



United States Department of Agriculture

Food Safety and
Inspection Service

Office of Field
Operations
Denver District Office

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September 16, 2019

**SENT VIA FEDEX &
ELECTRONIC MAIL**

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Owyhee Meats, Est. M454
3408 Industrial Road
Homedale, ID 83628

Subject: Letter of Deferral

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On September 12, 2019, the Food Safety and Inspection Service (FSIS) issued your establishment, Owyhee Meats Est. M454 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 handling at your establishment. You were verbally notified on September 12, 2019.

On September 13, 2019, the Denver District Office received a written response from your firm. After reviewing your response, FSIS requested clarification on one item, via email, on September 16, 2019. This was for clarification on establishment employee training for new hires. On September 16, 2019, the Denver District Office received your firm's clarification. 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 Owyhee Meats, Est. M454, 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 Humane Methods of Slaughter Act (HMSA) and all applicable FSIS regulations. The regulations require the establishment handle and slaughter all animals humanely. 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, 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 the PHIS task 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,



Dawn Sprouls, Acting District Manager

cc: Est. File
QER
J. VanHook, DDM
R. Reeder, DDM
S. Hoffman, DDM

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