



United States Department of Agriculture

Food Safety and  
Inspection Service

Office of Field  
Operations  
Denver District Office

December 31, 2019

1 Denver Federal  
Center, Bldg. 45  
P.O. Box 25387  
Denver, CO 80225

Voice (303)236-9800  
Fax (303)236-9794

**SENT VIA FedEx &  
ELECTRONIC MAIL**

(b) (6)

WholeStone Farms Cooperative, Inc.  
Establishment M46491  
900 S. Platte Ave  
Fremont, NE 68025

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**LETTER OF DEFERRAL (LOD)**

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On December 26, 2019, the Food Safety Inspection Service (FSIS) issued your establishment, WholeStone Farms Cooperative, Inc. Est. M46491, a Notice of Intended Enforcement (NOIE) in accordance with FSIS Rules of Practice, Title 9 CFR 500.3(b), based on your failure to meet regulatory requirements regarding livestock humane slaughter at your establishment.

On December 26, 2019, the Denver District Office received a written response from your firm. After reviewing your response, FSIS requested clarification on December 27, 2019. On December 28, 2019, the Denver District Office received your firm's clarifications. After reviewing your response, FSIS requested further clarification on December 30, 2019. On December 30, 2019, the Denver District Office received your firm's further clarifications. FSIS has carefully reviewed your responses and determined that, based on your proposed modifications and plan of action, FSIS will defer a decision on an enforcement action pending verification by FSIS inspection personnel that WholeStone Farms Cooperative, Inc. Est. M46491, has effectively implemented its proposed measures. The decision pertaining to this enforcement action will be based upon the plant's validation, verification, and execution of these actions. Plant personnel should continue to monitor operations to prevent additional inhumane failures from occurring.

Please be advised that as a federally inspected establishment, you are expected to comply with the Federal Meat Inspection Act (FMIA) and all applicable FSIS regulations. The regulations require establishment to take appropriate actions when either the establishment or FSIS determines that the plant's written SSOP plan or HACCP systems are inadequate. Your failure to comply with the regulatory

requirements, or to effectively implement the measures addressed in your written response, may result in FSIS initiating further enforcement actions, and/or other appropriate administrative or legal actions.

At a later date, an FSIS representative will review the Verification Plan with you, to assist you in understanding the nature and importance of the Agency's verification activities. The FSIS Verification Plan is designed to ensure that your establishment fully implements the revisions to your humane handling program and other corrective actions stated in your submissions, including all monitoring activities at your establishment and that these revisions and actions are effective in assuring future regulatory compliance.

The FSIS Verification Plan identifies your proposed corrective actions, the relevant regulation, and PHIS code under which FSIS officials will verify implementation and effectiveness along with any timeframes you identified in your proposed action plan.

If you have questions regarding this matter, please contact the Denver District Office at (303) 236-9800.

Sincerely,  
ROBERT  
REEDER

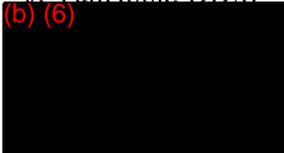
Digitally signed by  
ROBERT REEDER  
Date: 2019.12.31  
13:07:11 -07'00'

FOR

Ms. Valerie Clay  
District Manager  
FSIS Denver District Office

cc: F/O QER  
Est. File  
R. Reeder, DDM  
S. Hoffman, DDM  
I. VanHook, DDM

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S. Smith, RD/OIEA