



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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September 14, 2023

SENT VIA ELECTRONIC MAIL

Mountain Meat Packing Inc.
Establishment M/P/V4979
951 17 1/4 Road
Fruita, CO 81521

(b) (6) @gmail.com
(970) 824-4878

Attention: Mr. Gary Baysinger, Owner

NOTICE OF SUSPENSION HELD IN ABEYANCE (NOSHA)

On September 13, 2023, the Food Safety Inspection Service (FSIS) issued your establishment, Mountain Meat Packing Inc., M4979, a Notice of Suspension (NOS). The decision to issue the NOS was made in accordance with Title 9 of the Code of Federal Regulations (CFR), Rules of Practice 500.3(b), based on the determination that your establishment did not handle or slaughter animals humanely. The evidence demonstrates 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 the regulatory requirements (9 CFR Part 313).

Correspondence was received via email from your firm on September 13 and 14, 2023. Your responses included information on training and monitoring as well as having additional firearms available for use in the event of an ineffective stun. After reviewing the responses and based upon your proposed corrective actions FSIS will hold the suspension of inspectors at your establishment in abeyance.

The suspension will remain in abeyance pending verification by FSIS inspection personnel. During this abeyance period, FSIS will continue to verify, assess, and evaluate the effectiveness of your proffered corrective actions to ensure that these are adequately implemented, and confirm that livestock are properly handled and slaughtered humanely.

FSIS will design a verification plan to confirm that your establishment is implementing the corrective actions you provided in your response to the NOS. The verification plan identifies your corrective action plan, the relevant regulations and the frequency FSIS inspection personnel will verify the implementation and effectiveness of your proffered actions.

FSIS will provide you a copy of the verification plan. Please be advised that only FSIS can amend the verification plan. If your establishment wishes to modify your proposed corrective actions during the abeyance period, please submit these changes, in writing, to FSIS for approval prior to making any changes in your actions.

FSIS reminds you that as an operator of a federally inspected facility, you are expected to comply with the *Federal Meat Inspection Act* (FMIA), the *Humane Methods of Slaughter Act* (HMSA) and the regulations in 9 CFR 313 to ensure 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. FSIS has the responsibility to initiate action if your establishment fails to operate in accordance with FSIS regulations.

Please be aware that your failure to comply with the regulatory requirements or effectively implement the commitments you proffered in your responses may lead to further administrative enforcement actions.

If you have any questions regarding this matter, you may contact the Denver District Office at (303) 236-9800.

Sincerely,

**JESSICA
VANHOOK**

Digitally signed by JESSICA
VANHOOK
Date: 2023.09.14 15:40:54 -06'00'

for

Dr. Robert Reeder
District Manager
USDA FSIS OFO
Denver District Office
Robert.Reeder@usda.gov

cc: FO/QER
Est. File
D. James, DDM
J. Monteverde, DDM
J. VanHook, DDM
(b) (6), FLS
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(b) (6), DVMS
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(b) (6), SELAO
S. Smith, RD/OIEA