

Wagner, Scott - FSIS

From: Symons, Sara - FSIS
Sent: Thursday, January 19, 2012 3:34 PM
To: Gallegos, Anna - FSIS
Cc: [REDACTED] FSIS; Wagner, Scott - FSIS
Subject: FW: hh report for 7299

Anna,
Based on Dr. [REDACTED] recommendation in the attached HH report, I believe we are ready to issue the LOW to Valley Meat Co. Please let me know if you want to wait until next week to issue it, after you had a chance to review, or if I may ask another DDM to sign the letter. Thank you,

Sara F. Symons
District Case Specialist
Denver District Office
OFO-FSIS-USDA
T: 303-236-9855
BB: 303-563-9607
F: 303-236-9794

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From: [REDACTED] FSIS
Sent: Wednesday, January 18, 2012 11:30 AM
To: Gallegos, Anna - FSIS; Symons, Sara - FSIS
Subject: hh report for 7299

Here is the 30 day visit report for Valley Beef, Est. 7299. I'm also attaching a draft LOW if you choose to follow my



HH summary- 8- LOW Est.
Est. 7299, Val... :99,Valley Meat Co.,

recommendation.



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

SENT FEDEX

January 18, 2012

Mr. Rick De Los Santos, Owner
Valley Meat Co., LLC
3845 Cedarvale Rd.
Roswell, NM 88203

LETTER OF WARNING

Dear Mr. De Los Santos:

On November 8, 2011, a Notice of Suspension was issued to Establishment 7299 M, Valley Meat Co., located in Roswell, New Mexico in accordance with 9 CFR 500.3(b) (Rules of Practice). The decision to institute the suspension was based on the following:

On November 4, 2011 Dr. [REDACTED] Inspector in Charge (IIC), observed a cow being shot four times with a [REDACTED] before the animal was killed. The Denver District Office was notified of the incident and a Memorandum of Interview (MOI) was documented by Dr. [REDACTED] IIC, on November 4, 2011, for inhumane handling during slaughter. The plant failed to meet the conditions set forth in 9 CFR 313.16(a) (3), 9 CFR 313.16(b), and 9 CFR 313.16(b) (iv). A Notice of Suspension (NOS) was issued on November 8, 2011.

On November 4, 2011 the Establishment's response to the Notice of Suspension was received in the Denver District Office. After reviewing your responses, FSIS determined that your written assurances adequately addressed the non-compliances. Actions that were proposed to assure that measures will be taken to prevent any future non-compliance appeared to be adequate, if implemented and executed as specified. Accordingly, the suspension was held in abeyance on November 8, 2011.

Since that time, FSIS inspection personnel have continued to monitor operations which provided your establishment an opportunity to demonstrate how regulatory compliance has been achieved. Additionally, verification and monitoring activities conducted at your establishment by FSIS inspection personnel confirmed that your establishment has implemented and is executing your proposals. These verification activities confirmed that you are currently meeting all regulatory requirements included in 9 CFR 313.

On January 5, 2011, Dr. [REDACTED] District Veterinary Medical Specialist (DVMS), conducted a humane handling verification visit. All of the records reviewed and the observations of facilities and handling confirmed that all corrective and preventive activities were being conducted as proposed in the plant's response to the Notice of Suspension.

Although the enforcement action at Est. 07299 M, Valley Meat Co., Roswell, New Mexico is no longer in effect with the issuance of this letter, FSIS personnel will continue to verify your establishment's compliance with humane handling regulations. FSIS regulations require establishments to take appropriate action when either plant management or inspection personnel determine that the plant's humane handling of livestock is inadequate.

As a federally inspected establishment, you are expected to comply with all parts of 9 CFR 313. If you have any concerns or questions, Inspection Personnel assigned to your establishment are available for consultation. You can also call the Denver District Office at 303-236-9800.

Sincerely,

Anna Gallegos, DDM
Deputy District Manager
Denver District

Cc: FO/QER
Reader File
Est. File
R. Reeder, DDM
S. Wagner, DDM
R. Nelson, DM
[REDACTED] FLS
[REDACTED] IIC
A. Khroustalev, RD/ OPEER
[REDACTED], DVMS
S. Symons, DDICS