



United States
Department of
Agriculture

Food Safety and
Inspection Service

Washington, D. C.
20250

To: RICARDO DE LOS SANTOS

From: [REDACTED]

Date: 2/16/2012

Meeting Start Time: 11:30 AM

FSA:

Open NRs:

NRs Under Appeal:

Subject: Establishment Weekly Meeting

Sampling:

FSIS: Directed RM12: Collected 2/9 and submitted 2/10: LEARN (-) for residue on 2/15.

Directed MT54 Collected and submitted 2/15: company holding remaining cheek meat.

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

Old Business:

1. NR status: 0 new NRs, 2 closed, 1 Under Appeal, 3 in verification.

YJL011113528N: Ice condensate on freezer curtains and floor 11/28: OPEN. A written response has been provided; however SPHV [REDACTED] has observed the continued presence of ice condensate on curtain flaps and freezer floor. As of the time of the meeting, SPHV [REDACTED] has observed significant ice condensate on the curtains and floor around the access door, but noted no product to yet be directly affected.

YJL4616124628N: Processing hand saw hung on cooler door latch 12/28. UNDER APPEAL. Mr. De Los Santos provided SPHV [REDACTED] with the NR with written appeal 12/29/11. SPHV [REDACTED] provided a written response on 1/4/12 denying the appeal. Mr. De Los Santos reported he would accept and reported during the meeting he was working on the written acceptance.

YJL0112013403N: Custom beef fat not labeled following preparation with unlabeled and labeled inspected product in the area 12/30. OPEN. Written response provided 2/6 and will be left open to verify company written "planned actions" which include stopping production by 1545 to allow time for labeling of product. SPHV [REDACTED] stated during the meeting she would close the NR by tomorrow given the low product volume and transition to equine operations.

AR0002953

YJL5510013305N: Cracks and gouges with meat particles and residue observed during pre-operational sanitation verification 1/5. OPEN. Written response provided 2/6 and will be left open to verify the table belt is repaired or replaced. Mr. De Los Santos had reported the belt will be replaced with the facility upgrades for equine operations.

2. Horse Slaughter: On 2/13/12, Mr. De Los Santos reported a having a telephone conversation with DDM Gallegos on 2/10/12, at which time the company was informed that an SIP waiver would not be applicable to waive the regulation of separation of equine and other species operations. Mr. De Los Santos had reported to SPHV [REDACTED] DDM Gallegos had stated 2/10 a teleconference with DDM Gallegos could be established for the next week. SPHV [REDACTED] was not in plant on 2/10 and contacted the Denver District Office on 2/13/12 in order to get familiarized with the 2/10 discussion. As DDM Gallegos was on leave, SPHV [REDACTED] spoke with DM Nelson who explained the agency had determined a SIP waiver to be non applicable regarding equine slaughter. SPHV [REDACTED] suggested to DM Nelson she would speak with the company and email DDM Gallegos to determine if a teleconference was needed.

On 2/13, SPHV [REDACTED] asked Mr. De Los Santos what concerns he had regarding the horse slaughter. Mr. De Los Santos reported because the company is committing to slaughtering horses, he was primarily concerned with establishing a timeline of when the company could begin slaughtering operations. Additionally, Mr. De Los Santos wanted to know if he needed to submit a new Federal Grant of Inspection with equine only selected given the separate facility for equine operations regulation was being upheld, and how the company could maintain the use of 07299 for future non-equine operations. SPHV [REDACTED] stated she would email DDM Gallegos and the District Office with the questions.

In the afternoon of 2/13/12, SPHV [REDACTED] informed Mr. De Los Santos that the equine 07299 number was reserved for the company in the data system used for equine inspection, and that at this time, there appears to be no need for a new grant submitted. SPHV [REDACTED] explained FSIS was still working out the logistics of the company having the same address on two separate grants in the system given the requirement of a separate facility and specifications of the FSIS inspection system technology, but there should be a way for the company to maintain the 07299 for other future operations. SPHV [REDACTED] also explained consideration was needed toward the custom exempt status. SPHV [REDACTED] stated the company may be asked to submit a request for a voluntary suspension of inspected meat and poultry operations

on company letterhead and a reason as to why (so as to perform equine operations), but the course of action has not been determined by the agency at this time.

On 12/15, Mrs. De Los Santos reported the Mexican importing authorities would not provide the company with the export/import specification for horse meat until the company's establishment number registered in the system has approved for equine operations. SPHV [REDACTED] explained to Mrs. De Los Santos that the establishment would not be "active" until approval was granted and approval would not be granted until a facility walkthrough was complete. SPHV [REDACTED] advised Mrs. De Los Santos to share this information with the Mexican authorities and explain it would be helpful for the company to know the requirements when preparing the facility and plans for equine slaughter. SPHV [REDACTED] also stated she would investigate if the agency knew of any requirements. Mrs. De Los Santos repeated for SPHV [REDACTED] that the equine slaughter approval was pending on the facility walkthrough and then the establishment number would be recognized in the system with an "E" (for equine). SPHV [REDACTED] stated that was correct. Within an hour of this conversation, SPHV [REDACTED] verbally informed Mrs. De Los Santos an email to the policy division for exports was sent in asking if there was any news as to when equine export requirements would be posted in the export library. SPHV [REDACTED] stated she would share the response when it was received.

During the 2/16 weekly meeting, SPHV [REDACTED] asked if Mr. De Los Santos had any further questions on the topic. Mr. De Los Santos reported he did not and the company was working on a HACCP plan for horse production and he and a collaborative partner had recognized drug residue as hazard which would need to be addressed. Mr. De Los Santos asked if this partner, who owned the horses being slaughtered, would be listed as a residue violator if a horse product tested positive for residue. SPHV [REDACTED] provided the example of the situation where a dairy sale barn is listed as the owner, but is then able to identify the producer of the animal to the residue investigators; the actual producer is listed as the violator. SPHV [REDACTED] explained that if the owner of these horses is maintaining them in a feedlot type situation (as previously mentioned by Mr. De Los Santos to SPHV [REDACTED] before sending them to slaughter, then it could be very difficult for the owner to prove he was not responsible for the residue in question.

Mr. De Los Santos also reported the person responsible for some of the facility construction had reviewed the premises yesterday and began devising facility changes, but Mr. De Los Santos was not given a definitive date when those changes would begin.

3. Slaughter volume: Mr. De Los Santos reported the dairy cow on premises would be slaughtered tomorrow, but he had not yet heard back from a beef rancher if there would be additional cattle to slaughter.

4. 2/20/2012: Federal Holiday.

5. Plastic/PVC protective sleeve: During the 2/9 meeting, Mr. De Los Santos had reported the sleeve would be taken down. As of the meeting time 2/16, the sleeve was still in place with the plastic wrapping covering the cracks. SPHV [REDACTED] reported this to Mr. De Los Santos who stated the sleeve would be taken down.

New Business: SPHV [REDACTED] reported no new business.

Plant Business: Mr. De Los Santos reported no further plant business.

The meeting closed at 1150 hours MST