



United States Department of Agriculture

Food Safety and
Inspection Service

May 4, 2020

Office of Field
Operations
Des Moines District
Office

Signed Original sent via FedEx
Signed copy Hand Delivered

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Des Moines, IA
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(b) (6)

Agri Star Meat and Poultry, LLC
220 West Street
Postville, IA 52162

NOTICE OF SUSPENSION HELD IN ABEYANCE

Dear (b) (6)

On May 04, 2020, your establishment received verbal notification, followed by official written notification, from the Food Safety and Inspection Service (FSIS) of the suspension of assignment of FSIS inspection program personnel, for slaughter operations at, Est. M4653A, Agri Star Meat and Poultry, LLC, herein referred to as "your establishment". This action was taken in accordance with the Rules of Practice, 9 CFR 500.3(b), which indicates that FSIS may take withholding action or impose a suspension without providing an establishment prior notification if it is handling or slaughtering animals inhumanely such 'as occurred at your establishment on May 04, 2020.

On May 04, 2020, you provided FSIS, via email, written corrective action and preventive measures in response to the regulatory noncompliance detailed in the Notice of Suspension. The response outlined actions adequate to address the noncompliance regarding humane handling of livestock requirements, including a plan to maintain compliance with the *Federal Meat Inspection Act* (FMIA) Title 21 of the United States Code (21 U.S.C. 603), the *Humane Methods of Slaughter Act* of 1978 (HMSA) (7 U.S.C. 1901 et seq.), and federal regulations {Title 9 of the Code of Federal Regulations (9 CFR) Part 313.16}.

The emails included the following documents, detailing actions immediately implemented and further proposed:

- Food Safety Corrective Action Report (1 page)
- Beef Slaughter Daily Notes, Knocking Box Inspection Form, Knock Box Kill Sheet, Training Record (4 pages)

- Beef Humane Handling Standard Operating Procedure (1 page)
- Animal Diagram (2 pages)
- Gun Maintenance/ Cleaning/ Inspection Report (1 sheet)
- Humane Handling/ Euthanization Procedure Form (1 page)

Based on your submitted written response, you were informed via telephone, that the suspension of the assignment of inspectors for slaughter operations at your establishment would be held in abeyance effective May 04, 2020, in accordance with regulation 9 CFR 500.3(b). The suspension will remain in abeyance pending verification by FSIS personnel that your proposed corrective and preventive measures have been effectively implemented. Establishment personnel should monitor operations to prevent violations of humane handling and slaughter from occurring in the future. It is also important for you to understand the responsibility of FSIS to initiate action when there is a failure to operate in accordance with 9 CFR Part 313 of the regulations.

During the abeyance period a verification plan will be in place to ensure proffered corrective actions and preventative measures are effective in assuring ongoing regulatory compliance. The verification activities are to be conducted by IPP and results reported to the District Office on a weekly basis. The decision to hold the suspension action in abeyance was based on the proffered actions. Any modifications to your submitted corrective actions and preventive measures made during the abeyance period need to be submitted in writing to the FSIS Des Moines District Office for review prior to implementation by your establishment.

Please be advised that, as a federally inspected establishment, you are expected to comply with FSIS regulations and to take appropriate corrective action to prevent inhumane handling of livestock at your establishment. Your failure to comply with these requirements or to implement the measures in your action plan could result in reinstatement of the suspension of inspection at your establishment or other appropriate administrative or legal action.

If you have questions regarding this matter, please feel free to contact (b) (6) [REDACTED], or [REDACTED], or the Des Moines District Office, at 515-727-8960.

Sincerely,



Dawn Sprouls, DVM
District Manager
USDA FSIS OFO
Des Moines District Office