



United States
Department of
Agriculture

Food Safety and
Inspection Service

Washington, D. C.
20250

To: EDDIE DE LOS SANTOS

From: [REDACTED]

Date: 3/1/2012

Meeting Start Time: 1:30 PM

FSA:

Open NRs:

NRs Under Appeal:

Subject: Establishment Awareness Meeting Agenda

Note* No meeting was held 2/21/12-2/24/12.

Sampling:

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

Directed MT54 Collected and reported negative. SPHV [REDACTED] advised the processing employees of the results as Mr. De Los Santos was not available 2/21.

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

Old Business:

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

YJL0216021924N: Humane handling slips and falls of 3 beef cows 2/24: OPEN. No written response yet provided.

YLL4712025829N: No ground beef product temperature CCP taken on 2/28, 2/29. OPEN. No written response yet provided. Ground product produced 2/28/12 USDA Retained.

YJL3909032601N: Rust on carcass wash walls 3/1. OPEN. No written response yet provided.

YJL0111113528N: 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; however no written

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acceptance has been received by FSIS.

YJL0112013403N: Custom beef fat not labeled following preparation with unlabeled and labeled inspected product in the area 12/30. CLOSED. Written response provided 2/6 and closed 2/17.

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: SPHV [REDACTED] observed construction on a catwalk over the holding pens to begin on 2/24/12.

3. Slaughter volume: SPHV [REDACTED] asked Mr. Eddie De Los Santos during the meeting if the company anticipated any slaughter on 3/2. Mr. De Los Santos reported the company is planning on slaughtering three dairy cattle and the hauler had reported the animals would arrive first thing in the morning. SPHV [REDACTED] explained to Mr. De Los Santos a veterinarian would not be available 3/2/12 and inspection coverage would be provided. SPHV [REDACTED] stated any carcasses retained for veterinary disposition would need all parts retained and that residue testing would not be run until Monday. SPHV [REDACTED] explained determination of suspects for residue could not be made until the PHV reviewed the animal and then the tests take three and one half hours to run. SPHV [REDACTED] stated she would be covering additional plants next week and would not be able run the tests and read them Monday for a Monday release. SPHV [REDACTED] advised Mr. De Los Santos the earliest any retained for residue testing carcass would be passed and released for processing would be Tuesday.

SPHV [REDACTED] also discussed with Mr. De Los Santos the company operation plans for next week. Mr. De Los Santos reported he did not know if the company would be conducting slaughter operations. SPHV [REDACTED] stated she would arrive each morning, and if the company reported no slaughter, then SPHV [REDACTED] would continue with inspection coverage as needed at other facilities. SPHV [REDACTED] explained to Mr. De Los Santos, once the establishment states no slaughter inspection coverage is needed for that day, then they cannot later request slaughter inspection for the same day and expect it to be provided. SPHV [REDACTED] stated she will make every effort to provide slaughter inspection to the company and is holding the company to the same policies the large plants must also follow. Mr. De Los Santos stated that he understood and that the company would make a plan with SPHV [REDACTED] at the beginning of each day.

4. Plastic/PVC protective sleeve:

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

5. Change of internet provider: SPHV [REDACTED] reported during the meeting she had received notice from the District Office AT&T would be replacing the current USDA office internet services. SPHV [REDACTED] stated no definitive dates were provided by AT&T and those will be provided to the company, if and when AT&T provides them to the agency. SPHV [REDACTED] noted there is a possibility AT&T will visit unannounced.

New Business:

1. On 2/24/12, SPHV [REDACTED] contacted the Denver District Office with a recommendation to suspend slaughter operation due to an observed egregious humane handling stunning noncompliance (MOI YJL4015021524G). The District issued a Notice of Suspension (NOS) that same day. Over the weekend, the company appealed the NOS, and on 2/25, Mr. De Los Santos was informed the appeal was not granted and the company could further appeal. Additionally, the company was also informed at this time, corrective actions could be submitted in order to allow the company to continue to slaughter during the appeal process. A Notice of Suspension in Abeyance was verbally issued 2/29/12 with an electronic letter issued the same date after receipt and approval of the corrective actions and preventive measures. Slaughter activities resumed 3/1/12 under a verification plan. SPHV [REDACTED] asked Mr. Eddie De Los Santos if the establishment was continuing with the appeal and Mr. De Los Santos reported he did not know.

2. Notice 13-12 "Sample Collection from Cattle Under the Bovine Spongiform encephalopathy (BSE) Ongoing Surveillance Program: During the meeting, SPHV [REDACTED] explained this Notice instructed in plant personnel to discuss with the company the Notice and obtain information on the BSE collection methods offered at the plant. SPHV [REDACTED] asked Mr. Eddie De Los Santos if the establishment has an approved alternative off-site sample collection agreement with APHIS or if the PHV collects the sample. Mr. De Los Santos reported Dr. Susan Weston (APHIS VMO familiar to SPHV [REDACTED] had previously collected a whole head for testing. SPHV [REDACTED] stated this procedure sounded like an APHIS agreement and advised Mr. De Los Santos to contact Dr. Weston to verify the agreement was still intact, and report the information to SPHV [REDACTED]. SPHV [REDACTED] explained FSIS needs to know if there is an agreement between the company and APHIS in order for the correct procedures to be followed in the event the PHV suspects an animal on antemortem inspection for BSE. Mr. De Los Santos indicated he understood by replying the company must contact Dr. Weston because it is the company's agreement. SPHV [REDACTED] responded that was correct.

Plant Business: Mr. Eddie De Los Santos reported Mr. Rick De Los Santos had reported having a question regarding labeling changes. SPHV [REDACTED] stated she thought Mr. Rick De Los Santos was referring to the "Nutrition Labeling of Single-Ingredient Products and Ground or Chopped Meat and Poultry Products" final rule (Final Rule). SPHV [REDACTED] explained this rule was published in 2010 and she had previously discussed with the company the requirements of that rule, and effective date of 1/1/2012 and then a delay of the effective date to 3/1/2012. SPHV [REDACTED] explained to Mr. Eddie De Los Santos per FSIS Notice 15-12, the company intact products sold over the counter would need to have nutritional information available to customers unless the single meat ingredient cuts met the requirements outlined in the Notice as this constitutes point of purchase sales. SPHV [REDACTED] also explained the ground meat and poultry products were exempt from the labeling if the company produced less than one hundred thousand (100,000) pounds of the product per year. SPHV [REDACTED] advised Mr. Eddie De Los Santos to have Mr. Rick De Los Santos review Notice 15-12 and the Final Rule to determine if any exemptions apply and to comply with the new regulations effective today, 3/1/12.

Mr. Eddie De Los Santos reported no further plant business.

The meeting closed at 1400 hours MST

Addendum: At approximately 1430 hours, SPHV [REDACTED] verbally informed Mr. Eddie De Los Santos Intermittent Rosemary Wunn would arrive around 0800 tomorrow, 3/2/12, to perform slaughter inspection. Additionally, Inspector Glenn Brooks would arrive by 0900 to assist with humane handling stunning effectiveness verification and conduct processing inspection. Mr. De Los Santos asked SPHV [REDACTED] if the company needed to wait for Inspector Brooks to begin knocking and SPHV [REDACTED] reported the company needed to wait if they were to knock any animal other than in the regular chute with the captive bolt. Mr. De Los Santos stated the company would wait for Inspector Brooks under those circumstances.