



United States
Department of
Agriculture

Food Safety and
Inspection Service

Washington, D. C.
20250

JUL 20 2012

Mr. Ricardo De Los Santos
Valley Meat Company
3845 Cedarvale Road
Roswell, New Mexico 88203

Dear Mr. De Los Santos:

Thank you for your letter of June 5, 2012, to Senator Jeff Bingaman regarding the status of your grant-of-inspection application for equine slaughter at the Valley Meat Company in Roswell, New Mexico. Senator Bingaman forwarded your letter to the Food Safety and Inspection Service (FSIS), and asked that FSIS respond directly to you. I appreciate the opportunity to address your concerns.

On December 13, 2011, you submitted to the FSIS Denver District Office an application to slaughter and process equines, in addition to cattle, sheep, swine, or goats. You were informed that you would need to apply for a waiver of Title 9 of the Code of Federal Regulations (CFR), Section 305.2.

FSIS regulations prohibit the slaughter or other preparation of products of equine in the same establishment in which cattle, sheep, swine, or goats are slaughtered or their products are prepared (9 CFR 305.2(b)). FSIS regulations allow for waivers, for limited periods, in order to permit experimentation with new procedures, equipment, or processing techniques to facilitate definite improvements (9 CFR 303.1(h)). However, your request did not satisfy the conditions for a waiver. Therefore, FSIS denied your request for a waiver on March 2, 2012.

On March 19, you submitted a new grant-of-inspection application to the FSIS Denver District Office for a separate equine slaughter and processing facility. Typically, when FSIS receives such an application, the FSIS Front Line Supervisor (FLS) reviews the establishment's Hazard Analysis and Critical Control Point (HACCP) plan and Sanitation Standard Operating Procedures (SSOP) and verifies compliance with the Sanitation Performance Standards, in accordance with 9 CFR 416 and 417.

On May 29, the FLS reviewed your HACCP plan. On June 7, management from the Denver District Office reviewed the FLS's findings regarding your HACCP plan, and discussed these concerns with your HACCP consultant. On June 13, the modified plan was provided to the FLS for review, and on June 14, you were informed that your HACCP plan and SSOPs met basic compliance requirements.

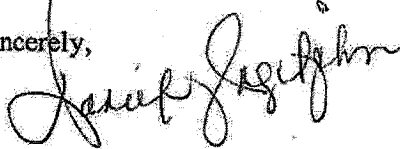
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On June 20, the FLS conducted a walk-through of the facility and found some sanitary issues that were shared with you during an exit meeting. At this meeting, you were asked to inform the FLS when you corrected these issues, so that another walk-through could be conducted. To date, FSIS has not received notification that you are prepared for another walk-through. However, given that the agency last conducted horse inspection six years ago, FSIS has determined that despite the congressional decision to lift the ban, the agency will require a significant amount of time to update its testing and inspection processes and methods before it is fully able to develop a future inspection regimen.

While the establishment is addressing demonstration of its capability to be in full compliance with FSIS regulations, FSIS continues to develop and validate necessary drug residue methodology specific to equine.

Thank you again for writing.

Sincerely,



Daniel L. Engeljohn, Ph.D.
Assistant Administrator
Office of Field Operations

cc: The Honorable Jeff Bingaman



Protecting public health by preventing foodborne illnesses is FSIS' top priority. Help protect your family. Check Your Steps at <http://www.foodsafety.gov/keep/> and get ready to Clean, Separate, Cook, and Chill.

Food safety is important to everyone.