



United States Department of Agriculture

Food Safety and
Inspection Service

October 29, 2019

Office of Field
Operations
Des Moines District
Office

Signed original sent via FedEx

Neal Smith Federal
Building
210 Walnut Street
Room 985
Des Moines, IA
50309-2123

Lee Falkavage
Julius Falkavage LLC.
6811 Burr Oak Road
Stevens Point, WI 54482

Voice 515.727.8960
Fax 515.727.8991

NOTICE OF SUSPENSION HELD IN ABEYANCE

Dear Mr. Falkavage:

On October 24, 2019 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, Julius Falkavage LLC., located at 6811 Burr Oak Road, Stevens Point, WI 54482, 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 a 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 October 24, 2019.

On October 28, 2019 you provided FSIS, via email, a final written corrective actions and preventative 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 313.30}.

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

- Response 2 Letter (1 page)
- Back Up Plans for Slaughtering Pigs (1 page)
- Employee Sign Off for Humane Handling (1 page)
- Weekly Electric Stunner Check (1 page)
- Sensibility Monitoring (2 page)
- Suspension Response (1 page)
- Signed HH Training (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 October 28, 2019, in accordance with 9 CFR Part 500.3(b).

The suspension will remain in abeyance pending verification by FSIS 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.

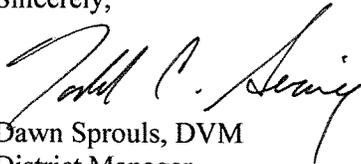
FSIS will design a verification plan that will follow this notification, to assist you in understanding the nature and importance of the Agency's verification activities. This FSIS verification plan is designed to verify that your establishment fully implements the corrective actions proffered in your proposed corrective actions, and that these revisions and corrective actions are effective in assuring ongoing regulatory compliance. It identifies your corrective actions elements, the relevant regulatory requirements, the PHIS task and Humane Animal Tracking (HAT) Category under which corrective action elements will be verified, and the monitoring frequency. Only FSIS can amend the verification plan and any modifications to your submitted corrective actions and preventive measures made during the abeyance period will need to be submitted in writing to FSIS for verification of compliance prior to implementation by your establishment. FSIS will begin verification of your proposed actions before startup of your next schedule slaughter.

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 the Des Moines District Office, at 515-727-8960 or (b) (6)

(b) (6)

Sincerely,



Dawn Sprouls, DVM
District Manager
Des Moines District
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