



United States Department of Agriculture

Food Safety and
Inspection Service

September 30, 2021

Digitally signed copy hand delivered

Office of Field
Operations
Des Moines District
Office

Larry Carter
Vallia Foods, LLC
3705 Highway 89
Jefferson, WI 53549

Neal Smith Federal
Building
210 Walnut Street
Room 985
Des Moines, IA
50309-2123

NOTICE OF SUSPENSION HELD IN ABEYANCE

Voice 515.727.8960
Fax 515.727.8991

Dear Mr. Carter:

On September 27, 2021, the Food Safety and Inspection Service (FSIS) issued a Notice of Suspension (NOS) withholding the marks of inspection and suspending the assignment of slaughter inspection program personnel (IPP) for livestock slaughter at Establishment M44183, Vallia Foods, LLC., located in Jefferson, WI, herein referred to as the/your establishment. This action was taken in accordance with the Rules of Practice, 9 CFR 500.3(b), which indicates that FSIS may take withholding action or impose a suspension without providing an establishment prior notification if it is handling or slaughtering animals inhumanely such as occurred at your establishment on September 27, 2021.

On September 28 and 29, 2021, you provided FSIS, in multiple emails, written corrective action 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 313.15}.

Corrective actions and preventative measures are contained in attachments in the emails and detail actions immediately implemented and further proposed:

- Training Animal Handling Guide (3 pages)
- Firearm Operator (1 page)
- Training Material Observations on Stunning Placement (22 pages)
- Corrective Actions (2 pages)
- Training Tool (1 Picture)
- Non-Disclosure and Training Doc. (1 page)
- Announce Firearm procedure (1 page)
- Signatures Non-Disclosure and Training Doc. (1 page)
- Observation Log for Driving and Stunning Animals (1 page)
- Observation and Verification of Mis Knock (1 page)
- Corrective Action Notification Form (1 page)
- Firearm Operator (1page)

Based on your submitted written response, you were informed via telephone, that the suspension of the assignment of IPP, for slaughter operations, at your establishment would be held in abeyance effective September 29, 2021, in accordance with 9 CFR 500.3(b). The suspension will remain in abeyance pending verification by FSIS personnel that your proposed corrective and preventive measures have been effectively implemented, and adequate to maintain compliance. Establishment personnel should monitor operations to prevent violations of humane handling and slaughter from occurring in the future. 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 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 FSIS 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 (b) (6)

Sincerely,

THOMAS BECK Digitally signed by THOMAS
BECK
Date: 2021.09.30 06:05:15 -05'00'

Dawn Sprouls, DVM
District Manager
USDA FSIS OFO
Des Moines District Office