



February 5, 2024

North Bay Butchers, LLC
Establishment M47592
6900 Chileno Valley Road
Petaluma, California 94952
Email: james@northbaybutchers.com
Telephone: 415-328-3429

ELECTRONIC MAIL on February 5, 2024

Attention: Mr. James Stoll, Owner

LETTER OF DEFERRAL

On January 29, 2024, the Food Safety and Inspection Service (FSIS) Alameda District, notified your establishment of our intent to withhold the marks of inspection and suspend the assignment of inspection program personnel (IPP), with prior oral notification, for your Slaughter Hazard Analysis and Critical Control Point (HACCP) processes at North Bay Butchers, LLC, Establishment 47592M, located at 4472 Manor Lane, Petaluma, California 94954. The decision to institute this enforcement action is in accordance with Title 9 Code of the Federal Regulations (CFR) Rules of Practice 500.3(b), based on the determination that your establishment did not handle or slaughter animals humanely in accordance with Title 9 CFR 313.15(a)(1). The evidence demonstrates the failure to comply with the Federal Meat Inspection Act (FMIA) (21 U.S.C. 603), the Humane Methods of Slaughter Act (HMSA) (7 U.S.C 1901 et seq.) and regulatory requirements (9 CFR Part 313).

From January 29, 2024, through February 2, 2024, your establishment submitted written responses to the Alameda District Office (ADO) containing the immediate corrective actions and further preventive measures in response to the Notice of Intended Enforcement (NOIE) issued to your establishment on January 29, 2024.

Based on your written and verbal commitments provided from January 29, 2024, through February 2, 2024, in response to the NOIE, FSIS has decided to hold the NOIE in Deferral to allow your establishment the opportunity to implement the proposed corrective actions and preventive measures. This confirms the verbal notification provided to you on February 5, 2024, by the Alameda District Office management team.

During this Deferral period, FSIS will continue to verify, assess, and evaluate the effectiveness of the corrective actions you have implemented to assure that all proffered corrective actions are followed and that your programs are adequate to assure that livestock at your establishment are handled and slaughtered humanely, in accordance with the FMIA, the Humane Methods of Slaughter Act, and the regulations promulgated thereunder.

FSIS designed a Verification Plan to verify that your establishment fully implements and follows the corrective actions and preventive measures that your establishment proffered in response to the NOIE. The Verification Plan, which is enclosed with this letter, identifies your action plan, the

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North Bay Butchers, LLC Est 47592M

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February 5, 2024

relevant regulatory requirements, and the Public Health Information System (PHIS) tasks and frequencies under which FSIS officials will verify each corrective action. Please be advised that only FSIS can amend the Verification Plan, and should your establishment make any modifications to your food safety programs during the Deferral period, you should submit these changes, in writing, to FSIS for verification of compliance prior to your establishment implementing these changes.

You are reminded that as an operator of a federally inspected establishment, you are expected to comply with the Federal Meat Inspection Act and the regulations promulgated thereunder to ensure that livestock at your establishment are handled and slaughtered humanely. The regulations require establishments to take appropriate action(s) when either the establishment or FSIS determines that the establishment's system controls for humane handling requirements are ineffective.

It is also important for you to understand that FSIS has the responsibility to initiate actions, if your establishment fails to operate, in accordance with the regulations, or conditions occur that may render products unwholesome or adulterated. In these situations, FSIS personnel will continue to take regulatory control of product and/or other administrative enforcement action.

Please be advised that your failure to comply with regulatory requirements, to implement the corrective actions in your action plan, and/or to notify this office in writing of any changes to your action plan may result in our initiating further administrative enforcement actions.

If you have any questions, please call the Alameda District Office at (510) 769-5712.

Sincerely,

/s/ Virginia Felix, DVM
Deputy District Manager

for
Gabrial Eddings, DVM, DACVPM
District Manager

cc: S. Johnson, EARO
(b) (6) Humane Handling Enforcement Coordinator
S. Smith, OIEA Regional Director
G. Abreu, DDM
V. Felix, DDM
F. Gillis, DDM
(b) (6) SEIAO
(b) (6), DCS
(b) (6), DVMS
(b) (6), FLS
(b) (6) EIAO
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