circular holes in the ice where it had been broken up as evidence the cattle had been drinking the water. The water visible through the holes was a watery slush mix. On 12/29/11, one ovine was being held in the pens upon arrival of SPHV [REDACTED]. SPHV [REDACTED] investigated the pen for a source of water and found a white thirty gallon barrel bottom to have water with a thin layer of ice on top. SPHV [REDACTED] nudged the barrel with her foot and water began to slosh over the ice indicating, again, only minimal access to water was provided. During the meeting, SPHV [REDACTED] reported the concern that animals held overnight will not have access to water during the recent cold weather and Mr. Eddie De Los Santos had shown her the box containing a recently purchased heater before the start of the meeting.
2. Notice 77-11: SPHV [REDACTED] reported this notice changes the implementation date of the nutritional label requirements previously discussed from January 2012 to March 1, 2012. Mr. De Los Santos acknowledged the date change.

#### Plant Business:

During the horse slaughter discussion, Mr. De Los Santos had asked if SPHV [REDACTED] received any information regarding the company's outstanding overtime bill. SPHV [REDACTED] stated she had received a list earlier this month which still lists 07299 as ineligible to receive reimbursable services and that the company

should use the contact information provided by SPHV [REDACTED] earlier this year in order to investigate the issues. Mr. De Los Santos reported Mrs. De Los Santos had contacted the number four times and not yet received an answer. Mr. De Los Santos reported during the meeting a gentleman originally from Deming, New Mexico now in Washington D.C. had informed him the debt issue was resolved. SPHV [REDACTED] advised Mr. De Los Santos to obtain documentation stating there is no longer an outstanding balance to provide to the Denver Office of Field Operations. Mr. De Los Santos stated he would continue to look into the matter. Following the discussion of Notice 77-11, Mr. De Los Santos reported no further plant business. The meeting closed at 1050 hours MST