



United States Department of Agriculture

Food Safety and
Inspection Service

Office of Field
Operations
Des Moines
District Office

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

Voice
515.727.8960
Fax 515.727.8991

August 6, 2024

ELECTRONIC MAIL on August 6, 2024

Paul Benson
Bensen & Turner Foods, Inc.
Est. M2437
3145 State Highway 59
Waubun, Minnesota 56589
(b) (6) @gmail.com
218-849-8684

NOTICE OF SUSPENSION HELD IN ABEYANCE

Attention: Paul Benson, Owner

This letter serves as official notification by the Food Safety and Inspection Service (FSIS) of our decision to place the Notice of Suspension (NOS), initiated on August 5, 2024, at, Bensen & Turner Foods, Inc., Est. M2437, located at 3145 State Highway 59 Waubun, MN into abeyance. This letter follows verbal notification provided by Public Health Veterinarian, (b) (6) to Paul Benson, Owner at approximately 1105 hours on August 6, 2024.

On August 5 and 6, 2024, you provided FSIS, via emails, written corrective actions and preventive measures, in response to the regulatory noncompliance detailed in the NOS. 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:

- NOS Email response, August 5, 2024, at 1522 hours
 - Knocking Gun Monitoring Log (1 page)
 - How to Determine Insensibility (Unconsciousness) in Cattle, Pigs, and Sheep in Slaughter Plants. Temple Grandin (8 Pages)
 - [Meat Processor Academy Optional Class 7: Humane Handling & Slaughter Efficacy](#) (link)
- NOS Email response, August 5, 2024 at 1708 hours
 - Staff Training Log (1 page)
- NOS Email response, August 5, 2024 at 1817 hours

- Knocking Gun Monitoring Log (1 pages)
- NOS Email response, August 6, 2024 at 1020 hours
 - Staff Training Log (2 pages)
 - Restrainer modifications (2 pictures)

Based on your written response, the suspension of the assignment of IPP, for slaughter operations, at your establishment is held in abeyance. 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 program personnel 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) at (b) (6)

(b) (6)

Sincerely,

MARK
JOHNSON

Digitally signed by MARK
JOHNSON
Date: 2024.08.06 11:20:54
-05'00'

(for)

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