

Wagner, Scott - FSIS

From: [REDACTED] - FSIS
Sent: Monday, February 27, 2012 11:31 AM
To: Symons, Sara - FSIS
Cc: Wagner, Scott - FSIS; Reeder, Robert - FSIS; Gallegos, Anna - FSIS; Nelson, Ron - FSIS
Subject: The AER for 7299



AER for 7299,
2-27-12.pdf

U.S. DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
FIELD OPERATIONS

ADMINISTRATIVE ENFORCEMENT REPORT

1. REPORT NO.
15-12-S065

2. EST. NO.
7299
3. EST. ID.
4967

4. NON-COMPLIANCE (Check all applicable boxes)
 SPS SSOP HACCP HUMANE TREATMENT THREAT, INTIMIDATION, ASSAULT OTHER

5(a). NAME OF BUSINESS **Valley Meat Co., LLC**
 5(b). ADDRESS OR P.O. BOX **3845 Cedarvale Rd.**
 5(c). CITY, STATE, ZIP CODE **Roswell, NM 88203**
 Check if the business type is a non-federally inspected facility.)

6. TYPE OF NON-FEDERALLY INSPECTED BUSINESS
 Broker/Distributor
 Retail/Restaurant
 Other _____ (Describe)
 7. PLANT SIZE
 Large
 Small
 Very Small

8. HACCP PROCESSING CATEGORIES (If non-compliance type shown in block 2 is HACCP, check all that apply to the NOIE/Suspension letter issued)
 Slaughter - all species Thermally Processed - commercially sterile Fully Cooked - not shelf stable
 Raw Product - ground Not Heat Treated - shelf stable Heat Treated But Not Fully Cooked - not shelf stable
 Raw Product - not ground Heat Treated - shelf stable Product With Secondary Inhibitors - not shelf

9. PRODUCT TYPE
 Meat Poultry Meat/Poultry Eggs
 10. LABORATORY FINDINGS (Check if applicable to case)
 Listeria monocytogenes Salmonella E. Coli O157:H7
 Other _____

11. REPORT TYPE AND DATE OF ACTIONS
 NOIE _____ DEFERRAL _____ SUSPENSION **02/24/12** ABEYANCE _____
 REINSTATEMENT _____ WITHHOLDING OF LABELS _____
 (Date the establishment provided written notice of these actions)
 CUSTOM (1) _____ CUSTOM (2) _____ CUSTOM (3) _____
 (Date LOW) (Date LOW) (Date LOW)
 DETENTION _____ TERMINATION _____
 (Date product detained, and if applicable, terminated by FSIS personnel)
 RECALL (1) _____ RECALL (2) _____
 (Date product was recalled by producing firm) (Date of final recall effectiveness report to RMD)
 RECALL (FSIS Recall Number) _____ PROHIBITED ACTIVITY _____
 (Date establishment/business provided written notice of this action)
 APPEAL(1) _____ APPEAL(2) _____ APPEAL(3) _____
 (Date of appeal to DML) (Date of appeal to EARO) (Date of EARO decision)
 ILLNESS OUTBREAK (1) _____ ILLNESS OUTBREAK (2) _____
 (Date investigation closed with no enforcement action) (Date enforcement action initiated)
 NON ROUTINE INCIDENT _____ OTHER (Specify): _____
 (Date incident reported to OFSEP) (Date of action)

12. COMPREHENSIVE ASSESSMENT OF THE EXECUTION AND DESIGN OF AN ESTABLISHMENT'S FOOD SAFETY SYSTEMS
 FROM: _____ TO: _____
 13. OTHER SPECIAL REVIEW (e.g. IDV, Epidemiological Review, etc.)
 FROM: _____ TO: _____

14. REFERRED TO OPEER FOR: (Provide date of referral)
 COMPLAINT _____ SEIZURE _____
 (Date) (Date)
 TERMINATE CUSTOM _____ CRIMINAL INVESTIGATION _____
 (Date) (Date)
 OTHER (Specify): _____
 (Date)

16. COMPLETE WHEN CASE IS CLOSED
 LOI DATE _____ LOW DATE _____ OTHER (Specify): _____ DATE _____

17. SIGNATURE OF ENFORCEMENT INVESTIGATION AND ANALYSIS OFFICER
Dr. [REDACTED] DVMS/s/
 18. SIGNATURE OF CASE SPECIALIST
Sara Symons/s/
 19. DATE

LIST OF EXHIBITS

NAME/ADDRESS OF ESTABLISHMENT	REPORT NO.
Valley Meat Co., LLC 3845 Cedarvale Rd. Roswell, NM 88203	15-12-S065
EXHIBIT NUMBER	DESCRIPTION
1	AER
2	MOI written by Dr. [REDACTED] IIC, on 2-24-12 describing the egregious humane handling event that lead to the suspension of Est. 7299, Valley Meat Co., Roswell, NM.
3	Notice of Suspension(NOS) issued on 2-24-12 to Est. 7299, Valley Meat Co., for egregious humane handling non-compliance.
4	E-mail from Mrs. De Los Santos, owner's wife, to Dr. Scott Wagner, Deputy District Manager(DDM), informing the district office of intent by the plant owner to appeal the suspension.
5	E-mail from Dr. Scott Wagner, DDM, to Mrs. De Los Santos acknowledging her e-mail, informing her of the District Office's intent to uphold the suspension, and clarifying that the plant has the right to continue to appeal the suspension at a higher level if they wish.
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