

The request for this information is voluntary. It is needed to monitor defects found in this inspection system. It is used by FSIS to determine whether establishments are in compliance. 9 CFR 301 and 9 CFR 381. FORM APPROVED OMB No. 0583-0089. OMB DISCLOSURE STATEMENT: Public reporting burden for this collection of information is estimated to average 7 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing this collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, Room 404-W, Washington, DC 20250; and to the Office of Information and Regulatory Affairs, Office of Management and Budget.

US Department of Agriculture FOOD SAFETY AND INSPECTION SERVICE NONCOMPLIANCE RECORD		TYPE OF NONCOMPLIANCE <input checked="" type="checkbox"/> Food Safety <input type="checkbox"/> Other Consumer Protection	
1. DATE 05/23/2006	2. RECORD NO. 0020-2006-9114	3. ESTABLISHMENT NO. 32111 M / I (b)(6), (b)(7)(c)	
4. TO (Name and Title) Gary Ruse, Plant Manager		5. PERSONNEL NOTIFIED [REDACTED] and [REDACTED]	
6. RELEVANT REGULATION(S) 310.25(a)			
7. SECTION/PAGE OF EST. PROCEDURE PLAN	HACCP	SSOP	OTHER Generic E. coli prog
8. ISP CODE 05A02	9. NONCOMPLIANCE CLASSIFICATION INDICATORS E. COLI - Other / None		

10. DESCRIPTION OF NONCOMPLIANCE

(b)(4) On 05/23/2006 I performed a scheduled 05A02 procedure to verify that the establishment was meeting the regulatory requirements of 9 CFR 310.25 that pertain to the sampling of beef carcass for the presence of Generic E. coli. During the week of 05/14/06 to 05/20/06 the establishment slaughtered [REDACTED] head of cattle. As of 10:00 a.m. on 05/23/2006 the establishment had not sampled any of these cattle for the presence of Generic E. coli. The Generic E. coli testing program presented to me by the establishment states that 1 carcass will be sampled for each [REDACTED] of cattle slaughtered. 9 CFR 310.25(a)(2)(iii) states that slaughter establishments as defined in paragraph(a)(2)(v) of this section, must take samples at a frequency proportional to the volume of production at the following rates: (A) Cattle, sheep, goats, horses, mules and other equines: [REDACTED] carcasses, but, a minimum of one sample each week of operation. The establishment did not meet this regulatory requirement.

This document serves as written notification that your failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action.

11. SIGNATURE OF INSPECTION PROGRAM EMPLOYEE

[REDACTED SIGNATURE]

You are hereby advised of your right to review this document under 9 CFR 301.25 and 381.25 by [REDACTED]

12. PLANT MANAGEMENT RESPONSE (Immediate action(s)): A sample was taken for generic E-Coli on 5-23-06 for kill date of 5-22-06. [REDACTED] and [REDACTED] reviewed 9CFR.25 To be more familiar with the testing requirements

13. PLANT MANAGEMENT RESPONSE (further planned action(s)): In order to become more familiar with the testing procedure a daily sample has been taken since 5-23-06 for each days kill. A review of the Generic E-Coli Test Results indicate that total coliform per cm² is less than .5

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14. SIGNATURE OF PLANT MANAGEMENT

[REDACTED SIGNATURE]

15. DATE

7/17/06

16. VERIFICATION SIGNATURE OF INSPECTION PROGRAM EMPLOYEE

[REDACTED SIGNATURE]

17. DATE

07/19/06

00169

A0000420_170-000170

REQUIREMENT	YES (✓)
<p>2. SAMPLE ANALYSIS <i>(paragraph (a) (1) (ii) and (a) (3))</i></p> <p>a. The laboratory analyzing the samples is not using an AOAC Official Method or another method that meets the criteria in paragraph (a) (3).</p>	
<p>3. RECORDS OF TEST RESULTS <i>(paragraphs (a) (1) (iii) and (a) (4))</i></p> <p>a. The establishment's process control chart or table does not show at least the most recent 13 <i>E. coli</i> test results.</p> <p>b. The establishment's process control chart or table does not express <i>E. coli</i> test results in terms of: <i>(as applicable)</i></p> <p>cfu/cm² of surface area sponged or excised by type of livestock slaughtered, or cfu/ml of rinse fluid by type of poultry slaughtered.</p> <p>c. The establishment is not retaining records of test results for 12 months.</p>	
<p>4. Table 1 does not include applicable m/M criteria, and the establishment is not using a statistical process control technique <i>(charting or plotting the results over time)</i> to determine what variation in test results is within normal limits.</p>	
<p>5. Table 1 includes applicable m/M criteria, and the establishment is not determining whether it is operating within these criteria. <i>(An establishment is not operating within these criteria when the most recent test result exceeds M or when the number of samples out of the most recent 13 samples testing positive at levels above m is more than 3.)</i></p>	

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US Department of Agriculture FOOD SAFETY AND INSPECTION SERVICE NONCOMPLIANCE RECORD		TYPE OF NONCOMPLIANCE <input checked="" type="checkbox"/> Food Safety <input type="checkbox"/> Other Consumer Protection	
1. DATE 03/15/2007	2. RECORD NO. 0020-2007-9114	3. ESTABLISHMENT NO. 04653G M / 1	(b)(4)
4. TO (Name and Title) David Blake, Plant Manager	5. PERSONNEL NOTIFIED [REDACTED]		(b)(6)
6. RELEVANT REGULATION(S) 310.25(a)		(b)(7)(c)	
7. SECTION/PAGE OF EST. PROCEDURE PLAN	HACCP	SSOP	OTHER Gen.E. coli plan
8. ISP CODE 05A02	9. NONCOMPLIANCE CLASSIFICATION INDICATORS E. COLI - Other / None		

10. DESCRIPTION OF NONCOMPLIANCE

While performing a review of the establishment's microbiological testing results I observed the following regulatory noncompliances involving the establishment's (Generic) E. coli Biotype 1 testing program. 1) The establishment's records indicate that during the week of March 4-10, 2007 plant personnel performed two sponge samples. Daily disposition records indicate that [REDACTED] cattle and [REDACTED] bison were slaughtered during that week. Both E. coli samples were taken from bison carcasses. The predominate type of livestock slaughtered at this establishment is cattle. The establishment thus failed to meet the regulatory requirements of 9 CFR 310.25(a)(1) which states that each official establishment that slaughters livestock must test for E. coli Biotype 1. Establishments that slaughter more than one type of livestock or both livestock and poultry, shall test the type of livestock or poultry slaughtered in the greatest number. 2) During the weeks of February 11-17, 2007 and March 4-10, 2007, the establishment failed to perform any sponge sampling for E. coli Biotype 1 on their beef carcasses. 9 CFR 310.25(a)(2)(iii) states slaughter establishments as defined in paragraph (a)(2)(v) of this section, must take samples at a frequency proportional to the volume of production at the following rates: (A) Cattle, sheep, goats, horses, mules and other equines: 1 test per 300 carcasses, but, a minimum of one sample during each week of operation. The establishment slaughtered [REDACTED] cattle during the week of February 11-17 and [REDACTED] cattle during the week of March 4-10. At least one E. coli Biotype 1 sample should have been taken each of those weeks. 3) A review of the establishment E. coli sponge sampling records and associated process

11. SIGNATURE OF INSPECTION PROGRAM EMPLOYEE

[REDACTED SIGNATURE] *DUM*

You are hereby advised of your right to... as delineated by...

12. PLANT MANAGEMENT RESPONSE (immediate action(s)):

13. PLANT MANAGEMENT RESPONSE (further planned action(s)):

This document serves as written notification that your failure to comply with regulatory requirement(s) could result in additional regulatory or administrative action.

14. SIGNATURE OF PLANT MANAGEMENT
David C Blake

15. DATE
3-19-07

16. VERIFICATION SIGNATURE OF INSPECTION PROGRAM EMPLOYEE
[REDACTED]

17. DATE
03/19/07

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US Department of Agriculture
 FOOD SAFETY AND INSPECTION SERVICE
 NONCOMPLIANCE RECORD CONTINUATION SHEET

TYPE OF NONCOMPLIANCE

Food Safety Other Consumer Protection

1. DATE 03/15/2007	2. RECORD NO. 0020-2007-9114	3. ESTABLISHMENT NO. 04653G M / 1	(b)(4)
4. TO (Name and Title) David Blake, Plant Manager		5. PERSONNEL NOTIFIED	(b)(6)
6. RELEVANT REGULATION(S) 310.25(a)			(b)(7)(c)
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10. DESCRIPTION OF NONCOMPLIANCE

control chart dating back to October 19, 2007 indicate that the establishment is not collecting samples randomly. The dates of sampling indicates that nearly all samples were taken from cattle slaughtered on the last one or two days of the work week. Since not all carcasses from cattle slaughtered early in the week are not present during the time of random carcass selection and sampling they are not in the sampling pool and do not have a chance of being selected. This is particular true with Kosher carcasses which are shipped within 24 hours of being slaughtered. The establishment's generic E. coli testing program under [redacted] states [redacted]. The establishment has failed to meet the regulatory requirements of 9 CFR 310.25(a)(1) and (2) in that their written procedures are not designed so that all cattle slaughtered during the week are included in the sampling pool thus randomness of carcass selection is not achieved. 4) 9 CFR 310.25(a)(4) states that results of testing shall be recorded onto a process control chart by the type of livestock slaughtered. The establishment's process control chart contains results of sampling from both the beef and bison carcasses. Since beef are the predominate type of livestock slaughtered only their test results should be recorded on the process control chart.

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11. SIGNATURE OF INSPECTION PROGRAM EMPLOYEE

[redacted signature]

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