



United States
Department of
Agriculture

Food Safety
and Inspection
Service

Alameda District #5
620 Central Avenue, Bldg. 2C
Alameda, California 94501

June 24, 2013

(b) (6)

Olson Meat Plant
Establishment M21799
7305 Cutler Ave
Orland, CA 95963

**CERTIFIED RETURN
RECEIPT REQUESTED**

email: (b) (6)@olsonmeat.com

NOTICE OF SUSPENSION HELD IN ABEYANCE

Dear (b) (6)

On June 21, 2013, the Food Safety and Inspection Service (FSIS), Alameda District, notified your establishment of the suspension of the assignment of inspectors and the withholding of the marks of inspection, in accordance with Title 9 Code of Federal Regulations (CFR) Part 500.3 (b). This action was initiated due to your firm's failure to prevent the inhumane handling and slaughtering of livestock at your establishment and to appropriately handle animals in accordance with Title 9 CFR Part 313.5(a)(3). This is in violation of 21 U.S.C. 603(b) of the Federal Meat Inspection Act (FMIA) and the Humane Methods of Slaughter Act of 1978, and the regulations promulgated thereunder.

In response to the Notice of Suspension (NOS), your management personnel submitted your first response electronically on June 22, 2013, at approximately 1230 hours. Specifically, your establishment proffered retraining of all personnel involved in humane handling of animals from unloading through stunning and bleeding to be conducted on Monday June 24, 2013. Your establishment proffered initiation of new employee training protocols including oversight by a trained employee for 2 weeks of on-the-job-training (OJT) training and a twice per day verification by upper management. Your establishment submitted a new captive bolt maintenance and testing program to include cleaning, oiling and test firing of the captive bolt, proffered installation of a new, waterproof storage box for the backup captive bolt gun and submitted photographs of new captive bolt storage box. Your establishment also provided training materials for proper stunning techniques, animal handling, and determining insensibility.

After careful review of the submittal, the Alameda District Office (ADO) determined that your establishment's response was not adequate to address the issues and concerns detailed in the NOS dated June 21, 2013. On June 22, 2013, the ADO held a

conference call with your establishment, requesting further clarification including a request for documentation of the OJT program, clarification regarding the oversight of trainees, the location and lock/unlock status of the new storage box, and additional training materials for the use of captive bolt. The ADO also requested documentation of any training to be conducted on June 24, 2013, and sought clarification if you intended to develop a written, robust systematic approach to Humane Handling.

Your establishment submitted your second response electronically on June 23, 2013, at approximately 1230 hours. Your response included clarification of the duration of OJT for new employees will be 2 weeks and the trainer will have no additional duties beyond training the new employee. You clarified the storage box will not be locked during slaughter, but can be locked. You provided additional training materials for the use of a captive bolt. Further, your establishment stated that you would not be developing a systematic approach to humane handling at this time.

After careful review of your submittals, the ADO determined that your response did not address FSIS concerns in the NOS dated June 21, 2013. On June 23, 2013, the ADO held a conference call with you requesting further clarification. Specifically, we requested the signed training documents, the protocol of servicing the captive bolt and the documentation of the self-audits for determining sensibility.

On June 23, 2013, at 1700 hours your establishment submitted, electronically, your third response including links to manufacturer's service protocols for captive bolt maintenance and copies of the daily self-audits for CO₂ level testing and evaluation of swine sensibility to be documented on the CO₂ check log. On June 24, 2013, at 0915, hours you provided documentation of the completed employee training.

After careful review of your submittals, FSIS decided to hold the suspension in abeyance to afford your establishment the opportunity to implement the corrective actions and preventive measures in the action plan submitted by your establishment. This confirms the verbal notification provided to your establishment on June 24, 2013, at approximately 0939 by the Alameda District.

The suspension of inspection will remain in abeyance pending verification by FSIS that your proposed corrective actions and preventive measures are effective and that your humane handling action plan is working effectively in ensuring future regulatory compliance and preventing violations of the humane handling regulatory requirements in Title 9 CFR Part 313, Humane Slaughter of Livestock.

A Verification Plan is designed by FSIS to verify that your establishment fully implements and follows all of the corrective actions and preventive measures that your establishment proffered in your electronic and verbal responses dated June 22, 23 and 24, 2013. The Verification Plan identifies your action plan, and the relevant regulatory requirements under which FSIS officials will verify its implementation and effectiveness of your proposed action plan. A copy of the FSIS Verification Plan will be provided to you. 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 Abeyance period, these changes should be submitted in writing to FSIS for verification of compliance prior to implementation by your establishment. FSIS will begin verification of your proposed actions immediately.

You are reminded, that as an operator of a federally inspected facility, you are expected to comply with the Federal Meat Inspection Act (FMIA) 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 FSIS regulations.

Please be aware that your failure to comply with FSIS regulatory requirements or to effectively implement your commitments and agreements with FSIS, or your proposed actions that were the basis for holding the Suspension in Abeyance, may result in the immediate reinstatement of the suspension of inspection at your establishment or further administrative enforcement action.

In accordance with Title 9 CFR 500.5(a)(5), you may appeal this action by contacting:

Keith Gilmore
Executive Associated for Regulatory Operations
210 Walnut St.
Room 923
Des Moines, IA 50309
515-727-8970

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

Sincerely,



tar Abdalla Amin
Deputy District Manager

cc:

Y. Sharma, DM

G. Gillis, DDM

V. Felix, DDM

(b) (7) (C)



USDA IIC, Est. M21799

FO/QR

Olson Meat Plant
Est. M21799
Orland, California
Notice of Abeyance Verification Plan
June 24, 2013

On June 21, 2013, the Food Safety and Inspection Service (FSIS), Alameda District, notified the establishment of the suspension of the assignment of inspectors and the withholding of the marks of inspection due to the establishment's failure to prevent the inhumane handling and slaughtering of livestock in accordance with title 9 CFR 313.5(a)(3). Verification is defined as those activities, other than monitoring, that determine the validity of the in-plant control system and that the system is operating according to the plan. This verification plan includes the commitments and corrective actions that were proffered by the establishment in response to the Notice of Suspension (NOS) issued on June 21, 2013. This verification plan is designed to verify the commitments made by the establishment to FSIS from June 22, 2013, through June 24, 2013.

Humane Handling			
Corrective Action	Regulation	Task Code	Frequency
<p>1. On June 24, 2013, the establishment conducted employee training regarding "<i>Humane Handling; Euthanasia...</i>".</p> <p><i>FSIS inspection personnel will verify that the establishment has conducted training by reviewing the attendance record, syllabus of training conducted, and acknowledgements of training signed by employees.</i></p>	MOI	MOI	Once
<p>2. The establishment will conduct the following when training new employees:</p> <ul style="list-style-type: none"> • When any new personnel are in training, a previously trained individual will be with the trainee every step of the process and will have no other duties outside training the new individual. • On the job training will be for a period of two full weeks • Twice per day verification by upper management <p><i>FSIS inspection personnel will verify through direct observation and</i></p>	MOI	MOI	Twice per week upon the hiring of any new employees

<i>record review that the establishment has implemented all proffered procedures for training new employees.</i>			
<p>3. The establishment developed a captive bolt maintenance and testing program which includes weekly maintenance, cleaning, oiling and test firing of the captive bolt.</p> <p><i>FSIS inspection personnel will verify through records review and direct observation that the establishment is implementing and documenting this program.</i></p>	MOI	MOI	Weekly
<p>4. The establishment shall install a watertight storage box directly adjacent to the shackling, hoisting and sticking location for storage and easy access to the back-up stunning device (the captive bolt).</p> <p><i>FSIS inspection personnel will verify that the establishment has installed the storage box through direct observation.</i></p>	MOI	MOI	Once
<p>5. The establishment will continue to assess CO₂ levels in the stunning pit, and will assess sensibility of animals after CO₂ stunning at least daily. These checks will be documented on the CO₂ check log.</p> <p><i>FSIS inspection personnel will verify through direct observation and records review that the establishment is assessing CO₂ levels and animal sensibility.</i></p>	313.5(a)(1) 313.5(a) (3) 313.5(b)(3)	Livestock Humane Handling	Daily

These procedures will be performed at the frequency established above during the duration of the Abeyance period. Some items on this list need verification only once or as needed.

(b) (7)(C) (510) 769 (b) (7)(C)