



Food Safety and
Inspection Service

May 6, 2024

Office of Field
Operations
Des Moines
District Office

Electronically mailed on May 6, 2024

Neal Smith
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Room 985
Des Moines, IA
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Russ Heinrichs, Establishment Manager
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NOTICE OF REINSTATEMENT OF SUSPENSION HELD IN ABEYANCE

Attention: Russ Heinrichs

This letter serves as official notification by the Food Safety and Inspection Service (FSIS) of our decision to place the Notice of Reinstatement of Suspension (NROS), initiated on May 3, 2024, at Farmers Union Industries, LLC., Establishment M21898, located at 2421 9th Avenue South, Estherville, Iowa 51334, into abeyance (NROSA). This letter follows verbal notification, provided by (b) (6), District Veterinary Medical Specialist, to Mr. Russ Heinrichs, Manager, on May 3, 2024, at approximately 2024 hours.

On May 3, 2024, you provided FSIS, via emails, written corrective actions and preventive measures, in response to the regulatory noncompliance detailed in the NROS. 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}. The following documents were included, detailing actions immediately implemented and further proposed at your establishment:

Specifically:

- NROS Response Letter, emailed May 3, 2024 at 1841 hours (2 pages)
- NROS Response Packet (8 pages)
 - Diagram 1 of establishment (1 page)
 - Daily Prev. Maintenance Task record- Stunner box (2 pages)
 - Weekly Prev. Maintenance Task record- Electrical Panel Inspection (2 pages)
 - Daily Prev. Maintenance Task record- Wand rebuild/inspection (2 pages)
 - Authorized Personnel- Electrical (1 page)

Based on your written response, you were informed verbally, that the suspension of the assignment of IPP, for slaughter operations, at your establishment is held in abeyance effective the start of operations on Monday, May 6, 2024.

The suspension will remain in abeyance pending verification by FSIS personnel that your proposed corrective actions and preventive measures have been effectively implemented and are adequate to maintain compliance. Establishment personnel should monitor operations to prevent violations of humane handling and slaughter from reoccurring. 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 verification activities will be conducted by IPP and results will be reported to the Des Moines District Office on a weekly basis. The decision to hold the suspension action in abeyance is 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 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 the Des Moines District Office at 515-727-8960 or District Veterinary Medical Specialist (b) (6)

Sincerely,

**CAROL
FORD**

Digitally signed by
CAROL FORD
Date: 2024.05.06
08:43:48 -05'00'

Mr. Jeffery Jacobsen
District Manager
USDA FSIS OFO
Des Moines District