



United States Department of Agriculture

Food Safety and
Inspection Service

Office of Field
Operations
Denver District Office

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

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

November 7, 2019

**SENT VIA FEDEX &
ELECTRONIC MAIL**

Mr. Chris Miller, Plant Manager
Alaska Interior Meats, LLC
Establishment M40463
1561 Levee Way
North Pole, AK 99705
alaskainteriormeats@gmail.com
Chrisaim129@gmail.com

NOTICE OF SUSPENSION (NOS)

Dr. Mr. Miller,

This letter confirms the verbal notification provided to your establishment, Alaska Interior Meats, LLC, Establishment M40463, located in North Pole, AK, on Thursday, November 7, 2019, by the Food Safety Inspection Service (FSIS), Denver District, of the suspension of the assignment of inspectors and the withholding of the marks of inspection at your establishment for slaughter operations. Dr. Jessica VanHook, Deputy District Manager, verbally notified you of the suspension action on Thursday November 7, 2019. This action was initiated in accordance with Title 21 of the United States Code (USC), Section 603(b) and Title 9 of the Code of Federal Regulations (CFR) Part 500.3(b) (Rules of Practice).

Background Authority

The Federal Meat Inspection Act (FMIA), 21 USC Section 603(b), provides for the purpose of preventing the inhumane slaughtering of livestock. The FMIA gives FSIS the authority, as designated by the Secretary of the Department of Agriculture, to prescribe rules and regulations describing examinations and inspections of the method by which cattle, sheep, swine, goats, horses, mules, and other equines are slaughtered in the establishments inspected under the FMIA. The FMIA also provides FSIS Program personnel the authority to suspend operations at a slaughtering establishment if FSIS finds that any cattle, sheep, swine, goats, horses, mules or other equines have been slaughtered or handled in connection with slaughter at such establishments by any method not in accordance with the Humane Methods of Slaughter Act (HMSA) of August 27, 1958 (72 Statute 862; Title 7 USC, Sections 1901-1906), until the establishment furnishes FSIS with satisfactory assurances that all slaughtering and handling in connection with the slaughter of livestock shall be in accordance with such

methods.

Under the authorities of these Acts, FSIS has prescribed rules and regulations required for the humane slaughtering of livestock, contained in Title 9 CFR Part 313. FSIS has also developed Rules of Practice regarding enforcement prescribed in 9 CFR Part 500. The Rules of Practice describe the types of enforcement actions that FSIS may take and include procedures for taking a withholding action and or suspension, with or without prior notification, as well as the procedures for filing a complaint to withdraw a Grant of Federal Inspection.

Finding/Basis for Action

On Wednesday, November 6, 2019, the FSIS Supervisory Public Health Veterinarian (SPHV) documented in a Memorandum of Information (MOI) the following event at Est. M40463:

At approximately 0830 hours the SPHV was verifying stunning effectiveness and observing for conscious animals on the rail on the slaughter floor. The SPHV observed the stun operator effectively stun a market swine with the electrical stunning device to the head on the first stunning attempt. The swine's rear leg was shackled. While the swine was being hoisted, the shackle loosened and fell off the animal's leg, releasing the swine to the ground. While the swine was lying in lateral recumbency on the ground and still unconscious, the animal was stuck for bleeding. The swine's rear leg was re-shackled, and the swine was fully hoisted off the ground while unconscious. The SPHV observed, after a few seconds, the shackle loosen a second time and the swine fall to the ground, initially landing on the its head. The SPHV observed the animal regain consciousness. The SPHV observed the swine sit upright and maintain a sitting position with the back legs bent and the front legs straight with hooves on the ground. The plant manager was present and immediately instructed the stun operator to re-stun the swine. The stun operator applied a second attempt with the electrical stunning device to the head, which rendered the animal unconscious. The SPHV observed the swine re-shackled, re-hoisted and re-stuck for bleeding. The plant manager immediately addressed the incident with verbal instruction to the stun operator.

Summary

The decision to suspend the assignment of inspectors at your establishment is based on this noncompliance with 9 CFR 313.30(a)(4). This is an inhumane noncompliance; whereby an establishment employee needed multiple stunning attempts to render an animal unconscious. In addition, your establishment was not operating under a Robust Systematic Approach (RSA) during the time of the event.

The suspension of the assignment of inspectors will remain in effect until such time as you provide the Denver District Office adequate written corrective actions and preventative measures to ensure that livestock at your establishment are handled and slaughtered humanely, and in accordance with the FMIA, the HMSA, and 9 CFR 313 regulations.

These should include:

- A written description of the incident.
- The root cause of the incident
- Your immediate corrective actions.
- Your specific corrective actions to prevent reoccurrence of the noncompliance.
- Any training or retraining of employees you plan to provide, including materials you're planning to use.
- Any monitoring procedures, including any documentation records.

In accordance with Title 9 CFR 500.5(a)(5), you may appeal this action by contacting:

Mr. Paul Wolseley
Acting Executive Associate for Regulatory Operations
USDA/FSIS/OFO
Room 3159 South Building
Washington DC 20250
Tel: 202-708-9506
Paul.Wolseley@usda.gov

In accordance with 9 CFR Part 500.5 (d), you may request a hearing concerning this action by contacting:

Scott C. Safian, Director
Food Safety and Inspection Service
Office of Investigation, Enforcement and Audit
Enforcement and Litigation Division
Stop Code 3753, PP3, Cubicle 8-235A
1400 Independence Avenue, SW
Washington, D.C. 20250
Voice: (202) 418-8872
Fax: (202) 245-5097

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

Sincerely,

JESSICA

VANHOOK

Dr. Dawn Sprouls

Acting District Manager

FSIS Denver District Office

Dawn.Sprouls@usda.gov

Digitally signed by
JESSICA VANHOOK

Date: 2019.11.07
10:11:35 -07'00'

for

cc: FO/QER
Est. File
R. Reeder, DDM
S. Hoffman, DDM
J. Van Hook, DDM

(b) (6)

A large black rectangular redaction box covers the text in this block.

S. Baucher, RD/OIEA