



Food Safety and
Inspection Service

CERTIFIED MAIL

Office of Field
Operations
Atlanta District Office
100 Alabama St., SW.
Suite 3R90
Atlanta, GA. 30303
Phone: 404-562-5900
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800-282-7005

May 17, 2024

Mr. Cesar Borges, President/GM
Ganaderos Borges, Inc., Est. M32170
Barrio Hucares
Carretera 192 Km 0.1
Naguabo, PR 00718

NOTICE OF SUSPENSION HELD IN ABEYANCE

Dear Mr. Borges:

On May 13, 2024, the Food Safety, and Inspection Service (FSIS) issued a Notice of Suspension (NOS) withholding the marks of inspection and suspending the assignment of slaughter inspection program personnel for livestock slaughter at Ganaderos Borges, Inc., Est. M32170, located Barrio Hucares, Carretera 192 Km 0.1, Naguabo, PR 00718. This action was based on your establishment's failure to handle livestock humanely according to 9 CFR Part 313.

On May 15, 2024, you submitted written corrective actions and preventive measures to meet the requirements of the Humane Methods of Slaughter Act. Your corrective actions and preventive measures included: both employees involved in the incident were suspended for 1 week; stunners will be retrained in the "Humane Handling Protocols Stunning Process for Small Animals"; you provided a copy of the protocol; only trained personnel will be allowed stun animals; training will specify the number animals that can be entered into the stun box at the same time as a function of species or size of the animal (1 to 3 bob veal, 1 calf, 1 sheep and 1 bovine); the stunner is responsible of performing the reflex verifications (rhythmic breathing, vocalizations while hanging on the bleed rail, eye reflexes in response to touch, eye blinking and arched back righting reflex with the head bent straight back); continuous monitoring of the stunning process for sheep or small animals during the next 4 slaughter days; monitoring results will be documented on the "Stunning Monitoring for Small Animals"; and you provided a copy of your "Cattle Dressing Procedures Monitoring Log."

On May 16, 2024, FSIS determined that the proffered corrective actions and preventive measures submitted were not adequate to address the inhumane handling incident and clarification was requested. Specifically, FSIS requested you to: provide a copy of the information used to retain your employees in proper shot placement of all livestock; provide a copy of the record used to document that your employees have been retrained; to clarify that regardless of the species or size of the animal only one animal will be in the knock box at a time; to clarify how the stunner will verify each animal is unconscious prior to shackling, hoisting, or cutting the animal; provide an adequate frequency for monitoring stunning effectiveness of all livestock; clarify what will be monitored to determine the animal is unconscious; and provide a copy of the record that will be used to document monitoring of stunning effectiveness.

On May 16, 2024, you submitted your second response to provide clarification to your proffered corrective actions. Your response included: a copy of the information used to retrain your employees in proper stunning shot placement; a copy of the record documenting that your employees are retrained in stunning shot placement; clarification that only one animal will be in the knock box during stunning; clarification that prior to hoisting, shackling or cutting each animal the stunner will verify that each animal is unconscious (no righting reflex, no vocalization & no tracking eye movement); clarification that monitoring of stunning effectiveness will be performed once an hour +/- 15 minutes; and a copy of the record that will be used to document monitoring of stunning effectiveness.

On May 16, 2024, you were verbally notified by (b) (6), Frontline Supervisor (FLS), that the corrective actions and preventive measures met the requirements to place Ganaderos Borges, Inc., M32170 in Abeyance and that a Notice of Suspension Held in Abeyance (NOSHA) and a Verification Plan (VP) would be issued. You are hereby being provided written notification of the Notice of Suspension Held in Abeyance.

Please be further advised that the suspension of inspection at your establishment will remain in abeyance pending verification by FSIS that your proposed corrective actions and preventive measures have been implemented and are effective in ensuring future regulatory compliance and preventing the inhumane treatment of animals. Agency personnel will begin immediate verification of your corrective actions and preventive measures.

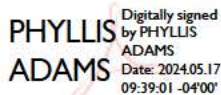
A copy of the FSIS Verification Plan is attached to assist you in understanding the nature and importance of the agency's verification activities. The FSIS Verification Plan is

designed to verify that your establishment fully implements the revisions to its humane handling of animals and other corrective actions stated in your responses, and that these revisions and corrective actions are effective in ensuring future regulatory compliance. The FSIS Verification Plan identifies your proposed corrective actions, the regulatory requirement(s), and the PHIS Task under which FSIS officials will verify the implementation and effectiveness of your proposed action plan.

Please be reminded that as a federally inspected establishment, you are expected to comply with FSIS regulations and to take appropriate actions to prevent the inhumane handling of animals. It is important for you to understand that FSIS has the responsibility to initiate action if your establishment fails to operate in accordance with the regulations, or conditions occur that do not comply with the Humane Methods of Slaughter Act. Please be advised that failure to comply with these regulatory requirements or failure to effectively implement your proposed corrective actions and preventive measures could result in the immediate suspension of inspection at your establishment or other appropriate action.

If you have any questions, please contact the Atlanta District Office at 404-562-5900.

Sincerely,

 Digitally signed
by PHYLLIS
ADAMS
Date: 2024.05.17
09:39:01 -04'00'

Dr. Phyllis Adams
District Manager

Mr. Cesar Borges, President/GM
Ganaderos Borges, Inc., M32170

Notice of Suspension Held in Abeyance
May 17, 2024

cc: Karen Hunter, EARO
Phyllis Adams, DM
(b) (6), Humane Handling Enforcement Coordinator
Larry Hortert, OIEA Regional Director
Edward Hepburn, DDM
Barney Welch, DDM
Tracy Bryant, DDM
(b) (6), SEIAO
(b) (6), DCS
(b) (6), DVMS
(b) (6), FLS
(b) (6), SPHV
FO/Quarterly Reports