



United States Department of Agriculture

Food Safety and
Inspection Service

Office of Field
Operations
Des Moines District
Office

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

Voice 515.727.8960
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November 23, 2021

Digitally signed letter emailed

(b) (6)
Smithfield Fresh Meats Corp.
800 Industrial Drive
Denison, Iowa 51442

LETTER OF DEFERRAL

Dear (b) (6)

This letter confirms verbal notification by the Des Moines District Office, Food Safety, and Inspection Service (FSIS) to you on November 23, 2021 of our decision to defer the implementation of the Notice of Intended Enforcement (NOIE), issued to Establishment M717, Smithfield Fresh Meats Corp., 800 Industrial Drive, Denison, Iowa 51442 herein referred to as the/your establishment. The NOIE was issued on November 16, 2021, in accordance with the Rules of Practice, 9 CFR 500.3(b), due to the observation by inspection program personal (IPP) of an egregious humane handling incident that occurred at your establishment on November 16, 2021.

On November 19, 2021 you provided a written response via email to the NOIE, beginning a dialog with FSIS that concluded with your final submission of corrective actions and preventative measures on November 23, 2021. The following documents were included, detailing actions immediately implemented and further proposed at your establishment:

- Attachment (21 pages)
 - Response Letter (2 pages)
 - Captive Bolt Stunning General Training Log (1 page)
 - Captive Bolt Gun Training Records (8 pages)
 - Captive Bolt Stunning Training (9 pages)
 - Suspect Pen Captive Bolt Stunning Verification Form (1 pages)
- Rev. 1 Response Letter (2 pages)
- Rev. 2 Response Letter with original attachments (21 pages)

After analyzing your proposed corrective actions and preventative measures, FSIS has determined that your establishment has adequately addressed the noncompliance identified in the NOIE. At this time, FSIS will defer a decision on any further enforcement action pending the verification, of the implementation of the proposed actions, by FSIS inspection program personnel (IPP) to determine regulatory compliance.

During the deferral period verification activities will be conducted by IPP and results will be reported to the District Office on a weekly basis. The decision to place the NOIE in deferral is based on the proffered actions. Any modifications to your submitted corrective actions and preventive measures made during the deferral 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 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 proposed corrective actions and preventative measures could result in suspension of inspection personnel 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 the (b) (6)
(b) (6) or (b) (6)

Sincerely,

**THOMAS
BECK**

Digitally signed by
THOMAS BECK
Date: 2021.11.23
10:27:31 -06'00'

Dawn Sprouls DVM
District Manager
USDA FSIS OFO
Des Moines District