



United States Department of Agriculture

Food Safety and
Inspection Service

June 3, 2022

Office of Field
Operations
Denver District Office

**SENT VIA FEDEX &
ELECTRONIC MAIL**

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P.O. Box 25387
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Voice (303) 236-9800
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Todd Elsberry, Owner
Chris Miller, Plant Manager
Alaska Meat Packers Inc.,
Establishment 20891 M/P/V
12110 Business Blvd. #12
Eagle River, AK 99577
chris@alaskameatpackers.com

DENIAL OF VOLUNTARY SERVICES

Mr. Elsberry,

This letter confirms the verbal notification provided to your establishment, Alaska Meat Inc., Est. 20891 M/P/V, located in Palmer, AK, on June 3, 2022, by the Food Safety Inspection Service (FSIS), Denver District, of the denial of voluntary inspection service of exotic animals at your establishment. Jenifer Monteverde, Deputy District Manager, verbally notified you of the denial of services. This action was initiated in accordance with Title 9 of the Code of Federal Regulations (9 CFR) Part 352.6(a)(5).

Background Authority

The Agricultural Marketing Act (AMA) Title 7 of the United States Code (7 USC) Part 1622(h) provides that the Secretary of Agriculture has the authority to provide voluntary reimbursable inspection services to establishments which apply for and request such services. Further, the AMA 7 USC Part 1622(i) provides that the Secretary of Agriculture has the authority to determine the needs and develop methods of operating facilities for the proper handling of agricultural products, including livestock and poultry. The regulations issued under the AMA, including 9 CFR Part 352, provides FSIS the authority to deny and withdraw voluntary reimbursable inspection services for exotic animals.

Title 9 CFR Part 352.10 states, in part, *“Humane handling of an exotic animal during antemortem inspection shall be in accordance with the provisions contained in 9 CFR 313.2”* and in Part 352.10(a)(5), *“Stunning to render the animal unconscious shall be in accordance with 9 CFR 313.15 or 313.16.”* 9 CFR Part 352.6(a)(5) states FSIS may deny or withdraw inspection services to an establishment, *“for the use of operating procedures which are not in accordance with the regulations of this part.”*

Finding/Basis for Action

On Friday, June 3, 2022, FSIS Inspection Program Personnel (IPP) documented in a Memorandum of Interview (MOI) the following event at Est. M20891:

“At approximately 8:35 am, June 3, Est. 20891 put a mature bull yak into the squeeze chute and shot it in the head with a .38 caliber pistol. The initial stun was ineffective and the knocker continued to shoot it with the same pistol approximately 15 times, about 45 seconds between shots, until it finally collapsed. In between shots I was able to look and see that the yak was still standing, blinking, and tossing its head. After it collapsed, it was shackled and hung up to be bled out at approximately 9:00 am. I did not witness all of the shots as I was behind a wall for safety. The knock box was tagged with US Reject tag number B33527573 and all further voluntary slaughter is on hold.”

Summary

Based on the findings listed above FSIS has concluded that the denial of voluntary services is warranted for failure to meet regulatory requirements in accordance with 9 CFR 352.10. The denial of voluntary services will remain in effect until such time as you provide the Denver District Office adequate written corrective actions and preventative measures to ensure that exotic species at your establishment are handled and slaughtered humanely, and in accordance with 9 CFR 352.10 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.

You may appeal this action by contacting:

Paul Wolseley
Executive Associate for Regulatory Operations
Office of Field Operations
Food Safety and Inspection Service
United States Department of Agriculture
1400 Independence Avenue, SW
Room 1329, South Building
Washington, D.C. 20250
Tel: 202-708-9506
Paul.Wolseley@usda.gov

In addition, you may also request a hearing regarding this determination pursuant to the USDA Rules of Practice 7 CFR 1.131(b)(1) by contacting:

Scott C. Safian
Director, Enforcement Operations Staff
Office of Investigation, Enforcement and Audit
Food Safety and Inspection Service
United States Department of Agriculture
Stop Code 3753, SB – Room 2148
1400 Independence Avenue, SW
Washington, D.C. 20250
Office: (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,

ROBERT
REEDER

Digitally signed by ROBERT
REEDER
Date: 2022.06.03 14:14:16
-0600

Dr. Robert Reeder
District Manager
USDA FSIS OFO
Denver District Office
Robert.Reeder@usda.gov

cc: Est. File
J. Monteverde, DDM
D. James, DDM
J. VanHook, DDM

(b) (6)

S. Baucher, RD/OIEA