



United States Department of Agriculture

Food Safety and
Inspection Service

Office of Field
Operations
Denver District Office

1 Denver Federal
Center, Bldg. 45
P.O. Box 25387
Denver, CO 80225

Voice (303)236-9800
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November 8, 2022

**SENT VIA FEDEX &
ELECTRONIC MAIL**

Ms. Nancy Hibbing, President
North Cascades Meat Producers Cooperative, Est. M46010
7229 300th St NW
Stanwood, WA 98292
NorthCascadesMeatProducersCooperative@hotmail.com

REINSTATEMENT OF SUSPENSION (ROS)

Dear Ms. Hibbing,

This letter confirms the verbal notification provided to your establishment, North Cascades Meat Producers Cooperative, Establishment M46010, located in Stanwood, WA on Tuesday, November 8, 2022, by the Food Safety Inspection Service (FSIS), Denver District, of the reinstatement of suspension (ROS) of the assignment of inspectors and the withholding of the marks of inspection at your establishment for slaughter operations. Dr. Jessica VanHook, Deputy District Manager, 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.

Findings/Basis for Action

On Tuesday, November 8, 2022, an FSIS Frontline Supervisor (FLS) documented in a Noncompliance Record (NR) the following event at Est. M46010:

“I observed the electrical stunning of a market swine at approximately 0833 AM. The animal was unconscious after the electrical stun applied to the head and then the chest, an immediate follow up stun was applied with a hand-held captive bolt device from behind the left ear, and a neck cut was made to initiate exsanguination. The animal was then dragged from the stun box via a hook in the mouth onto the adjacent concrete pad. After approximately 30 seconds the animal regained consciousness and rose to a standing position and walked approximately 50 feet away. The stun operator readily retrieved a backup 22 Mag rifle and applied a successful stun rendering the animal unconscious.

I verbally notified the Sitting President of the establishment that I was rejecting the stun box at 0835 AM and applied U.S. Rejected Tag #B39028481.

The Denver District Management Team was contacted through supervisory channels. The establishment had been operating within the abeyance period for a Notice of Suspension.”

Summary

The decision to reinstate the suspension of the assignment of inspectors at your establishment is based on this noncompliance with 9 CFR 313.30(a)(4), 313.30(b)(3) and 313.15(a)(3) and your establishment's humane handling noncompliance history.

You were currently operating under the abeyance period for a Notice of Suspension issued on June 9, 2022, whereby your employee needed multiple stunning attempts with multiple stunning devices to render a swine unconscious.

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.

- 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 V. Wolseley
Executive Associate for Regulatory Operations
Office of Field Operations
Food Safety and Inspection Service, USDA
1400 Independence Ave. SW
Room 1329 South Building
Washington, DC 20250
Office: (202) 708-9506
Cell: (630) 544-9805
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 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, DC 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,

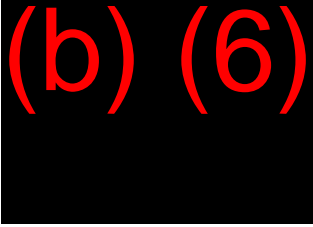
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Dr. Robert Reeder
District Manager
USDA FSIS OFO
Denver District Office
Robert.Reeder@usda.gov

cc: FO/QER

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



S. Baucher, RD/OIEA