



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  
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February 21, 2024

**SENT VIA  
ELECTRONIC MAIL**

Ms. Deborah Fitch, Owner  
Fitch Ranch Artisan Meat Company  
Establishment 46419 M/P/V  
383 East 1<sup>st</sup> Street  
Craig, CO 81625  
[Deborah@fitchranch.com](mailto:Deborah@fitchranch.com)

### **Notice of Suspension (NOS)**

This letter confirms the verbal notification provided to your establishment, Fitch Ranch Artisan Meat Company, Establishment M46419, located in Craig, CO on Wednesday, February 21, 2024, by the Food Safety Inspection Service (FSIS), Denver District, of the notice of suspension (NOS) of the assignment of inspectors and the withholding of the marks of inspection at your establishment for slaughter operations. Deputy District Manager, Jenifer Monteverde, notified you of the suspension action. 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.

### **Findings/Basis for Action**

On Wednesday, February 21, 2024, the FSIS Consumer Safety Inspector (CSI) documented in a Noncompliance Record (NR) the following event at Est. M46419:

*“HATS Category II: Truck Unloading*

*On Wednesday, February 21, 2024, I, the CSI, observed the following noncompliance(s):*

*While the establishment was unloading a lame market swine from a livestock trailer at the secondary entrance into the alleyway, I observed an establishment employee grab the conscience market swine by its ears and drag the animal on its belly off of the trailer. The swine began vocalizing when it was grabbed by the ears. The gap or height the animal fell from the trailer to the concrete floor was approximately 10 inches. Once the market swine was out of the trailer and laying on the ground, the same establishment employee then grabbed the swine by its ears again and continued to drag the animal on its belly approximately 5 feet towards the alleyway and the swine sat up into a semi sitting position for approximately 3 feet while still being dragged by its ears. The swine was vocalizing while being dragged. Once in the alleyway, the market swine stood up on its own and walked away from the establishment employee.*

*I applied U.S. Reject Tag # B27292556 to the stun box and alleyway and verbally notified the establishment owner of the noncompliance.*

*The Denver District Management Team was notified via supervisory channels. There have been no noncompliance records issued for the same root cause in the past 90 days. This establishment has not implemented a robust systematic approach to the humane handling of livestock.”*

### **Summary**

The decision to suspend the assignment of inspectors at your establishment is based on this noncompliance with 9 CFR 313.2(a) and 313.2(d)(2), your establishment's humane handling noncompliance history, and that your firm does not operate with a Robust Systematic Approach.

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.
- 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:

William Griffin  
Executive Associate for Regulatory Operations  
Office of Field Operations  
Food Safety and Inspection Service  
United States Department of Agriculture  
SB, Room 3164  
1400 Independence Avenue, SW  
Washington, DC 20250  
Email: [William.Griffin1@usda.gov](mailto:William.Griffin1@usda.gov)  
Phone: (202) 961-7156

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

Scott C. Safian  
Director, Enforcement Operations Staff  
Office of Investigation, Enforcement and Audit  
Food Safety and Inspection Service  
United States Department of Agriculture  
Stop Code 3753, SB - Room 2148  
1400 Independence Avenue, SW  
Washington, DC 20250  
Office: (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,

**ROBERT REEDER**

Digitally signed by ROBERT  
REEDER  
Date: 2024.02.21 14:53:17 -0700

Dr. Robert Reeder  
District Manager  
USDA FSIS OFO  
Denver District Office  
[Robert.Reeder@usda.gov](mailto:Robert.Reeder@usda.gov)

cc: FO/QER

Est. File

D. James, DDM

J. Monteverde, DDM

J. VanHook, DDM

(b) (6), FLS

(b) (6), SPHV

(b) (6), CSI

(b) (6), DVMS

(b) (6), SEIAO

S. Smith, RD/OIEA