



United States Department of Agriculture

Food Safety and
Inspection Service

Office of Field
Operations
Denver District
Office

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Denver, CO 80225

Voice (303)236-9800
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April 21, 2020

**SENT VIA FEDEX &
ELECTRONIC MAIL**

Mr. Chris Miller, Plant Manager
Alaska Interior Meats, LLC
Establishment M40463
1561 Levee Way
North Pole, AK 99705
Chrisaim129@gmail.com

NOTICE OF SUSPENSION (NOS)

Dr. Mr. Miller,

This letter confirms the verbal notification provided to your establishment, Alaska Interior Meats, LLC, Establishment M40463, located in North Pole, AK, on Tuesday, April 21, 2020, by the Food Safety Inspection Service (FSIS), Denver District, of the suspension of the assignment of inspectors and the withholding of the marks of inspection at your establishment for slaughter operations. Ms. Valerie Clay, District Manager, verbally 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.

Finding/Basis for Action

On Tuesday, April 21, 2020, the FSIS Supervisory Public Health Veterinarian (SPHV) documented in a Memorandum of Information (MOI) the following event at Est. M40463:

“At approximately 1:03pm while verifying HATS Category VIII Stunning Effectiveness on the slaughter floor the SPHV observed a sow being restrained in the large metal stun box. The SPHV was standing on the kill floor just inside the door between the kill floor and utility room. The SPHV observed the stun operator apply a first stun attempt with a firearm. After the first stun attempt, the sow remained standing in the stun box. The sow actively walked forward a couple of steps and swung her head from side to side. No vocalization was observed. The stun operator immediately applied a second stun attempt with the same firearm. After the second stun attempt, the sow remained standing in the stun box. The sow continued to actively swing her head from side to side. At this point, due to the change in direction of the firearm, the SPHV moved off the slaughter floor. The SPHV was now standing outside the door between the slaughter floor and utility room. The SPHV continued to observe the body of the sow in the stun box through the plastic window on the door. The stun operator immediately applied a third stun attempt. The third stun attempt was effective in rendering the sow insensible; the sow dropped in the stun box and did not actively move. The stun operator did not need to reload the firearm between stun attempts. The SPHV contacted her supervisor and followed instruction to reject the stun box. The SPHV applied U.S. Reject tag number B37157093. The sow was the last animal slaughtered for the day. The Denver District Office was contacted via supervisory channels. The Plant Manager was verbally informed of the regulatory control action. The SPHV and CSI inspected the dressed head and verified three stun holes had penetrated the skull. The establishment is not currently operating under a robust humane handling systematic approach.”

Summary

The decision to suspend the assignment of inspectors at your establishment is based on this noncompliance with 9 CFR 313.16(a)(1). This is an inhumane noncompliance; whereby an establishment employee needed multiple stunning attempts to render an animal unconscious. In addition, your establishment was not operating under a Robust Systematic Approach (RSA) during the time of the event.

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.
- Your specific corrective actions to prevent reoccurrence of the noncompliance.
- 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:

Paul Wolseley
Acting Executive Associate for Regulatory Operations
USDA/FSIS/OFO
Room 3159 South Building
Washington, D. C. 20250
Tel: 207-708-9506
Paul.Wolseley@usda.gov

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

Scott C. Safian, Director
Enforcement and Litigation Division
Office of Investigation, Enforcement and Audit
Food Safety and Inspection Service
Stop Code 3753, PP III, Cubicle 9-235A
1400 Independence Avenue, SW
Washington, D.C. 20250
Voice: (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,

**VALERIE
CLAY**

Digitally signed by VALERIE
CLAY
Date: 2020.04.21 20:15:50
-06'00'

Valerie Clay
District Manager
FSIS Denver District Office
Valerie.Clay@usda.gov

cc: FO/QER
Est. File
R. Reeder, DDM
S. Hoffman, DDM
J. Van Hook, DDM

(b) (6)

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S. Baucher, RD/OIEA