



United States  
Department of  
Agriculture

Food Safety  
and Inspection  
Service

District Enforcement Operations  
Boulder District Office  
665 S. Broadway, Suite B  
Boulder, CO 80303

June 1, 2000

FACSIMILE AND OVERNIGHT  
MAIL

Excel Corporation  
Establishment 86R  
ATTN: Mr. Mike Chabot, General Manager  
1505 E. Burlington Ave.  
P.O. Box 4100  
Fort Morgan, CO 80701

As you know we issued a letter to you dated May 23, 2000. We received a response from you on May 30, 2000. After reviewing the documents, which your company has submitted, we still have some concerns about the ability to control zero tolerance and other concerns listed on the May 23, 2000 document. We need some clarification to your response.

Specifically, we have concerns of how you meet the requirements of 9 CFR Part 417.3, as listed below.

**§ 417.3 Corrective actions.**

(a) The written HACCP plan shall identify the corrective action to be followed in response to a deviation from a critical limit. The HACCP plan shall describe the corrective action to be taken, and assign responsibility for taking corrective action, to ensure:

- (1) The cause of the deviation is identified and eliminated;
- (2) The CCP will be under control after the corrective action is taken;
- (3) Measures to prevent recurrence are established; and
- (4) No product that is injurious to health or otherwise adulterated as a result of the deviation enters commerce.

When FSIS inspection personnel find evidence of fecal contamination they will verify that you are meeting the requirements of 9CFR Part 417.3 and 417.5 when performing HACCP verification inspection procedure 03J02 in response to the finding and the specific production represented by the finding. Inspection personnel will confirm that corrective actions are met.

Repetitive zero tolerance failures have been recently recorded on NR 41-00, dated May 16, 2000, and NR 42-00, dated May 18, 2000. These findings raise concern as to whether section 417.3(a)(1)(2) and (3) are being met. Another incident occurred during the reinspection of beef carcasses that failed a zero tolerance check as recorded on NR 42-00, dated May 18, 2000. Further, it appeared that not all of the lot was presented for inspection. One carcass was found on a sealed truck. These findings raise concern about the establishment's ability to meet 417.3(a)(4) of the regulation

Also, Noncompliance Record (NR) 90-99, dated November 29, 1999 listed a zero tolerance failure. You gave verbal corrective and preventative measures of adding an additional bung dropper to the chain. Later in the day, it was observed that the additional bung dropper was removed contrary to the verbal corrective and preventative measures. This incident was documented on NR 91-99, dated November 29, 1999. Another NR (104-99, dated December 17, 1999) listed an incident of verbal corrective and preventative measures given for a zero tolerance failure (NR 103-99, dated December 17, 1999) not


being followed. Quality Assurance records revealed that the corrective and preventative measures were not being performed. These NRs further represent inspection concerns regarding the establishments' ability to meet sections 417.3(a)(1), (2) and (3).

Operational monitoring of the dressing procedure as presented in your prior corrective action plan submitted in September, 1999 has a role in meeting the requirements of 417.3(a) however the relationship of this program to meeting zero tolerance standard is not clear in your May 30, 2000 response. That program is considered in effect until the "Notice of Suspension Held in Abeyance" action is closed.

In order for us to determine if you have addressed the zero tolerance issue, particularly in relation to HACCP regulations 417.3(a) and 417.4(a)(3), please provide this office a written response regarding these concerns within three (3) working days from the date of receipt of this letter.

If you have any questions regarding this matter feel free to call.

Sincerely,



Ron Nelson  
Deputy District Manager

cc: L. Ramsey, ADME  
E. Carr, SCO  
D. Hansen, CS  
M. Finley, IIC  
A. Gallegos, CO  
S. Safian, D/EED  
W. Smith, ADA, OFO  
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