



United States Department of Agriculture

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Food Safety and  
Inspection Service

September 13, 2022

Digitally signed copy emailed

Office of Field  
Operations  
Des Moines District  
Office

Rick Petersen, Plant Manager  
Tyson Fresh Meats, Inc.  
501 N. Elk Run Road  
Waterloo, Iowa 50703

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. Petersen:

This letter confirms verbal notification provided by the Des Moines District Office, Food Safety and Inspection Service (FSIS) to establishment M244W, Tyson Fresh Meats, Inc., herein referred to as the/your establishment, of the decision to place the suspension action (NOS), initiated on September 12, 2022, due an egregious humane handling incident, into abeyance (NOSA).

On September 13, 2022, you provided FSIS, via emails, written corrective actions 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 313.5(b)(2)}. The following documents were included, detailing actions immediately implemented and further proposed at your establishment:

*Specifically:*

- Establishment Narrative Letter (2 pages)
- AW Committee Meeting (attendee list 1 page)
- Training documents (13 page)
- Maintenance Management System (audit records 4 pages)
- Animal Welfare Monitoring records (3 pages)
- Employee statements (3 pages)

Based on your written response, you were informed via telephone, that the suspension of the assignment of IPP, for slaughter operations, at your establishment is held in abeyance effective September 13, 2022.

The suspension will remain in abeyance pending verification by FSIS personnel that your proposed corrective actions and preventive measures have been effectively implemented

and are 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 Des Moines 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 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) at (b) (6) or (b) (6)

Sincerely,



Digitally signed by Todd C.  
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Date: 2022.09.13 13:39:36 -05'00'

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