



July 26, 2023

USA Beef Packing, LLC
Establishment 51303
3845 Cedarvale Rd.
Roswell, NM 88203

Sent via email and USPS

Attention: Mr. Jose Alberto Madrid, Owner

NOTICE OF SUSPENSION HELD IN ABEYANCE

On July 22, 2023, your establishment was provided verbal notification by Dr. Kinsey Naylor-Byles, Deputy District Manager, that the Food Safety and Inspection Service (FSIS) was, effective immediately, suspending the assignment of inspectors related to the Slaughter Hazard Analysis and Critical Control Point (HACCP) plan(s) at Establishment 51303, USA Beef Packing LLC, Roswell, New Mexico. This action was based on the observation of an egregious inhumane handling practice; a violation of Title 9 of the Code of Federal Regulations (CFR), Part 313.30(a)(1), 9 CFR 313.30(a)(3), and 9 CFR 313.15(a)(1). A written Notice of Suspension was issued to your establishment on July 24, 2023.

On July 24, 2023, and July 25, 2023, your establishment provided written responses to the Dallas District Office proffering immediate corrective actions and further preventive measures to be implemented to ensure that animals would be handled and slaughtered humanely at your facility.

Your corrective actions and preventive measures included the following: the interior of the knock box will be lined higher with plastic and rubber to ensure that an animal cannot touch any metal causing the electric stunner to ground and be ineffective; a rubber mat will be placed on the floor of the knock box for swine kill; the condition of the plastic liner and rubber mat in the kill floor will be monitored and documented on the *Pre-Operational Inspection RI Slaughter sheet*; employees will be trained on application of electric stun on Swine using *2013 Stunning Pigs with a BD Stunner*; the names and signature of employees trained will be documented on the *Livestock Best Handling Procedures and Standard Operating Procedures* form and provided to FSIS for review; hog stunner voltage verification to be completed weekly at the low and high voltage positions and results documented on the *ES Hog Stunner Voltage Verification* form; sensibility check will be performed on 30% or a minimum of 30 animals on each day of slaughter and result documented on the *Addendum 3 Documentation of Sensibility Check* form; monitoring of effective stunning will be performed on (25) animals each day of slaughter and score will be documented on the *Livestock Handling and Stunning QA Audit* form; maintenance of all stun devices, both primary and backup, will be completed at the end of each day of slaughter and result documented on the *Gun Cleaning Operator Preventive Measure Directive* form; a security knock will be applied on each animal, except sheep, lambs, and goats, and documented on the *Addendum 2 Knocking and Security Knock Administered* form; swine

handling, stunning, and slaughter will be included in the reassessed and updated copy of your written animal welfare program named *Livestock Best Handling Procedures & Standard Operating Procedures*.

After careful evaluation of the first and second submissions of your proffered corrective and preventive measures, you were contacted on July 25, 2023, by Dr. Naylor-Byles who informed you of the decision to hold the suspension in abeyance and explained the verification process.

The suspension will remain in abeyance pending verification by FSIS that your proffered preventive and corrective measures have been effectively implemented. A copy of FSIS's Verification Plan is enclosed to assist you in understanding the nature and importance of the Agency's verification activities. This Verification Plan is designed to verify that your establishment fully implements the corrective actions in your response and that these actions are effective in assuring ongoing regulatory compliance. It identifies the corrective action elements, the relevant regulatory requirements, and the Public Health Information System (PHIS) tasks under which each corrective action element will be verified.

You are reminded that as an operator of a federally inspected facility, you are expected to comply with FSIS Regulations and to take appropriate corrective action at your establishment. Failure to comply with regulatory requirements could result in the reinstatement of suspension of inspection for your HACCP plan(s), or other appropriate administrative or legal action.

If you have any questions, contact (b) (6), District Veterinary Medical Specialist (DVMS), at (b) (6)

Sincerely,

JENNIFER BEASLEY MCKEAN
BEASLEY MCKEAN
Digitally signed by JENNIFER BEASLEY MCKEAN
DN: c=US, o=U.S. Government,
ou=Department of Agriculture,
ou=2342, cn=JENNIFER BEASLEY MCKEAN

Jennifer Beasley-McKean, DVM
District Manager

cc:
(b) (6), Frontline Supervisor, Albuquerque, NM
Inspector in Charge, Establishment 51303, Roswell, NM

VERIFICATION PLAN
USA Beef Packing LLC
Establishment 51303
July 26, 2023

On July 22, 2023, USA Beef Packing LLC, Establishment 51303, Roswell, New Mexico, was issued a Notice of Suspension for an egregious incident of inhumane handling. This verification plan is designed to verify the corrective actions and preventive measures listed in the establishment's responses submitted on July 24, 2023, and July 25, 2023, are effectively implemented.

Livestock Humane Handling
9 CFR 320.1 (a)

Verify once

Verify that employees have completed training on the application of electric stun on swine using 2013 Stunning Pigs with a BD Stunner, and that names, date, and signature of those who complete it are listed on the Livestock Best Handling Procedures and Standard Operating Procedures form.

Verify that swine handling, stunning, and slaughter will be included in the reassessed and updated copy of the written animal welfare program named Livestock Best Handling Procedures & Standard Operating Procedures.

Livestock Humane Handling
9 CFR 313.30(a)(1), 9 CFR 313.30(a)(3), 9 CFR 313.15 (a)(1), and 9 CFR 320.1(a)

Verify weekly

Verify that the Hog Stunner Voltage Verification is completed weekly at the low and high voltage positions and results are documented on the ES Hog Stunner Voltage Verification form.

Verify On each day of Swine slaughter

Verify that the condition of the plastic liner and rubber mats placed on the floor of knock box have been monitored by QA and results documented on the Pre-Operational Inspection RI Slaughter form.

Verify that an additional (QA, Management, or Lead) monitoring of effective stunning is performed on **(25) animals** during each day of swine slaughter, and the score result is documented on the Livestock Handling and Stunning QA Audit Form.

Verify that a security knock is applied on each animal except sheep, lambs, and goats, and is documented on the Addendum 2 Knocking and Security Knock Administered form.

Verify that an additional (QA, Management, or Lead) sensibility check is performed on **30% or a minimum of 30 animals** on each day of slaughter and result documented on the Addendum 3 Documentation of Sensibility Check form.

Livestock Humane Handling cont.d

9 CFR 313.30(a)(1), 9 CFR 313.30(a)(3), 9 CFR 313.15 (a)(1), and 9 CFR 320.1(a)

Verify that maintenance of all stun devices, primary and backup, has been completed at the end of each day of slaughter and result documented on the Gun Cleaning Operator Preventive Measure Directive form.

VERIFICATION PLAN
USA Beef Packing LLC
Establishment 51303
July 26, 2023
Revised July 27, 2023

On July 22, 2023, USA Beef Packing LLC, Establishment 51303, Roswell, New Mexico, was issued a Notice of Suspension for an egregious incident of inhumane handling. This verification plan is designed to verify the corrective actions and preventive measures listed in the establishment's responses submitted on July 24, 2023, and July 25, 2023, are effectively implemented. **Revisions are in bold italic type with ~~strikethrough~~**

Livestock Humane Handling

9 CFR 320.1 (a)

Verify once

Verify that employees have completed training on the application of electric stun on swine using 2013 Stunning Pigs with a BD Stunner, and that names, date, and signature of those who complete it are listed on the Livestock Best Handling Procedures and Standard Operating Procedures form.

Verify that swine handling, stunning, and slaughter will be included in the reassessed and updated copy of the written animal welfare program named Livestock Best Handling Procedures & Standard Operating Procedures.

Livestock Humane Handling

9 CFR 313.30(a)(1), 9 CFR 313.30(a)(3), 9 CFR 313.15 (a)(1), and 9 CFR 320.1(a)

Verify weekly

Verify that the Hog Stunner Voltage Verification is completed weekly at the low and high voltage positions and results are documented on the ES Hog Stunner Voltage Verification form.

Verify On each day of Swine slaughter

Verify that the condition of the plastic liner and rubber mats placed on the floor of knock box have been monitored by QA and results documented on the Pre-Operational Inspection RI Slaughter form.

Verify that an additional (QA, Management, or Lead) monitoring of effective stunning is performed on **(25) animals** during each day of swine slaughter, and the score result is documented on the Livestock Handling and Stunning QA Audit Form.

Verify that a security knock is applied on each animal except sheep, lambs, and goats, and is documented on the Addendum 2 Knocking and Security Knock Administered form.

Verify that an additional (QA, Management, or Lead) sensibility check is performed on **30% of each species of animals** ~~or a minimum of 30 animals~~ on each day of slaughter and result documented on the Addendum 3 Documentation of Sensibility Check form.

Livestock Humane Handling cont.d

9 CFR 313.30(a)(1), 9 CFR 313.30(a)(3), 9 CFR 313.15 (a)(1), and 9 CFR 320.1(a)

Verify that maintenance of all stun devices, primary and backup, has been completed at the end of each day of slaughter and result documented on the Gun Cleaning Operator Preventive Measure Directive form.