



Food Safety and
Inspection Service

March 7, 2024

Office of Field
Operations
Des Moines
District Office

Electronically mailed on March 7, 2024

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515.727.8960
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NOTICE OF SUSPENSION HELD IN ABEYANCE

Attention: Mr. Bahls

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 February 28, 2024, at North Dakota State University Meat Laboratory, Establishment M7627, located at 1350 Albrecht Blvd, Fargo, North Dakota 58102, into abeyance (NOSA). This letter follows verbal notification, provided by (b) (6), District Veterinary Medical Specialist (DVMS), to (b) (6), Animal Science Supervisor on March 6, 2024, at approximately 1630 hours.

On March 3-6, 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 Response Letter, provided March 6, 2024 at 1447 hours (16 pages)
 - Checklist for captive bolt and ammunition maintenance, completed March 1, 2024
 - Cattle Captive Bolt Stunning training records
 - Compliance log for captive bolt application of effective stunning, January and February completed
 - Updated Compliance log for captive bolt application of effective stunning record
 - ‘Observations on Stunning Placement in Cattle’ training

Based on your written response, you were informed verbally, that the suspension of the assignment of IPP, for slaughter operations, at your establishment is held in abeyance effective the start of operations on March 7, 2024.

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 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 DVMS (b) (6)

Sincerely,

**MARK
JOHNSON**

Digitally signed by MARK
JOHNSON
Date: 2024.03.07 09:51:43
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(for)

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