

June 7, 2023

Docket Clerk U.S. Department of Agriculture Food Safety and Inspection Service 1400 Independence Avenue SW Mailstop 3758 Washington, DC 20250-3700

Re: Docket No. FSIS-2022-0015

Truth in Advertising, Inc. ("TINA.org") welcomes the opportunity to submit the following in conjunction with the Food Safety and Inspection Service's ("FSIS") March 13, 2023 request for comments regarding its proposal to amend 9 CFR part 412, regulations that define the conditions under which the labeling of meat, poultry, and egg products, as well as voluntarily-inspected products, may bear voluntary label claims indicating that the product is of United States origin (e.g., "Product of USA," "Made in the USA").1

As explained in more detail below, TINA.org supports FSIS's proposal to amend the definition and scope of Product of USA labeling as the current definition defies logic and misleads consumers. The data are clear that U.S. consumers — who prefer and are willing to pay a premium for U.S. meat products — reasonably believe that U.S.-origin labeling means that the meat products come from animals that are born, raised, and slaughtered in the U.S. Moreover, there is no realistic way for consumers to ascertain the true origin of meat products sold in the United States. Because of the informational asymmetry that exists between consumers and industry, consumers are forced to rely on companies' misleading origin claims. For these reasons, among others, FSIS should amend the definition of Product of USA as proposed. Further, TINA.org urges FSIS to apply this revised definition not only to physical labels, but to digital labels as well, as nearly half of Americans purchase their groceries, including meat products, online without ever seeing physical labels. This approach would be consistent with the Federal Trade Commission's Made in USA Labeling Rule. Finally, TINA.org urges FSIS to rigorously enforce the proposed rule in order to properly protect consumers.

### INTEREST OF COMMENTER

TINA.org is a nonpartisan, nonprofit consumer advocacy organization whose mission is to combat deceptive advertising and consumer fraud; promote understanding of the serious harms commercial dishonesty inflicts; and work with consumers, businesses, independent experts, synergy organizations, self-regulatory bodies and government

agencies to advance countermeasures that effectively prevent and stop deception in the economy. At the center of TINA.org's efforts is its website, www.tina.org, which provides information about common deceptive advertising techniques, consumer protection laws, and alerts about specific deceptive marketing campaigns—such as nationally advertised "Built in the USA" vans manufactured abroad; pillows and essential oils falsely marketed as being able to treat chronic diseases; and a delivery meal kit service that falsely advertises free meals. The website functions as a clearinghouse, receiving consumer complaints about suspicious practices, which TINA.org investigates and, when appropriate, takes up with businesses and regulatory authorities. The website is also a repository of information relating to consumer protection lawsuits and regulatory actions.

Through its collaborative approach and attention to emerging issues and complexities, TINA.org has become a trusted source of expertise on matters relating to consumer fraud, and has testified before Congress on issues related to consumer protection, deceptive marketing and economic justice.<sup>5</sup> TINA.org regularly draws on its expertise to advocate for consumer interests before the FTC and other governmental bodies and appears as amicus curiae in cases raising important questions of consumer protection law.<sup>6</sup>

Since its inception, TINA.org has filed legal actions against hundreds of companies and entities, published more than 1,300 ad alerts, written over 1,000 news articles, and tracked more than 4,000 federal class actions alleging deceptive marketing. Notably, since 2015, state and federal agencies have obtained more than \$250 million from wrongdoers based on TINA.org legal actions and evidence, and returned millions in illgotten gains to consumers.

With respect to U.S.-origin claims specifically, TINA.org has investigated and reported on dozens of companies marketing their products with deceptive Made in USA claims; catalogued more than 1,500 examples of deceptive origin marketing representations; sent more than 10 warning and notification letters to companies concerning U.S. marketing claims; and filed complaints with state and federal regulators regarding more than a dozen companies, brands and entities engaged in deceptive Made in USA marketing, including Walmart, Target, Gillette, Williams-Sonoma, and New Balance. As a result of TINA.org's efforts, more than a thousand false origin claims have been modified or removed from the internet, companies have revamped their product labeling, national advertising campaigns have been halted, and the FTC has imposed fines of \$1 million. TINA.org is also tracking more than 50 class-action lawsuits challenging Made in USA marketing claims, nearly a quarter of which pertain to the marketing of beverages and food, including meat products.

In addition, in 2019, TINA.org successfully petitioned the FTC to use its rulemaking authority to expand its enforcement abilities and better defend the Made in USA marketing designation by enacting a regulation that would give the agency the option to seek monetary penalties against first-time offenders who ignore the law.<sup>13</sup> The FTC acted on TINA.org's petition and, in August 2021, the FTC's Made in USA Labeling Rule,

which prohibits the use of physical and digital Made in USA labels unless "all or virtually all" of the labeled product was made in the U.S., went into effect. 14

### THE PROPOSED AMENDMENTS ARE NECESSARY TO PROTECT U.S. CONSUMERS AND DOMESTIC FARMERS

A majority of U.S. consumers prefer American-made products and are willing to pay a premium for them.<sup>15</sup> This is especially true of meat products, for which American consumers are willing to pay the greatest price premium when all production steps (i.e., born, raised, slaughtered, and processed) take place in the U.S.<sup>16</sup> In addition to preference, U.S. consumers simply want to know where their food is from. An overwhelming 93 percent of American consumers report wanting this origin information, and 75 percent believe the origin of their food is a major attribute when making their food choices.<sup>17</sup>

The problem is that consumers, who mistakenly believe that "Product of USA" means that the animal is U.S.-born, raised, slaughtered and processed, <sup>18</sup> are not able to obtain accurate origin information about the meat products they purchase, as demonstrated by TINA.org's efforts to obtain such origin information.

Specifically, during a year-long investigation, TINA.org attempted to ascertain the origin information of specific meat products to no avail. TINA.org's first stop in its quest for this information was the USDA Economic Research Service where a representative informed TINA.org that import and export data regarding meat products is considered "business confidential" and therefore not generally disclosed by the USDA. <sup>19</sup> Further complicating matters, according to the representative, is the fact that "when it comes to beef, you're talking about an animal that was at least a year old at slaughter and may have changed ownership at multiple stages of its life" crossing international borders throughout that time. <sup>20</sup> As such, it is unlikely that the USDA would or could provide origin information, according to the representative, who suggested TINA.org contact the companies selling the products for this information instead.

TINA.org next filed two Freedom of Information Act (FOIA) requests with the USDA on January 4, 2021 requesting origin data for beef and pork products subject to 2019, 2020, and 2021 recalls – i.e., meat products deemed by FSIS to be adulterated or misbranded<sup>21</sup> – the hypothesis being that if the USDA would ever disclose origin information about meat products, it would be when the agency publicly determined the products were mislabeled or unfit for human consumption.<sup>22</sup> However, after numerous follow-up emails and telephone calls with various USDA representatives regarding TINA.org's requests, TINA.org learned that the USDA's foreign counterparts in the countries from where the animals and products were imported can choose to categorize the requested information as proprietary and therefore not disclosable.

Subsequently, in May and June 2021, four plus months after TINA.org's initial FOIA requests, the USDA informed TINA.org that many of the responsive records were being withheld in full because they contained "commercial or financial information that is

customarily treated as private by the business submitters" and is therefore "considered confidential." In total, origin data for only 5 of 88 recalls listed in TINA.org's FOIA requests were produced. As a result, TINA.org appealed the USDA's refusal to disclose the origin information, explaining, among other things, that TINA.org was not seeking commercial or financial information, but rather, country of origin information *only* – that is, where did the animal and/or raw meat used in products that were recalled by the USDA and consumed by U.S. consumers originate from, as such information is of vital importance to U.S. consumers. So

On October 15, 2021 and December 2, 2021, the USDA provided data for only three additional recalls, <sup>26</sup> meaning that after 13 months, countless emails, numerous phone calls, petitions and letters, TINA.org was only able to obtain incomplete and confusing origin information for less than 9 percent of the meat products requested. This astonishingly arduous process was a complete failure and made clear that it is impossible for consumers to obtain origin information about the meat they are consuming. That companies and foreign entities are able to shield origin information as confidential and therefore not disclosable is shameful and results in enormous informational asymmetry between companies and consumers. Additionally, there's nothing preventing meat producers from profiting by misleading U.S. consumers regarding origin claims.

By way of example, U.S. consumers have no realistic way of ascertaining where the animals used in the following "Product of USA" beef products were born, raised, or slaughtered:









Given the impossibility of obtaining origin information, coupled with consumer confusion as to what "Product of USA" actually means, an amended rule is necessary to protect not only U.S. consumers from harm, but domestic farmers who raise cattle in the U.S. from start to finish.

### THE PROPOSED RULE SHOULD APPLY TO PHYSICAL AND DIGITAL LABELS

The proposed amendments to the definition of "Product of USA" concern "label claims," which, according to FSIS, are claims on "a display of any printing, lithographing, embossing, stickers, seals, or other written, printed, or graphic matter upon the immediate container (not including package liners) of any products." Other types of marketing materials, including digital labels, do not appear to be included in the proposed amendments or the FSIS definition of "label."

However, Product of USA claims about meat products exist in many places other than the physical labels on the "immediate container" of products, including on digital labels. The following are some examples of digital images of package labels from various sources.

(Note: TINA.org is not suggesting that any of the products shown below or above are mislabeled. In fact, TINA.org does not have any origin information regarding these products other than what is noted on the labels.)



Meat company website<sup>29</sup>

Costco website<sup>30</sup>



Instacart website<sup>31</sup>



Meat company social media account<sup>32</sup>



In the modern, e-commerce economy, physical labels and digital labels are functional equivalents, serving the same purpose of informing consumers of a product's country of origin. Moreover, millions of consumers purchase their groceries online without ever having the opportunity to see a physical label. In fact, approximately 150 million American consumers – close to half of the country's population – purchase groceries online, a number that will only continue to grow.<sup>33</sup> And grocery purchases in the U.S. almost always include meat products, with 98.5 percent of American households buying meat as of 2022.<sup>34</sup>

Accordingly, TINA.org urges FSIS to include digital labels within the proposed rule. By covering both physical and digital labels, the proposed rule would appropriately offer protection in all contexts. By contrast, if the rule is limited to physical labels, it will create an exception that swallows the rule – physical and online Product of USA labeling will face inconsistent regulations, companies who want to deceive will find a way around the narrow rule, and American consumers will be left vulnerable.

Including digital labels in the amended rule would also be consistent with the FTC's Made in USA Labeling Rule, which, in addition to physical labels, also applies to any "seal, mark, tag, or stamp labeling a product Made in the United States" included in "any materials, used in the direct sale or direct offering for sale of any product or service, that are disseminated in print or by electronic means, and that solicit the purchase of such product or service by mail, telephone, electronic mail, or some other method without examining the actual product purchased."<sup>35</sup>

As then-Commissioner Chopra stated, "The growing proportion of consumer goods purchased online has made it easier for foreign counterfeiters to trick consumers and steal

sales from companies that tell the truth. ... this puts small firms that rely on the Made in USA label at a disadvantage in online marketplaces flooded with counterfeits."<sup>36</sup>

At present, FSIS's position with respect to Product of USA label claims is inconsistent with the FTC's position on U.S.-origin labeling claims. Revising the rule to include digital labels would bring FSIS's rule in line with the FTC's, providing greater consistency in the marketplace and helping eliminate confusion among consumers.<sup>37</sup>

### THE PROPOSED RULE MUST BE RIGOROUSLY ENFORCED

Revising the definition of Product of USA, alone, will not be sufficient to ensure brands label their meat products in a manner that does not mislead consumers. TINA.org's Made in USA investigations in other industries have revealed that companies frequently continue to use deceptive U.S.-origin claims to market products even after being made aware that they have violated the law.

TINA.org has documented how large, sophisticated companies like Walmart, <sup>38</sup> Target, <sup>39</sup> Williams-Sonoma, <sup>40</sup> and New Balance, <sup>41</sup> have repeatedly violated Made in USA laws. And the FTC has played a game of whack-a-mole with multiple companies that have continued to violate U.S.-origin laws after receiving closing letters or entering into settlements with the Commission, including Stanley Works, <sup>42</sup> Williams-Sonoma, <sup>43</sup> iSpring Water Systems, <sup>44</sup> IKEA, <sup>45</sup> and Resident Home/Nectar Brands. <sup>46</sup>

The failure to adequately police companies' use of U.S.-origin claims harms law-abiding businesses who truthfully market their products as American made.<sup>47</sup> Undeniably, "[s]ellers gain a competitive advantage when they falsely market a product as Made in USA."<sup>48</sup>

Underenforcement of deceptive U.S.-origin claims also harms consumers. As the California Supreme Court has explained:

For each consumer who relies on the truth and accuracy of a label and is deceived by misrepresentations into making a purchase, the economic harm is the same: the consumer has purchased a product that he or she *paid more* for than he or she otherwise might have been willing to pay if the product had been labeled accurately. This economic harm—the loss of real dollars from a consumer's pocket—is the same whether or not a court might objectively view the products as functionally equivalent. A counterfeit Rolex might be proven to tell the time as accurately as a genuine Rolex and in other ways be functionally equivalent, but we do not doubt the consumer (as well as the company that was deprived of a sale) has been economically harmed by the substitution in a manner sufficient to create standing to sue. Two wines might to almost any palate taste indistinguishable—but to serious oenophiles, the difference between one year and the next, between grapes from one valley and another nearby, might be sufficient to carry with it real economic differences in how much they would pay. Nonkosher meat

might taste and in every respect be nutritionally identical to kosher meat, but to an observant Jew who keeps kosher, the former would be worthless.<sup>49</sup>

In short, an amended rule will be of little import – and will not effectively prevent harm – if companies choose to ignore it. Only through rigorous enforcement will companies pay heed to the revisions. Though marketers may be aware of the rule and change in definition, they will have little reason to follow it if the risk of enforcement is low. As such, TINA.org urges FSIS to rigorously enforce the proposed rule once amended.

### **CONCLUSION**

To make rational economic decisions about the meat products they are purchasing, consumers must have accurate information. However, the serious informational imbalance between companies and consumers concerning product origin coupled with consumers' confusion concerning the meaning of "Product of the USA" makes it possible for companies to exploit consumers and profit from their misunderstandings. As a result, it is incumbent on the USDA to protect consumers from misleading and deceptive origin claims. As such, TINA.org supports FSIS's proposed amendments to 9 CFR part 412, urges the agency to apply the revised definition to digital labels, and encourages it to rigorously enforce the rule.

Sincerely,

Bonnie Patten

Laura Smith

Truth in Advertising, Inc.

<sup>&</sup>lt;sup>1</sup> Voluntary Labeling of FSIS-Regulated Products With U.S.-Origin Claims, 88 Fed. Reg. 15290 (Mar. 13, 2023), <a href="https://www.federalregister.gov/documents/2023/03/13/2023-04815/voluntary-labeling-of-fsis-regulated-products-with-us-origin-claims">https://www.federalregister.gov/documents/2023/03/13/2023-04815/voluntary-labeling-of-fsis-regulated-products-with-us-origin-claims</a>.

<sup>&</sup>lt;sup>2</sup> TINA.org's Mercedes-Benz Investigation, https://truthinadvertising.org/brands/mercedes-benz.

<sup>&</sup>lt;sup>3</sup> TINA.org's MyPillow Investigation, <a href="https://truthinadvertising.org/brands/mypillow/">https://truthinadvertising.org/brands/mypillow/</a>; TINA.org's doTerra Investigation, <a href="https://truthinadvertising.org/brands/doterra/">https://truthinadvertising.org/brands/doterra/</a>; TINA.org's Young Living Investigation, <a href="https://truthinadvertising.org/brands/young-living/">https://truthinadvertising.org/brands/young-living/</a>.

<sup>&</sup>lt;sup>4</sup> TINA.org's HelloFresh Investigation, https://truthinadvertising.org/brands/hellofresh/.

<sup>&</sup>lt;sup>5</sup> Safeguarding American Consumers: Fighting Fraud and Scams During the Pandemic Before the Subcomm. on Consumer Prot. and Com. of the Comm. on Energy and Com., 117th Cong. (Feb. 4, 2021) (testimony of Bonnie Patten, Exec. Dir., Truth In Advertising), <a href="https://truthinadvertising.org/action/house-testimony-2021-summary-action/">https://truthinadvertising.org/action/house-testimony-2021-summary-action/</a>; Curbing COVID Cons: Warning Consumers about Pandemic Frauds, Scams, and Swindles Before the Subcomm. on Consumer Prot., Prod. Safety, and Data Sec. of the Comm. on Com., Sci., & Transp., 117th Cong. (Apr. 27, 2021), (testimony of Bonnie Patten, Exec. Dir., Truth In Advertising), <a href="https://truthinadvertising.org/action/senate-testimony-2021-summary-action/">https://truthinadvertising.org/action/senate-testimony-2021-summary-action/</a>.

<sup>&</sup>lt;sup>6</sup> For example, TINA.org participated as amicus curiae in *AMG Capital Management, LLC v. Federal Trade Commission*. Brief of Amicus Curiae Truth In Advertising, Inc. In Support of Respondent, *AMG Capital Mgmt., LLC v. Fed. Trade Comm'n*, No. 19-508 (U.S. Dec. 7, 2020), <a href="https://www.supremecourt.gov/DocketPDF/19/19-508/162934/20201207192719389">https://www.supremecourt.gov/DocketPDF/19/19-508/162934/20201207192719389</a> 19-508% 20brief.pdf. TINA.org also filed an amici curiae brief in *Federal Trade Commission v. Quincy Bioscience Holding Co., Inc.*, which reinstated a Section 13(b) suit against a business falsely marketing a dietary supplement to the elderly as clinically proven to improve memory. Brief of Amici Curiae Truth In Advertising, Inc. et al. in Favor of Appellants and in Support of Reversal, *Fed. Trade Comm'n v. Quincy Bioscience Holding Co., Inc.*, 753 Fed. Appx. 87 (2d Cir. 2019) (No. 17-3745), <a href="https://truthinadvertising.org/wp-content/uploads/2018/03/Prevagen Amici-Curiae-brief.pdf">https://truthinadvertising.org/wp-content/uploads/2018/03/Prevagen Amici-Curiae-brief.pdf</a>.

<sup>&</sup>lt;sup>7</sup> See, e.g., TINA.org's Made in USA Ad Alerts, <a href="https://truthinadvertising.org/ad-alerts/?f-search=&f-tactic%5B%5D=4696">https://truthinadvertising.org/ad-alerts/?f-search=&f-tactic%5B%5D=4696</a>.

<sup>&</sup>lt;sup>8</sup> TINA.org's Almay Investigation, <a href="https://truthinadvertising.org/brands/almay/">https://truthinadvertising.org/brands/almay/</a>; TINA.org's GSA
Advantage Investigation, <a href="https://truthinadvertising.org/brands/gsa-advantage/">https://truthinadvertising.org/brands/gsa-advantage/</a>; TINA.org's Target Investigation, <a href="https://truthinadvertising.org/brands/target/">https://truthinadvertising.org/brands/gillette/</a>; TINA.org's Williams-Sonoma Investigation, <a href="https://truthinadvertising.org/brands/williams-sonoma/">https://truthinadvertising.org/brands/williams-sonoma/</a>; TINA.org's New Balance Investigation, <a href="https://truthinadvertising.org/brands/new-balance/">https://truthinadvertising.org/brands/new-balance/</a>; TINA.org's Mercedes-Benz Investigation, <a href="https://truthinadvertising.org/brands/mercedes-benz/">https://truthinadvertising.org/brands/mercedes-benz/</a>.

<sup>&</sup>lt;sup>9</sup> Letter from TINA.org to Mercedes-Benz (Nov. 1, 2022), <a href="https://truthinadvertising.org/wp-content/uploads/2022/10/11">https://truthinadvertising.org/wp-content/uploads/2022/10/11</a> 1 22-TINA-ltr-to-Mercedes-Benz-re-MUSA-claims.pdf; Letter from TINA.org to BMW (Nov. 1, 2022), <a href="https://truthinadvertising.org/wp-content/uploads/2022/10/11">https://truthinadvertising.org/wp-content/uploads/2022/10/11</a> 1 22-TINA-ltr-to-BMW-re-MUSA-claims.pdf; Letter from

TINA.org to Ford (Nov. 1, 2022), https://truthinadvertising.org/wpcontent/uploads/2022/10/11 1 22-TINA-ltr-to-Ford-re-MUSA-claims.pdf; Letter from TINA.org to Honda (Nov. 1, 2022), https://truthinadvertising.org/wp-content/uploads/2022/10/11 1 22-TINA-ltr-to-Honda-re-MUSA-claims.pdf; Letter from TINA.org to Mazda (Nov. 1, 2022), https://truthinadvertising.org/wp-content/uploads/2022/10/11 1 22-TINA-ltr-to-Mazda-re-MUSA-claims.pdf: Letter from TINA.org to Tesla (Nov. 1, 2022). https://truthinadvertising.org/wp-content/uploads/2022/10/11 1 22-TINA-ltr-to-Tesla-re-MUSAclaims.pdf; Letter from TINA.org to Toyota (Nov. 1, 2022), https://truthinadvertising.org/wpcontent/uploads/2022/10/11 1 22-TINA-ltr-to-Toyota-re-MUSA-claims.pdf; Letter from TINA.org to Mercedes-Benz (March 22, 2019), https://truthinadvertising.org/wpcontent/uploads/2019/03/Warning-Letter-TINA-to-MB-Vans-3 22 19-REDACTED.pdf; Letter from TINA.org to Procter & Gamble (Dec. 21, 2017), https://truthinadvertising.org/wpcontent/uploads/2018/01/12 21 17-Letter-from-TINA-to-PG-Gillette Redacted.pdf; Letter from TINA.org to Step2 (July 11, 2017), https://truthinadvertising.org/wpcontent/uploads/2017/07/7 11 17-ltr-from-TINA-to-Step2 Redacted-1.pdf; Letter from TINA.org to Walmart (June 22, 2015), https://truthinadvertising.org/wpcontent/uploads/2015/06/6-22-15-ltr-to-Walmart-from-TINA Redacted.pdf; Letter from TINA.org to Revlon (May 8, 2015), <a href="https://truthinadvertising.org/wp-">https://truthinadvertising.org/wp-</a> content/uploads/2015/05/5.8.15-ltr-from-TINA-to-Revlon Redacted.pdf.

<sup>10</sup> Letter from TINA.org to FTC regarding New Balance Athletics, Inc.'s Violations of Made in USA Laws (Sept. 20, 2021), https://truthinadvertising.org/wp-content/uploads/2021/09/9 20 21-Complaint-to-FTC-re-New-Balance.pdf; Letter from TINA.org to FTC regarding Williams-Sonoma, Inc.'s Continuing Use of False Made in the USA Marketing (across its seven brands) (May 21, 2019), https://truthinadvertising.org/wp-content/uploads/2019/05/5 21 19-ltr-to-FTCre-Williams-Sonoma-Made-in-USA-marketing Redacted.pdf; Letter from TINA.org to FTC regarding Gillette's False and Deceptive Made in USA Marketing Campaign (Jan. 22, 2018), https://truthinadvertising.org/wp-content/uploads/2018/01/1 22 18-ltr-to-FTC-re-Gillette Redacted.pdf; Letter from TINA.org to FTC regarding Target Corporation's False and Deceptive Made in USA Representations (June 26, 2017), https://truthinadvertising.org/wpcontent/uploads/2017/06/6 26 17-ltr-from-TINA-to-FTC-re-Target Redacted.pdf; Letter from TINA.org to FTC regarding Walmart's Continuing Use of False and Deceptive Made in USA Representations (June 28, 2016), https://truthinadvertising.org/wpcontent/uploads/2016/06/6 28 16-ltr-from-TINA-to-FTC-re-Walmart-Made-in-USA Redacted.pdf; Letter from TINA.org to GSA regarding Numerous Made in USA misrepresentations on GSA Advantage website (March 11, 2016), https://truthinadvertising.org/wp-content/uploads/2016/03/3.11.16-TINA-letter-to-GSA Redacted.pdf; Letter from TINA.org to FTC regarding Walmart.com's Inadequate Made in the USA Disclosure (Nov. 12, 2015), https://truthinadvertising.org/wpcontent/uploads/2015/11/11-12-15-ltr-from-TINA-to-FTC-re-Walmart-USA-disclosure.pdf; Letter from TINA.org to FTC regarding Wal-mart Stores, Inc.'s False and Deceptive Representations (July 14, 2015), https://truthinadvertising.org/wpcontent/uploads/2015/07/Walmart-FTC-letter Redacted.pdf; Letter from TINA.org to FTC regarding Almay's Deceptive Simply American Campaign (May 19, 2015), https://truthinadvertising.org/wp-content/uploads/2015/05/Complaint-Letter-to-FTC-emailsredacted.pdf; Letter from TINA.org to NY Attorney General regarding Almay's Deceptive Simply American Campaign (May 19, 2015), https://truthinadvertising.org/wpcontent/uploads/2015/05/Complaint-Letter-to-NY-AG-emails-redacted.pdf.

<sup>&</sup>lt;sup>11</sup> See, e.g., TINA.org's Made in USA Actions, <a href="https://www.truthinadvertising.org/tina-orgs-made-in-usa-actions/">https://www.truthinadvertising.org/tina-orgs-made-in-usa-actions/</a>; FTC v. Williams-Sonoma, Inc., File No. 202 3025, Agreement Containing

Consent Order, <a href="https://truthinadvertising.org/wp-content/uploads/2020/03/Williams-Sonoma-Cosent-Order.pdf">https://truthinadvertising.org/wp-content/uploads/2020/03/Williams-Sonoma-Cosent-Order.pdf</a>.

That same year, TINA.org's Executive Director was invited to participate in the FTC's Made in the USA Workshop in 2019. *See* Made in the USA: An FTC Workshop, Sept. 26, 2019, <a href="https://www.ftc.gov/news-events/events/2019/09/made-usa-ftc-workshop">https://www.ftc.gov/news-events/events/2019/09/made-usa-ftc-workshop</a>.

<sup>15</sup> See Press Release, Reshoring Institute, Survey Says: Americans Prefer "MADE IN USA," (Oct. 30, 2020), https://www.prnewswire.com/news-releases/survey-says-americans-prefer-madein-usa-301163756.html (reporting that nearly 70 percent of Americans prefer American-made products and that more than 83 percent would pay up to 20 percent more for products made domestically); "Made in America," Consumer Reports, May 21, 2015, https://www.consumerreports.org/cro/magazine/2015/05/made-in-america/index.htm (reporting that 8 out of 10 American consumers would rather buy American-made products than imported ones and more than 60 percent are even willing to pay 10 percent more for them); "Price of patriotism: How much extra are you willing to pay for a product that's made in America?," REUTERS, July 18, 2017, http://fingfx.thomsonreuters.com/gfx/rngs/USA-BUYAMERICAN-POLL/01005017035/index.html (reporting on a national survey finding that nearly half of Americans would pay a premium of 5 to 10 percent); Eric Schurenberg, "What is 'Made in America" Worth?, Inc.com, Nov. 12, 2012, https://www.inc.com/eric-schurenberg/what-is-madein-america-worth.html (reporting that "buyers have proven that they'll pay considerably more for some kinds of American-made goods—simply because they expect them to be a better value."); Concurring Statements of Commissioner Roscoe B. Starek, III, Regarding Enforcement Policy Statement on U.S. Origin Claims, 62 Fed. Reg. 63771 (Dec. 2, 1997) ("[C]onsumers who believe that 'Made in USA means all or virtually all made in the United States are highly motivated to act on their belief.").

The rationale for this established consumer preference is multifaceted: The "motivations [that] fuel th[e] preference [for products Made in the USA range], from the desire to support domestic jobs, to beliefs about quality, to concerns about overseas environmental or labor conditions, to simple patriotism." *Kwikset Corp. v. Superior Court*, 51 Cal. 4th 310, 328–29 (Cal. 2011). *See also* Press Release, Reshoring Institute, Survey Says: Americans Prefer "MADE IN USA," (Oct. 30, 2020), <a href="https://www.prnewswire.com/news-releases/survey-says-americans-prefer-made-in-usa-301163756.html">https://www.prnewswire.com/news-releases/survey-says-americans-prefer-made-in-usa-301163756.html</a> (finding that nearly half of U.S. consumers believe that products manufactured in America are of better quality than those manufactured in other countries); Reshoring Institute Survey, <a href="https://reshoringinstitute.org/wp-content/uploads/2020/09/made-in-usa-survey.pdf">https://reshoringinstitute.org/wp-content/uploads/2020/09/made-in-usa-survey.pdf</a> (same); Statement of Commissioner Rohit Chopra, *In the Matters of Nectar Sleep, Sandpiper/PiperGear USA, and Patriot Puck*, Sept. 12, 2018, at 2, <a href="https://www.ftc.gov/system/files/documents/public statements/1407380/rchopra musa statements/">https://www.ftc.gov/system/files/documents/public statements/1407380/rchopra musa statement</a>

<sup>&</sup>lt;sup>12</sup> By the Numbers: Made in the USA Class-Action Lawsuits, TINA.org, Mar. 26, 2019 (updated Apr. 26, 2023), <a href="https://truthinadvertising.org/articles/by-the-numbers-made-in-the-usa-class-action-lawsuits/">https://truthinadvertising.org/articles/by-the-numbers-made-in-the-usa-class-action-lawsuits/</a>.

<sup>&</sup>lt;sup>13</sup> TINA.org's Petition for Rulemaking to Promulgate Regulations for Made in the USA Claims, Aug. 22, 2019, <a href="https://truthinadvertising.org/wp-content/uploads/2019/08/TINA">https://truthinadvertising.org/wp-content/uploads/2019/08/TINA</a> org-Petition-for-Rulemaking-to-Promulgate-Regulations-for-Made-in-the-USA-Claims.pdf.

<sup>&</sup>lt;sup>14</sup> Made in USA Labeling Rule, 16 CFR Part 323, https://www.federalregister.gov/documents/2021/07/14/2021-14610/made-in-usa-labeling-rule; https://www.ecfr.gov/current/title-16/chapter-I/subchapter-C/part-323.

<u>-sept 12.pdf</u> ("A Made-in-USA claim can serve as a key element of a product's brand that communicates quality, durability, authenticity, and safety, among other attributes."); Statement of Commissioner Rohit Chopra, *In the Matter of Sandpiper/PiperGear USA*, Apr. 17, 2019, at attch.1,

https://www.ftc.gov/system/files/documents/public statements/1514787/sandpiper chopra dissenting statement 4-17-19.pdf ("The Made in USA label signals a sense of national pride and can help a brand communicate quality, durability, authenticity, and high standards.").

<sup>16</sup> Analyzing Consumers' Value of "Product of USA" Labeling Claims, Final Report, Nov. 30, 2022.

https://www.fsis.usda.gov/sites/default/files/media file/documents/Product of USA Consumer Survey Final Report.pdf.

<sup>17</sup> Tell USDA: Consumers should know where their meat comes from!, Farm & Ranch Freedom Alliance, July 20, 2018, <a href="https://farmandranchfreedom.org/productofusa\_labels/">https://farmandranchfreedom.org/productofusa\_labels/</a>; Consumer Reports Memorandum, Oct. 14, 2016,

https://www.ftc.gov/system/files/documents/public events/975753/cr intro and 2016 food surv ey.pdf. See also Press Release, U.S. Farmers & Ranchers Alliance, Nationwide Surveys Reveal Disconnect Between Americans and their Food, (Sept. 22, 2011),

https://www.prnewswire.com/news-releases/nationwide-surveys-reveal-disconnect-between-americans-and-their-food-130336143.html.

<sup>18</sup> Analyzing Consumers' Value of "Product of USA" Labeling Claims, Final Report, Nov. 30, 2022.

https://www.fsis.usda.gov/sites/default/files/media\_file/documents/Product\_of\_USA\_Consumer\_Survey\_Final\_Report.pdf.

<sup>&</sup>lt;sup>19</sup> Email from G. Grossen to L. Smith regarding cattle import data (Nov. 12, 2020) (attached hereto as Exhibit A).

<sup>&</sup>lt;sup>20</sup> *Id*.

<sup>&</sup>lt;sup>21</sup> USDA Food Safety and Inspection Service Recall Overview, https://www.fsis.usda.gov/sites/default/files/media\_file/2020-08/Recall-Presentation-012018.pdf.

<sup>&</sup>lt;sup>22</sup> Letter from L. Smith to A. Perkins (Jan. 4, 2021) requesting origin information pertaining to 2019 USDA recalls (Exhibit B); Letter from L. Smith to A. Perkins (Jan. 4, 2021) requesting origin information pertaining to 2020 and 2021 recalls (Exhibit C).

<sup>&</sup>lt;sup>23</sup> First Interim Response from USDA to TINA.org (May 4, 2021) (Exhibit D); Final Response from USDA to TINA.org (May 4, 2021) (Exhibit E); Final Response from USDA to TINA.org (June 10, 2021) (Exhibit F).

<sup>&</sup>lt;sup>24</sup> Email from A. Harrid to L. Smith (July 20, 2021, 12:32pm); Email from A. Harrid to L. Smith (July 20, 2021, 12:33pm); Email from A. Harrid to L. Smith (July 20, 2021, 12:37pm); Email from A. Harrid to L. Smith (July 27, 2021) (collectively attached as Exhibit G).

<sup>&</sup>lt;sup>25</sup> TINA.org's July 29, 2021 Appeal of FOIA Request 2021-FSIS-00121-F (Exhibit H); TINA.org's Sept. 7, 2021 Appeal of FOIA Request 2021-FSIS-00120-F (Exhibit I).

<sup>&</sup>lt;sup>26</sup> Letter from USDA (Oct. 15, 2021) (Exhibit J); Letter from USDA (Dec. 2, 2021) (Exhibit K).

<sup>&</sup>lt;sup>27</sup> Voluntary Labeling of FSIS-Regulated Products With U.S.-Origin Claims, 88 Fed. Reg. 15290 (Mar. 13, 2023), <a href="https://www.federalregister.gov/documents/2023/03/13/2023-04815/voluntary-labeling-of-fsis-regulated-products-with-us-origin-claims">https://www.federalregister.gov/documents/2023/03/13/2023-04815/voluntary-labeling-of-fsis-regulated-products-with-us-origin-claims</a>.

<sup>&</sup>lt;sup>28</sup> 9 CFR §317.2 – Labels: definition; required features, <a href="https://www.ecfr.gov/current/title-9/chapter-III/subchapter-A/part-317">https://www.ecfr.gov/current/title-9/chapter-III/subchapter-A/part-317</a>.

<sup>&</sup>lt;sup>29</sup> Authenticity Provisions, American Style Kobe Beef, https://authenticityprovisions.com/assortment/#American Style Kobe.

<sup>&</sup>lt;sup>30</sup> Costco Business Center, Charter Reserve Seasoned Angus Roast Beef, Medium Rare, 8 lb avg wt, <a href="https://www.costcobusinessdelivery.com/charter-reserve-seasoned-angus-roast-beef%2c-medium-rare">https://www.costcobusinessdelivery.com/charter-reserve-seasoned-angus-roast-beef%2c-medium-rare</a>% 2c-8-lb-avg-wt.product.100334721.html.

<sup>&</sup>lt;sup>31</sup> Instacart, Wahlburgers Burgers, Famous Gourmet Blend, Fresh Angus, <a href="https://www.instacart.com/landing?product\_id=18549042&retailer\_id=235&region\_id=2785290">https://www.instacart.com/landing?product\_id=18549042&retailer\_id=235&region\_id=2785290</a>
1884&utm\_medium=sem\_shopping&utm\_source=instacart\_google&utm\_campaign=ad\_demand\_shopping\_rp\_food\_dmatier1-23\_custom-geo&utm\_content=accountid-8145171519\_campaignid-16692365446\_adgroupid-136579440682\_device-c&utm\_term=targetid-pla-368619977940\_locationid-9003332\_adtype-pla\_productchannel-online\_merchantid-178347382\_storecode-\_productid-18549042&gclid=Cj0KCQjw6cKiBhD5ARIsAKXUdyaitAjE8JD5fGZPgIlmt0aYXd-yw80C2wouWvrI0nX0uhAisHWP4TEaAiWSEALw\_wcB.

<sup>&</sup>lt;sup>32</sup> Grass Run Farms, June 8, 2020 Facebook post, https://www.facebook.com/GrassRunFarms/photos/a.321597557930572/3058101097613524/.

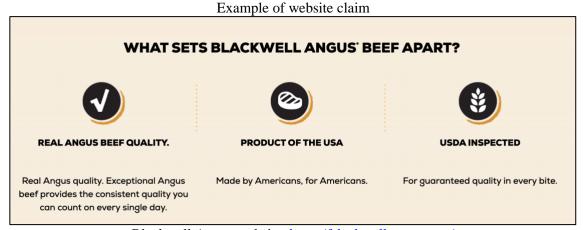
<sup>33</sup> Online grocery shopping in the United States, Statista, Dec. 15, 2022, <a href="https://www.statista.com/topics/1915/online-grocery-shopping-in-the-united-states/#dossier-chapter5">https://www.statista.com/topics/1915/online-grocery-shopping-in-the-united-states/#dossier-chapter5</a> ("In the United States, food and beverage retail e-commerce revenue will exceed 38 billion U.S. dollars in 2022 and is expected to surpass the 47 billion dollar threshold by 2025. The online grocery customer base counts roughly 150 million shoppers, close to half of the country's population, and is forecast to grow further in the upcoming years."); Number of online grocery purchasers in the United States from 2018 to 2024, Statista, Dec. 21, 2022, <a href="https://www.statista.com/statistics/1032362/online-grocery-purchasers-united-states/">https://www.statista.com/statistics/1032362/online-grocery-purchasers-united-states/</a> ("By 2024, the number of online shoppers of grocery products might reach 163 millions in the United States."). See also Share of consumers purchasing groceries online in the United States in 2022, by channel, Statista, Apr. 6, 2023, <a href="https://www.statista.com/statistics/1351763/us-online-grocery-shopping-frequency/">https://www.statista.com/statistics/1351763/us-online-grocery-shopping-frequency/</a> ("A 2022 survey revealed that among online grocery shoppers in the United States, at least two percent exclusively buy groceries using e-commerce. Additionally, 34.5 percent reported using online grocery services sometimes, while 10.5 percent mostly shop online for their grocery needs.")

<sup>&</sup>lt;sup>34</sup> Zachary Russel, *More Americans purchasing meat since the pandemic began, study finds*, Store Brands, Mar. 7, 2022, <a href="https://storebrands.com/more-americans-purchasing-meat-pandemic-began-study-finds">https://storebrands.com/more-americans-purchasing-meat-pandemic-began-study-finds</a>.

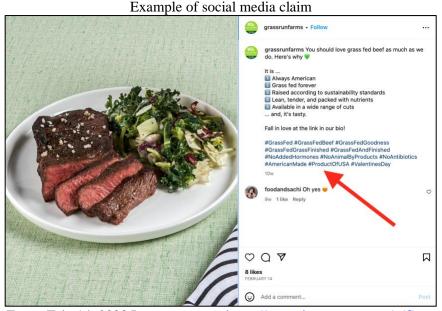
<sup>&</sup>lt;sup>35</sup> Made in USA Labeling Rule, 16 CFR Part 323, https://www.federalregister.gov/documents/2021/07/14/2021-14610/made-in-usa-labeling-rule; https://www.ecfr.gov/current/title-16/chapter-I/subchapter-C/part-323.

https://www.ftc.gov/system/files/documents/public statements/1514808/chopra - activating civil penalties for made in usa fraud 4-17-19.pdf.

<sup>&</sup>lt;sup>37</sup> FSIS should also consider working with the FTC to ensure U.S.-origin claims made about meat products in other marketing materials, such as social media marketing, television commercials, and website claims, for example, provide truthful and not misleading information about the origin of the products.



Blackwell Angus website, <a href="https://blackwellangus.com/">https://blackwellangus.com/</a>



Grass Run Farms Feb, 14, 2023 Instagram post, <a href="https://www.instagram.com/p/CoptyGRud0W/">https://www.instagram.com/p/CoptyGRud0W/</a>

Not only do the FTC and FSIS routinely collaborate with other federal agencies to better achieve their goals (*see* USDA FSIS Memorandum of Understanding, <a href="https://www.fsis.usda.gov/about-fsis/food-safety-agency-partners/memoranda-understanding-mou">https://www.fsis.usda.gov/about-fsis/food-safety-agency-partners/memoranda-understanding-mou</a>; FTC Cooperation Agreements, <a href="https://www.ftc.gov/legal-library/browse/cooperation-agreements">https://www.ftc.gov/legal-library/browse/cooperation-agreements</a>), but the USDA has already

<sup>&</sup>lt;sup>36</sup> Statement of Commissioner Rohit Chopra Regarding Activating Civil Penalties for Made In USA Fraud, Apr. 17, 2019,

expressed interest in synthesizing the two agencies' approaches to U.S.-origin marketing in particular. *See* Press Release, U.S. Dep't of Agric., USDA Announces Efforts to Promote Transparency in Product of the USA Labeling (July 1, 2021), <a href="https://www.usda.gov/media/press-releases/2021/07/01/usda-announces-efforts-promote-transparency-product-usa-labeling. *See also* Interagency Memorandum of Understanding (MOU) between Federal Trade Commission (FTC), the U.S. Department of Justice (DOJ), and the U.S. Department of Agriculture (USDA), Sept. 1999, <a href="https://www.ftc.gov/legal-library/browse/cooperation-agreements/interagency-memorandum-understanding-mou-between-federal-trade-commission-ftc-us-department-justice.">https://www.ftc.gov/legal-library/browse/cooperation-agreements/interagency-memorandum-understanding-mou-between-federal-trade-commission-ftc-us-department-justice.</a>

<sup>&</sup>lt;sup>38</sup> TINA.org's Walmart Investigations, https://truthinadvertising.org/brands/walmart/.

<sup>&</sup>lt;sup>39</sup> TINA.org's Target Investigation, https://truthinadvertising.org/brands/target/.

<sup>&</sup>lt;sup>40</sup> TINA.org's Williams-Sonoma Investigation, <a href="https://truthinadvertising.org/brands/williams-sonoma/">https://truthinadvertising.org/brands/williams-sonoma/</a>.

<sup>&</sup>lt;sup>41</sup> TINA.org's New Balance Investigation, <a href="https://truthinadvertising.org/brands/new-balance/">https://truthinadvertising.org/brands/new-balance/</a>.

<sup>&</sup>lt;sup>42</sup> U.S. v. The Stanley Works, No. 06-cv-00883, D. Conn., Consent Decree, dated June 13, 2006.

<sup>&</sup>lt;sup>43</sup> See Williams-Sonoma Closing Letter, June 13, 2018, https://www.ftc.gov/system/files/documents/closing letters/nid/musa williams-sonoma closing letter.pdf; FTC v. Williams-Sonoma, Inc., File No. 202 3025, Agreement Containing Consent Order, <a href="https://truthinadvertising.org/wp-content/uploads/2020/03/Williams-Sonoma-Cosent-Order.pdf">https://truthinadvertising.org/wp-content/uploads/2020/03/Williams-Sonoma-Cosent-Order.pdf</a>.

<sup>&</sup>lt;sup>44</sup> In the Matter of iSpring Water Systems, LLC, Docket No. C-4611, Decision and Order, dated Apr. 6, 2017, <a href="https://www.ftc.gov/system/files/documents/cases/170414">https://www.ftc.gov/system/files/documents/cases/170414</a> ispring do.pdf; U.S. v. iSpring Water Systems, LLC, No. 16-cv-1620, N.D. Ga., Stipulated Order for Civil Penalties, Permanent Injunction, and Other Relief, dated Apr. 19, 2019.

<sup>&</sup>lt;sup>45</sup> IKEA Closing Letter, Sept. 26, 2011, https://www.ftc.gov/sites/default/files/documents/closing\_letters/ikea/110926ikeaclosingltr.pdf; IKEA Purchasing Services Closing Letter, Jan. 19, 2018, https://www.ftc.gov/system/files/documents/closing\_letters/nid/musa\_ikea\_closing\_letter.pdf.

<sup>&</sup>lt;sup>46</sup> *In the Matter of Resident Home LLC d/b/a Nectar Sleep*, No. 2023179, Complaint, dated Oct. 8, 2021, <a href="https://www.ftc.gov/system/files/documents/cases/2023179">https://www.ftc.gov/system/files/documents/cases/2023179</a> - resident home complaint.pdf.

<sup>&</sup>lt;sup>47</sup> See Statement of Commissioner Rohit Chopra, In the Matters of Nectar Sleep, Sandpiper/PiperGear USA, and Patriot Puck, Sept. 12, 2018, <a href="https://www.ftc.gov/system/files/documents/public statements/1407380/rchopra musa statement-sept 12.pdf">https://www.ftc.gov/system/files/documents/public statements/1407380/rchopra musa statement-sept 12.pdf</a>, at 2 (noting that companies who fraudulently market goods as American-made "punish[] firms that may bear higher costs to produce goods here.").

<sup>&</sup>lt;sup>48</sup> *Id*. at 1.

<sup>&</sup>lt;sup>49</sup> Kwikset Corp. v. Superior Court, 51 Cal. 4th 310, 330 (Cal. 2011).

# **EXHIBIT A**



### Cattle import data

**Grossen, Grace - REE-ERS, Kansas City, MO** <Grace.Grossen@usda.gov> To: Laura Smith <Ismith@truthinadvertising.org>

Thu, Nov 12, 2020 at 1:01 PM

Hello Laura,

I talked to one of my colleagues at the Foreign Agriculture Service today, and she confirmed what I thought was the case. Firm-level import and export data is business confidential and not reported through government channels. I don't think a FOIA request would be the best way to find that information. I would also add that when it comes to beef, you're talking about an animal that was at least a year old at slaughter and may have changed ownership at multiple stages of its life. Frequently those supply chains cross the Canadian and Mexican borders. Your best bet may be to contact firms themselves for data on where the products come from.

Please let me know if you have any other questions.

Grace Grossen

USDA Economic Research Service

Kansas City, MO

(816)-412-4147

### EXHIBIT B



January 4, 2021

### **VIA EMAIL**

Arianne Perkins FOIA Officer 1400 Independence Avenue, SW South Building, Room 2170 Washington, DC 20250 FSIS.FOIA@usda.gov

### Dear Ms. Perkins:

On behalf of Truth in Advertising, Inc. (TINA.org), a 501(c)(3) nonprofit consumer group that publishes educational articles and consumer news on its website regarding important consumer topics, and pursuant to the Freedom of Information Act, 5 U.S.C. §552, I am requesting access to any and all USDA records, including but not limited to, correspondences, memos, shipping documents, permits, certificates, invoices, bills of sale, marketing materials, graphs, charts, photographs, images, and other data – stored in any medium from which information can be obtained – that pertain, relate and/or refer to the country of origin of live cows and pigs, as well as raw beef and pork ultimately used in the product(s) subject to the following USDA recalls, including the country or countries where the animal(s) were raised and slaughtered, and the country or countries where any processing of the product(s) occurred:

123-2019	086-2019	047-2019
122-2019	082-2019	046-2019
119-2019	081-2019	044-2019
118-2019	079-2019	043-2019
116-2019	078-2019	042-2019
113-2019	077-2019	040-2019
<u>111-2019</u>	<u>076-2019</u>	039-2019
<u>109-2019</u>	<u>074-2019</u>	038-2019
<u>107-2019</u>	<u>073-2019</u>	037-2019
<u>104-2019</u>	<u>072-2019</u>	035-2019
<u>103-2019</u>	<u>071-2019</u>	033-2019
<u>102-2019</u>	<u>070-2019</u>	032-2019
<u>101-2019</u>	<u>069-2019</u>	029-2019
<u>100-2019</u>	<u>067-2019</u>	028-2019

<u>099-2019</u>	<u>065-2019</u>	<u>027-2019</u>
<u>098-2019</u>	<u>063-2019</u>	<u>024-2019</u>
<u>097-2019</u>	<u>062-2019</u>	<u>022-2019</u>
<u>096-2019</u>	<u>059-2019</u>	<u>020-2019</u>
<u>095-2019</u>	<u>057-2019</u>	<u>017-2019</u>
<u>091-2019</u>	<u>056-2019</u>	<u>015-2019</u>
<u>090-2019</u>	<u>055-2019</u>	006-2019
<u>089-2019</u>	<u>053-2019</u>	003-2019
<u>088-2019</u>	<u>048-2019</u>	<u>001-2019</u>

I am making the request so that TINA.org can educate consumers and not for any commercial purpose.

I request a waiver of all fees for this request as disclosure of the requested information to TINA.org is in the public interest as it is likely to contribute significantly to public understanding of the origin of food products that consumers are purchasing or have purchased for consumption.

I further request that the information we seek be provided in electronic format and on an expedited basis as traceability and source-verification are of significant importance to consumers. *See, e.g.,* Dickinson, D., & Bailey, D. (2002). Meat Traceability: Are U.S. Consumers Willing to Pay for It? *Journal of Agricultural and Resource Economics,* 27(2), 348-364. Retrieved December 16, 2020, <a href="https://www.jstor.org/stable/40987840">http://www.jstor.org/stable/40987840</a>; Arnold, K. et al., Importance of Steak Origin to Restaurant Customers, <a href="https://beef.unl.edu/b11eefdf-8342-4eda-8290-7e873ffc5d7c.pdf">https://beef.unl.edu/b11eefdf-8342-4eda-8290-7e873ffc5d7c.pdf</a>.

If you have any questions or concerns regarding this request, please do not hesitate to email or call me at (203) 421-6210 anytime.

Sincerely,

Laura Smith, Esq.

Legal Director

Truth in Advertising, Inc.

# **EXHIBIT C**



January 4, 2021

### **VIA EMAIL**

Arianne Perkins FOIA Officer 1400 Independence Avenue, SW South Building, Room 2170 Washington, DC 20250 FSIS.FOIA@usda.gov

### Dear Ms. Perkins:

On behalf of Truth in Advertising, Inc. (TINA.org), a 501(c)(3) nonprofit consumer group that publishes educational articles and consumer news on its website regarding important consumer topics, and pursuant to the Freedom of Information Act, 5 U.S.C. §552, I am requesting access to any and all USDA records, including but not limited to, correspondences, memos, shipping documents, permits, certificates, invoices, bills of sale, marketing materials, graphs, charts, photographs, images, and other data – stored in any medium from which information can be obtained – that pertain, relate and/or refer to the country of origin of live cows and pigs, as well as raw beef and pork ultimately used in the product(s) subject to the following USDA recalls, including the country or countries where the animal(s) were raised and slaughtered, and the country or countries where any processing of the product(s) occurred:

001-2021	<u>016-2020</u>
031-2020	<u>013-2020</u>
029-2020	<u>012-2020</u>
028-2020	<u>009-2020</u>
025-2020	008-2020
023-2020	<u>006-2020</u>
<u>021-2020</u>	<u>005-2020</u>
019-2020	003-2020
018-2020	<u>001-2020</u>
017-2020	

I am making the request so that TINA.org can educate consumers and not for any commercial purpose.

I request a waiver of all fees for this request as disclosure of the requested information to TINA.org is in the public interest as it is likely to contribute significantly to public understanding of the origin of food products that consumers are purchasing or have purchased for consumption.

I further request that the information we seek be provided in electronic format and on an expedited basis as traceability and source-verification are of significant importance to consumers. *See, e.g.*, Dickinson, D., & Bailey, D. (2002). Meat Traceability: Are U.S. Consumers Willing to Pay for It? *Journal of Agricultural and Resource Economics*, 27(2), 348-364. Retrieved December 16, 2020, <a href="https://www.jstor.org/stable/40987840">http://www.jstor.org/stable/40987840</a>; Arnold, K. et al., Importance of Steak Origin to Restaurant Customers, <a href="https://beef.unl.edu/b11eefdf-8342-4eda-8290-7e873ffc5d7c.pdf">https://beef.unl.edu/b11eefdf-8342-4eda-8290-7e873ffc5d7c.pdf</a>.

If you have any questions or concerns regarding this request, please do not hesitate to email or call me at (203) 421-6210 anytime.

Sincerely,

Laura Smith, Esq.

Legal Director

Truth in Advertising, Inc.

# **EXHIBIT D**



#### **United States Department of Agriculture**

Food Safety and Inspection Service

May 4, 2021

### TRANSMITTED VIA ELECTRONIC MAIL

1400 Independence Avenue, SW. Washington, D.C. 20250

Laura Smith
Truth in Advertising, Inc.
P.O. Box 927
Madison, CT 06443
lsmith@tina.org

RE: 2021-FSIS-00120-F

Dear Ms. Smith:

This is the first interim response to your Freedom of Information Act (FOIA) request to the Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS), dated January 4, 2021, in which you requested a copy of records regarding 2019 Recalls pertaining to live cows, pigs, raw beef and pork. FSIS received your request on January 4, 2021.

The FSIS FOIA staff works with subject matter experts across the Agency to locate responsive documents. For this request, we conducted a records search in the Office of Field Operations. FSIS' search began on January 4, 2021 and includes responsive records in our control on that date.

For this interim release, we have located 6 pages that are responsive to your request. After a thorough review of the responsive records, we are releasing these records in their entirety. Accordingly, this portion of your request is granted in full.

FSIS will continue to process records responsive to your request and will forward them promptly upon completion of review. As this is not a final response to your FOIA request, we request that you reserve your right to appeal. We will include your appeal rights in our final release.

If you have any questions about the processing of your request or about the USDA's FOIA regulations, please contact Michael Dutt at 301-289-9692 or via email at michael.dutt@usda.gov. If you have general questions about FSIS' FOIA procedures or regulations, please contact me, Acting FOIA Director/FOIA Public Liaison at 202-720-8215 or via email at April.Harrid@usda.gov.

You also have the option to seek assistance from the Office of Government Information

Laura Smith Page 2

Services (OGIS). Please visit <a href="https://www.archives.gov/ogis/mediation-program/request-assistance">https://www.archives.gov/ogis/mediation-program/request-assistance</a> for information about how to request OGIS assistance in relation to a FOIA request.

Thank you for your interest in FSIS programs and policies.

Sincerely,

April D. Harrid

and & Hand

Acting Director, Freedom of Information Act Staff Office of Public Affairs and Consumer Education

Enclosure



### CERTIFICATE OF INSPECTION COVERING MEAT AND POULTRY PRODUCTS

### CERTIFICAT D'INSPECTION POUR LES PRODUITS CARNÉS ET VOLAILLES

COVERING MEAT AND PODETRY PRODUCTS	TOOKE	23 PRODUITS CARNE			•
EXPORTER / EXPORTATEUR	SHIPPING MARKS STAMPED C MARQUES D'EXPÉDITION EST.	N CARTONS AMPILLÉES SUR CARTON	CERTIFICATE NO	/ N° DE CERTI	FICATE
BCI FOODS INC	5.009		O.A.	4915	
4800 PINARD AVE	944915		344	CTC+	
ST-HYACINTHE	PRODUCING ESTABLISHMENT	NUMBER(S) / N° D'ÉTABLISS	EMENT PRODUCTION	ON	-
QUEBEC	T NODOCING ESTADEIGUINEM	Homountoff if a Lineaco		798	
J2S 8E1 CANADA	142				
IMPORTER / IMPORTATEUR	SHIPPING EST. NO. I	COUNTRY(S) OF ORIGIN AN PAYS D'ORIGINE ET N° D'É	ID FOREIGN EST. N	UMBER(S)	
ALDI INC- C/O TULLY DIVISION	N. DE L'ÉTABLISSEMENT ÉXPEDITEUR	PATOOONIGINE ET IN DE	TABLISOCIAL TO	VIIOER	
300 STATE ROUTE 281	S-752	CHICKEN - USA F	2-17453 POR	K - USA 9	267A
TULLY	5 445	BEEF - USA 2133			20111
NEW YORK	COUNTRY OF DESTINATION PAYS DE DESTINATION	BEEF - USA 9267			
13159 UNITED STATES					
Service in the control of the service and the control of the contr	USA				
PRODUCT DESCRIPTION INCLUDING PROCESSING CATEGORY, PRODUCT CATEGORY AND PRODUCT GROUP	SPECIES OF ORIGIN	NUMBER AND KIND O	F PACKAGES	NET WEI	CHT
DESCRIPTION DU PRODUIT Y COMPRIS LA CATÉGORIE DE TRAITEMENT, LA CATÉGORIE DE PRODUITS ET GROUPES DE PRODUITS	ESPÈCES ANIMALES	NOMBRE ET NATURI		POIDS N	
Thermally Processed - Commercially Sterile - Thermally Processed	Chicken				
- Commercially Sterile - Soups					
CHUNKY CHICKEN NOODLE SOUP 18.60Z = 1680CANS/ PLT		2 PALLETS		3 948	LBS
Chicken Noodle Soup of 10.5 oz = 2400 cans		1 PALLET		1 575	LBS
Condensed Cream of Chicken Soup of 10.5oz = 2400 cans		2 PALLETS		3 150	LBS
Fit & Active Chicken Noodle Chunky Soup of 18.6oz = 1680		1 PALLET		1 974	LBS
Thermally Processed - Commercially Sterile - Thermally Processed	Chicken, Pork, Beef				
- Commercially Sterile - Soups		26			
Assorted Soups		2 PALLETS		2 660	LBS
Homestyle Traditional Chicken & Wild Rice Soup of 19oz = 560 cans					
Homestyle Italian-Style Wedding Soup of 19 OZ= 560 cans					
Thermally Processed - Commercially Sterile - Thermally Processed	Beef				
- Commercially Sterile - Soups					
Assorted Chunky Beef Soups 18.8 Oz = 1680 cans		3 PALLETS		5 922	LBS
Thermally Processed - Commercially Sterile - Thermally Processed	Chicken, Pork				
- Commercially Sterile - Soups					
Chunky Grilled Chicken & Sausage Gumbo Soup of 18.8oz = 840 cans		2 PALLETS		1 974	LBS



944915

		0.1101
ADDITIONAL CERTIFICATION (IF REQUESTED) / ATTESTATION SU ANNEXE A-9	PPLÉMENTAIRE (SI REQUISE)	
ANNEXE A-1		*
PRODUCTION CODE: EST 142 598 18 310		
PRODUCTION CODE: EST 142 598 19 109		
PRODUCTION CODE: EST 142 598 19 109		
PRODUCTION CODE: EST 142 625 19 142		
PRODUCTION CODE: EST 142 622 19 113		
PRODUCTION CODE: EST 142 602 19 064		
PRODUCTION CODE: EST 142 603 19 063		
PRODUCTION CODE: EST 142 603 18 180		
PRODUCTION CODE: EST 142 613 18 319		38
PRODUCTION CODE: EST 142 613 18 269		
PRODUCTION CODE: EST 142 613 19 065		
PRODUCTION CODE: EST 142 613 18 331		
PRODUCTION CODE: EST 142 614 19 049		
PRODUCTION CODE: EST 142 611 19 115		
		CFIA OFFICIAL CERTIFICATE SEAL
THE PRODUCT DESCRIBED ON THIS OFFICIAL EXPORT CERTIFICATE WAS PRODUCED IN ACCORDANCE WITH THE REGULATORY REQUIREMENTS IN 9 CFR 327.2 OR 381,196. THESE REQUIREMENTS ARE FULFILLED BASED ON THE CANADIAN FOOD INSPECTION PROGRAM AND ALL APPLICABLE EXPORT REQUIREMENTS	LE PRODUIT DÉCRIT SUR CE CERTIFICAT OFFICIE À ÉTÉ PRODUIT EN CONFORMITÉ AVEC RÉGLEMENTAIRES DU 9 CFR 327-2 OU 381, 198. SONT REMPLIES SUR LA BASE DU PROGR. D'INSPECTION DES ALIMENTS ET TOUTES APPLICABLES À L'EXPORTATION.	L D'EXPORTATION LES EXIGENCES CES CONDITIONS  SCEAU OFFICIEL DE CERTIFICAT.
NAME AND TITLE OF CFIA OFFICIAL / NOM ET TITRE DE L'AGENT	DE L'ACIA	THE Canada S #
OR KOUROSH SHRANI BIDABA	N	10.36
CFIA INSPECTOR,,		Section 10 miles
VED KM	DATE DIJ MIN	( YIA
SIGNATURE	05/0	7/2019

Cenadlan Food Inspection Agency Aganos canadlenno d'Inspection des aliments

### ANNEX(E) A 9

VETERINARY CERTIFICATE FOR POULTRY MEAT PRODUCTS COOKED OR FRESH INTENDED FOR HUMAN CONSUMPTION DESTINED TO THE UNITED STATES AND FOR POULTRY MEAT PRODUCTS IN TRANSIT IN THE USA.

CERTIFICAT VÉTÉRINAIRE VISANT LES PRODUITS DE VIANDE DE VOLAILLE CUITS OU FRAIS DESTINÉS À LA CONSOMMATION HUMAINE ET EXPORTÉS VERS LES ÉTATS-UNIS ET POUR LES PRODUITS DE VIANDE DE VOLAILLE EN TRANSIT PAR LES ÉTATS-UNIS.

ADDENDUM TO CERTIFICATE CFIA/ACIA NO. / 944915

5.07 (27) (27.8) 10		
(a)	n (numéro	
	5 D 21 (21 H t)	EST, 142 - BCI FOODS, 4800 PINARD AVE.

#### II. Animal Health Attestation / Attestation de santé animale

The undersigned Official Veterinarian certifies that the poultry meat products certified under the above certificate meet the following conditions: / Le soussigné, vétérinaire officiel, certifie que les produits de viande de volaille visés par le certificat indiqué ci-haut satisfont aux exigences sulvantes:

- 1) The poultry meat or other poultry products are derived from poultry slaughtered in a region designated in title 9 of the Code of Federal Regulations (9 CFR) section 94.6 as free of Newcastle disease. (1) / La viande de volaille et autre produits de volaille proviennent de volaille abattues dans une région désignée à l'article 94.6 du titre 9 du « Code of Federal Regulations » (9CFR) comme indemne de la maladie de Newcastle(1).
- 2) The establishment is approved to export poultry meat and other poultry products to the United States In accordance with 9 CFR 381.196. (2) / L'établissement est approuvé pour exportation de viande de volaille et autres produits de volaille aux USA selon les dispositions du 9 CFR 381.196. (2)
- 3) The poultry meat or other poultry products have not been in contact with poultry meat or other poultry products from any region where Newcastle disease exists. <sup>(3)</sup> / La viande de volaille et autres produits de volaille ne sont pas entrés en contact avec de la viande de volaille ou autres produits de volaille de toute région où la maladie de Newcastle existe, <sup>(3)</sup>
- That the poultry meat was cooked throughout to reach a minimum internal temperature of 74°C (165°F).
   Que la viande de volaille a été cuite pour atteindre une température de 74°C((165°F).

Or

-The poultry meat was derived from birds that did not originate in a current USDA, APHIS recognized Avian Influenza Control Zone(s) (quarantine control zone(s)) established due to the detection of Highly Pathogenic Avian Influenza (HPAI) in commercial poultry./ La viande de volaille provient d'oiseaux qui ne sont pas originaire d'une zone reconnue par le USDA, APHIS comme étant une zone(s) de contrôle de l'influenza aviaire (zone(s) de contrôle de quarantaine) établie en raison de la détection de l'influenza aviaire hautement pathogène (IAHP) chez la volaille de commerce.

Done at /	Fait à		Name of the official veterinarian/ nom du vétérinaire officiel
St-[	Januse Canada	••	DR KOUROSH SHRANI BIDABADI
On/Le	0 5 -07- 2019		Signature INSPECTION AS SIGNATURE OF CANADA SI
Official S	eal / Cachet officiel	5.50	ECanada 5
	* Y		Some process of the p

(1) The following regions are considered to be free of Exotic Newcastle disease (END): Argentina, Australia, Canada, Chile, Costa Rica, Denmark, Fiji, Finland, France, Great Britain (England, Scotland, Wales, and the Isle of Man), Greece, Iceland, Luxembourg, Mexico (States of Campeche, Quintana Roo, and Yucatan), New Zealand, Republic of Ireland, Spain, Sweden, and Switzerland. / Les régions suivantes sont reconnues indemnes de la forme exotique de la maladie de Newcastle: Argentine, Australie, Canada, Chili, Costa Rica, Danemark, Fiji, Finlande, France, Grande Bretagne (Angleterre, Écosse, pays de Galles et île du Man), Grèce, Islande, Luxembourg, Mexique (État de Campeche, Quintana Roo et Yucatan), Nouvelle Zélande, République d'Irlande, Espagne, Suède et Suisse.

(2) In the case of products other than Canadian or US origin, based on compliance with the provisions of annex Q. In the case of poultry meat products not under the jurisdiction of the FSIS, all establishments registered under the Safe Food for Canadians Act are eligible to export./ En ce qui a trait aux produits autres que ceux provenant du Canada ou des États-Unis, sur la base de conformité aux dispositions de l'annexe Q. Dans le cas des produits de volaille qui ne relèvent pas de la juridiction du FSIS, tous les établissements agréés sous la Loi sur la salubrité des aliments au Canada sont admissibles à exporter.

(3) Based on compliance with the provisions of the approved segregation procedures. / Sur la base de la conformité aux dispositions de procédures de ségrégations approuvées.

Canadlan Food

Agence canadianne Inspection Agency d'inspection des allments

### ANNEX(E) A-1

VETERINARY CERTIFICATE FOR BOVINE MEAT AND MEAT BY PRODUCTS INTENDED FOR HUMAN CONSUMPTION DESTINED TO THE USA AND FOR BOVINE MEAT PRODUCTS IN TRANSIT IN THE USA. CERTIFICAT VÉTÉRINAIRE VISANT LA VIANDE BOVINE! ET LES SOUS-PRODUITS DE VIANDE DESTINÉS À LA CONSOMMATION HUMAINE ET EXPORTÉS VERS LES ÉTATS-UNIS ET POUR LES PRODUITS DE VIANDE DE BOVINS ENTRANSIT PAR LES ÉTATS-UNIS.

ADDENDUM TO CERTIFICATE CFIA/ACIA NO. /	
AJOUT AU CERTIFICAT ACIA/CFIA NO	:944915

1.	Address(es) and veterinary approval number(s) of the producing est (establishment number on the label) /	ablishment(s)
	Adresse(s) et numéro(s) d'agrément vétérinaire de l'usine ou des usit (numéro d'établissement sur l'étiquette) :	es de fabrication
	BCI FOODS INC. EST 142 4800 PINARD AVENUE, ST-HYACINTHE, QUÉBEC, CANADA	

#### II. Animal Health Attestation

The undersigned CFIA Official certifies that the meat, meat by-product, or meat food product is derived from bovine and meets the following conditions / Le soussigné, officiel de l'ACIA, certifie que la viande, les sous-produits de viande et les produits alimentaires à base de viande, sont issus de bovins et satisfont aux exigences suivantes :

- 1. The commodities were exported from a region of controlled risk for BSE/ Les produits ont été exportés d'une region à risque maîtrisé pour le ESB.
- The commodities were derived from bovines that passed ante-mortem and post-mortem inspections/ Les produits proviennent de bovins qui ont été approuvés suite à une inspection ante-mortem et à une inspection post-mortem.
- 3. The commodities were derived from bovines that were not subjected to a stunning process, prior to slaughter, with a device injecting compressed air or gas into the cranial cavity, or to a pithing process/ Les produits proviennent de bovins qui n'ont pas été étourdis, avant leur abattage, par par un dispositif qui injecte l'air ou un gaz comprimé dans la boîte crânienne, ni soumis au jonchage.
- 4. The commodities were produced and handled in a manner that ensured that such commodities do not contain and are not contaminated with either of the following / Les produits ont été produits et manipulés de facon à ce que ces derniers ne contiennent pas et ne sont pas contaminés par aucun des suivants :

un des suivants :

a) Specified risk materials (SRMs) from regions of controlled risk for BSE / Matériel a risque

Mechanically separated meat from the skull and vertebral column from boyines 30 months of age or older/ Viande mécaniquement séparée du grane et de la colonne vertébrale de bovins âgés de 30 mois et plus.

CERTIFICATE NO. / 944915

Done at / à	Name and official title /Nom et tilre officiel		
St-Damese-Canada	DR KOUROSH SHIRANI BIDABADI OLMCV.		
On/Le	Signature		

Official Seal / Cachet officiel

Official seal

AND THE PROPERTY OF THE PARTY OF Bovine is defined as Bos taurus, Bos indicus and Bison bison/Bovins s'entend des espèces Bos taurus, Bos indicus et Bison bison.

# EXHIBIT E



#### **United States Department of Agriculture**

Food Safety and Inspection Service

May 4, 2021

### TRANSMITTED VIA ELECTRONIC MAIL

1400 Independence Avenue, SW. Washington, D.C. 20250

Laura Smith
Legal Director
Truth in Advertising, Inc.
P.O. Box 927
Madison, CT 06443
lsmith@tina.org

RE: 2021-FSIS-00121-F

Dear Ms. Smith:

This is the final response to your Freedom of Information Act (FOIA) request, dated January 4, 2021, to the U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS). You requested a copy of records regarding 2020 and 2021 Recalls pertaining to live cows, pigs, raw beef, and pork. We received your request in our office on January 4, 2021.

The FSIS FOIA staff works with subject matter experts across the agency to locate responsive documents. For this request, we conducted a records search in the Office of Field Operations (OFO). FSIS' search began on January 04, 2021. Our search includes responsive records in FSIS' control on that date.

We have located 33 pages that are responsive to your request. After a thorough review, we have determined that portions of these documents are exempt from disclosure under (b)(4), (b)(6) and (b)(7)(E) of the FOIA, 5 U.S.C. § 552, as amended. Additionally, we are withholding two pages in full under (b)(4). Accordingly, this request is granted in part

Exemption 4 of the FOIA protects "trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential." 5 U.S.C. § 552(b)(4). The exemption covers two distinct categories of information in federal agency records, (1) trade secrets, and (2) information that is (a) commercial or financial, and (b) obtained from a person, and (c) privileged or confidential. In this instance, the agency is withholding Export Application – Verification Form – Annex H. The information was submitted to USDA by a business. We have determined that these records contain commercial or financial information that is customarily treated as private by the business submitters. Therefore, the information is considered confidential.

Laura Smith Page 2

Some responsive records contain drafts, staff analyses, opinions, or recommendations. Those portions are deliberative and pre-decisional and are an integral part of the agency's decision-making process. They are exempt from the FOIA's disclosure requirements by FOIA Exemption 5, 5 U.S.C. § 552(b)(5).

Portions of the responsive records are exempt from disclosure under FOIA Exemption 6, 5 U.S.C. § 552(b)(6). Exemption 6 protects information that would constitute an unwarranted invasion of an individual's personal privacy. The types of information withheld under Exemption 6 include the names, addresses, or cell phone numbers of employees of Establishments and third parties, including, but not limited to interviewees or customers.

Portions of the responsive records are exempt from disclosure under FOIA Exemption 7(E), 5 U.S.C. § 552(b)(7)(E). Exemption (7)(E) covers records compiled for law enforcement purposes, the release of which would disclose techniques and/or procedures for law enforcement investigations or prosecutions or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonable be expected to risk circumvention of the law.

You may appeal this determination no later than 90 days from the date of this letter. Your appeal should include copies of your original request and this response, as well reasons supporting your appeal. The envelope should be plainly marked to indicate that it contains a FOIA appeal. If you decide to appeal, please send your appeal to:

Paul Kiecker
Administrator
U.S. Department of Agriculture
Food Safety and Inspection Service
1400 Independence Avenue, SW.
Room 1170, South Building
Washington, DC 20250-3700
FSIS.FOIA@USDA.GOV

Additionally, some of the records have been reviewed and redacted by the U.S. Customs and Border Protection (CBP). Those pages are 2-4, 16-18, and 29. Should you decide to appeal any redactions applied by CBP, please send your appeal to:

U.S. Customs and Border Protection FOIA Appeals, Policy and Litigation Branch 90 K Street NE, Washington, D.C. 20229

Please be advised that your FOIA request, including your identity and the information made available, is releasable to the public under any subsequent FOIA requests. However, FSIS does not release your personal privacy information, such as home addresses, telephone numbers, or Social Security Numbers, all of which are protected from disclosure under FOIA Exemption 6.

Laura Smith Page 3

If you have any questions about the processing of your request or about the USDA's FOIA regulations, please contact Michael Dutt at 301-289-9692 or via email at michael.dutt@usda.gov. If you have general questions about FSIS' FOIA procedures or regulations, please contact me, Acting FOIA Director/FOIA Public Liaison at 202-720-8215 or via email at April.Harrid@usda.gov.

You also have the option to seek assistance from the Office of Government Information Services (OGIS). Please visit <a href="https://www.archives.gov/ogis/mediation-program/request-assistance">https://www.archives.gov/ogis/mediation-program/request-assistance</a> for information about how to request OGIS assistance in relation to a FOIA request.

Thank you for your interest in FSIS programs and policies.

Sincerely,

April D. Harrid

and Bling

Acting Director, Freedom of Information Act Staff Office of Public Affairs and Consumer Education

Enclosure

Canadian Food Inspection Agency

Agence canadienne d'inspection des aliments

# Canada

#### CERTIFICATE OF INSPECTION COVERING MEAT AND POULTRY PRODUCTS

COVERING MEXT AND FOOLING FRODUCTS	FOOR	ES PRODUITS CARN	ES ET VOLAIL	LES
EXPORTER / EXPORTATEUR	SHIPPING MARKS STAMPED MARQUES D'EXPÉDITION ES		CERTIFICATE N	O / Nº DE CERTIFICATE
Jowett Farms Corporation Box 250, 79 Penner Drive	792926		7.0	2926
Blumenort	PRODUCING ESTABLISHMENT	T NUMBER/SV/ Nº D'ÉTARI (S		_
MANITOBA	THOUSENING ESTRUCIONING	HOMBERGS/FM DETABLE	SEMENT PRODUC	HUN
R0A0C0 CANADA	791			
IMPORTER / IMPORTATEUR	SHIPPING EST. NO. / N. DE L'ETABLISSEMENT	COUNTRY(S) OF ORIGIN A PAYS D'ORIGINE ET N° D'		
Randolph Packing Company	ÉXPEDITEUR			
275 Roma Jean Parkway	791	i		
Streamwood	COUNTRY OF DESTINATION	NA		
ILLINOIS	PAYS DE DESTINATION			
60107 UNITED STATES	USA			
PRODUCT DESCRIPTION INCLUDING PROCESSING CATEGORY, PRODUCT CATEGORY AND PRODUCT GROUP	SPECIES OF ORIGIN	NUMBER AND KIND	DE DACKAGES	NET WEIGHT
DESCRIPTION DU PRODUIT Y COMPRIS LA CATÉGORIE DE TRAITEMENT, LA CATÉGORIE DE PRODUITS ET GROUPES DE PRODUITS	ESPÈCES ANIMALES	NOMBRE ET NATUR		POIDS NET
Raw Product - Non-intact - Raw ground, comminuted, or otherwise	Pork		···········	<del></del>
non-intact pork - Other Non-Intact				
Pork Trimmings, Pre-rigor 1% Salt Added		23	_	42,587 LBS
additional certification (if requested) / attestation supplementaire (si requise $NA$	Ē)			1 1 10 10 10 10 10 10 10 10 10 10 10 10
THE PRODUCT DESCRIBED ON THIS OFFICIAL EXPORT CERTIFICATE WAS PRODUCED IN ACCORDANCE WITH THE REGULATORY REQUIREMENTS IN 9 CFR 327.2 OR 381.196. THESE REQUIREMENTS ARE FULFILLED BASED ON THE CANADIAN FOOD INSPECTION PROGRAM AND ALL APPLICABLE EXPORT REQUIREMENTS  LE PRODUIT DÉCRIT SU A ÉTÉ PRODUIT DÉCRIT SU NÉGLEMENTAIRES OU SONT REMPLIES SUP D'INSPECTION DES A APPLICABLES À L'EXPOR	JR CE CERTIFICAT OFFICIEL D N CONFORMITÉ AVEC LES 9 CFR 327-2 OU 381,196. CEI R LA BASE DU PROGRAMI ALIMENTS ET TOUTES LES RTATION.	S EXIGENCES S CONDITIONS ME CANADIEN S EXIGENCES		
NAME AND TITLE OF CFIA OFFICIAL / NOM ET TITRE DE L'AGENT DE L'ACIA				
	DATE D/J M/M	, (A		•
-160 °	STILL SIS INTIN	<i>"</i>		
SIGNATURE	01/04/2	2020	-	

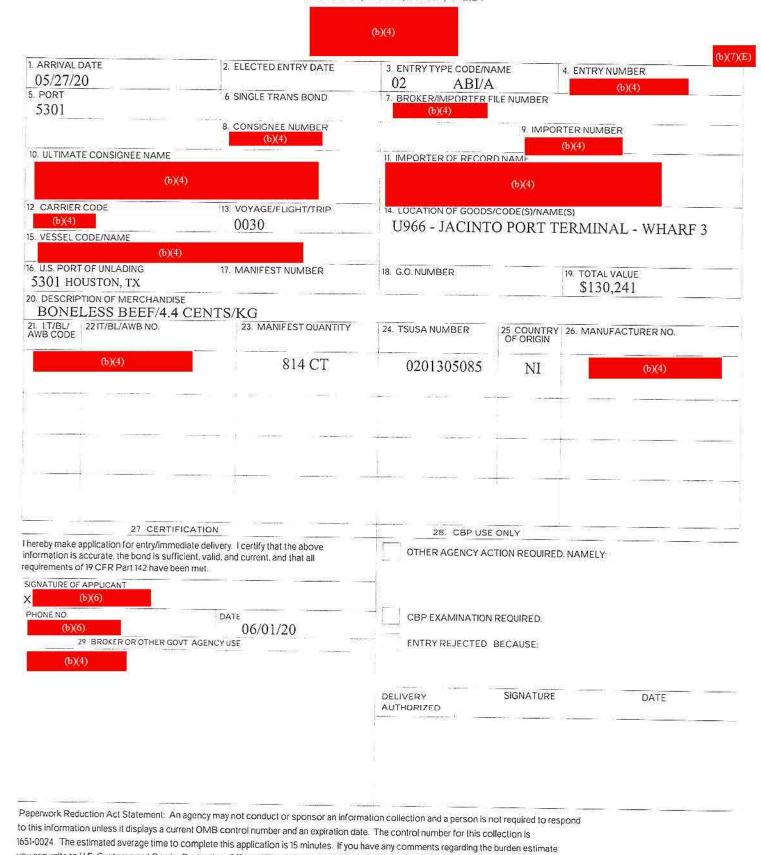
CBP FORM 7501 (2/18)

DEPARTMENT OF HOMELAND SECURITY 1. Filer Code/Entry No. 2. Entry Type 3. Summary Date U.S. Customs and Border Protection (b)(4) 02 ABI/A 06/04/2020 4. Surety No. 5. Bond Type 6. Port Code 7. Entry Date ENTRY SUMMARY 5301 05/27/2020 8. Importing Carrier 9. Mode of Transport 10. Country of Origin 11. Import Date (b)(4)NI 05/27/2020 12. B/L or AWB No. 13. Manufacturer ID 14. Exporting Country 15. Export Date 05/24/2020 20. U.S. Port of Unlading 16. I.T. No. 17. I.T. Date 18. Missing Docs 19. Foreign Port of Lading 21531 5301 21. Location of Goods/G.O. No. 22. Consignee No. 23. Importer No. 24. Reference No. U966 - JACINTO PORT TE 20-252282800 25. Ultimate Consignee Name and Address 26. Importer of Record Name and Address SAME (b)(4)City State Zip 32. 33. 34. 27. 28. Description of Merchandise A. HTSUS Rate Duty and I.R. Tax 30. 31. A. Entered Value B. ADA/CVD Rate Line A. HTSUS No. A. Grossweight Net Quantity in Dollars Cents B. CHGS C. IRC Rate No. B. ADA/CVD No. B. Manifest Qty. **HTSUS Units** C. Relationship D. Visa No. 814 CT 001 BONELESS BEEF/4.4 CENTS/KG 20131 KGS 19103 KG (b)(7)(E)130241 .044/KG 840.53 ONI C 5000 STARTING INVOICE AMOUNT > 135241.00 LESS FREIGHT/INSURANCE 5000.00 > ENTERED VALUE 130241 BEEF FEE .00511787/KG 97.77 MERCH PROC FEE .003464 451.15 HMF .00125% 162.80 Other Fee Summary for Block 39 35. Total Entered Value **CBP USE ONLY** TOTALS BEEF FEE 053 97.77 A. LIQ CODE B. Ascertained Duty 37. Duty 130241 MPF 499 451.15 840.53 Total Other Fees HMF 501 162.80 REASON CODE C. Ascertained Tax 38. Tax 711.72 36. DECLARATION OF IMPORTER OF RECORD (OWNER D. Ascertained Other 39. Other OR PURCHASER) OR AUTHORIZED AGENT 711.72 I declare that I am the Importer of record and that the actual owner, E. Ascertained Total 40. Total 1552.25 purchaser, or consignee for CBP purposes is as shown above. OR X owner or purchaser or agent thereof. I further declare that the merchandise was obtained pursuant to a purchase or agreement to purchase and that the prices set forth in the invoices are true. OR 🔣 was not obtained pursuant to a purchase or agreement to purchase and the statements in the invoices as to value or price are true to the best of my knowledge and belief. I also declare that the statements in the documents herein filed fully disclose to the best of my knowledge and belief the true prices, values, quantities, rebates, drawbacks, fees, commissions, and royalties and are true and correct, and that all goods or services provided to the seller of the merchandise either free or at reduced cost are fully disclosed. I will immediately furnish to the appropriate CBP officer any information showing a different statement of facts, 41. DECLARANT NAME TITLE SIGNATURE DATE (b)(6)(b)(6) 06/04/2020 42. Broker/Filer Information (Name, address, phone number) 43. Broker/Importer File No. (b)(4)

#### Form Approved OMB No. 1651-0024 Exp. 01-31-2012

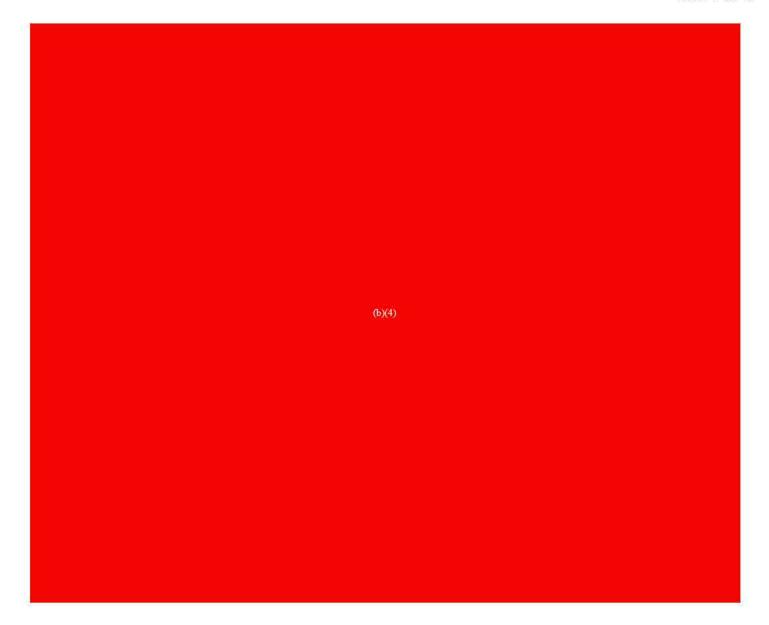
# DEPARTMENT OF HOMELAND SECURITY U.S. CUSTOMS AND BORDER PROTECTION ENTRY/IMMEDIATE DELIVERY

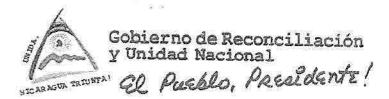
19 CFR 142.3, 142.16, 142.22, 142.24



you can write to U.S. Customs and Border Protection, Office of Regulations and Rulings, 799 9'th Street NW. Washington DC 20229.

June 2, 2020 ABI MESSAGES PAGE 1 OF 1









Place:

MANAGUA

City: MANAGUA

Country:

NICARAGUA

Date: MAY 19th, 2020

#### CERTIFICATE

I CERTIFY THAT IN THIS ESTABLISHMENT NUMBER FIVE (5), NUEVO CARNIC, S.A. WE RUN E. COLI AND SALMONELLA TESTS INCLUDING E. COLI 0167: H7 AND NON 0167 STEC8 ACCORDING TO SSOP PROGRAM REQUIRED BY THE USDA. THE TESTS WITH NEGATIVE RESULTS COVERS THE LOTS CONTAINED UNDER SHIPPING MARK # 0627-20 CERTIFICATE No. 5-5258 CONTAINER SEGU 902327-0 DURING THE SLAUGHTER AND DEBONING PROCESS ALL THE CRITICAL POINTS OF THE LOTS EXPORTED AND COVERED UNDER THIS CERTIFICATE WERE CHECKED AND VERIFIED ACCORDING TO THE HACCP PLAN IN FORCE IN THIS ESTABLISHMENT PRODUCTION DATE MAY 07th, 2020 - TO MAY 19th, 2020

THE TEST USED IS THE GENETIC DETECTION SYSTEM (GDS MPX Top 7 STEC) FROM BIOCONTROL SYSTEM FOR A QUICK RESULT AND THE CONFORMATORY TEST IS THE MLG 5.05 AND THE MLG 5B.01 FOR DETECTION ISOLATION AND IDENTIFICATION METHOD FOR E. COLI 0157: H7 AND THE E. COLI NON 0157 STEC8. ALL METHODS ARE APPROVED BY THE USDA.

I HEREBY CERTIFY THAT ALL PRODUCTS EXPORTED COME ONLY FROM BOVINE ANIMALS (CATTLE) AND THAT ARE SO DECLARED ON THE LABEL.

CERTIFICO QUE EN ESTE ESTABLECIMIENTO NUMERO CINCO (5), NUEVO CARNIC, S.A. SE REALIZAN LOS TESTS PARA E. COLI Y SALMONELLA INCLUYENDO E. COLI 0157: H7 Y E. COLI NON 0157 STEC® DE ACUERDO AL PROGRAMA SSOP REQUERIDO POR EL USDA, LOS TEST CON RESULTADOS NEGATIVO CUBREN LOS LOTES BAJO MARCAS DE EMBARQUE # 0627-20 CERTIFICADO # 5-5258 CONTENEDOR SEGU 902327-10 DURANTE EL PROCESO DE MATANZA Y DESHUESE TODOS PUNTOS CRITICOS DE CONTROL DE LOS LOTES EXPORTADOS Y CUBIERTOS BAJO ESTE CERTIFICADO FUERON CHEQUEADOS Y VERIFICADOS DE ACUERDO AL PLAN HACCP EN VIGENCIA EN ESTE ESTABLECIMIENTO: FECHA DE PRODUCCION

DEL 07 DE MAYO 2020 - AL 19 DE MAYO 2020

Dr. Radi Guillen Castro

Oficial Veterinarian Inspector

Cc.archivo/Lucy

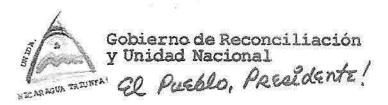


CRISTIANA, SOCIALISTA, SOLIDARIA!

INSTITUTO DE PROTECCION Y SANIDAD AGROPECUARIA

Dirección de Inocuidad Agroalimentaria DIA-IPSA.www.ipsa.gob.ni Km 5 carretera norte, contiguo a ENACAL Portezuelo Correo: inocuidad.agroalimentaria@ipsa.gob.ni Tel: (505)22981330 Ext. 178

web: www.ipsa.gob.ni







Place:

MANAGUA

Country:

NICARAGUA

City: MANAGUA

Date: MAY 19th, 2020

I, Raúl Guillen Castro, DVM, Official Veterinary Head Inspector from Institute of Protection and Agricultural Health of the Republic of Nicaragua Certifies that: (IPSA). assigned at establishment # 5, certifies that all processed beef product at the plant and exported to the United States of America and other markets around the World, is 100% derived from bovine animals which were inspected before and post mortem and found in optimum sanitary conditions for human consumption in compliance with importing country requirements.

Yo Dr. Raúl Guillen Castro, Médico Veterinario Oficial del Instituto de Protección Agroalimentaria (IPSA) de la República de Nicaragua, asignado al Establecimiento No. 5, hago constar que el producto cárnico que se procesa y exporta a los Estados Unidos de América y demás mercados en el mundo procede de animales de la especie Bovina los cuales fueron inspeccionados Arites y Post-Mortem y se encuentran en condiciones higiénico - sanitarias óptimas para consumo humano en cumplimiento de las disposiciones sanitarias de cada país.

Dr. Raul Guillen Castro Oficial Veterinario Inspector

Cc,archivo/Lucy





CRISTIANA, SOCIALISTA, SOLIDARIA!

INSTITUTO DE PROTECCION Y SANIDAD AGROPECUARIA

Dirección de Inocuidad Agroalimentaria DIA-IPSA. www.ipsa.gob.ni Km 5 carretera norte, contiguo a ENACAL Portezuelo Correo: inocuidad.agroalimentaria@ipsa.gob.ni Tel: (505)22981330 Ext. 178

web: www.ipsa.gob.ni



#### ORIGINAL

No 5-5258

#### REPÚBLICA DE NICARAGUA INSTITUTO DE PROTECCIÓN Y SANIDAD AGROPECUARIA DIRECCIÓN DE INOCUIDAD AGROALIMENTARIA

SECCIÓN DE INOCUIDAD CARNES
CERTIFICADO OFICIAL DE INSPECCIÓN DE CARNES PARA

CARNES FRESCAS Y SUS DERIVADOS (Official Meat-Inspection Certificate for Fresh Meat and Meat By Products)

NICARAGUA

MANAGUA

MANAGUA

(Consignee)  14330 GILLIS RD FARMERS BRANCH, TX 75244  Destino:  DALLAS TEXAS U.S.A.  (Destination)  Categoría de proceso:  (Process Category)  Categoría de producto:  (Product temperature)  Product Category)  PRIMALS  Grupo de Producto:  Product Group)  MAY 07th, 2020  Product Group)  Production date)  Marcas de embarque:  0527-20  Temperatura del producto:  (Product temperature)  Número de contenedor:  SEGH 902327-0  (Container Number)  Número de marchamo:  C005445 NIC-INSP & AP  (Establish text)  May 19th, 2020  Mimero del Establish text  MAY 19th, 2020  May 19th,	Yo, por medio del presente, certi Veterinaria Ante-Mortem y Post Unidos y que no están adulteradi gobierna la Inspección de Carne requisitos similares a los del Actr Pleuroneumonía Contagiosa Bovin I hereby certify that the meat an veterinary inspection at the time cor misbranded as defined by the handled in a sanitary manner in that Act and said regulations. Nicaragu for at least the last six months and  Tipo de producto.  (Kind of product)  FRESH BONELESS BEEF  VARIOUS FRESH BNLS BEEF CUTS	ifico que, la carne y sus derivador.  Mortem, al tiempo de sacrifica los o mal etiquetados de acuerdi y que dichos productos han sidi a Federal de Inspección de Carn ia, Flebre Catarral Maligna, por lo sid meat by products herein desc of slaughter in plants certified for regulations governing meat insy ils country and are otherwise in c ua is free from food and Mouth Di Anthrax is not prevalent in the co  Especie animal de cual se deriva (Species of livestock Derived from)  BOVINE	(Country os de carne aqu rse en plantas re o a las regulacio o manejados de ne y sus regulaci menos en los ult cribed were derly r exportation of te pection of the properties ountry.	uí descritos, son derivado ertificadas para la export nes del Departamento di manera sanitaria en este ones. Nicaragua es un pimos seis meses, y el Ántived from livestock which heir products towards the S. Department of Agricul equirements at least equi t. Contagious Bovine Pleut. Vúmero de piezas o recipientes (Number of piece or containers)	(Date) as de animale ación de sus a Agricultura país y aden país libre de rax no es pre received ant te United Esta ture and th al to those in aroneumonía,	productos hacia los Est de los Estados Unidos y más en cumplimiento co Fiebre Aftosa, Peste Bo valente en el país.  e-mortem and post-mostes and are not adulter at said products have in the Federal Meat Inspect Bovine Malignant Catar Peso.  (Weight)
Uniday y que no están adulterados o mal etiquestados de souerdo a las regulaciones del Departamento de Agricultro de Statados Unidados gobieras la Inopección de Carne y que dichos productos hansidos de manejados de manejados de manejados de sou entre pos y además en cumplimiento requisitos similares a los del Acta Federal de Inspección de Carne y sus regulaciones. Bicargue se un país libre de Febra Afrosa, Petre Pieruroneumonia Contagionas bomás, Febre Catarral Máligna, por lo menos en los últimos sets meres, y el Arinza no es prevalente en el país.  I hereby certify that the meat and meat by products herein described were derived from livestock wich recevédo en regulations proventente en la país.  I hereby certify that the meat and meat by products herein described were derived from livestock wich recevédo en regulations proventente en la país.  I hereby certify that the meat and meat by products herein described were derived from livestock wich recevédo en regulations proventente en la país.  I hereby certify that the meat and meat by products herein described were derived from livestock wich recevédo and thorat by a derived a definite by the regulations in the regulations and the regulations of the regulations and a contrained in a sanitary manner in this country and are cotherwise in compliance with requirements at least squal to those in the Federal Meat take and products have a contrained to the federal Meat take the bars six months and Anthrax is not prevalent in the country.  I product of producto.  [Kind of product)  Especie animal del  Número de piezas  O recipientes  (Weight)  VARIOUS FRESH BINLS BEEF CUTS  MAL 10.5 CARRETERA NORTE 1000 METROS AL LAGO P.O. BOX. No.1251 MANAGUA, NICARAGUA  (Consignee)  LASO GILLIS RD FAMMERS BRANCH, TX 75244  Destinacion)  Embarcador:  MAL 10.5 CARRETERA NORTE 1000 METROS AL LAGO P.O. BOX. No.1251 MANAGUA, NICARAGUA  (Consignee)  LASO GILLIS RD FAMMERS BRANCH, TX 75244  Destinacion de producto:  Product Group)  RAW PRODUCT-INTACT  Temperatura del producto:  Product Gr	Unidos y que no están adulterade gobierna la Inspección de Carne requisitos similares a los del Actro Pleuroneumonía Contagiosa Bovin I hereby certify that the meat an veterinary inspection at the time cor misbranded as defined by the handled in a sanitary manner in the Act and said regulations. Nicaragu for at least the last six months and Tipo de producto. (Kind of product)  FRESH BONELESS BEEF  VARIOUS FRESH BNLS BEEF CUTS  See reverse  Marcas de identificación en el pi	los o mal etiquetados de acuerdi y que dichos productos han sida a Federal de Inspección de Carn ha, Flebre Catarral Maligna, por lo had meat by products herein desc of slaughter in plants certified for regulations governing meat insp his country and are otherwise in c ha is free from food and Mouth Di Anthrax is not prevalent in the co  Especie animal de  cual se deriva  (Species of livestock Derived from)  BOVINE	o a las regulacio o manejados de le y sus regulacio menos en los últistibed were derive exportation of the Ucompliance with resease, Rinderpes ountry.	nes del Departamento di manera sanitaria en este ones. Nicaragua es un i lmos seis meses, y el Ant ved from livestock which heir products towards th. S. Department of Agricul equirements at least equirements at least equirements t, Contagious Bovine Pleu Vúmero de piezas o recipientes (Number of piece or containers)	acion de sus a Agricultura país y aden país libre de rax no es pre received ant le United Esta ture and th al to those in ironeumonía,	productos hacia los Est de los Estados Unidos y más en cumplimiento co Fiebre Aftosa, Peste Bo valente en el país.  e-mortem and post-mostes and are not adulter at said products have in the Federal Meat Inspect Bovine Malignant Catar Peso.  (Weight)
I hereby certify that the meat and meat by products herein described were derived from livestock which received antermortem and post- veterinary inspection at the time of slaughter in plants certified for exportation of their products towards the United Estates and are not adul received as defined by the regulations governing meat inspection of the payments of Agriculture, and that said products handled in a sanitary manner in this country and are otherwise in compliance with requirements at least equal to those in the Federal Meat Inst.  Act and said regulations. Nicarguals is free from food and Mount Disease, Rinderpest. Contagious Bovine Pleuroneumonia, Bovine Malignant Ca for at least the last six months and Anthrax is not prevalent in the country.  Tipo de producto.  (Kind of product)  (Kind of product)  (Species of livestock Derived from)  See reverse  Marcas de identificación en el pro Jucto y recipiente:  See reverse  Marcas de identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  EMBarcador:  NUEVO CARNIC, S.A.  NUEVO CARNIC, S.A.  NUEVO CARNIC, S.A.  NUEVO CARNIC, S.A.  LA BODEGA MEĄT  LA BODEGA MEĄT  LA BODEGA MEĄT  LA BODEGA MEĄT  Consignori)  LA BODEGA MEĄT  Temperatura del producto:  RAW PRODUCT-INTACT  Temperatura del producto:  Product Ceregory)  PRIMALS  AND SUBPRIMALS  Número de contenedor:  Product Ceregory)  PRIMALS  Número de marchamo:  Número de contenedor:  Product Ceregory)  PRIMALS  Número de de marchamo:  Número de marchamo:  Product Group)  MAY 19th, 2020  Product Group  Product Group  Production date  Insperiment and the states and tent out productor  Product Group  Product Group  MAY 19th, 2020  Product Group  Product Group  Product Group  Product Gregory  Product Group  Product Grou	I hereby certify that the meat an veterinary inspection at the time of or misbranded as defined by the handled in a sanitary manner in the Act and said regulations. Nicaragu for at least the last six months and  Tipo de producto.  (Kind of product)  FRESH BONELESS BEEF  VARIOUS FRESH BNLS BEEF CUTS  See reverse  Marcas de identificación en el pi	ad meat by products herein desc of slaughter in plants certified for regulations governing meat insp its country and are otherwise in c us is free from food and Mouth Di Anthrax is not prevalent in the co Especie animal de cual se deriva (Species of livestock Derived from)	cribed were derive exportation of the uncompliance with risease, Rinderpes ountry.	red from livestock which heir products towards th. S Department of Agricul equirements at least equi t, Contagious Bovine Pleu t, Contagious Bovine Pleu Número de piezas o recipientes (Number of piece or containers)	received antie United Estature and the alto those in irroneumonía,	e-mortem and post-mo tes and are not adulter at said products have in the Federal Meat Inspet Bovine Malignant Catar Peso. (Weight)
I hareby ccrity that the meat and meat by products hierein described were derived from livestock which received ante-mortem and post- vectoriany inspection at the time of slaughter in plants certified for exportation of their products towards the land and are not add or mistranded as defined by the regulations governing meat inspection of the U.S Department of Agricultura with said products. In the country and are otherwise in control of the U.S Department of Agricultura with said products. Act and said regulations. Nicaragus is free from food and Mouth Disease, Rinderpest, Contagious Bovine Pleuroneumonis, Bovine Malignant Carlor of the U.S Departments at least equal to those in the Federal Meat Instance of the U.S Department of Agricultura and the Sovine Malignant Carlor of the U.S Department of Agricultura and Carlor of the U.S Departments and Anthrax is not prevalent in the country.  Tipo de producto.  [Kind of product)    Especie animal del	I hereby certify that the meat an veterinary inspection at the time or mistranded as defined by the handled in a sanitary manner in the Act and said regulations. Nicaragu for at least the last six months and  Tipo de producto.  (Kind of product)  FRESH BONELESS BEEF  VARIOUS FRESH BNLS BEEF CUTS  See reverse  Marcas de identificación en el pi	nd meat by products herein desc of slaughter in plants certified for regulations governing meat insi- ils country and are otherwise in c ra is free from food and Mouth Di. Anthrax is not prevalent in the co- Especie animal de cual se deriva (Species of livestock Derived from)	ribed were derive exportation of the upection of the upection of the upection of the upection exponential exponent	red from livestock which heir products towards the street of Agricul equirements at least equit. Contagious Bovine Pleu Vidence de piezas o recipientes (Number of piece or containers)	received ant the United Estati fure and that to those in Ironeumonia,	e-mortem and post-mo- sites and are not adulter at said products have in the Federal Meat Inspect Bovine Malignant Catar  Peso. (Weight)  227.20 POUNDS
(Kind of product)  Cual se deriva (Species of livestock Derived from)  Cual se deriva (Species of livestock Derived from)  FRESH BONELESS BEEF  BOVINE  814 CARTONS  42,027.20 POUNDS  RARIOUS FRESH BNL5 BEEF CUTS  See reverse Marcas de identificación en el pro Jucto y recipiente: EST. No. FIVE (5)  Embarcador: Consignor)  Consignor)  Intercción:  KM. 10.5 CÁRRETERA NORTE 1000 METROS AL LAGO P.O. BOX. No.1251 MANAGUA, NICARAGUA  Address)  Consigner  Consignee)  4330 GILLIS RD FARMERS BRANCH, TX.75244 Destino: Destinación:  RAW PRODUCT-INTACT  Temperatura del producto: Product Category)  ategoría de proceso: Product Category)  Augusta de producto: Product Category)  PRIMALS  Container Number)  RAW INTACT-BEEF Número de contenedor: Product Category)  PRIMALS  (Container Number)  Número de lega Directión: Product Group)  MAY 97th, 2020  May 97th, 2020  Marcas de Branch (Establish (Lagrage))  Marco de Branchamo: Consignor de producto: Product Group)  Marco de Branchamo: CO05445 NIC-INSP & AP  Coduction date)  Interes de marchamo: CO05445 NIC-INSP & AP  Coduction date) Interes de marchamo: Consignor AND SUBPRIMALS Número de lega Direction: Número de lega Direction: Production date) Interes de marchamo: CO05445 NIC-INSP & AP  Coduction date) Interes de marchamo: CO05445 NIC-INSP & AP  Coduction date) Interes de marchamo: CO05445 NIC-INSP & AP  Coduction date) Interes de marchamo: CO05445 NIC-INSP & AP  Coduction date) Interes de marchamo: CO05445 NIC-INSP & AP  Coduction date) Interes de marchamo: CO05445 NIC-INSP & AP  Coduction date) Interes de marchamo: CO05445 NIC-INSP & AP  Coduction date) Interes de marchamo: CO05445 NIC-INSP & AP  Coduction date) Interes de marchamo: CO05445 NIC-INSP & AP  Coduction date) Interes de marchamo: CO05445 NIC-INSP & AP  Coduction date) Interes de marchamo: CO05445 NIC-INSP & AP  Coduction date) Interes de marchamo: CO05445 NIC-INSP & AP  Coduction date) Interes de marchamo: CO0545 NIC-INSP & AP  C	(Kind of product)  FRESH BONELESS BEEF  VARIOUS FRESH BNLS BEEF CUTS  See reverse  Marcas de identificación en el pi	cual se deriva (Species of livestock Derived from) BOVINE		o recipientes (Number of piece or containers)		(Weight) 027.20 POUNDS
(Kind of product)  Cual se deriva (Species of livestock Derived from)  (Species of livestock Derived from)  FRESH BONELESS BEEF  WARIOUS FRESH BNLS BEEF CUTS   See reverse Marcas de identificación en el pro jucto y recipiente: EST. No. FIVE (5)  Identification marks on product and container)  Imbarcador: Consignor)  Oirección:  KM. 10.5 CARRETERA NORTE 1000 METROS AL LAGO P.O. BOX. No.1251 MANAGUA, NICARAGUA  Address)  LA BODEGA MEŞT  Consignee)  14330 GILLIS RD FARMERS BRANCH, TX 75244 Destino: Destination)  ategoría de proceso: Process Category)  Patinas TEXAS  Product Category)  PRIMALS  Product Category)  PRIMALS  Product Category)  PRIMALS  Product Category)  PRIMALS  Product Group)  MAY 07th, 2020  MAY 19th, 2020  MAY 19th, 2020  FECTINAS STATES AND STAT	(Kind of product)  FRESH BONELESS BEEF  VARIOUS FRESH BNLS BEEF CUTS  See reverse  Marcas de identificación en el pi	cual se deriva (Species of livestock Derived from) BOVINE		o recipientes (Number of piece or containers)		(Weight) 027.20 POUNDS
(Species of livestock Derived from)  (Species of livestock Derived from)  (Species of livestock Derived from)  (Number of piece or containers)  FRESH BONELESS BEEF  BOVINE  814 CARTONS  42,027.20 POUNDS  AVARIOUS FRESH BNLS BEEF CUTS  See reverse  Marcas de identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  Identification marks on product and container)  Indication marks on product and container)  NUEVO CARNIC, S.A.  Consignor)  NUEVO CARNIC, S.A.  LA BODEGA MEST  Consignatario:  LA BODEGA MEST  LA BODEGA MEST  DALLAS TEXAS  LA SUS A  DESTINATION  RAW PRODUCT-INTACT  Temperatura del producto:  Product Category)  Alegoría de producto:  RAW INTACT-BEEF  Número de contenedor:  SEGII 902327.0  Número de contenedor:  SEGII 902327.0  Número de contenedor:  Product Category)  PRIMALS  Product Category)  PRIMALS  Product Category)  MAY 4701b, 2020  MAY 4701b, 2020  Número del Egradistrimiento:  FIVE (5)  IESTABLISHADA ABARCAS BRANCH, 10020  Número del Egradistrimiento:  FIVE (5)  IESTABLISHADA ABARCAS BRANCH, 10020  MAY 281h, 2020	FRESH BONELESS BEEF VARIOUS FRESH BNLS BEEF CUTS  See reverse Marcas de identificación en el pi	(Species of livestock Derived from) BOVINE		(Number of piece or containers)		527.20 POUNDS
Derived from)  Or containers)  PRESH BONELESS BEEF  BOVINE  814 CARTONS  42,027.20 POUNDS  See reverse  Marcas de identificación en el projucto y recipiente:  EST. No. FIVE (5)  Embarcador:  Consignor)  Dirección:  KM. 10.5 CARRETERA NORTE 1000 METROS AL LAGO P.O. BOX. No.1251 MANAGUA, NICARAGUA  Address)  LA BODEGA MEAT  Consignee)  14330 GILLIS RD FARMERS BRANCH, TX75244  Destination)  Tategoría de proceso:  Process Category)  Tategoría de producto:  Process Category)  Tategoría de producto:  Product Category)  PRIMALS  Product Group)  MAY 19th, 2020  MAY 19th, 2020  MAY 19th, 2020  Marco de Producción:  MAY 19th, 2020  Marcas de embarque:  Marco de Producción:  MAY 19th, 2020  Marco de Producción:  MAY 19th, 2020  Marco de Producción:  MAY 19th, 2020  Marco de Betablishera  MAY 28th, 2020	various fresh BNLS BEEF CUTS  See reverse  Marcas de identificación en el pi	Derived from)  BOVINE		or containers)		
See reverse  Marcas de identificación en el pro jucto y recipiente:  EST. No. FIVE (5)  Identification marks on product and container)  Embarcador:  Consignor)  Dirección:  KM. 10.5 CÁRRETERA NORTE 1000 METROS AL LAGO P.O. BOX. No.1251 MANAGUA, NICARAGUA  Address)  LA BODEGA MEŞT  Consignese)  14330 GILLIS RD FARMERS BRANCH, TX.75244  Destino:  DALLAS TEXAS U.S.A  Destination)  ategoría de proceso:  Process Category)  PRIMALS  Product Category)  PRIMALS  Product Category)  PRIMALS  Product Category)  PRIMALS  Product Group)  MAY 07th, 2020  MAY 19th, 2020  MAY 19th, 2020  MAY 19th, 2020  MAY 19th, 2020  Production date)  Production date date date date date date date date	various fresh BNLS BEEF CUTS  See reverse  Marcas de identificación en el pi	BOVINE				
See reverse  Marcas de identificación en el pro Jucto y recipiente:  Identification marks on product and container)  Imbarcador:  Consignor)  Imbarcador:  NUEVO CARNIC, S.A.  Imbarcador:  NOBLES MARCA MEAT  Imbarcador:  Imb	various fresh bnls beef cuts  see reverse Marcas de identificación en el pi			814 CARTONS		
see reverse Marcas de identificación en el pro jucto y recipiente:  EST. No. FIVE (5)  Identification marks on product and container)  Imbarcador:  Consignor)  Intercción:  IM. 10.5 CARRETERA NORTE 1000 METROS AL LAGO P.O. BOX. No.1251 MANAGUA, NICARAGUA  Address)  Onsignatario:  LA BODEGA MEAT  Consignee)  14330 GILLIS RD FARMERS BRANCH, TX 75244  DALLAS TEXAS  DESTINATION  Bategoría de proceso:  PRAW PRODUCT-INTACT  Temperatura del producto:  PROCESS Category)  RAW INTACT-BEEF  Número de contenedor:  SEGLI 902327-0  FOOCUS Container Number)  Número de rarchamo:  COOS445 NIC-INSP & AP  Coduct Caregory)  MAY 07th, 2020  Cha de Producción:  MAY 19th, 2020  MAY 19th, 2020  Troduction date)  arcas de embarque:  O527-20  FESTINAS AS A	see reverse Marcas de identificación en el pi	TO SHAW				
see reverse Marcas de identificación en el pro-lucto y recipiente: Identification marks on product and container)  Imbarcador:  NUEVO CARNIC, S.A.  Consignor) Infracción:  KM. 10.5 CARRETERA NORTE 1000 METROS AL LAGO P.O. BOX. No.1251 MANAGUA, NICARAGUA  Address) IA BODEGA MEAT  Consignee)  14330 GILLIS RD FARMERS BRANCH, TX 75244 DALIAS TEXAS U.S.A  Product de producto: Product Category) RAW INTACT-BEEF Product Category) PRIMALS PRODUCT-INTACT Infracess Category) PRIMALS PRODUCT-INTACT Infracess Category) PRIMALS PRODUCT-INTACT Infracess Category) PRIMALS PRODUCT-BEEF Número de contenedor: Product Category) PRIMALS PRODUCT-BEEF Número de marchamo: Product Category) PRIMALS PRODUCT-BEEF Número de marchamo: PRODUCT-BEEF Número de BEGTABRET-BEERTO: PRODUCT-BEET NÚMERO PRODUCT-BEET NÚ	Marcas de identificación en el p	TO SHAW.			*	
see reverse  Marcas de identificación en el pro jucto y recipiente:  EST. No. FIVE (5)  Identification marks on product and container)  Imbarcador:  Consignor)  Imbarcador:  NUEVO CARNIC, S.A.  NUEVO CARNIC, S.A.  NUEVO CARNIC, S.A.  Infracción:  KM. 10.5 CARRETERA NORTE 1000 METROS AL LAGO P.O. BOX. No.1251 MANAGUA, NICARAGUA  Address)  Infracción:  LA BODEGA MEAT  Consignee)  14330 GILLIS RD FARMERS BRANCH, TX 75244  DALIAS TEXAS  DALIAS TEXAS  DESTINATION  RAW PRODUCT-INTACT  Temperatura del producto:  Product temperatura  Process Category)  Raw INTACT-BEEF  Product temperatura  Product Category)  PRIMALS  (Container Number)  Número de contenedor:  SEGIL 902327-0  CONS445 NIC-INSP & AP  Infoduct Group)  MAY 07th, 2020  MAY 19th, 2020  MAY 19th, 2020  MAY 19th, 2020  Infoduction date)  Infoduction date)  Infoduction date  Info	Marcas de identificación en el p	I ID Sign				816
see reverse Marcas de identificación en el pro-jucto y recipiente:  EST. No. FIVE (5)  Identificación en el pro-jucto y recipiente:  EST. No. FIVE (5)  Identificación marks on product and container)  Imbarcador:  NUEVO CARNIC, S.A.  Consignor)  Infrección:  KM. 10.5 CARRETERA NORTE 1000 METROS AL LAGO P.O. BOX. No.1251 MANAGUA, NICARAGUA  Address)  Onsignatario:  LA BODEGA MEAT  Consignee)  14330 GILLIS RD FARMERS BRANCH, TX 75244  DALIAS TEXAS U.S.A.  RAW PRODUCT-INTACT  Temperatura del producto:  1432°F  Product temperatura  Product temperatura  RAW INTACT-BEEF  Número de contenedor:  SEGIL 902327-0  Conduct Category)  PRIMALS  (Container Number)  Número de marchamo:  CO05445 NIC-INSP & AP  Orduction date)  Control producto:  MAY 19th, 2020  MAY 19th, 2020  MAY 19th, 2020  Indicate de Production:  Product Georgia de Production:  MAY 28th, 2020  MAY 28th, 2020  Impling marks)  MAY 28th, 2020	Marcas de identificación en el p					
See reverse Marcas de identificación en el pro jucto y recipiente:  EST. No. FIVE (5)  Identificación marks on product and container)  Imbarcador:  Consignor)  Intección:  KM. 10.5 CARRETERA NORTE 1000 METROS AL LAGO P.O. BOX. No.1251 MANAGUA, NICARAGUA  Address)  LA BODEGA MEST  Consignee)  14330 GILLIS RD FARMERS BRANCH, TX 75244  Destino:  Destination)  RAW PRODUCT-INTACT  Temperatura del producto:  Product demperature)  Número de contenedor:  SEGU 902327-0  Interior de Producto:  AND SUBPRIMALS  Container Number)  Número de marchamo:  CO05445 NIC-INSP & AP  Incha de Producción:  MAY 07th, 2020  Container Number)  MAY 07th, 2020  Container Number)  MAY 19th, 2020  MAY 19th, 2020  MAY 19th, 2020  Coduction date)  arcas de embarque:  O627-20  Inipping marks)  MAY 28th, 2020	Marcas de identificación en el p	The state of				
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Marcas de identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  Identification marks on product and container)  Imbarcador:  Consignor)  Imbarcador:  Consignor)  Imbarcador:  I	Marcas de identificación en el p	1994	Seeman No.		\$ 10r=-	The state of the s
imbarcador:  Consignor)  Mirección:  KM. 10.5 CARRETERA NORTE 1000 METROS AL LAGO P.O. BOX. No.1251 MANAGUA, NICARAGUA  Address)  Consignee)  LA BODEGA MEAT  Consignee)  LASTO GILLIS RD FARMERS BRANCH, TX 75244  Destination)  ategoría de proceso:  Process Category)  ategoría de producto:  RAW INTACT-BEEF  Product Category)  PRIMALS  AND SUBPRIMALS	Marcas de identificación en el p Identification marks on product			3	. 13.80	
Indentification marks on product and container)  Imbarcador:  Consignor)  Consignor)  Indentification marks on product and container)  Imbarcador:  Consignor)  Indentification marks on product and container)  Indentification marks on product and container and containe	Identification marks on product	ro Jucto y recipiente:	ES	T. No. FIVE (5)	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	SEE .
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Consignor)  Infección:  KM. 10.5 CARRETERA NORTE 1000 METROS AL LAGO P.O. BOX. No.1251 MANAGUA, NICARAGUA  Address)  Onsignatario:  LA BODEGA MEAT  LOSIGNEE)  14330 GILLIS RD FARMERS BRANCH, TX 75244  Destination)  ategoria de proceso:  Process Category)  RAW PRODUCT-INTACT  Temperatura del producto:  Product temperature)  Número de contenedor:  SEGIL 902327-0  PRIMALS  (Container Number)  RAW DESTINALS  (Container Number)  RAY O7th, 2020  Seal Number)  MAY 07th, 2020  MAY 19th, 2020  Número del Egrabia timiento:  FIVE (5)  Interest de embarque:  O627-20  Inipping marks)  LA BODEGA MEAT  Temperatura del producto:  1 32°F  Temperatura del producto:  (Product temperature)  Número de contenedor:  SEGIL 902327-0  SEGIL 902327-0  Vimero de Broatest miento:  FIVE (5)  Establish (Lagoria)  MAY 28th, 2020	mbarcador:	NUE NUE	VD CARNIC S A			1990
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# REPÚBLICA DE NICARAGUA INSTITUTO DE PROTECCIÓN Y SANIDAD AGROPECUARIA SECCIÓN DE INOCUIDAD CARNES

El suscrito Médico Veterinario Oficial del Instituto de Protección y sanidad Agropecuaria de la República de Nicaragua certifica que:

- El producto cárnico de bovino es originario de Nicaragua, país clasificado por la OIE como de Riesgo Insignificante de EEB.
- Si la EEB ha sido diagnosticada en uno o más bovinos nativos de Nicaragua, los productos se derivaron de los bovinos sujetos a una prohibición de alimentación a rumiantes con harina de carne y huesos o chicharrones derivados de rumiantes.
- Los productos cárnicos de bovino proceden de animales sanos que recibieron inspección Ante-Mortem y Post-Mortem.
- La carne que ampara el presente certificado no ha tenido contacto con cerdos ni productos de cerdos durante su sacrificio, faenamiento, almacenamiento y transporte.

The undersigned Official Veterinary Inspector of the Institute of Protection and Agricultural Health of the Republic of Nicaragua certifies that:

- The bovine meat product is originally from Nicaragua, a country classified by OIE as Negligible Risk for BSE.
- If BSE has been diagnosed in one or more indigenous bovines of Nicaragua, the commodities were derived from bovines subject to a ban on the feeding to ruminants of meat-and-bone meal or greaves derived from ruminants.
- The bovine meat products were derived from bovines that passed ante-mortem and postmortem inspections.
- The beef under this Certificate has not been in contact with pork or its products, throughout slaughtering, handling, storage and transport.

DR. RAUL GUILLEN CASTRO

INSPECTOR VETERINARIO OFICIAL (OFFICIAL VETERINARIAN INSPECTOR)

FIRMA (SIGNATURE)

#### Central America-Dominican Republic-United States Free Trade Agreement

#### CERTIFICATION OF ORIGIN

1. Exporter's name, address and tax identification number: Nombre, dirección y número de registro fiscal del exportador: NUEVO CARNIC S.A

KM 10.5 CARRETERA NORTE, 1000 METROS AL NORTE, MANAGUA, NICARAGUA

J03100000000646

3. Producer's name, address and tax identification number Nombre, dirección y número de registro fiscal del productor: NUEVO CARNIC, S.A.

Importer's name, address and tax identification number: Nombre, dirección y número de registro fiscal del importador: LA BODEGA MEAT

Y- A

2020

Tratado de Libre Comerçio entre Centroamérica, República Dominicana y los

Estados Unidos

CERTIFICADO DE ORIGEN REPUBLICA DE NICARAGUA

14330 GILLIS RD FARMERS BRANCH, TX 75244

5 Description of good(s) - Descripción de la(s) mercancia(s)

6. HS tariff classification Clasificación Arancelaria

020139

2. Blanket period:

From

De

Período que cubre:

D

20

7. Preferencial tariff treadment criteria Criterio para trato arancelario preferencial 8 Other Criteria 9. Producer Otros Criterios Productor

D

10. Country of origin Pais de Origen

42,027.20

Libera CARNE BOVINA DESHUESADA REFRIGERADA

LAST LINE / ULTIMA LINEA

31

ESTADOS UNIDOS

No.

2021

05

00196628

NI

11. Remarks - Observaciones INVOICE 7/140

12 Under oath | certify that:

- The information on this document is true an accurate and i assume the responsability for proving waht is hereby certified. I am aware that am liable for any false statements or material omissions made on or in connection with this document.

- agree to mantain, and present upon request, documentation necessary to support this certification, and to inform, in writing, all persons to whom the certification was given of any changes that would affect the accuracy or validty of this Certification.

- The goods originated in the territory of one or more of the Parties, and comply with the origin requirements specified for those goods in the Central America-Dominican Republic - United States Free Trade Agreement, and that there has been no further processing or any other operation outside the territories of the Parties, unless those specifically determine in Article 4.12, Annex 4.1, or Apendix 3.3.6.

This Certification consists in Esta certificación se compone de \_1

pages, including all attachments hojas incluyendo todos sus anexás

Authorized Signatura - Firma Autorizada

Name - Nombre

ENRIQUE HUMBERTO MONCADA HERNANDEZ

Date - Fecha

a M Y- A 20 05 2020 Telephone - Teléfono (505) 2233-1185

Declaro bajo juramento que:

- La información contenida en este documento es verdadera y exacta y me hago responsable de comprober lo aqui certificado. Estoy consciente que soy responsable por cualquier declaración faisa u omisión material hecha en o relacionada con el presente documento

- Me comprometo a conservar y presentar, en caso de ser requerido, los documentos necesanos que respalden el contenido de la presente certificación, así como a notificar por escrito a todas las personas a quienes se ha entregado la presente certificación, de cualquier cambio que pudiera afectar la exactitud o validez del mismo.

- Las mercancias son originarias del territorio de una o más Partes y cumplen con todos los requisitos de origen que les son aplicables conforme a Tratado de Libre Comercio entre Centroamérica, República Dominicana y Estados Unidos, y que no han sido objeto de procesamiento ultenor o de cualquier otra operación fuera de los territorios de las Partes; salvo en los casos permitidos en el Artículo 4.12, el Anexo 4.1 o en el Apéndice 3.3.6.

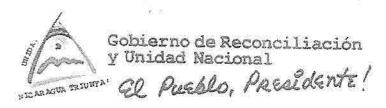
Company - Empresa NUEVO CARNIC, S.A.

Title - Cargo

DIRECTOR COMERCIAL

Fax









Place:

MANAGUA

City: MANAGUA

Country:

NICARAGUA

Date: MAY 19th, 2020

#### CERTIFICATE

I CERTIFY THAT IN THIS ESTABLISHMENT NUMBER FIVE (5), NUEVO CARNIC, S.A. WE RUN E. COLI AND SALMONELLA TESTS INCLUDING E. COLI 0157: H7 AND NON 0157 STEC8 ACCORDING TO SSOP PROGRAM REQUIRED BY THE USDA. THE TESTS WITH NEGATIVE RESULTS COVERS THE LOTS CONTAINED UNDER SHIPPING MARK # 0627-20 CERTIFICATE No. 5-5258 CONTAINER SEGU 902327-0 DURING THE SLAUGHTER AND DEBONING PROCESS ALL THE CRITICAL POINTS OF THE LOTS EXPORTED AND COVERED UNDER THIS CERTIFICATE WERE CHECKED AND VERIFIED ACCORDING TO THE HACCP PLAN IN FORCE IN THIS ESTABLISHMENT PRODUCTION DATE MAY 07th, 2020 - TO MAY 19th, 2020

THE TEST USED IS THE GENETIC DETECTION SYSTEM (GDS MPX Top 7 STEC) FROM BIOCONTROL SYSTEM FOR A QUICK RESULT AND THE CONFORMATORY TEST IS THE MLG 5.05 AND THE MLG 5B.01 FOR DETECTION ISOLATION AND IDENTIFICATION METHOD FOR E. COLI 0157: H7 AND THE E. COLI NON 0157 STECs. ALL METHODS ARE APPROVED BY THE USDA.

I HEREBY CERTIFY THAT ALL PRODUCTS EXPORTED COME ONLY FROM BOVINE ANIMALS (CATTLE) AND THAT ARE SO DECLARED ON THE LABEL.

CERTIFICO QUE EN ESTE ESTABLECIMIENTO NUMERO CINCO (5), NUEVO CARNIC, S.A. SE REALIZAN LOS TESTS PARA E. COLI Y SALMONELLA INCLUYENDO E. COLI 0157: H7 Y E. COLI NON 0157 STEC® DE ACUERDO AL PROGRAMA SSOP REQUERIDO POR EL USDA, LOS TEST CON RESULTADOS NEGATIVO CUBREN LOS LOTES BAJO MARCAS DE EMBARQUE # 0627-20 CERTIFICADO # 5-5258 CONTENEDOR SEGU 902327-0 DURANTE EL PROCESO DE MATANZA Y DESHUESE TODOS PUNTOS CRITICOS DE CONTROL DE LOS LOTES EXPORTADOS Y CUBIERTOS BAJO ESTE CERTIFICADO FUERON CHEQUEADOS Y VERIFICADOS DE ACUERDO AL PLAN HACCP EN VIGENCIA EN ESTE ESTABLECIMIENTO: FECHA DE PRODUCCION DEL 07 DE MAYO 2020 - AL 19 DE MAYO 2020

Dr. Revil Guillen Castro Oficial Vetermarian Inspector

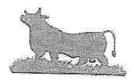
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CRISTIANA, SOCIALISTA, SOLIDARIA!

INSTITUTO DE PROTECCION Y SANIDAD AGROPECUARIA

Dirección de Inocuidad Agroalimentaria DIA-IPSA. www.ipsa.gob.ni Km 5 carretera norte, contiguo a ENACAL Portezuelo Correo: <u>inocuidad.agroalimentaria@ipsa.gob.ni</u> Tel: (505)22981330 Ext. 178 web: www.ipsa.gob.ni



NUEVO CARNIC, S.A

Kilómetro 10.5 carretera norte, 1000 metros al norte, Managua, Nicaragua.
Tel: (505) 2263-3156 E-mail: a\_export@nuevocarnic.com.ni
Ruc No. J0310000000846

FACTURA DE EXPORTACION / INVOICE

No: 27140

DIA/DAY	MES/MONTH	ANOMEAR		
19	may.	2020		

TIPO DE VENTA	i/ e: EX-WORKS		19	may. 2020	
COMPRADOR/PURCHASER: LA BODEGA MEAT DIRECCION/ADDRESS: 14330 GILLIS RD FARMERS BRANCH, TX 75244		NAVIERA/SHIPPING LINE SELLO NAVIERA/SEAL SHIPPPING L TEMPERATURA/TEMPERATURE ORDEN DE COMPRA/P.O NO. LOTE No./SHIPPING MARK FECHA EMBARQUE/SHIPPING DATE FECHA ARRIBO/ARRIVAL DATE	28°F 0627-20		
CONSIGNADO A LA BODEGA ME DIRECCION/ADE	AT DRESS:	B/L No. PUERTO SALIDA/PORT OF LOADING DESTINO/DESTINATION	SMLU618 CORTEZ DALLAS,	6282A HONDURAS	
14330 GILLIS RD	FARMERS BRANCH, TX 75244	VIA EMBARQUE/ROUTE OF SHIPMEN NOMBRE BARCO/VESSEL VOYAGE AGENCIA ADUANERA/CUSTOM AGEN	NORDBA	LTIC 30	
Credito	E PAGO/TERMS;	No. FURGON/CONTAINER No. SELLO IPSA/SEAL No. CABEZAL No	SEGU 902 0005445	2327-0	
	PESO WEIGHT	DESCRIPCION	PRECIO USS	VALOR USS VALUE USS	
165 90 67 45	8.040.853-431 - SIGNATURE - IN 4.711.553-432 - SIGNATURE - KNX 3.573.353-433 - SIGNATURE - SB		3.1000 3.1400 3.9700	24,926.6 14,794.2 14,186.2	
77	2,429.053-434 - SIGNATURE - ER	1	2 0000	,,,,,,,	

BONES	DESCRIPTION	INIT COLORS	VALOR USS
165	8,040,853-431 - SIGNATURE - IN	UNIT PRICE	VALUE US\$
90	4.711.553-432 - SIGNATURE - KNX	3.1000	24,926.6
67	3,573.353-433 - SIGNATURE - SB	3.1400	14,794.2
45	2,429.053-434 - SIGNATURE - ER	3.9700	14,186.20
108	5,406.903-435 - SIGNATURE - OUT	2.9900	7,262.86
17	891.403-436 - SIGNATURE - FLAP MEAT	2.9600	16,004.42
138		4.1500	3,699.31
10	7,149.703-439 - SIGNATURE - CL	2.2900	16,372.81
23	541 603-443 - SIGNATURE - FLANK STEAK	3 9800	2,155.57
11	1,233,453-444 - SIGNATURE - INSIDE SKIRT	3 5000	4,317.08
38	595.203-445 - SIGNATURE - OUTSIDE SKIRT	4.4100	2,624.83
	1,953,653-446 - SIGNATURE - BRISKET	2.9100	5,685.12
102	5,500.503-447 - SIGNATURE - RE	4.1600	22,882,08
814.00	42,027.20	188	SVAMAGONINE SSSA - FR
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TOTAL VALOR US\$

**EXPENSES** 

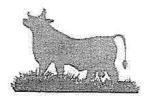
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330.00

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No. Autorización DGI - ASFC010012022015-7



#### Nuevo Carnic S.A.

Kilómetro 10.5 carretera norte, 1000 metros al norte, Managua, Nicaragua. RUC: J0310000000646 Teléfonos:

#### PACKING LIST, REMISION AND WEIGHT LISTA DE EMPAQUE, REMISION Y PESO

Consignee: Consignado a : LA BODEGA MEAT

Date: Fecha: 19/05/2020

Invoice #:

27140

Notify: Notificar a: LA BODEGA MEAT

Factura #:

0627-20

Destination:

DALLAS, TEXAS

Shipping Mark: Lote No.:

Destino:

Container #: Furgon No.:

SEGU 902327-0

Routen of Shipment: Maritima Via de Embarque:

Seal #:

0005445

Sello No.:

BOXES/CAJAS	WEIGHT/	JBRAS NETAS
17.7	165	8.040.85
	90	4,711.55
1 17 17 17 17 17 17 17 17 17 17 17 17 17	67	3,573.35
***************************************	45	2,429.05
	108	5,406.90
	17	891.40
	138	7,149.70
	10	541.60
	23	1,233.45
	11	595.20
	38	1,953.65
	102	5 500 50
	BOXES/CAJAS	165 90 67 45 108 17 138 10 23 11 38

Naviera:

SEABOARD

Product Temperature

Thermoking Temperature: 28°F

Net Weight/Total

814

Tare/Tara

42,027.20

2,352.80

Gross Weight/Peso Bruto

44,380.00

Recibi Conforme Transportistas

## Seaboard Marine Ltd.

ELECTRONIC BILL OF LADING

Page 1 OF 1

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14330 611115	PD.	3717			D7/D 10	1. F.			
D.CAZARES@LA P.972-526-72	ICH TX 75244- BODEGAMEAT.C	ŎM <sup>*</sup>							
7	1844			*1					
PLACE OF RECEIPT / CARGA OF MANAGUA	RECIBDA EN		21-31/4						
VESSE, NAME / VAPOR	VCY NO IVIAJE N	O PORTO	OF LOADING / PUERTO DE CA	ARGA L	OADING PIES	TERMINAL / TER	MINAL DE EMBARQUE		
NORDBALTIC 3	0	PUE	RTO CORTES	I.	148 SBL P/EA-8CD		THE DE EMBARGOE		
FORT OF DISCHARGE / PLERTO HOUSTON, TX	DE DESCARGA	DAL	OF DELIVERY PENTREGAPIN	VAL T	YPE OF MOV	E7 TIPO DE MOVE	MIENTO		100
			PARTICULARS				)		
MARKS AND NO / CONTAIN	ER(S) NO. NO. OF PKGS.		DESCRIPTIO		71	State Street			
MARCAS Y NUMER	BULTOS		CONTENI	IDO SEGUN E	EMBARC	ADOR	8	GROSS WEIGHT LBS/LISRA/KILOS	MEASUREMENT MEDIDAS
SEGU 902327 0   SN: G2783034	1	40' RE	EFER CONTAIN	ER S.L.W	.C.	J. 2			
SHIPING MARK: 0627-20		LAPIF C	4 CARTONS COL					44380.00L	10 10 10
INVOICE:		1 4	ESH BONELESS					20131.00K	1
27140 SEAL IPSA:		5.			20130	161			
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					S	MIU 615			4 2020

SHIPPER/EXPORTER/REMTENTE



## ARRIVAL NOTIFICATION

05/26/20

15:52:49

ATTENTION:

d.cazares@labodegameat.com

VESSEL/VOYAGE: NORDBALTIC 00030 CENSUS PORT: 5301

CENS

FROM: SEABOARD MARINE, LTD 16398 JACINTOPORT BLVD HOUSTON, TX 77015

CONTACT: Omar Lacayo HOUSTON INBOUND

FAX: 305 5773818

PHONE: 305 5305776

EMAIL: omar.lacayo@seaboardmarine.com

ARRIVAL PORT: HOUSTON, TX

ARRIVAL DATE: 05/27/20 08:00:00

DISCHARGE DATE: 05/27/20 14:00:00

CARGO LOCATIONS

LTL: 16203 PENINSULA ST HOUSTON, TX FIRMS CODE (U966)

FULLLOAD: 16398 JACINTO PORT BLVD HOUSTON, TX FIRMS CODE (U966)

BILL OF LADINGS

6156282A

EQUIPMENT

SEGU 902327 0

#### NOTICES

EQUIPMENT DEMURRAGE/ENERGY FREE TIME
FREE TIME WILL COMMENCE DAY AFTER VESSEL'S ARRIVAL
DRY- 3 WORKING DAYS

REEFER- 3 WORKING DAYS

PRIOR TO RELEASE THE FOLLOWING ARE REQUIRED:
U.S. CUSTOMS CLEARANCE (AMS). DELIVERY ORDER AND ORIGINAL B/L.
FINAL DELIVERY INSTRUCTIONS MUST CONSIDER REMOVING THE SHIPMENT FROM THE
TERMINAL WITHIN TH ETERMINAL FREE PERIOD. PLEASE PROVIDE DELIVERY
INSTRUCTIONS THAT ALLOW FOR THE TRANSIT TIME REQUIRED BY THE MODE OF
EXPIRATION OF TERMINAL FREE TIME IN ORDER TO AVOID THE ASSESSMENT OF
DEMURRAGE CHARGES.
NOTE: AS PER US CUSTOMS REGULATIONS. CARGO MUST BE CLEARED WITHIN 15 DAYS
OF ARRIVAL. OTHERWISE SHIPMENT WILL BE UNLOADED IN A CUSTOMS
WIRE TRANSFER INSTRUCTIONS:

WIRE TRANSFER INSTRUCTIONS:

\*\* PLEASE INCLUDE BILL OF LADING NUMBER
ACCOUNT NUMBER: 30623911

FURTHER CREDIT: VASOO SFABOARD MARINE (HOUSTON)
PLEASE NOTE, THE TRANSPORTATION COMPANY CARRYING SLABBOARD'S EQUIPMENT MUST
LOCAL DOOR DELIVERIES ARE PREDICATED ON A ONE (1) HOUR FREE UNLOAD; ANY
ADDITIONAL WAITING TIME IS ASSESSED AT \$100.00 PER HALF HOUR.

\*\* ADDITIONAL WAITING TIME IS ASSESSED AT \$100.00 PER HALF HOUR.

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\*\* ADDITIONAL WAITING TIME IS ASSESSED AT \$100.00 PER HALF HOUR.

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# ARRIVAL NOTIFICATION

05/26/20

15:52:49

ATTENTION:

d.cazares@labodegameat.com

VESSELVOYAGE: NORDBALTIC 00030 CENSUS PORT: 5301

CENS

Q C1

ARRIVAL PORT: HOUSTON, TX

ARRIVAL DATE: 05/27/20 08:00:00

DISCHARGE DATE: 05/27/20 14:00:00

FROM: SEABOARD MARINE, LTD 16398 JACINTOPORT BLVD HOUSTON, TX 77015

CONTACT: Omar Lacayo HOUSTON INBOUND

FAX: 305 5773818

PHONE: 305 5305776

EMAIL: omar.lacayo@seaboardmarine.com

CARGO LOCATIONS

FULL LOAD:

ITI:

BILL OF LADINGS

EQUIPMENT

NOTICES

IF PAYER DOES NOT HAVE CREDIT PRIVILEGES ESTABLISHED WITH SEABOARD MARINE + PAYMENT IS REQUIRED IN THE FORM OF:

\*\*\*\*\* CASHIER CHECK, MONEY ORDER OR WIRE TRANSFER \*\*\*\*\*
PLEASE CALL THE ABOVE CONTACT BEFORE ISSUING PAYMENT.

THANK YOU

OMB APPROVAL NO: 1651-0022 EXPIRATION DATE 01/31/2021

						TEAM: (b)(	7)(E)	OMB APPROVAL NO: 1651-0 EXPIRATION DATE 01/31/3
	DEPARTMENT				1. Filer Code/Entry		try Type	3. Summary Date
	U.S. Customs	and Bor	der Pro	otection	(b)(4)		ABI/A	06/11/20
	ENT	RY SUMI	MARY		4. Surety No. 5. B	7,000	rt Code 01	7. Entry Date 06/04/20:
8. Impo	orting Carrier		9. Mode	of Transport	10. Country of Orig	jin	****	11. Import Date
40 D/I	(b)(4)		11	·	NI			06/04/20
12. B/L	or AWB No. (b)(4)		13. Man	ufacturer ID (b)(4)	14. Exporting Cour	ntry		15. Export Date
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I declare	e that I am the I Impor	rter of record	and that th	e actual owner,		E. Ascertained	Total	40. Total
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1 Page 2011 C. 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	r services provided to the				2-10 DDM sect to represent years 50-10 \$ return 6-6 may be tall			
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	(b)(4)				-			CRD ECIONA JEGA (3/4
E	ker/Filer Information (N	ame, addre	ss, phone	number)	43. Broker/Importe (b)(4)	r File No.		CBP FORM 7501 (2

#### Form Approved OMB No. 1651-0024 Exp. 01-31-2012

# DEPARTMENT OF HOMELAND SECURITY U.S. CUSTOMS AND BORDER PROTECTION ENTRY/IMMEDIATE DELIVERY

19 CFR 142.3, 142.16, 142.22, 142.24

(b)(4)(b)(7)(E 1. ARRIVAL DATE 2. ELECTED ENTRY DATE 3. ENTRY TYPE CODE/NAME 4. ENTRY NUMBER 06/04/20 02 ABI/A (b)(4)5. PORT 6 SINGLE TRANS BOND 7. BROKER/IMPORTER FILE NUMBER 5301 (b)(4)8. CONSIGNEE NUMBER 9. IMPORTER NUMBER (b)(4)(b)(4)10. ULTIMATE CONSIGNEE NAME 11. IMPORTER OF RECORD NAME LA BODEGA MEAT & PRODUCE INC 2017 14330 GILLIS RD FARMERS BRANCH TX 75244 US 12. CARRIER CODE 13. VOYAGE/FLIGHT/TRIP 14. LOCATION OF GOODS/CODE(S)/NAME(S) 0013 JACINTO PORT TERMINAL - WHARF 3 15. VESSEL CODE/NAME (b)(4)16. U.S. PORT OF UNLADING 17. MANIFEST NUMBER 18. G.O. NUMBER 19. TOTAL VALUE 5301 HOUSTON, TX \$129,736 20 DESCRIPTION OF MERCHANDISE BONELESS BEEF/4.4 CENTS/KG 21. IT/BL/ AWB CODE 22 IT/BL/AWB NO 23. MANIFEST QUANTITY 25 COUNTRY 26. MANUFACTURER NO. OF ORIGIN 24 TSUSA NUMBER (b)(4)795 CT 0201305085 NI (b)(4)27 CERTIFICATION 28. CBP USE ONLY I hereby make application for entry/immediate delivery. I certify that the above OTHER AGENCY ACTION REQUIRED, NAMELY: information is accurate, the bond is sufficient, valid, and current, and that all requirements of 19 CFR Part 142 have been met... SIGNATURE OF APPLICANT X (b)(6)PHONE NO **CBP EXAMINATION REQUIRED** 06/01/20 29. BROKER OR OTHER GOVT, AGENCY USE ENTRY REJECTED. BECAUSE: SIGNATURE DELIVERY DATE AUTHORIZED Paperwork Reduction Act Statement: An agency may not conduct or sponsor an information collection and a person is not required to respond to this information unless it displays a current OMB control number and an expiration date. The control number for this collection is 1651-0024. The estimated average time to complete this application is 15 minutes. If you have any comments regarding the burden estimate

you can write to U.S. Customs and Border Protection, Office of Regulations and Rulings, 799 9'th Street NW., Washington DC 20229.

June 3, 2020 ABI MESSAGES PAGE 1 OF 1 (b)(4)

#### Central America-Dominican Republic-United States Free Trade Agreement

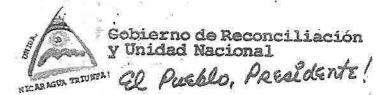
#### CERTIFICATION OF ORIGIN

Tratado de Libre Comercio entre Centroamérica, República Dominicana y los Estados Unidos

### CERTIFICADO DE ORIGEN

36

1. Exporter's name, address and tax identification number:		REPUBLICA	DE NICARAGL	ΙΔ Ν	***
Nombre, dirección y número de registro fiscal del exportador	<ol><li>Blanket pen</li></ol>	iod:		No.	. 001970
NUEVO CARNIC S.A	Período que	cubre:			
		M Y-A		Teet	25.00
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J031000000646 NICARAGUA		(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)		* - L L	
Producer's name, address and tax identification number;     Number disease.	4. Importer's na	ame, address and tax iden	Mication au-bas		
Nombre, dirección y número de registro fiscal del productor: NOEVO CARNIC, S.A.	Nombre, dire	cción y número de rea str	o fiscal del moorts	ador	
S. LEASTER	LA BODEGA	MEAT			
	14330 GILL	IS RD FARMERS BRA	NCH, TX 7524	4	
	×				
5. Description of good(s) - Descripción de la(s) mercancia(s)	*		ESTAD	OS UNIDOS	
good(s, - descripcion de la(s) mercancia(s)	6. HS tariff	7. Preferencial tariff	8. Other Criteria	9. Producer	10. Country
	classification Clasificación	treadment criteria	Otros Criterios	Productor	of origin
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1. Remarks - Observaciones	** ** **				
INVOICE 27178					
2. Under oath I certify that:	Desta Co	CONTRACT NO.			
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false statements or material omissions made on or in connection with this decrease	and and and an e	contenida en esta do: omprobar lo aquí certific ción falsa u omisión ma	BOO FRIOV CONCE		
this configuration and to its	documento.				
this certification, and to inform, in writting, all persons to whom the certification was given of any changes that would affect the accuracy or validty of this Certification.	- Me comprometo	a conservar y present	ar, en caso de s	er requerido,	los document
The goods originated in the territory of one or more of the Perties, and comply with	10000001102 dog 10	spaidell el contenido de l	a presente certific	anian ani	
the origin requirements specified for those goods in the Central America Daminiana	openio a todas te	as personas a quienes ue pudiera afectar la exe	Se ha entregedo	a procents	certificación.
Republic - United States Free Trade Agreement, and that there has been no further	- Las mercancias	son originarias del territor	io de una o más P	artee v aumol-	n nan tadaa t
enerifically determine is \$ 3 to 1 and 4	adoising as olide	in que les son aplicable	conforme al Tra	tedo do Libro	Campania
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his Certification consists in pages, including all attachments.  sta certificación se compone de _1 hojas incluyendo todos sus anexos		permitidos en el Artículo	4-12, el Anexo 4.1	o en el Apénd	lice 3.3.6.
	Company - Empres			- Police	
	NUEVO CARNIC	, S.A.	1/2	APA	
me - Nombre			10	THE STATE OF	
RIGHE HUMBERTO MONCADA HEDNAMORE	Title - Cargo		1/1		0//
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Place:

MANAGUA

NICARAGUA

MANAGUA

MAY 27th, 2020

#### CERTIFICATE

I CERTIFY THAT IN THIS ESTABLISHMENT NUMBER FIVE (5), NUEVO CARNIC, S.A. WE RUN E. COLI AND SALMONELLA TESTS INCLUDING E. COLI 0157: H7 AND NON 0157 STECs ACCORDING TO SSOP PROGRAM REQUIRED BY THE USDA. THE TESTS WITH NEGATIVE RESULTS COVERSTHE LOTS CONTAINED UNDER SHIPPING MARK # 0671-20 CERTIFICATE No. 5-5317 CONTAINER SMLU 544470-4 DURING THE SLAUGHTER AND DEBONING PROCESS ALL THE CRITICAL POINTS OF THE LOTS EXPORTED AND COVERED UNDER THIS CERTIFICATE WERE CHECKED AND VERIFIED ACCORDING TO THE HACCP PLAN IN FORCE IN THIS ESTABLISHMENT PRODUCTION DATE MAY 13th, 2020 - TO MAY 27th, 2020

THE TEST USED IS THE GENETIC DETECTION SYSTEM (GDS MPX Top 7 STEC) FROM BIOCONTROL SYSTEM FOR A QUICK RESULT AND THE CONFORMATORY TEST IS THE MLG 5.05 AND THE MLG 5B.01 FOR DETECTION ISOLATION AND IDENTIFICATION METHOD FOR E. COLI 0157: H7 AND THE E. COLI NON 0157 STECs. ALL METHODS ARE

I HEREBY CERTIFY THAT ALL PRODUCTS EXPORTED COME ONLY FROM BOVINE ANIMALS (CATTLE) AND THAT ARE SO DECLARED ON THE LABEL.

CERTIFICO QUE EN ESTE ESTABLECIMIENTO NUMERO CINCO (5), NUEVO CARNIC, S.A. SE REALIZAN LOS TESTS PARA E. COLI Y SALMONELLA INCLUYENDO E. COLI 0157: H7 Y E. COLI NON 0157 STECs DE ACUERDO AL PROGRAMA SSOP REQUERIDO POR EL USDA, LOS TEST CON RESULTADOS NEGATIVO CUBREN LOS LOTES BAJO MARCAS DE EMBARQUE # 0671-20 CERTIFICADO # 5-5317 CONTENEDOR SMLU 544470-4 DURANTE EL PROCESO DE MATANZA Y DESHUESE TODOS PUNTOS CRITICOS DE CONTROL DE LOS LOTES EXPORTADOS Y CUBIERTOS BAJO ESTE CERTIFICADO FUERON OFFICADOS E VERIFICADOS DE ACUERDO AL PLAN HACCP EN VIGENCIA EN ESTA ESTABLECIMIENTO: FECHA DEL 13 DE MAYO 2020 - AL 27 DE MAYO 2020 PRODUCCION

Dr. Raul Guilleti Castro

Oficial Veterinarian Inspector

Cc.archivo/Luck



CRISTIANA, SOCIALISTA, SOLIDARIA!

INSTITUTO DE PROTECCION Y SANIDAD AGROPECUARIA

Dirección de Inocuidad Agroalimentaria DIA-IPSA. www.ipsa.gob.ni Km 5 carretera norte, contiguo a ENACAL Portezuelo Correo: inocuidad.agroalimentaria@ipsa.gob.ni Tel: (505)22981330 Ext. 178 web: www.ipsa.gob.ni







Place:

MANAGUA

Country:

NICARAGUA

City: MANAGUA

Date: MAY 27th, 2020

I, Raúl Guillen Castro, DVM, Official Veterinary Head Inspector from Institute of Protection and Agricultural Health of the Republic of Nicaragua Certifies that: (IPSA), assigned at establishment # 5, certifies that all processed beef product at the plant and exported to the United States of America and other markets around the World, is 100% derived from bovine animals which were inspected before and post mortem and found in optimum sanitary conditions for human consumption in compliance with importing country requirements.

Yo Dr. Raúl Guillen Castro, Médico Veterinario Oficial del Instituto de Protección Agroalimentaria (IPSA) de la República de Nicaragua, asignado al Establecimiento No. 5, hago constar que el producto cárnico que se procesa y exporta a los Estados Unidos de América y demás mercados en el mundo procede de animales de la especie Bovina los cuales fueron inspeccionados. Antes y Post-Mortem y se encuentran en condiciones higiénico - sanitarias óptimas para consumo humana en pumplimiento de las disposiciones sanitarias de cada país.

Dr. Kaul Guillen Castro Official Veterifario Inspector



Cc.archivo/Lucy/



CRISTIANA, SOCIALISTA, SOLIDARIA!
INSTITUTO DE PROTECCION Y SANIDAD AGROPECUARIA

Dirección de Inocuidad Agroalimentaria DIA-IPSA. www.ipsa.gob.ni Km 5 carretera norte, contiguo a ENACAL Portezuelo Correo: inocuidad.agroalimentaria@ipsa.gob.ni Tel: (505)22981330 Ext. 178

web: www.ipsa.gob.ni



#### **ORIGINAL**

No 5-5317

MAY 27th, 2020

Fecha:

#### REPÚBLICA DE NICARAGUA INSTITUTO DE PROTECCIÓN Y SANIDAD AGROPECUARIA DIRECCIÓN DE INOCUIDAD AGROALIMENTARIA

SECCIÓN DE INOCUIDAD CARNES CERTIFICADO OFICIAL DE INSPECCIÓN DE CARNES PARA

CARNES FRESCAS Y SUS DERIVADOS (Official Meat-Inspection Certificate for Fresh Meat and Meat By Products)

País:

NICARAGUA

MANAGUA

Cludad:

Lugar:

Yo, por medio del presento, certifico que, la carne y sus derivados de carne aqui descritos, son derivados de animales: que recibieron lospe Vesterinaria Anta-Mortem y Post-Mortem, al tiempo de serificarse en plantas certificados para la exportación de sus productos hacia lumidos y que en estra adultarendos o mai eliquendos de secured a las regulaciones del Departamento de Agricultura de los estrados Unidos productos han estra de l'entre y que elches productos han sido manejados de manera sinitaria en este país y además en cumplimiento como de la contra de la contra Malgina, por lo miento en los oltimos seis meias; y el Antras no es prevalente en el país.  In hereby certify that the meat and marb by producta herein described were derived from livestock which received authematican para en contra de la	(Place)	(City)			Fecua:	
Lindica y que no están adultenados o mai elecuerados de acuerados de parte parte de Departamento de Agricolura de las expoducios has tos de parte parte de Agricolura de las expoducios has tos de las regulaciones del Departamento de Agricolura de las expoducios has tos de parte parte part	,	(City)	(Country)		(Date)	W
I horeby cartify that the meat and most by products herein described were derived from livestock which received ante-mortem and post-movement in inspection at the time of slaughter in plants certified for exportation of their products towards the United Estates, and are not adulte or misbranded as defined by the regulations governing meat impection of the US operament of Agriculture, and that said products have handled in a sanitary manner in this country and are otherwise in compliance with requirements at least equal to those in the Federal Meat imperation of the US of those in the Federal Meat imperation of the US of the With Product of the With Inspect of the US of the With Inspect of the Said Registration of a silest the last tix months and Anthrax is not provident in the country.  Tip de producto.  [Species of livestock	Unidos y que no están adulten gobierna la inspección de Carr requisitos similares a los del A	ados o mal etiquetados de acue ne y que dichos productos han s acta Federal de Inspección de Ca	rdo a las regulaciones del E ildo manejados de manera :	s para la exportac Departamento de A sanitaria en este p	ión de sus produ Agricultura de los aís y además en	ectos hacia los Estad Estados Unidos y c cumplimiento con
Cual se deriva (Species of livestock Derivation)  Cual se deriva (Species of livestock Derivation)  Derived from)  See reverse  Marcas de Identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  See reverse  Marcas de Identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  See reverse  Marcas de Identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  See reverse  Marcas de Identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  See reverse  Marcas de Identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  See reverse  Marcas de Identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  NUEVO CARNIC, S.A.  Consignation:  I ABODEGA MEAT  Consignation:  Consignation:  Consignation:  ANA PRODUCT-INTACT  Temperatura del producto:  (Product Category)  PRIMALS  Container Number)  Número de Contenedor:  Container Number)  Número de Bertabora Inanto:  FIVE (5)  Fireduct Group)  MAY 13th, 2020  MAY 13th, 2020  Número de Bertabora Inanto:  FIVE (5)  Estil Des de Producto:  MAY 27th, 2020  Número de Destribution Inanto:  FIVE (5)  Estil Des de Producto:  FIVE (5)  FIRMAL SELLO OFICIAL  FIRMA  SELLO OFICIAL	I hereby certify that the meat veterinary inspection at the tim or misbranded as defined by the handled in a sanitary manner in Act and said regulations. Nicara	and meat by products herein do e of slaughter in plants certified he regulations governing meat in this country and are otherwise in igua is free from food and Mouth	escribed were derived from for exportation of their pro- nospection of the U.S Depar nocompliance with requirem Disease Rindernest Control	livestock which re fucts towards the tment of Agricultu	eceived ante-mor United Estates a re and that sali	tem and post-morte nd are not adulterat d products have be
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See reverse  Marcas de identificación en el pro Jucto y recipiente:  (Identification marks on product and container)  Embarcador:  (Consignor)  Dirección:  (Consignor)  Dirección:  (Address)  ConsignatAtio:  ConsignatAtio:  LA BODEGA MEAT  (Consigned)  Destino:  14330 GILLIS RD FARMERS BRANCH, TX 75244  Destino:  Destino:  Destino:  Product group:  RAW PRODUCT-INTACT  Temperatura del producto:  Product Category)  RAW INTACT-BEEF  Número de contenedor:  SMUL544470-4  Product Category)  PRIMALS  (Container Number)  Grupo de Producto:  Product Group)  MAY 13th, 2020  Seal Number)  Product Group)  MAY 13th, 2020  Secha de Producción:  MAY 27th, 2020  Número del Establistical entre la producto:  MAY 27th, 2020  Número del Establistical entre la producto:  Shipping marks)  DR RAUL GUILLEN CASTRO  INSPECTOR VETERINARIO OFICIAL  (OFEICIAL VETERINARIO OFICIAL  (OFEICIAL VETERINARIO OFICIAL  (OFEICIAL)  FIRMA  SELLO OFICIAL	*YIGOO3 LICEN BIJES BEEL CO.12					
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Embarcador:  (Consignor)  Dirección::  (Address)  LA BODEGA MEAT  (Consignee):  14330 GILLIS RD FARMERS BRANCH, TX 75244  Destino:  (Destination)  Categoría de proceso:  (Process Category)  Categoría de producto:  (Product Category)  Grupo de Producto:  AND SUBPRIMALS  Grupo de Producto:  AND SUBPRIMALS  Grupo de Producto:  MAY 13th, 2020  Fecha de Producción:  (Product Group)  MAY 13th, 2020  MAY 13th, 2020  MAY 27th, 2020  Marcas de embarque:  (Shipping marks)  DR RAUL GUILLEN CASTRO  INSPECTOR VETERINARIO OFICIAL  (OSFICIAL VETERINARIO OFICIAL  (OSF	Identification made as and	el pro Jucto y recipiente:	EST. No. F	IVE (5)	13 <sup>2</sup>	
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Consignative:  LA BODEGA MEAT  (Consignee)  Destino:  Destino:  DALLAS TEXAS  U.S.A  (Destination)  Categoría de proceso:  (Process Category)  Categoría de producto:  Product Categoría de producto:  Product Categoría de producto:  Product Categoría  Primals  Grupo de Producto:  AND SUBPRIMALS  (Container Number)  Fecha de Producción:  MAY 13th, 2020  MAY 13th, 2020  MAY 27th, 202	(Consignor)  Dirección: KM. 10		The Property of the Parket of	251 MANAGUA, NI	CARAGUA	
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Categoría de producto: RAW INTACT-BEEF Número de contenedor: SMILI 544470.4  (Product Category) PRIMALS (Container Number)  Grupo de Producto: AND SUBPRIMALS Número de marchamo: 0005489 NIC-INSP & AP  (Product Group) MAY 13th, 2020 (Seal Number)  Fecha de Producción: MAY 27th, 2020 Número del Establizacionilento: FIVE (5)  (Production date) (Establish 1344470.4  (Establis			Temperatura	del producto: _	+ 33*5	) = ==================================
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# REPÚBLICA DE NICARAGUA INSTITUTO DE PROTECCIÓN Y SANIDAD AGROPECUARIA SECCIÓN DE INOCUIDAD CARNES

El suscrito Médico Veterinario Oficial del Instituto de Protección y sanidad Agropecuaria de la República de Nicaragua certifica que:

- El producto cárnico de bovino es originario de Nicaragua, país clasificado por la OIE como de Riesgo Insignificante de EEB.
- Si la EEB ha sido diagnosticada en uno o más bovinos nativos de Nicaragua, los productos se derivaron de los bovinos sujetos a una prohibición de alimentación a rumiantes con harina de carne y huesos o chicharrones derivados de rumiantes.
- Los productos cárnicos de bovino proceden de animales sanos que recibieron inspección Ante-Mortem y Post-Mortem.
- La carne que ampara el presente certificado no ha tenido contacto con cerdos ni productos de cerdos durante su sacrificio, faenamiento, almacenamiento y transporte.

The undersigned Official Veterinary Inspector of the Institute of Protection and Agricultural Health of the Republic of Niçaçagua certifies that:

- The bovine meat product is originally from Nicaragua, a country classified by OIE as Negligible Risk for BSE.
- If BSE has been diagnosed in one or more indigenous bovines of Nicaragua, the commodities were derived from bovines subject to a ban on the feeding to ruminants of meat-and-bone meal or greaves derived from ruminants.
- The bovine meat products were derived from bovines that passed ante-mortem and postmortem inspections.
- The beef under this Certificate has not been in contact with pork or its products, throughout slaughtering, handling, storage and transport.

DR. RAUL GUILLEN CASTRO

INSPECTOR VETERINARIO OFICIAL (OFFICIAL VETERINARIAN INSPECTOR)

FIRMA (SIGNATURE)



TIPO DE VENTA!

Credito

NUEVO CARNIC, S.A

Kilómetro 10.5 carretera norte, 1000 metros al norte, Managua, Nicaragua.
Tel: (505) 2263-3156 E-mail: a\_export@nuevocarnic.com.nl
Ruc No. J0310000000646

FACTURA DE EXPORTACION / INVOICE

No: 27178

DIA/DAY	MES/MONTH	ANOMEAR		
27	may.	2020		

0005489

COMPRADOR/PURCHASER: LA BODEGA MEAT DIRECCION/ADDRESS: 14330 GILLIS RD FARMERS BRANCH, TX 75244	NAVIERA/SHIPPING LINE SELLO NAVIERA/SEAL SHIPPPING LINE TEMPERATURA/TEMPERATURE ORDEN DE COMPRA/P.O NO. LOTE No./SHIPPING MARK FECHA EMBARQUE/SHIPPING DATE	SEABOARD G2783162 28°F 418 0671-20 31-may2020
CONSIGNADO A/CONSIGNEE: LA BODEGA MEAT DIRECCION/ADDRESS: 14330 GILLIS RD FARMERS BRANCH, TX 75244	FECHA ARRIBO/ARRIVAL DATE  B/L No.  PUERTO SALIDA/PORT OF LOADING  DESTINO/DESTINATION  VIA EMBARQUE/ROUTE OF SHIPMENT  NOMBRE BARCO/VESSEL VOYAGE  AGENCIA ADUANERA/CUSTOM AGENCY	04-jun2020 SMLU6164368A CORTEZ, HONDURAS DALLAS, TEXAS Maritima AS PETRA 13 ACONIC
CONDICIONES DE PAGO/TERMS:	No. FURGON/CONTAINER No.	SMLU 544470-4

SELLO IPSA/SEAL No.

CAJAS PESO CABEZAL No					
BOXES	PESO DESCRIPCIO DESCRIPTIO	Chevio us	VALOR US\$		
156	7,783.553-431 - SIGNATURE - IN		VALUE USS		
90	4,728.653-432 - SIGNATURE - KNX	3.1000	24,129.0		
67	3,636.853-433 - SIGNATURE - SB	3.1400	14,847.9		
45	2,447.653-434 - SIGNATURE - ER	3.9700	14,438.2		
100	The state of the s	2.9900	7,318.4		
	5,144.903-435 - SIGNATURE - OUT	2.9600	15,228.9		
17	910.353-436 - SIGNATURE - FLAP MEAT	4.1500	3,777.9		
135	6,877.753-439 - SIGNATURE - CL	2.2900	15,750.0		
11	621.458-443 - SIGNATURE - FLANK STEAK	3.9800	2,473.3		
25	1,399.753-444 - SIGNATURE - INSIDE SKIRT	3.5000			
10	538.203-445 - SIGNATURE - OUTSIDE SKIRT		4,899.13		
37	1,952.003-446 - SIGNATURE - BRISKET	4.4100	2,373.46		
102	5,652.503-447 - SIGNATURE - RE	2.9100	5,680.32		
795.00	41,693.60	4.1600	23,514.40		
1.03.00	41,030.00	TOTAL VALOR EX-WORKS US\$	134,431.32		

0201.30.6085 | KG1 F-(haras

**EXPENSES** 



No. Autorizacion DGI - ASFC010012022015-7



#### Nuevo Carnic S.A.

Kilómetro 10.5 carretera norte, 1000 metros al norte, Managua, Nicaragua. RUC: J0310000000646 Teléfonos:

#### PACKING LIST, REMISION AND WEIGHT LISTA DE EMPAQUE, REMISION Y PESO

Consignee: Consignado a :

LA BODEGA MEAT

Date: Fecha: 27/05/2020

Notify:

Invoice #:

27178

Notificar a:

LA BODEGA MEAT

Factura #:

Destination:

DALLAS, TEXAS

Lote No.:

0671-20

Destino:

Container #: Furgon No.:

Shipping Mark:

SMLU 544470-4

Routen of Shipment: Maritima

Via de Embarque:

Seal #:

0005489

Sello No.:

OSHO NO.,			
BOXES/CAJAS	WEIGHT/I	IRDAS NETAS	
		The second second second	
		7,783.55	
		4,728.65	
		3,636.85	
	45	2,447.65	
	100	5,144.90	
	17	910.35	
the state of the s	135	6,877.75	
No. 42 (19) (19) (19) (19) (19) (19) (19) (19)	11	621.45	
	25	1,399.75	
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		538.20	
		1,952.00	
	102	5,652.50	
	BOXES/CAJAS	156 90 67 45 100	

Naviera:

**SEABOARD** 

Product Temperature:

Thermoking Temperature: 28°F

Net Weight/Total

795

41,693.60

Tare/Tara

2,286.40

Gross Weight/Peso Bruto

43,980.00

Recibi Conforme Transportistas

### Seaboard Marine Ltd.

BOOKING NUMBER

SHIPPER NUMBER

ELECTRONIC BILL OF LADING

BROKERAGE

Page 1 OF 1

INVOICE NUMBER

RUC J0310	0000006	46		1388	TARREST TO NO. 1 TO AN		4368 A	INVOICE NUMBER 878		BROKERAGE
NUEVO ĈĀŘN KM 10 ½ CAI MANAGUA, N T. (505) 2: F. (505) 2:	RR NORTI ICARAGU	A		1400000000			REFERENCES/REFE			NO
CONSIGNEE/CONSIGNADO A (NOT NEGOTIABLE UNLESS CONSIGNED TO ORDER") CONSIGNEE NUMBER  LA BODEGA MEAT INC 14330 GILLIS RD FARMERS BRANCH TX 75244-3717						FORWARDING AGENT/AGENTE EMBARCADOR FMC NUMBER				FMC NUMBER
		3.0					ND COUNTRY OF OR		DE ORIGEN	
LA BODEGA M 14330 GILLI FARMERS BRA D.CAZARES@L P.972-526-7	MEAT INC S RD ANCH TX ABODEGA	9		иотгу и <b>и</b> 8798	/BER 51		IC ROUTING EXPORT		DOMESTICA/INSTRUCC	IONES DE EXPORTAÇIO
PLACE OF RECEIPT / CARGA MANAGUA	DE RECIBDA EN			740	-					
VESSEL NAME / VAPOR AS PETRA 13		Y NO. / VIAJE N	2572	FLOADING / PUERTO DE CA	RGA	LOADING F	PIER TERMINAL / TERMI	NAL DE ÉMBARQUE		
AS PETRA 13  PUERTO CORTES  PORT OF DISCHARGE / PUERTO DE DESCARGA  HOUSTON, TX  DALLAS, TX					AL	TYPE OF MOVE A TIPO DE MOVEMIENTO DO O R / DO O R				
	==-		44	PARTICULARS	FURNIS	HED E	3Y SHIPPER			
MARKS AND NO./ CONTA MARCAS Y NUME	AINER(S) NO EROS	NO. OF PKGS NO. DE BULTOS		DESCRIPTION CONTENIE	N OF PACK DO SEGUN	AGES A	AND GOODS RCADOR		GROSS WEIGHT LBS/LIBRA/KILOS	MEASUREMENT MEDIDAS
SN: G2783162 SHIPING MARK 0671-20 INVOICE: 27178 SEAL IPSA: 0005489 FREIGHT COLL SHIPPER LOAD NOT VERIFIED	TPING MARK: 71-20 70ICE: 178 AL IPSA: 05489  FIGHT COLLECT 1PPER LOAD WEIGHT & COUNT. QUALITY, QUANTITY, COND. 1 VERIFIED BY CARRIER. 0200-02-0000-0854					6: 02013		NTS	43980.00L 19949.00K	)
HAZARDOUS DECL	ARATION: SHIP	PPER CERTIF	IES THAT THE AS	30VE NAMED MATERIALS RTATION ACCORDING TO	ARE PROPER	LY PACKE	ED LOADED CLASSIF	FIED, DESCRIBED, M	ARKED, LABELED, PLAC	ARDED
CHARGES, INCLU	(se	ee Cl.20 or	back side) [	Declared Value per I	Package if	Value M	Iore Than \$500.0	0 per Package	J.S	
PAYABLE AT:	DESTINAT		BY LA BO	DEGA MEAT IN	C			TARIFF NO.		
OCEAN FR	EIGHT C	HARGE	NO ON	PREPAID	COLL	ECT	RECEIVED FOR a other PACKAGES inde of transport AND CONDITION applicable Tariff One Original BILL the GOODS or CO	i mentioned above for all or any part of VS appearing on the	8:51:23 MERCHANT, the GOOD to be transported as px the Carriage SUBJECT face and back hereof a fr agrees by excepting the surrendered, duly end if PACKAGES, the others  JFE  NE LTD.	TO ALL THE TERMS not in the CARRIER'S
	тоти	AL CHA	RGES				NON-NI	EGOTIABLE	MO DAY	YEAR
Rev.03/07							SMLU 6164	368A	MAY 31	DISERVICE

SHIPPER/EXPORTER/REMTENTE



## ARRIVAL NOTIFICATION

06/01/20

7:51:23

ATTENTION:

d.cazares@labodegameat.com

VESSELVOYAGE: AS PETRA 00013 CENSUS PORT: 5301

CENSUS

FROM: SEABOARD MARINE, LTD 16398 JACINTOPORT BLVD HOUSTON, TX 77015 CONTACT: Omar Omar Lacayo HOUSTON INBOUND

FAX: 305 5773818

PHONE: 305 5305776

EMAIL: omar.lacayo@seaboardmarine.com

ARRIVAL PORT: HOUSTON, TX

ARRIVAL DATE: 06/04/20 01:00:00

DISCHARGE DATE: 06/03/20 17:00:00

CARGO LOCATIONS

FULL LOAD: 16398 JACINTO PORT BLVD HOUSTON, TX FIRMS CODE (U966)

LTL: 16203 PENINSULA ST HOUSTON, TX FIRMS CODE (U966)

BILL OF LADINGS

6164368A

EQUIPMENT

SMLU 544470 4

#### NOTICES

EQUIPMENT DEMURRAGE/ENERGY FREE TIME FREE TIME WILL COMMENCE DAY AFTER VESSEL'S ARRIVAL DRY- 3 WORKING DAYS REEFER- 3 WORKING DAYS ENERGY - 2 WORKING DAYS PRIOR TO RELEASE THE FOLLOWING ARE REQUIRED:
U.S. CUSTOMS CLEARANCE (AMS), DELIVERY ORDER AND ORIGINAL B/L.
FINAL DELIVERY INSTRUCTIONS MUST CONSIDER REMOVING THE SHIPMENT FROM THE
TERMINAL WITHIN THE TERMINAL FREE PERIOD. PLEASE PROVIDE DELIVERY
INSTRUCTIONS THAT ALLOW FOR THE TRANSIT TIME REQUIRED BY THE MODE OF
TRANSPORT TO FINAL DESTINATION. FINAL DELICERY MUST COMMENCE PRIOR TO THE
EXPIRATION OF TERMINAL FREE TIME IN ORDER TO AVOID THE ASSESSMENT OF
DEMURRAGE CHARGES.
NOTE: AS PER US CUSTOMS REGULATIONS, CARGO MUST BE CLEARED WITHIN 15 DAYS
OF ARRIVAL. OTHERWISE SHIPMENT WILL BE UNLOADED IN A CUSTOMS
DESIGNATED WAREHOUSE.
WIRE TRANSFER INSTRUCTIONS: \*\* PLEASE INCLUDE BILL OF LADING NUMBER
BANK NAME .: CITIBANK, N.A.
ACCOUNT NAME .: MERRIAM FINANCIAL SERVICES, LTD.
ABA: 021000089 WIKE TRANSFER INSTRUCTIONS: \*\* PLEASE INCLUDE BILL OF LADING NUMBER BANK NAME . : CITIBANK, N.A.
ACCOUNT NAME . : MERRIAM FINANCIAL SERVICES, LTD.
ABA:021000089

ACCOUNT NUMBER : 30623911

PLEASE NOTE, THE TRANSPORTATION COMPANY CARRYING SEABOARD'S EQUIPMENT MUST HAVE AN INTERCHANGE AGREEMENT WITH SEABOARD MARINE LTD.
LOCAL DOOR DELIVERIES ARE PREDICATED ON A ONE (1) HOUR FREE UNLOAD; ANY ADDITIONAL WAITING TIME IS ASSESSED AT \$100.00 PER HALF HOUR.
TO SCHEDULE AND EQUIPMENT PICK-UP PLEASE GO TO
WWW.SEABOARDMARINE.COM/CP/EQUIPMENTPICKUP.
MERCHANT HAULAGE IS SUBJECT TO \$150.00 CHASSIS CHARGE IF CARRIER CHASSIS IS IMPORTANT PAYMENT INSTRUCTIONS



## ARRIVAL NOTIFICATION

06/01/20

7:51:23

ATTENTION:

d.cazares@labodegameat.com

VESSELVOYAGE: AS PETRA 00013 CENSUS PORT: 5301

CENSUS

ARRIVAL PORT: HOUSTON, TX

ARRIVAL DATE: 06/04/20 01:00:00

DISCHARGE DATE: 06/03/20 17:00:00

FROM: SEABOARD MARINE, LTD 16398 JACINTOPORT BLVD HOUSTON, TX 77015

CONTACT: Omar Lacayo | HOUSTON INBOUND

FAX: 305 5773818

PHONE: 305 5305776

EMAIL: omar.lacayo@seaboardmarine.com

CARGO LOCATIONS

FULL LOAD:

LTL:

BILL OF LADINGS

EQUIPMENT

NOTICES

IF PAYER DOES NOT HAVE CREDIT PRIVILEGES ESTABLISHED WITH SEABOARD MARINE + PAYMENT IS REQUIRED IN THE FORM OF:

\*\*\*\*\* CASHIER CHECK, MONEY ORDER OR WIRE TRANSFER \*\*\*\*\*
PLEASE CALL THE ABOVE CONTACT BEFORE ISSUING PAYMENT.

THANK YOU

100000000000000000000000000000000000000				55 ED:09:0055 U.G	Tres or tre			lo E ( T	ESTIMATED	
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CAN I	ENTRY SUMMARY			(b)(4)	0, 20,	8	33	300	7/13/2020	
8. Importi	ing Carrier		9. Mode of Transport		10. Country of O	rigin			11. li	mport Date
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12. B/L o	12. B/L or AWB No. 13. Manufacturer ID			14. Exporting Co	untry			15. E	xport Date	
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#### Customs release information sent to ITS. Check your release status at www.itscustoms.com

NEXT GENERATION EXPRESS LTD Invoice #: JBS000932175 **Customs Clearance By:** NEXGJBS000932175 Reference #: 4879708 P.O. #: NO PO REQUIRED Entry #: 572-4932167-0 **CUSTOMS BROKERS** Invoice Date: 07/09/2020 Exporter: JBSFOO1 Consignee: BALMEA1239 Buyer: BALMEA1239 JBS Food Canada ULC BALTER MEAT BALTER MEAT Hwy 1 West P O Box 1868 12390 SW 128TH ST 12390 SW 128TH ST Brooks, AB MIAMI, FL MIAMI, FL T1R 1C6 33186 33186 IRS #: 59-127643200 IRS #: 59-127643200 Duty/Brokerage Inc: **Bill Customs Charges To:** : JBSFOO1 **Parties Related: Currency Used:** USD Freight Included: Terms and Conditions: Weight **Total Price** Product ID CO PO Tariff# **Description of Goods** Qty U/M U/W Price **EST** EST CV5060DFT CA AB 0206,29,0000 BEEF HEAD MEAT 1.50 660 BG 39,606.0 LB 59,409.11 **BONELESS** 7 Frozen 932175

Trailer Number: YMSNOTRLR

Ref #: 4879708; Entry #: 572-4932167-0; Weights or values are estimated. The Importer of Record will update weights and values via Entry Summary, or Post Summary Correction.

USMCA on File

Total Manifest Quantity: 660 PK Total Weight: 39,606 LB Total Price: \$59,409.11

Port of Entry: Sweetgrass, MT - 3310 Est. Date of Crossing: 07/09/2020

Freight Charges To Port: 100 CAD

Freight Charges To Dest: 0 CAD Preparer: Jeanne Arlantico

ITS Customs Brokers: Customs with Confidence

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is obsa-159. The time required to complete this information collection is estimated to average 16 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

U.S. DEPARTMENT OF AGRICULTURE FOOD SAFETY AND INSPECTION SERVICE				1. COU	NTRY OF ORIGIN	2.INSPECTION CERT 01	TIFICATE NUMBER		
IMPORT INSPECTION APPLICATION					CA	3.EXPORTING ESTA	ABLISHMENT NUMBER		
	(Meat, Poultry & Mea	t or Poultry Produ	icts)		M.L.		38		
4. U.S. POINT OF	ENTRY/CBP PORT CODE			5. U.S.	POINT OF UNLADING/C	BP PORT CODE			
Sweetgrass, MT - 3310					Sweetgrass, MT - 3310				
6. FSIS ESTABLIS	HMENT NUMBER	7. NAME	& ADDRESS OF FSIS E	STABLIS		10 V 2 P V 2			
	147		A.N. Deringer, In	c.	Sweetgras	s 59484 US			
8. NAME & BUSIN	NESS NAME & ADDRESS O	F CUSTOMS BROK	KER OR APPLICANT	8a. PF	IONE NUMBER	8b. FACSIMILE	ENUMBER		
ITS Customs E	Brokers		Casey Baumann		701.551.1400	701.499.7415			
PO Box 12607 Grand Forks, N	ND 58208-2607				MAIL ADDRESS fsis(	itscustoms.com			
11. BILL OF LADIN	C7 78	NEXGJBS000		106	1 West P O Box 1868	; Brooks; AB T1R			
	rough 32 repeat for e		· d			14			
12. LOT NO.	13. SHIPPING/IDENTIFICA	ATION MARK	14. CUSTOM ENTE	Y NUMBE	ER(S)	15. PRODUCTION I	DATE(S)		
1	011572	<u>į</u>	5	72-4932	167-0	6/16/20	6/26/20		
16. NET WEIGHT OF LOT (pounds)	17. SHIPPING UNIT PACKAGE TYPE NAME	18. NUMBER OF UNITS	19. IMMEDIATE UN PACKAGE TYPE N			21. SEAL NUMBER(S) 2769352			
39,606.07	Box	660	Vacuum-Packaged		2	27.0	333 <u>2</u>		
22. PROCESSING EST NO. 23. SOURCE		23. SOURCE CO	UNTRY(S)(if different from block 1)		24. SOURCE EST. NO	25. HTS CODE (S)			
038					038		290000		
CONTROL OF THE PROPERTY OF THE		27. PRODUCT C	27. PRODUCT CATEGORY		28. PRODUCT GROUP				
,			Raw Intact Beef 29a. ADDITIONAL SPECIES (if applicable)		Head Meat  30. DESCRIPTION OF PRODUCT  Frozen BEEF HEAD MEAT BONELESS				
		29a. ADDITIONA							
Bovine (Beef, Veal)									
31. SUPPLEMENT	AL PRODUCT CODES (GTN	I, INTENDED USE	CODE, UPC)		32. ESTIMATED DATE 07/09/				

IN CONSIDERATION of the U.S. Director of Customs and Border Protection granting me/us permission to transfer the packages of foreign food product described on this form which are offered for entry into the United States, I/we agree, under bond filed with said director of Customs and Border Protection and subject to penalties prescribed in laws enacted by Congress and regulations issued there under by the Secretary of Homeland Security, to hold the said food product intact at the location indicated above until it has been inspected and passed by a food inspector from the Food Safety and Inspection Service or has been other wise disposed of under the supervision of a U.S. Customs and Border Protection Officer or a FSIS inspector.

33. PRINT NAME OF CUSTOMS BROKER OR APPLICANT	34. SIGNATURE	35. DATE
Jeanne Arlantico		07/09/2020

# EXHIBIT F



#### **United States Department of Agriculture**

Food Safety and Inspection Service June 10, 2021

#### TRANSMITTED VIA ELECTRONIC MAIL

1400 Independence Avenue, SW. Washington, D.C. 20250

Laura Smith Legal Director Truth in Advertising, Inc. P.O. Box 927 Madison, CT 06443 lsmith@tina.org

RE: 2021-FSIS-00120-F

Dear Ms. Smith:

This is the final response to your Freedom of Information Act (FOIA) request, dated January 4, 2021, to the U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS). You requested A copy of records regarding 2019 Recalls pertaining to live cows, pigs, raw beef and pork. We received your request in our office on January 04, 2021.

The FSIS FOIA staff works with subject matter experts across the agency to locate responsive documents. For this request, we conducted a records search in Office of Field Operations (OFO). FSIS' search began on January 4, 2021. Our search includes responsive records in FSIS' control on that date.

We have located 20 pages that are responsive to your request. After a thorough review, we have determined that 15 pages are being withheld in full under (b)(4) of the FOIA, 5 U.S.C. § 552, as amended. Accordingly, this request is granted in part.

Exemption 4 of the FOIA protects "trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential." 5 U.S.C. § 552(b)(4). The exemption covers two distinct categories of information in federal agency records, (1) trade secrets, and (2) information that is (a) commercial or financial, and (b) obtained from a person, and (c) privileged or confidential. In this instance, the agency is withholding foreign establishment related certificates, bill of laden and establishment invoices. The information was submitted to USDA by a business. We have determined that these records contain commercial or financial information that is customarily treated as private by the business submitters. Therefore, the information is considered confidential.

You may appeal this determination no later than 90 days from the date of this letter. Your appeal should include copies of your original request and this response, as well reasons supporting your appeal. The envelope should be plainly marked to indicate that it contains a FOIA appeal. If you decide to appeal, please send your appeal to:

Paul Kiecker Administrator U.S. Department of Agriculture Food Safety and Inspection Service 1400 Independence Avenue, SW. Laura Smith Page 2

Room 1170, South Building Washington, DC 20250-3700 FSIS.FOIA@USDA.GOV

Please be advised that your FOIA request, including your identity and the information made available, is releasable to the public under any subsequent FOIA requests. However, FSIS does not release your personal privacy information, such as home addresses, telephone numbers, or Social Security Numbers, all of which are protected from disclosure under FOIA Exemption 6.

If you have any questions about the processing of your request or about the USDA's FOIA regulations, please contact Michael Dutt at 301-289-9692 or via email at michael.dutt@usda.gov. If you have general questions about FSIS' FOIA procedures or regulations, please contact me, Acting FOIA Director/ FOIA Public Liaison at 202-720-8215 or via email at April.Harrid@usda.gov.

You also have the option to seek assistance from the Office of Government Information Services (OGIS). Please visit <a href="https://www.archives.gov/ogis/mediation-program/request-assistance">https://www.archives.gov/ogis/mediation-program/request-assistance</a> for information about how to request OGIS assistance in relation to a FOIA request.

Thank you for your interest in FSIS programs and policies.

Sincerely,

aril & Hamid

April D. Harrid Acting Director, Freedom of Information Act Staff Office of Public Affairs and Consumer Education

Enclosure: Responsive Records: Five (5) pages

- (1) The following regions are considered to be free of Exotic Newcastle disease (END): Argentina, Australia, Canada, Chile, Costa Rica, Denmark, Fiji, Finland, France, Great Britain (England, Scotland, Wales, and the Isle of Man), Greece, Iceland, Luxembourg, Mexico (States of Campeche, Quintana Roo, and Yucatan), New Zealand, Republic of Ireland, Spain, Sweden, and Switzerland. / Les régions suivantes sont reconnues indemnes de la forme exotique de la maladie de Newcastle: Argentine, Australie, Canada, Chili, Costa Rica, Danemark, Fiji, Finlande, France, Grande Bretagne (Angleterre, Écosse, pays de Galles et île du Man), Grèce, Islande, Luxembourg, Mexique (État de Campeche, Quintana Roo et Yucatan), Nouvelle Zélande, République d'Irlande, Espagne, Suède et Suisse.
- (2) In the case of products other than Canadian or US origin, based on compliance with the provisions of annex Q. In the case of poultry meat products not under the jurisdiction of the FSIS, all establishments registered under the Safe Food for Canadians Act are eligible to export./ En ce qui a trait aux produits autres que ceux provenant du Canada ou des États-Unis, sur la base de conformité aux dispositions de l'annexe Q. Dans le cas des produits de volaille qui ne relèvent pas de la juridiction du FSIS, tous les établissements agréés sous la Loi sur la salubrité des aliments au Canada sont admissibles à exporter.
- (3) Based on compliance with the provisions of the approved segregation procedures. / Sur la base de la conformité aux dispositions de procédures de ségrégations approuvées.



Canadian Food Inspection Agency

Agence canadienne d'inspection des aliments

#### ANNEX(E) C

CERTIFICATE NO. /

CERTIFICAT N°: .....812263

ADDENDUM TO CERTIFICATE CFIA/ACIA NO. / 

### CERTIFICATE FOR ANIMAL CASINGS(1) TO THE UNITED STATES

### CERTIFICATE FOR ANIMAL CASINGS' TO THE **UNITED STATES**

### CERTIFICAT VISANT LES BOYAUX¹ EXPORTÉS **AUX ÉTATS-UNIS**

180.56 LBS

Location/Lieu: London, Ontario, Canada Date: May 7, 2019 In the case of casings from ovine species, the Dans le cas des boyaux d'ovins, les animaux animals from which the casings were derived were desquels sont issus les boyaux avaient moins de less than 12 months of age when slaughtered and 12 mois à l'abattage et ont fait l'objet d'une were subject to a ruminant feed ban equivalent to interdiction visant les aliments du bétail équivalente the requirements established by the U.S. Food and aux exigences énoncées par la Food and Drug Drug Administration at 21 CFR 589.20002, or the Administration des Étas-Unis à l'article 21 CFR casings are derived from ovine products legally 589.2000<sup>2</sup>, ou sont issus de produits ovins qui ont imported in Canada from the USA or from a region été importés légalement au Canada à partir des not considered by the USDA to be affected with or États-Unis ou d'une région qui n'est pas considérée at risk of BSE. par l'USDA comme touchée par l'ESB ou jugée à risque. In the case of casings derived from bovines: Dans le cas de boyaux issus de boyins: 1. The bovines were slaughtered and the casings 1. Les bovins ont été abattus et les boyaux récoltés were collected in a region/country (name) dans une région/pays (nom) of negligible risk for BSE; de risque négligeable pour or l'ESB; ou 2. The casings are derived from bovines from a region of controlled risk(name) 2. Les boyaux sont issus de bovins d'une région de a) The casings are not derived from the small risque contrôlé (nom) intestines a) Les boyaux ne sont pas issus de l'intestin grêle ou b)The casings are derived from that part of the small intestines that is eligible for use as human b) Les boyaux sont issus de la portion de l'intestin food in accordance with the requirements grêle qui est apte à la consommation humaine conformément aux exigences établies par le Food Safety established by the Food Safety and Inspection and Inspection Service dans le 9 CFR 310.22 et par le Service at 9 CFR 310.22 and the Food and Drug Food and Drug Administration dans le 21 CFR 189.5. (3) Administration at 21 CFR 189.5. (3) FORD INSPECTION ment of Ca Kind of casings (Species) No. Of packages Net weight Nature des boyaux (espèces) Nbre d'emballages Poids net Sheep (Ovine) 1 Box 13.87 LBS

8 Boxes

Pork (Hog)

ENNE DUNST

### FSIS 9540-1, IMPORT INSPECTION APPLICATION

(Meat, Poultry & Egg Products)

The following is guidance for applicants/custom brokers importing meat, poultry or egg products to the United States. The FSIS form 9540-1 has been modified to capture more detailed information about shipments.

#### Block:

- 1. Country of Origin. Enter the name of the country that issued the inspection certificate for the export of the product.
- Inspection Certificate Number. Enter the serial number, including dashes/slashes, from the foreign country inspection contained on the
- 3. Exporting Establishment Number. Enter the official number of the foreign facility that the product was exported from the
- 4. U.S. Port of Entry/CBP Port Code. This is the name of the port of entry and the associated CBP port code designation where the entry is filed with U.S. Customs and Border Protection (CBP). Example: When the entry is filed at the Port of Philadelphia for merchandise unladed at Long Beach, CA, enter "Philadelphia, PA - 1101" as the U.S. Port of Entry and Port Code.
- 5. U.S. Port of Unlading/CBP Port Code. This is the name of the U.S. port of entry and the associated CBP port code for merchandise unladed at Long Beach, CA, enter "Los Angeles/Long Beach, CA - 1104" as the U.S. Port of Unlading and Port Code.
- 6. FSIS Establishment Number. This is the official number assigned by FSIS to the establishment where the product will move for FSIS
- 7. Name and Address of FSIS Establishment. The name and address of the FSIS establishment where the product is to be moved for
- 8. Name (first/last), Business Name and Address of Customs Broker or Applicant, as applicable (including zip code). Self explanatory (NOTE: the name of a responsible person is required, in addition to the name of the business). 8a. Phone Number. Self explanatory.
  - 8b. Facsimile Number. Self explanatory.
  - 8c. E-Mail Address. The email address for refused entry notifications and communication with the applicant.
- Name (first/last), Business Name and Address of Consignee (including zip code): The name and address, including zip code, of the company or person to which the product is consigned (NOTE: the name of a responsible person is required, in addition to the name of
- 10. Enter Name (first/last), Business Name and Address of Importer of Record (IR) (including zip code). The name and address of the Importer of Record as declared to Customs when the entry is filed (NOTE: the name of a responsible person is required, in addition to the name of
- 11. Bill of Lading Number(s). Enter the applicable bill of lading numbers for this application.
- 12. Lot No. The lot number of each line item of product identified on the foreign inspection certificate. Start with 1 and continue with 2, 3,
  - NOTE: Blocks 13 through 32 repeat for each lot on an inspection certificate. FSIS expects that each line item on the inspection certificate is one (1) lot on the form 9540-1.
- 13. Shipping/Identification Mark. Enter the unique number from the inspection certificate that links the product in the lot to the inspection certificate. Include slashes/dashes as appropriate.
- 14. Custom Entry Number(s). Enter each applicable 11 digit custom entry number associated with the shipment. For locations where the custom entry number is not 11 characters long, enter enough zeros at the beginning to make an eleven digit number.
- 15. Production Date(s). Enter the range of production dates from the inspection certificate for each lot when applicable.
- 16. Net Weight of Lot. Enter the net weight of each lot in pounds from the inspection certificate.
- 17. Shipping Unit Package Type Name. Enter the type of shipping unit.
- 18. Number of Units. Enter the number of shipping units from the inspection certificate.
- 19. Immediate Unit Package Type Name. Enter the type of immediate container packaging.
- 20. Number per Shipping Unit. Enter the number of immediate containers contained in a shipping unit. When the amount is not standard in each shipping container, enter an average/approximate number.
- 21. Seal Number(s). Enter the conveyance seal number(s) from the inspection certificate (egg products, red meat carcass shipments, etc).
- 22. Processing Est. No. Enter the foreign establishment number from the inspection certificate of the foreign plant that produced the product
- 23. Source Country(s). Enter each country, other than the exporting country, from which product was sourced to produce the product in this
- 24. Source Est. No. Enter each establishment, other than an establishment in the exporting country, from which product was sourced to produce the
- HTS Code(s): Enter the 10 number Harmonized Tariff Schedule code(s) for the product(s) in the lot.
- 26. Process Category. Enter the process category from the inspection certificate.
- 27. Product Category. Enter the product category from the inspection certificate.
- 28. Product Group. Enter the product group from the inspection certificate. Species (dominant:) Enter one of the following species that the product predominantly contains: Beef, Veal, Goat, Lamb, Mutton, Pork, Horse, Equine other than horse, Chicken, Duck, Goose, Guinea, Squab, Turkey, Emu, Ostrich, or Rhea.
- 29a. Additional Species (if applicable). Enter the less predominant additional species from the inspection certificate, when applicable. Refer to #29 for the applicable entries.

- 30. Description of the Product. Enter the name or description of the product from the inspection certificate. For example, lamb legs,
- 31. Supplemental Product Code. Enter the GTIN, Intended Use Code, UPC, or other product code that is used in commerce for the
- 32. Estimated Date of Arrival. Enter the date that the product is expected to arrive at the FSIS establishment for import inspection.
- 33. Printed Name of Customs Broker or Applicant. Enter actual name of person signing this application.
- 34. Signature. Signature of person filing this application.
- 35. Date. Enter the date the application is completed.

1/ For American Samoa, enter either Pago Pago, AS Seaport - 0001 or Pago Pago, AS Airport - 0002

## NORTH AMERICAN FREE TRADE AGREEMENT CERTIFICATE OF ORIGIN INSTRUCTIONS

For purposes of obtaining preferential tariff treatment, this document must be completed legibly and in full by the exporter and be in the possession of the importer at the time the declaration is made. This document may also be completed voluntarily by the producer for use by the exporter. Please print or type.

- Field 1: State the full legal name, address (including country) and legal tax identification number of the exporter. Legal tax identification number is: In Canada, employer number assigned by the Canada Revenue Agency or the importer/exporter number assigned by the Canada Border Services Agency; in Mexico, federal taxpayer's registry number (RFC); and the United States, employer's identification number or Social Security Number.
- Field 2: Complete field if the Certificate covers multiple shipments of identical goods as described in Field 5 that are imported into a NAFTA country for a specified period of up to one this Certificate). "FROM" is the date upon which the Certificate becomes applicable to the good covered by the blanket Certificate (it may be prior to the date of signing must occur between these dates.
- Field 3: State the full legal name, address (including country) and legal tax identification number, as defined in Field 1, of the producer. If more than one producer's good is included on the Certificate, attach a list of the additional producers, including the legal name, address (including country) and legal tax identification number, cross referenced to the same, complete field with "SAME". If the producer is unknown, it is acceptable to state "UNKNOWN".
- Field 4: State the full legal name, address (including country) and legal tax identification number, as defined in Field 1, of the importer. If importer is not known, state "UNKNOWN", if multiple importers, state "VARIOUS".
- Field 5: Provide a full description of each good. The description should be sufficient to relate it to the invoice description and to the Harmonized System (HS) description of the good. If the Certificate covers a single shipment of a good, include the invoice number as shown on the commercial invoice. If not known, indicate another unique reference number,
- Field 6: For each good described in Field 5, identify the HS tariff classification to six digits. If the good is subject to a specific rule of origin in Annex 401 that requires eight digits, using the HS tariff classification of the country into whose territory the good is imported.
- Field 7: For each good described in Field 5, state which criterion (A through F) is applicable. The rules of origin are contained in Chapter Four and Annex 401. Additional rules are described in Annex 703.2 (certain agricultural goods), Annex 300-B, Appendix 6A (certain textile goods) and Annex 308.1 (certain automatic data processing goods and their parts). Note: In order to be entitled to preferential tariff treatment, each good must meet at least one of the criteria below.

#### Preference Criteria

- A The good is "wholly obtained or produced entirely" in the territory of one or more of the NAFTA countries, as referred to in Article 415. Note: The purchase of a good in the territory does not necessarily render it "wholly obtained or produced". If the good is an agricultural good, see also criterion F and Annex 703.2. (Reference: Article 401(a) and
- The good is produced entirely in the territory of one or more of the NAFTA countries and satisfies the specific rule of origin, set out in Annex 401, that applies to its tariff classification. The rule may include a tariff classification change, regional value-content requirement or a combination thereof. The good must also satisfy all other applicable requirements of Chapter Four. If the good is an agricultural good, see also criterion F and Annex 703.2. (Reference: Article 401(b))
- C The good is produced entirely in the territory of one or more of the NAFTA countries exclusively from originating materials. Under this criterion, one or more of the materials may not fall within the definition of "wholly produced or obtained", as set out in Article 415. All materials used in the production of the good must qualify as "originating" by meeting the rules of Article 401(a) through (d). If the good is an agricultural good, see also criterion F and Annex 703.2. (Reference: Article 401(c))
- Goods are produced in the territory of one or more of the NAFTA countries but do not meet the applicable rule of origin, set out in Annex 401, because certain non-originating criterion is limited to the following two circumstances:
  - 1. the good was imported into the territory of a NAFTA country in an unassembled or disassembled form but was classified as an assembled good, pursuant to HS General Rule of Interpretation 2(a): or
  - the good incorporated one or more non-originating materials, provided for as parts under the HS, which could not undergo a change in tariff classification because the heading provided for both the good and its parts and was not further subdivided into subheadings, or the subheading provided for both the good and its parts and was not further subdivided.

Note: This criterion does not apply to Chapters 61 through 63 of the HS (Reference: Article 401(d))

- E Certain automatic data processing goods and their parts, specified in Annex 308.1, that do not originate in the territory are considered originating upon importation into the territory of a NAFTA country from the territory of another NAFTA country when the Most-Favoured-Nation Tariff rate of the good conforms to the rate established in Annex 308.1 and is common to all NAFTA countries. (Reference: Annex 308.1)
- The good is an originating agricultural good under preference criterion A, B or C above and is not subject to a quantitative restriction in the importing NAFTA country because it is a "qualifying good" as defined in Annex 703.2, Section A or B (please specify). A good listed in Appendix 703.2.B.7 is also exempt from quantitative restrictions and is wholly originate in Canada or the United States and are imported into either country. Note: A tariff rate quota is not a quantitative restriction.
- Field 8: For each good described in field 5, state "YES" if you are the producer of the good. If you are not the producer of the good, state "NO" followed by (1), (2), or (3), depending on whether this certificate was based upon: (1) your knowledge of whether the good qualifies as an originating good; (2) your reliance on the producer's written representation the producer.
- Field 9: For each good described in Field 5, where the good is subject to a regional value content (RVC) requirement, indicate "NC" if the RVC is calculated according to the net cost method; otherwise, indicate "NO". If the RVC is calculated according to the net cost method over a period of time, further identify the beginning and ending dates (DD/MM/YY)
- Field 10: Identify the name of the country ("MX" or "US" for agricultural and textile goods exported to Canada; "US" or "CA" for all goods exported to Mexico; or "CA" or "MX" for all goods exported to the United States) to which the preferential rate of customs duty applies, as set out in Annex 302.2, in accordance with the Marking Rules or in each Party's schedule of tariff elimination.

For all other originating goods exported to Canada, indicate appropriately "MX" or "US" if the goods originate in that NAFTA country, within the meaning of the NAFTA Rules of Origin Regulations, and any subsequent processing in the other NAFTA country does not increase the transaction value of the goods by more than 7%; otherwise indicate as "JNT" for joint production. (Reference: Annex 302.2)

Field 11: This field must be completed, signed and dated by the exporter. When the Certificate is completed by the producer for use by the exporter, it must be completed, signed and dated by the producer. The date must be the date the Certificate was completed and signed.

## EXHIBIT G



## FSIS FOIA 2021-FSIS-00120-F Interim Response

Harrid, April - FSIS < April. Harrid@usda.gov>
To: Laura Smith < Ismith@truthinadvertising.org>
Cc: "Dutt, Michael - FSIS" < michael.dutt@usda.gov>

Tue, Jul 20, 2021 at 12:32 PM

Hello Laura,

As discussed in our phone call today, I am clarifying which pages pertain to which recall number(s).

All pages, 1-6, pertain to Recall 090-2019.

Respectfully,

#### April D. Harrid, Esq.

**Acting FOIA Director** 

Office of Public Affairs and Consumer Education

Food Safety and Inspection Service, USDA

Room 1170 South Building

Washington, DC 20250

Phone: (202) 720-8215

April.Harrid@usda.gov



## FSIS FOIA 2021-FSIS-00120-F Final Response

Harrid, April - FSIS <April.Harrid@usda.gov>
To: Laura Smith <Ismith@truthinadvertising.org>
Cc: "Dutt, Michael - FSIS" <michael.dutt@usda.gov>

Tue, Jul 20, 2021 at 12:33 PM

Hello Laura,

As discussed, I am providing the additional clarification.

All pages, 1-5, pertain to recall 059-2019.

Respectfully,

#### April D. Harrid, Esq.

**Acting FOIA Director** 

Office of Public Affairs and Consumer Education

Food Safety and Inspection Service, USDA

Room 1170 South Building

Washington, DC 20250

Phone: (202) 720-8215

April.Harrid@usda.gov



## 2021-FSIS-00121-F Freedom of Information Act request

Harrid, April - FSIS <April.Harrid@usda.gov>
To: Laura Smith <Ismith@truthinadvertising.org>
Cc: "Dutt, Michael - FSIS" <michael.dutt@usda.gov>

Tue, Jul 20, 2021 at 12:37 PM

Hello Laura,

As discussed earlier today, please see below:

Page 1 pertains to Recall 008-2020.

Pages 2-28 pertain to Recall 013-2020.

Pages 29-31 pertain to Recall 018-2020.

Please let me know if you have received all three (3) emails with the requested clarification for 21-120 and 21-121.

Respectfully,

#### April D. Harrid, Esq.

**Acting FOIA Director** 

Office of Public Affairs and Consumer Education

Food Safety and Inspection Service, USDA

Room 1170 South Building

Washington, DC 20250

Phone: (202) 720-8215

April.Harrid@usda.gov



## RE: 2021-FSIS-00121-F Freedom of Information Act request

Harrid, April - FSIS < April. Harrid@usda.gov>
To: Laura Smith < Ismith@truthinadvertising.org>
Cc: "Dutt, Michael - FSIS" < michael.dutt@usda.gov>

Tue, Jul 27, 2021 at 12:46 PM

Hello Ms. Smith,

Yes, that is correct. FSIS was only able to locate 5 recalls responsive to your request regarding the country of origin. As we discussed via phone call months earlier, FSIS does not independently track country of origin for recalls. Information pertaining to country of origin in a recall will only be available if the country of origin is necessary or required for the recall.

For example, if there is a recall due to an undeclared allergen, the country of origin will not likely be included in as part of the recall.

So you are correct, FSIS did not locate any additional records pertaining to the country of origin for the remaining requested recalls in your two requests.

Respectfully,

#### April D. Harrid, Esq.

Acting FOIA Director

Office of Public Affairs and Consumer Education

Food Safety and Inspection Service, USDA

Room 1170 South Building

Washington, DC 20250

Phone: (202) 720-8215

April.Harrid@usda.gov

From: Laura Smith <smith@truthinadvertising.org>

Sent: Monday, July 26, 2021 1:24 PM

To: Harrid, April - FSIS < April. Harrid@usda.gov>
Cc: Dutt, Michael - FSIS < michael.dutt@usda.gov>

Subject: [EXTERNAL: Suspicious Link]Re: FW: 2021-FSIS-00121-F Freedom of Information Act request

**CAUTION:** This message triggered warnings of **potentially** malicious web content. Consider whether you are expecting the message, along with inspection for suspicious links, prior to clicking. Any concerns with known senders, use a good contact method to verify.

Send Questions or Suspicious messages to: Spam.Abuse@usda.gov

April:

I've gone through the three emails you sent me on July 20, identifying which attachments pertain to which recall numbers (thank you, again, for doing that).

Just to confirm, of the 69 recalls from 2019 listed in our Jan. 4, 2021 FOIA request No. 2021-FSIS-00120-F, you have only provided requested documents for two of them (recalls 090-2019 and 059-2109), and of the 19 recalls from 2020/2021 listed in our Jan. 4, 2021 recall request No. 2021-FSIS-00121-F, you have only provided requested documents for three of them (recalls 008-2020, 013-2020, and 018-2020). Is that correct? If so, will we be receiving any documents for the remaining 83 recalls?

Many thanks for your assistance,

Laura Smith

Legal Director

203-421-6210 | Ismith@truthinadvertising.org

truthinadvertising.org | @TruthinAd | facebook.com/truthinad





On Tue, Jul 20, 2021 at 8:37 PM Laura Smith <smith@truthinadvertising.org> wrote:

Thank you so much, April. I have received your three emails and will review them each carefully. If I have any further questions, I will let you know. Really appreciate it.

Laura Smith

Legal Director

203-421-6210 | Ismith@truthinadvertising.org



On Tue, Jul 20, 2021 at 12:38 PM Harrid, April - FSIS <April.Harrid@usda.gov> wrote:

Hello Laura,

As discussed earlier today, please see below:

Page 1 pertains to Recall 008-2020.

Pages 2-28 pertain to Recall 013-2020.

Pages 29-31 pertain to Recall 018-2020.

Please let me know if you have received all three (3) emails with the requested clarification for 21-120 and 21-121.

Respectfully,

#### April D. Harrid, Esq.

Acting FOIA Director

Office of Public Affairs and Consumer Education

Food Safety and Inspection Service, USDA

Room 1170 South Building

Washington, DC 20250

Phone: (202) 720-8215

April.Harrid@usda.gov

From: Dutt, Michael - FSIS

Sent: Tuesday, May 4, 2021 2:12 PM

To: 'Laura Smith' < smith@truthinadvertising.org>

Cc: Harrid, April - FSIS <April.Harrid@usda.gov>; Sharpe, Mary Frances - FSIS <maryfrances.sharpe@usda.gov>

Subject: 2021-FSIS-00121-F Freedom of Information Act request

Good day,

Please see the attached regarding your 2021-FSIS-00121-F Freedom of Information Act request.

Sincerely,

#### Michael R. Dutt

Records and Information Management Specialist - Freedom of information Act Staff Office of Public Affairs and Consumer Education Room 1170, South Building Washington, DC 20228 Phone: (202) 720-4058 Michael.dutt@usda.gov

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## EXHIBIT H



July 29, 2021

#### VIA EMAIL AND REGULAR MAIL

Paul Kiecker Administrator U.S. Department of Agriculture Food Safety and Inspection Service 1400 Independence Ave., SW Room 1170, South Building Washington, DC 20250-3700 fsis.foia@usda.gov

Re: Appeal of FOIA Request 2021-FSIS-00121-F

Dear Mr. Kiecker:

Pursuant to 5 U.S.C. § 552(a)(6), Truth in Advertising, Inc. (TINA.org) writes to appeal the U.S. Department of Agriculture's Food Safety and Inspection Service's refusal to disclose documents within its control.

By way of background, on January 4, 2021, TINA.org, a 501(c)(3) nonprofit consumer group that publishes educational articles and consumer news on its website regarding important consumer topics, sent a Freedom of Information Act request for records to FSIS FOIA Officer Arianne Perkins. Specifically, TINA.org requested USDA records that pertain to the country of origin of live cows and pigs, as well as raw beef and pork, ultimately used in the products subject to 18 different USDA recalls from 2020 and one recall from 2021, for a total of 19 recalls. *See* TINA.org Jan. 4, 2021 FOIA Request Letter to A. Perkins (attached). This request was assigned identification number 2021-FSIS-00121-F.

On May 4, 2021, TINA.org received documents pertaining to just three of the nineteen recalls listed in TINA.org's FOIA request. *See* May 4, 2021 letter from A. Harrid to L. Smith; July 20, 2021 email from A. Harrid to L. Smith (attached). While the provision of these documents makes clear that TINA.org is entitled to information about the origin of animals and raw meats used in products regulated by the USDA and FSIS, no documents were produced pertaining to the other 16 recalls listed in TINA.org's request.

Upon information and belief, FSIS only looked within the USDA recall files associated with the recall numbers provided in TINA.org's January 4, 2021 FOIA request and did not look elsewhere within FSIS¹ despite the fact that TINA.org broadly requested origin information regardless of which labelled file the information may be located in. Specifically, TINA.org requested access to:

any and all USDA records, including but not limited to, correspondences, memos, shipping documents, permits, certificates, invoices, bills of sale, marketing materials, graphs, charts, photographs, images, and other data – stored in any medium from which information can be obtained – that pertain, relate and/or refer to the country of origin of live cows and pigs, as well as raw beef and pork ultimately used in the product(s) subject to the following USDA recalls, including the country or countries where the animal(s) were raised and slaughtered, and the country or countries where any processing of the product(s) occurred...

As it is our understanding that FSIS is indeed in possession of country of origin information for the products identified in TINA.org's January 4th request, we respectfully ask that the origin information be disclosed for all 19 recalls TINA.org requested.<sup>2</sup>

Further, FSIS's May 4th response letter indicates that FSIS withheld two pages of documents entitled "Export Application – Verification Form – Annex H" because FSIS "determined that these records contain commercial or financial information that is customarily treated as private by the business submitters" and is therefore considered confidential under 5 U.S.C. § 552(b)(4).

TINA.org is not seeking commercial or financial information. Rather, TINA.org is seeking country of origin information *only* – that is, where did the animal and/or raw meat used in products that were recalled by the USDA and consumed by U.S. consumers originate from? Where their food is coming from is of vital importance to American consumers. *See* Tell USDA: Consumers Should Know Where Their Meat Comes From!, Farm & Ranch Freedom Alliance, July 20, 2018, available at <a href="https://farmandranch">https://farmandranch</a>

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<sup>&</sup>lt;sup>1</sup> According to Ms. Harrid, "[i]nformation pertaining to country of origin in a recall will only be available if the country of origin is necessary or required for the recall." *See* July 27, 2021 email from A. Harrid to L. Smith (attached).

<sup>&</sup>lt;sup>2</sup> According to the USDA's website, "FSIS is responsible for assuring that U.S. imported meat...[is] safe, wholesome, unadultered, and properly labeled and packaged." USDA FSIS Import Guidance, <a href="https://www.fsis.usda.gov/inspection/import-export/import-guidance">https://www.fsis.usda.gov/inspection/import-export/import-guidance</a>. See also USDA FSIS Fact Sheet: FSIS Import Inspection and Failure to Present (FTP), available at <a href="https://www.fsis.usda.gov/sites/default/files/media\_file/2020-08/FTP-fact-sheet.pdf">https://www.fsis.usda.gov/sites/default/files/media\_file/2020-08/FTP-fact-sheet.pdf</a>. It is inconceivable that FSIS would be able to make such assurances without country of origin information in its possession.

<u>freedom.org/productofusa\_labels/</u> (finding that 93 percent of Americans want to know where their food comes from); Nationwide Surveys Reveal Disconnect Between Americans and their Food, PRNewswire, Sep. 22, 2011, available at <a href="https://www.prnewswire.com/news-releases/nationwide-surveys-reveal-disconnect-between-americans-and-their-food-130336143.html">https://www.prnewswire.com/news-releases/nationwide-surveys-reveal-disconnect-between-americans-and-their-food-130336143.html</a>. Accordingly, TINA.org requests that FSIS release the withheld documents to the extent they contain origin information as the public interest in their release outweighs any public interest in withholding them.

This letter is sent without prejudice to any of TINA.org's rights or remedies, all of which are expressly preserved.

If you have any questions, please do not hesitate to contact me. Thank you for your consideration of this appeal.

Sincerely,

Laura Smith, Esq.

Legal Director

Truth in Advertising, Inc.



January 4, 2021

#### **VIA EMAIL**

Arianne Perkins FOIA Officer 1400 Independence Avenue, SW South Building, Room 2170 Washington, DC 20250 FSIS.FOIA@usda.gov

#### Dear Ms. Perkins:

On behalf of Truth in Advertising, Inc. (TINA.org), a 501(c)(3) nonprofit consumer group that publishes educational articles and consumer news on its website regarding important consumer topics, and pursuant to the Freedom of Information Act, 5 U.S.C. §552, I am requesting access to any and all USDA records, including but not limited to, correspondences, memos, shipping documents, permits, certificates, invoices, bills of sale, marketing materials, graphs, charts, photographs, images, and other data – stored in any medium from which information can be obtained – that pertain, relate and/or refer to the country of origin of live cows and pigs, as well as raw beef and pork ultimately used in the product(s) subject to the following USDA recalls, including the country or countries where the animal(s) were raised and slaughtered, and the country or countries where any processing of the product(s) occurred:

001-2021	<u>016-2020</u>
031-2020	<u>013-2020</u>
029-2020	<u>012-2020</u>
028-2020	<u>009-2020</u>
025-2020	<u>008-2020</u>
023-2020	<u>006-2020</u>
<u>021-2020</u>	<u>005-2020</u>
019-2020	003-2020
018-2020	<u>001-2020</u>
017-2020	

I am making the request so that TINA.org can educate consumers and not for any commercial purpose.

I request a waiver of all fees for this request as disclosure of the requested information to TINA.org is in the public interest as it is likely to contribute significantly to public understanding of the origin of food products that consumers are purchasing or have purchased for consumption.

I further request that the information we seek be provided in electronic format and on an expedited basis as traceability and source-verification are of significant importance to consumers. *See, e.g.*, Dickinson, D., & Bailey, D. (2002). Meat Traceability: Are U.S. Consumers Willing to Pay for It? *Journal of Agricultural and Resource Economics*, 27(2), 348-364. Retrieved December 16, 2020, <a href="https://www.jstor.org/stable/40987840">http://www.jstor.org/stable/40987840</a>; Arnold, K. et al., Importance of Steak Origin to Restaurant Customers, <a href="https://beef.unl.edu/b11eefdf-8342-4eda-8290-7e873ffc5d7c.pdf">https://beef.unl.edu/b11eefdf-8342-4eda-8290-7e873ffc5d7c.pdf</a>.

If you have any questions or concerns regarding this request, please do not hesitate to email or call me at (203) 421-6210 anytime.

Sincerely,

Laura Smith, Esq.

Legal Director

Truth in Advertising, Inc.



#### **United States Department of Agriculture**

Food Safety and Inspection Service

May 4, 2021

### TRANSMITTED VIA ELECTRONIC MAIL

1400 Independence Avenue, SW. Washington, D.C. 20250

Laura Smith
Legal Director
Truth in Advertising, Inc.
P.O. Box 927
Madison, CT 06443
lsmith@tina.org

RE: 2021-FSIS-00121-F

Dear Ms. Smith:

This is the final response to your Freedom of Information Act (FOIA) request, dated January 4, 2021, to the U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS). You requested a copy of records regarding 2020 and 2021 Recalls pertaining to live cows, pigs, raw beef, and pork. We received your request in our office on January 4, 2021.

The FSIS FOIA staff works with subject matter experts across the agency to locate responsive documents. For this request, we conducted a records search in the Office of Field Operations (OFO). FSIS' search began on January 04, 2021. Our search includes responsive records in FSIS' control on that date.

We have located 33 pages that are responsive to your request. After a thorough review, we have determined that portions of these documents are exempt from disclosure under (b)(4), (b)(6) and (b)(7)(E) of the FOIA, 5 U.S.C. § 552, as amended. Additionally, we are withholding two pages in full under (b)(4). Accordingly, this request is granted in part

Exemption 4 of the FOIA protects "trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential." 5 U.S.C. § 552(b)(4). The exemption covers two distinct categories of information in federal agency records, (1) trade secrets, and (2) information that is (a) commercial or financial, and (b) obtained from a person, and (c) privileged or confidential. In this instance, the agency is withholding Export Application – Verification Form – Annex H. The information was submitted to USDA by a business. We have determined that these records contain commercial or financial information that is customarily treated as private by the business submitters. Therefore, the information is considered confidential.

Laura Smith Page 2

Some responsive records contain drafts, staff analyses, opinions, or recommendations. Those portions are deliberative and pre-decisional and are an integral part of the agency's decision-making process. They are exempt from the FOIA's disclosure requirements by FOIA Exemption 5, 5 U.S.C. § 552(b)(5).

Portions of the responsive records are exempt from disclosure under FOIA Exemption 6, 5 U.S.C. § 552(b)(6). Exemption 6 protects information that would constitute an unwarranted invasion of an individual's personal privacy. The types of information withheld under Exemption 6 include the names, addresses, or cell phone numbers of employees of Establishments and third parties, including, but not limited to interviewees or customers.

Portions of the responsive records are exempt from disclosure under FOIA Exemption 7(E), 5 U.S.C. § 552(b)(7)(E). Exemption (7)(E) covers records compiled for law enforcement purposes, the release of which would disclose techniques and/or procedures for law enforcement investigations or prosecutions or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonable be expected to risk circumvention of the law.

You may appeal this determination no later than 90 days from the date of this letter. Your appeal should include copies of your original request and this response, as well reasons supporting your appeal. The envelope should be plainly marked to indicate that it contains a FOIA appeal. If you decide to appeal, please send your appeal to:

Paul Kiecker
Administrator
U.S. Department of Agriculture
Food Safety and Inspection Service
1400 Independence Avenue, SW.
Room 1170, South Building
Washington, DC 20250-3700
FSIS.FOIA@USDA.GOV

Additionally, some of the records have been reviewed and redacted by the U.S. Customs and Border Protection (CBP). Those pages are 2-4, 16-18, and 29. Should you decide to appeal any redactions applied by CBP, please send your appeal to:

U.S. Customs and Border Protection FOIA Appeals, Policy and Litigation Branch 90 K Street NE, Washington, D.C. 20229

Please be advised that your FOIA request, including your identity and the information made available, is releasable to the public under any subsequent FOIA requests. However, FSIS does not release your personal privacy information, such as home addresses, telephone numbers, or Social Security Numbers, all of which are protected from disclosure under FOIA Exemption 6.

Laura Smith Page 3

If you have any questions about the processing of your request or about the USDA's FOIA regulations, please contact Michael Dutt at 301-289-9692 or via email at michael.dutt@usda.gov. If you have general questions about FSIS' FOIA procedures or regulations, please contact me, Acting FOIA Director/FOIA Public Liaison at 202-720-8215 or via email at April.Harrid@usda.gov.

You also have the option to seek assistance from the Office of Government Information Services (OGIS). Please visit <a href="https://www.archives.gov/ogis/mediation-program/request-assistance">https://www.archives.gov/ogis/mediation-program/request-assistance</a> for information about how to request OGIS assistance in relation to a FOIA request.

Thank you for your interest in FSIS programs and policies.

Sincerely,

April D. Harrid

and Bling

Acting Director, Freedom of Information Act Staff Office of Public Affairs and Consumer Education

Enclosure

Canadian Food Agence canadienne Inspection Agency d'inspection des aliments

## Canada

## CERTIFICATE OF INSPECTION COVERING MEAT AND POULTRY PRODUCTS

GOTZ. M. B.	. 0011 1	CO I RED OI IS CARRE	-3 CT VOLAILI	LES
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Box 250, 79 Penner Drive				2926
Blumenort	PRODUCING ESTABLISHMENT	T NUMBER(\$) / N° D'ÉTABLIS	SEMENT PRODUCT	ION
MANITOBA R0A0C0 CANADA	791			
KOAOCO CANADA				
IMPORTER/IMPORTATEUR	SHIPPING EST. NO. / N. DE L'ÉTABLISSEMENT ÉXPEDITEUR	COUNTRY(S) OF ORIGIN AT PAYS D'ORIGINE ET N° D'É	ND FOREIGN EST N TABLISSEMENT ÉT	lumber(s) Ranger
Randolph Packing Company	791	•		
275 Roma Jean Parkway		j		
Streamwood ILLINOIS	COUNTRY OF DESTINATION PAYS DE DESTINATION	NA		
60107 UNITED STATES	LICA			
OOTO ONTED STATES	USA			
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DESCRIPTION DU PRODUIT Y COMPRIS LA CATÉGORIE DE TRAITEMENT, LA CATÉGORIE DE PRODUITS ET GROUPES DE PRODUITS	ESPÈCES ANIMALES	NUMBER AND KIND O NOMBRE ET NATURI		NET WEIGHT POIDS NET
Raw Product - Non-intact - Raw ground, comminuted, or otherwise	Pork	-		<del>,                                    </del>
non-intact pork - Other Non-Intact		0.0		
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ADDITIONAL CERTIFICATION (IF REQUESTED) / ATTESTATION SUPPLÉMENTAIRE (SI REQUISE NA	=======================================			
THE PRODUCT DESCRIBED ON THIS OFFICIAL EXPORT CERTIFICATE WAS PRODUCED IN ACCORDANCE WITH THE REGULATORY REQUIREMENTS IN 9 CFR 327.2 OR 391.196. THESE REQUIREMENTS ARE FULFILLED BASED ON THE CANADIAN FOOD INSPECTION PROGRAM AND ALL APPLICABLE EXPORT REQUIREMENTS  LE PRODUIT DÉCRIT SU A ÉTÉ PRODUIT DÉCRIT SU SONT REMPLIES SU D'INSPECTION DES A APPLICABLES À L'EXPOR	IR CE CERTIFICAT OFFICIEL D N CONFORMITÉ AVEC LES 9 CFR 327-2 OU 381, 198 CE: LA BASE DU PROGRAMI ALIMENTS ET TOUTES LES RTATION.	S EXIGENCES S CONDITIONS ME CANADIEN	DFFICIEL D <u>E CE<del>RTII</del></u>	ECAT
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	DATE D/J M/M Y	/ IA		
169°				•• *
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CBP FORM 7501 (2/18)

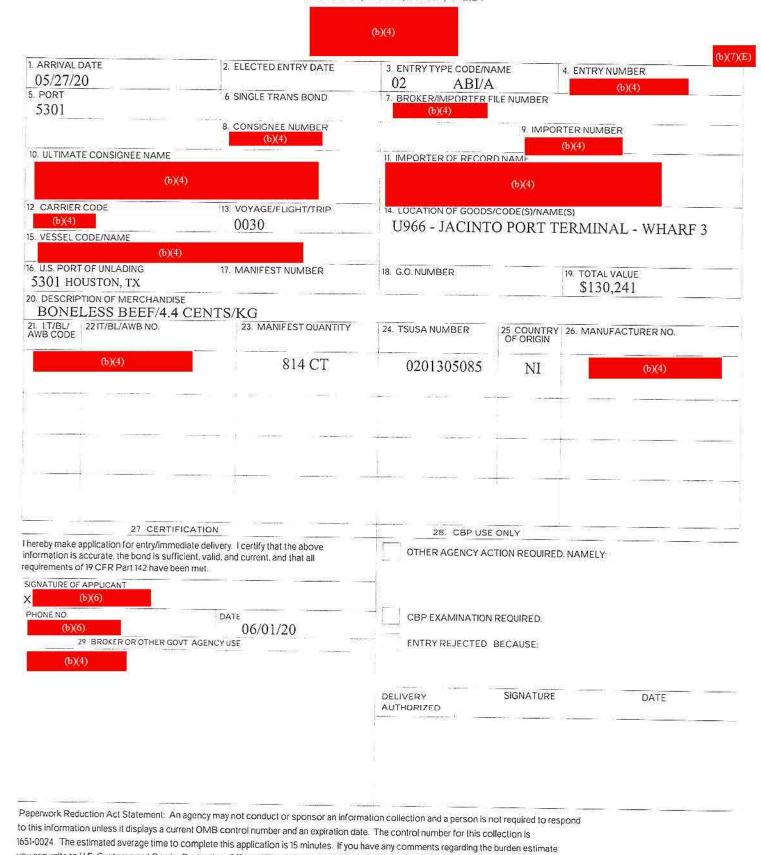
DEPARTMENT OF HOMELAND SECURITY 1. Filer Code/Entry No. 2. Entry Type 3. Summary Date U.S. Customs and Border Protection (b)(4) 02 ABI/A 06/04/2020 4. Surety No. 5. Bond Type 6. Port Code 7. Entry Date ENTRY SUMMARY 5301 05/27/2020 8. Importing Carrier 9. Mode of Transport 10. Country of Origin 11. Import Date (b)(4)NI 05/27/2020 12. B/L or AWB No. 13. Manufacturer ID Exporting Country 15. Export Date 05/24/2020 20. U.S. Port of Unlading 16. I.T. No. 17. I.T. Date 18. Missing Docs 19. Foreign Port of Lading 21531 5301 21. Location of Goods/G.O. No. 22. Consignee No. 23. Importer No. 24. Reference No. U966 - JACINTO PORT TE 20-252282800 25. Ultimate Consignee Name and Address 26. Importer of Record Name and Address SAME (b)(4)City State Zip 32. 33. 34. 27. 28. Description of Merchandise A. HTSUS Rate Duty and I.R. Tax 30. 31. A. Entered Value B. ADA/CVD Rate Line A. HTSUS No. A. Grossweight Net Quantity in Dollars Cents B. CHGS C. IRC Rate No. B. ADA/CVD No. B. Manifest Qty. **HTSUS Units** C. Relationship D. Visa No. 814 CT 001 BONELESS BEEF/4.4 CENTS/KG 20131 KGS 19103 KG (b)(7)(E)130241 .044/KG 840.53 ONI C 5000 STARTING INVOICE AMOUNT > 135241.00 LESS FREIGHT/INSURANCE 5000.00 > ENTERED VALUE 130241 BEEF FEE .00511787/KG 97.77 MERCH PROC FEE .003464 451.15 HMF .00125% 162.80 Other Fee Summary for Block 39 35. Total Entered Value **CBP USE ONLY** TOTALS BEEF FEE 053 97.77 A. LIQ CODE B. Ascertained Duty 37. Duty 130241 MPF 499 451.15 840.53 Total Other Fees HMF 501 162.80 REASON CODE C. Ascertained Tax 38. Tax 711.72 36. DECLARATION OF IMPORTER OF RECORD (OWNER D. Ascertained Other 39. Other OR PURCHASER) OR AUTHORIZED AGENT 711.72 I declare that I am the Importer of record and that the actual owner, E. Ascertained Total 40. Total 1552.25 purchaser, or consignee for CBP purposes is as shown above. OR X owner or purchaser or agent thereof. I further declare that the merchandise was obtained pursuant to a purchase or agreement to purchase and that the prices set forth in the invoices are true. OR 🔣 was not obtained pursuant to a purchase or agreement to purchase and the statements in the invoices as to value or price are true to the best of my knowledge and belief. I also declare that the statements in the documents herein filed fully disclose to the best of my knowledge and belief the true prices, values, quantities, rebates, drawbacks, fees, commissions, and royalties and are true and correct, and that all goods or services provided to the seller of the merchandise either free or at reduced cost are fully disclosed. I will immediately furnish to the appropriate CBP officer any information showing a different statement of facts, 41. DECLARANT NAME TITLE SIGNATURE DATE (b)(6)(b)(6) 06/04/2020 42. Broker/Filer Information (Name, address, phone number) 43. Broker/Importer File No.

(b)(4)

#### Form Approved OMB No. 1651-0024 Exp. 01-31-2012

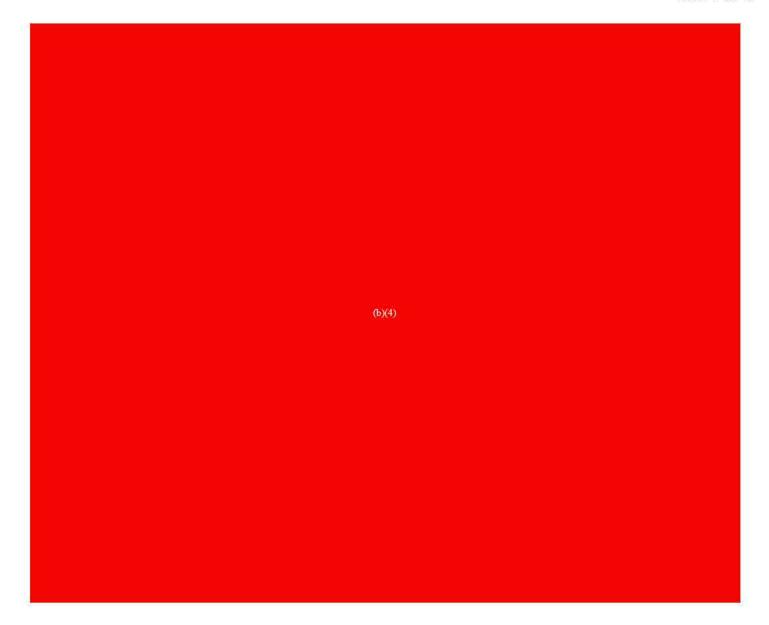
## DEPARTMENT OF HOMELAND SECURITY U.S. CUSTOMS AND BORDER PROTECTION ENTRY/IMMEDIATE DELIVERY

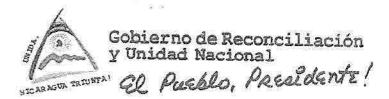
19 CFR 142.3, 142.16, 142.22, 142.24



you can write to U.S. Customs and Border Protection, Office of Regulations and Rulings, 799 9'th Street NW. Washington DC 20229.

June 2, 2020 ABI MESSAGES PAGE 1 OF 1









Place:

MANAGUA

City: MANAGUA

Country:

NICARAGUA

Date: MAY 19th, 2020

## CERTIFICATE

I CERTIFY THAT IN THIS ESTABLISHMENT NUMBER FIVE (5), NUEVO CARNIC, S.A. WE RUN E. COLI AND SALMONELLA TESTS INCLUDING E. COLI 0167: H7 AND NON 0167 STEC8 ACCORDING TO SSOP PROGRAM REQUIRED BY THE USDA. THE TESTS WITH NEGATIVE RESULTS COVERS THE LOTS CONTAINED UNDER SHIPPING MARK # 0627-20 CERTIFICATE No. 5-5258 CONTAINER SEGU 902327-0 DURING THE SLAUGHTER AND DEBONING PROCESS ALL THE CRITICAL POINTS OF THE LOTS EXPORTED AND COVERED UNDER THIS CERTIFICATE WERE CHECKED AND VERIFIED ACCORDING TO THE HACCP PLAN IN FORCE IN THIS ESTABLISHMENT PRODUCTION DATE MAY 07th, 2020 - TO MAY 19th, 2020

THE TEST USED IS THE GENETIC DETECTION SYSTEM (GDS MPX Top 7 STEC) FROM BIOCONTROL SYSTEM FOR A QUICK RESULT AND THE CONFORMATORY TEST IS THE MLG 5.05 AND THE MLG 5B.01 FOR DETECTION ISOLATION AND IDENTIFICATION METHOD FOR E. COLI 0157: H7 AND THE E. COLI NON 0157 STECs. ALL METHODS ARE APPROVED BY THE USDA.

I HEREBY CERTIFY THAT ALL PRODUCTS EXPORTED COME ONLY FROM BOVINE ANIMALS (CATTLE) AND THAT ARE SO DECLARED ON THE LABEL.

CERTIFICO QUE EN ESTE ESTABLECIMIENTO NUMERO CINCO (5), NUEVO CARNIC, S.A. SE REALIZAN LOS TESTS PARA E. COLI Y SALMONELLA INCLUYENDO E. COLI 0157: H7 Y E. COLI NON 0157 STEC® DE ACUERDO AL PROGRAMA SSOP REQUERIDO POR EL USDA, LOS TEST CON RESULTADOS NEGATIVO CUBREN LOS LOTES BAJO MARCAS DE EMBARQUE # 0627-20 CERTIFICADO # 5-5258 CONTENEDOR SEGU 902327-10 DURANTE EL PROCESO DE MATANZA Y DESHUESE TODOS PUNTOS CRITICOS DE CONTROL DE LOS LOTES EXPORTADOS Y CUBIERTOS BAJO ESTE CERTIFICADO FUERON CHEQUEADOS Y VERIFICADOS DE ACUERDO AL PLAN HACCP EN VIGENCIA EN ESTE ESTABLECIMIENTO: FECHA DE PRODUCCION

DEL 07 DE MAYO 2020 - AL 19 DE MAYO 2020

Dr. Radi Guillen Castro

Oficial Veterinarian Inspector

Cc.archivo/Lucy

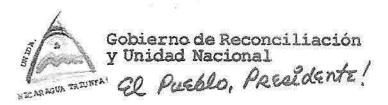


CRISTIANA, SOCIALISTA, SOLIDARIA!

INSTITUTO DE PROTECCION Y SANIDAD AGROPECUARIA

Dirección de Inocuidad Agroalimentaria DIA-IPSA.www.ipsa.gob.ni Km 5 carretera norte, contiguo a ENACAL Portezuelo Correo: inocuidad.agroalimentaria@ipsa.gob.ni Tel: (505)22981330 Ext. 178

web: www.ipsa.gob.ni







Place:

MANAGUA

Country:

NICARAGUA

City: MANAGUA

Date: MAY 19th, 2020

I, Raúl Guillen Castro, DVM, Official Veterinary Head Inspector from Institute of Protection and Agricultural Health of the Republic of Nicaragua Certifies that: (IPSA). assigned at establishment # 5, certifies that all processed beef product at the plant and exported to the United States of America and other markets around the World, is 100% derived from bovine animals which were inspected before and post mortem and found in optimum sanitary conditions for human consumption in compliance with importing country requirements.

Yo Dr. Raúl Guillen Castro, Médico Veterinario Oficial del Instituto de Protección Agroalimentaria (IPSA) de la República de Nicaragua, asignado al Establecimiento No. 5, hago constar que el producto cárnico que se procesa y exporta a los Estados Unidos de América y demás mercados en el mundo procede de animales de la especie Bovina los cuales fueron inspeccionados Arites y Post-Mortem y se encuentran en condiciones higiénico - sanitarias óptimas para consumo humano en cumplimiento de las disposiciones sanitarias de cada país.

Dr. Raul Guillen Castro Oficial Veterinario Inspector

Cc,archivo/Lucy





CRISTIANA, SOCIALISTA, SOLIDARIA!

INSTITUTO DE PROTECCION Y SANIDAD AGROPECUARIA

Dirección de Inocuidad Agroalimentaria DIA-IPSA. www.ipsa.gob.ni Km 5 carretera norte, contiguo a ENACAL Portezuelo Correo: inocuidad.agroalimentaria@ipsa.gob.ni Tel: (505)22981330 Ext. 178

web: www.ipsa.gob.ni



## ORIGINAL

No 5-5258

## REPÚBLICA DE NICARAGUA INSTITUTO DE PROTECCIÓN Y SANIDAD AGROPECUARIA DIRECCIÓN DE INOCUIDAD AGROALIMENTARIA

SECCIÓN DE INOCUIDAD CARNES
CERTIFICADO OFICIAL DE INSPECCIÓN DE CARNES PARA

CARNES FRESCAS Y SUS DERIVADOS (Official Meat-Inspection Certificate for Fresh Meat and Meat By Products)

NICARAGUA

MANAGUA

MANAGUA

Lugar:	WIANAGUA	Cludad:	MANAGUA	País:	NICARAGUA	Parket	MAY 19th, 2020
(Place)		(City)	(Village)	(Country	)	Fecha: (Date)	
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Pieuroneumonia (	ontaglosa Bo	ovina, Flebre Cat	tarral Maligna, por lo	menos en los últ	ones. Nicaragua es un : Imos seis meses, y el Ánt	rax no es pre	valente en el país
I hereby certify the veterinary inspects or misbranded as handled in a sanita Act and said regula	nat the meat ion at the tin defined by t ary manner in ations. Nicar	and meat by post of slaughter in the regulations of this country are agua is free from agua is free from	products herein desc in plants certified for governing meat insp	ribed were derive exportation of the U ection of the U empllance with r	red from livestock which heir products towards th .S Department of Agricu equirements at least equ t, Contagious Bovine Pie	received an ne United Est Iture and ti	te-mortem and post-mo ates and are not adulte hat said products have
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Marcas de identification mai identification mai imbarcador: Consignor) Pirección: Consignatario:	KM.10	14330 G RAW PROC RAW INT PRIM AND SUBI	ecipiente: ner)  NUE NORTE 1000 METROS  LA BODE  SILLIS RD FARMERS BR DALLAS TEXAS U  DUCT-INTACT  TACT-BEEF  BALS PRIMALS h, 2020	ES  VO CARNIC, S.A.  AL LAGO P.O. BC  GA ME&T  VANCH, TX 75244  S.A.  Temp {Produ Núme (Conto Núme (Seal N	eratura del producto: uct temperature) pro de contenedor: priner Number) ro de marchamo:	NICARAGUA	046 AG
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# REPÚBLICA DE NICARAGUA INSTITUTO DE PROTECCIÓN Y SANIDAD AGROPECUARIA SECCIÓN DE INOCUIDAD CARNES

El suscrito Médico Veterinario Oficial del Instituto de Protección y sanidad Agropecuaria de la República de Nicaragua certifica que:

- El producto cárnico de bovino es originario de Nicaragua, país clasificado por la OIE como de Riesgo Insignificante de EEB.
- Si la EEB ha sido diagnosticada en uno o más bovinos nativos de Nicaragua, los productos se derivaron de los bovinos sujetos a una prohibición de alimentación a rumiantes con harina de carne y huesos o chicharrones derivados de rumiantes.
- Los productos cárnicos de bovino proceden de animales sanos que recibieron inspección Ante-Mortem y Post-Mortem.
- La carne que ampara el presente certificado no ha tenido contacto con cerdos ni productos de cerdos durante su sacrificio, faenamiento, almacenamiento y transporte.

The undersigned Official Veterinary Inspector of the Institute of Protection and Agricultural Health of the Republic of Nicaragua certifies that:

- The bovine meat product is originally from Nicaragua, a country classified by OIE as Negligible Risk for BSE.
- If BSE has been diagnosed in one or more indigenous bovines of Nicaragua, the commodities were derived from bovines subject to a ban on the feeding to ruminants of meat-and-bone meal or greaves derived from ruminants.
- The bovine meat products were derived from bovines that passed ante-mortem and postmortem inspections.
- The beef under this Certificate has not been in contact with pork or its products, throughout slaughtering, handling, storage and transport.

DR. RAUL GUILLEN CASTRO

INSPECTOR VETERINARIO OFICIAL (OFFICIAL VETERINARIAN INSPECTOR)

FIRMA (SIGNATURE)

#### Central America-Dominican Republic-United States Free Trade Agreement

#### CERTIFICATION OF ORIGIN

1. Exporter's name, address and tax identification number: Nombre, dirección y número de registro fiscal del exportador: NUEVO CARNIC S.A

KM 10.5 CARRETERA NORTE, 1000 METROS AL NORTE, MANAGUA, NICARAGUA

J03100000000646

3. Producer's name, address and tax identification number Nombre, dirección y número de registro fiscal del productor: NUEVO CARNIC, S.A.

Importer's name, address and tax identification number: Nombre, dirección y número de registro fiscal del importador: LA BODEGA MEAT

Y- A

2020

Tratado de Libre Comerçio entre Centroamérica, República Dominicana y los

Estados Unidos

CERTIFICADO DE ORIGEN REPUBLICA DE NICARAGUA

14330 GILLIS RD FARMERS BRANCH, TX 75244

5 Description of good(s) - Descripción de la(s) mercancia(s)

6. HS tariff classification Clasificación Arancelaria

020139

2. Blanket period:

From

De

Período que cubre:

D

20

7. Preferencial tariff treadment criteria Criterio para trato arancelario preferencial 8 Other Criteria 9. Producer Otros Criterios Productor

D

10. Country of origin Pais de Origen

42,027.20

Libera CARNE BOVINA DESHUESADA REFRIGERADA

LAST LINE / ULTIMA LINEA

31

ESTADOS UNIDOS

No.

2021

05

00196628

NI

11. Remarks - Observaciones INVOICE 7/140

12 Under oath | certify that:

- The information on this document is true an accurate and i assume the responsability for proving waht is hereby certified. I am aware that am liable for any false statements or material omissions made on or in connection with this document.

- agree to mantain, and present upon request, documentation necessary to support this certification, and to inform, in writing, all persons to whom the certification was given of any changes that would affect the accuracy or validty of this Certification.

- The goods originated in the territory of one or more of the Parties, and comply with the origin requirements specified for those goods in the Central America-Dominican Republic - United States Free Trade Agreement, and that there has been no further processing or any other operation outside the territories of the Parties, unless those specifically determine in Article 4.12, Annex 4.1, or Apendix 3.3.6.

This Certification consists in Esta certificación se compone de \_1

pages, including all attachments hojas incluyendo todos sus anexás

Authorized Signatura - Firma Autorizada

Name - Nombre

ENRIQUE HUMBERTO MONCADA HERNANDEZ

Date - Fecha

a M Y-A 20 05 2020 Telephone - Teléfono (505) 2233-1185

Declaro bajo juramento que:

- La información contenida en este documento es verdadera y exacta y me hago responsable de comprober lo aqui certificado. Estoy consciente que soy responsable por cualquier declaración faisa u omisión material hecha en o relacionada con el presente documento

- Me comprometo a conservar y presentar, en caso de ser requerido, los documentos necesanos que respalden el contenido de la presente certificación, así como a notificar por escrito a todas las personas a quienes se ha entregado la presente certificación, de cualquier cambio que pudiera afectar la exactitud o validez del mismo.

- Las mercancias son originarias del territorio de una o más Partes y cumplen con todos los requisitos de origen que les son aplicables conforme a Tratado de Libre Comercio entre Centroamérica, República Dominicana y Estados Unidos, y que no han sido objeto de procesamiento ultenor o de cualquier otra operación fuera de los territorios de las Partes; salvo en los casos permitidos en el Artículo 4.12, el Anexo 4.1 o en el Apéndice 3.3.6.

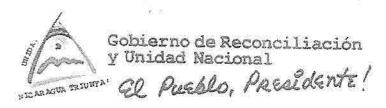
Company - Empresa NUEVO CARNIC, S.A.

Title - Cargo

DIRECTOR COMERCIAL

Fax









Place:

MANAGUA

City: MANAGUA

Country:

NICARAGUA

Date: MAY 19th, 2020

## CERTIFICATE

I CERTIFY THAT IN THIS ESTABLISHMENT NUMBER FIVE (5), NUEVO CARNIC, S.A. WE RUN E. COLI AND SALMONELLA TESTS INCLUDING E. COLI 0157: H7 AND NON 0157 STEC8 ACCORDING TO SSOP PROGRAM REQUIRED BY THE USDA. THE TESTS WITH NEGATIVE RESULTS COVERS THE LOTS CONTAINED UNDER SHIPPING MARK # 0627-20 CERTIFICATE No. 5-5258 CONTAINER SEGU 902327-0 DURING THE SLAUGHTER AND DEBONING PROCESS ALL THE CRITICAL POINTS OF THE LOTS EXPORTED AND COVERED UNDER THIS CERTIFICATE WERE CHECKED AND VERIFIED ACCORDING TO THE HACCP PLAN IN FORCE IN THIS ESTABLISHMENT PRODUCTION DATE MAY 07th, 2020 - TO MAY 19th, 2020

THE TEST USED IS THE GENETIC DETECTION SYSTEM (GDS MPX Top 7 STEC) FROM BIOCONTROL SYSTEM FOR A QUICK RESULT AND THE CONFORMATORY TEST IS THE MLG 5.05 AND THE MLG 5B.01 FOR DETECTION ISOLATION AND IDENTIFICATION METHOD FOR E. COLI 0157: H7 AND THE E. COLI NON 0157 STECs. ALL METHODS ARE APPROVED BY THE USDA.

I HEREBY CERTIFY THAT ALL PRODUCTS EXPORTED COME ONLY FROM BOVINE ANIMALS (CATTLE) AND THAT ARE SO DECLARED ON THE LABEL.

CERTIFICO QUE EN ESTE ESTABLECIMIENTO NUMERO CINCO (5), NUEVO CARNIC, S.A. SE REALIZAN LOS TESTS PARA E. COLI Y SALMONELLA INCLUYENDO E. COLI 0157: H7 Y E. COLI NON 0157 STEC® DE ACUERDO AL PROGRAMA SSOP REQUERIDO POR EL USDA, LOS TEST CON RESULTADOS NEGATIVO CUBREN LOS LOTES BAJO MARCAS DE EMBARQUE # 0627-20 CERTIFICADO # 5-5258 CONTENEDOR SEGU 902327-0 DURANTE EL PROCESO DE MATANZA Y DESHUESE TODOS PUNTOS CRITICOS DE CONTROL DE LOS LOTES EXPORTADOS Y CUBIERTOS BAJO ESTE CERTIFICADO FUERON CHEQUEADOS Y VERIFICADOS DE ACUERDO AL PLAN HACCP EN VIGENCIA EN ESTE ESTABLECIMIENTO: FECHA DE PRODUCCION DEL 07 DE MAYO 2020 - AL 19 DE MAYO 2020

Dr. Revil Guillen Castro Oficial Vetermarian Inspector

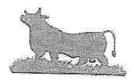
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CRISTIANA, SOCIALISTA, SOLIDARIA!

INSTITUTO DE PROTECCION Y SANIDAD AGROPECUARIA

Dirección de Inocuidad Agroalimentaria DIA-IPSA. www.ipsa.gob.ni Km 5 carretera norte, contiguo a ENACAL Portezuelo Correo: <u>inocuidad.agroalimentaria@ipsa.gob.ni</u> Tel: (505)22981330 Ext. 178 web: www.ipsa.gob.ni



NUEVO CARNIC, S.A

Kilómetro 10.5 carretera norte, 1000 metros al norte, Managua, Nicaragua.
Tel: (505) 2263-3156 E-mail: a\_export@nuevocarnic.com.ni
Ruc No. J0310000000846

FACTURA DE EXPORTACION / INVOICE

No: 27140

DIA/DAY	MES/MONTH	AÑOYEAR		
19	may.	2020		

TIPO DE VENTA / TERMS OF SALE : EX-WORKS		19	may. 2020		
COMPRADOR/PURCHASER: LA BODEGA MEAT  DIRECCION/ADDRESS: 14330 GILLIS RD FARMERS BRANCH, TX 75244	NAVIERA/SHIPPING LINE SELLO NAVIERA/SEAL SHIPPPING L TEMPERATURA/TEMPERATURE ORDEN DE COMPRA/P.O NO. LOTE No./SHIPPING MARK FECHA EMBARQUE/SHIPPING DATE FECHA ARRIBO/ARRIVAL DATE	G278303 28°F 0627-20 24-may2	28°F 0627-20 24-may2020		
CONSIGNADO A/CONSIGNEE: LA BODEGA MEAT DIRECCION/ADDRESS:	B/L No. PUERTO SALIDA/PORT OF LOADING DESTINO/DESTINATION	DALLAS,	6282A HONDURAS		
14330 GILLIS RD FARMERS BRANCH, TX 75244	VIA EMBARQUE/ROUTE OF SHIPMEN NOMBRE BARCO/VESSEL VOYAGE AGENCIA ADUANERA/CUSTOM AGEN	NORDBA	NORDBALTIC 30		
CONDICIONES DE PAGO/TERMS: Credito	No. FURGON/CONTAINER No. SELLO IPSA/SEAL No. CABEZAL No	SEGU 902 0005445	327-0		
BOXES WEIGHT	ACCEPTATION	PRECIO US\$	VALOR US\$ VALUE US\$		
165 8.040.853-431 - SIGNATURE - IN 90 4.711.553-432 - SIGNATURE - KNX 67 3.573.353-433 - SIGNATURE - SP		3.1000 3.1400	24,926.64 14,794.27		
67 3,573.353-433 - SIGNATURE - SB 45 2,429.053-434 - SIGNATURE - ER		3.9700	14,186.20		

CONES	DESCRIPTION	INCOIO 033	VALOR USS
165	8,040,853-431 - SIGNATURE - IN	UNIT PRICE	VALUE USS
90	4,711.553-432 - SIGNATURE - KNX	3.1000	24,926.6
67	3,573.353-433 - SIGNATURE - SB	3.1400	14,794.2
45	2,429.053-434 - SIGNATURE - ER	3.9700	14,186.20
108	5,406.909-435 - SIGNATURE - OUT	2.9900	7,262.86
17	891.403-436 - SIGNATURE - FLAP MEAT	2.9600	16,004.42
138		4.1500	3,699.31
10	7,149.703-439 - SIGNATURE - CL	2.2900	16,372.81
23	541 603-443 - SIGNATURE - FLANK STEAK	3 9800	2,155.57
11	1,233,453-444 - SIGNATURE - INSIDE SKIRT	3 5000	4,317.08
38	595.203-445 - SIGNATURE - OUTSIDE SKIRT	4.4100	2,624.83
	1.953.653-446 - SIGNATURE - BRISKET	2.9100	5,685.12
102	5,500.50\$-447 - SIGNATURE - RE	4.1600	22,882,08
814.00	42,027.20	18	ANALYSIA SA
	101	AL VALOR EX-WORKS US\$	134,911.19

TOTAL VALOR US\$

**EXPENSES** 

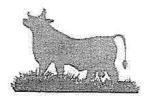
135,241.19

330.00

020 1.30. 5085 | 4.4 cents | 19,103



No. Autorización DGI - ASFC010012022015-7



### Nuevo Carnic S.A.

Kilómetro 10.5 carretera norte, 1000 metros al norte, Managua, Nicaragua. RUC: J0310000000646 Teléfonos:

#### PACKING LIST, REMISION AND WEIGHT LISTA DE EMPAQUE, REMISION Y PESO

Consignee: Consignado a : LA BODEGA MEAT

Date: Fecha: 19/05/2020

Invoice #:

27140

Notify: Notificar a: LA BODEGA MEAT

Factura #:

0627-20

Destination:

DALLAS, TEXAS

Shipping Mark: Lote No.:

Destino:

Container #: Furgon No.:

SEGU 902327-0

Routen of Shipment: Maritima Via de Embarque:

Seal #:

0005445

Sello No.:

	0011011011		
DESCRIPTION/DESCRIPCION	BOXES/CAJAS	WEIGHT/	JBRAS NETAS
SIGNATURE - IN		165	8.040.85
SIGNATURE - KNX		90	4,711.55
SIGNATURE - SB		67	3,573.35
SIGNATURE - ER		45	2,429.05
SIGNATURE - OUT		108	5,406.90
SIGNATURE - FLAP MEAT		17	891.40
SIGNATURE - CL		138	7,149.70
SIGNATURE - FLANK STEAK		10	541.60
SIGNATURE - INSIDE SKIRT		23	1,233.45
SIGNATURE - OUTSIDE SKIRT	THE RESERVE TO SERVE THE PROPERTY OF THE PROPE	11	595.20
SIGNATURE - BRISKET	***	38	1,953.65
SIGNATURE - RE	Section 40 remarks as a section of the section of t	102	5 500 50

Naviera:

SEABOARD

Product Temperature

Thermoking Temperature: 28°F

Net Weight/Total

814

42,027.20

Tare/Tara

2,352.80

Gross Weight/Peso Bruto

44,380.00

Recibi Conforme Transportistas

## Seaboard Marine Ltd.

ELECTRONIC BILL OF LADING

Page 1 OF 1

SHIPPER/EXPORTER/REM	TENTE		SHIPPER N	u interiore			<u> </u>	M = 2 C=
RUC J031000	00000646		120		6156282 A	INVOICE NUMBE		BROKERAGE
NUEVO CARNIC	C SA R NORTE 1000	ute in	1.00	W- 42	0150282 A EXPORT REFERENCES/F	999172		NO
MANAGUA. NI	AKAITIA	MIS AL	LAGU		A OUL ALL ENERGESS	IE-ERIVLIAS EXPORTA	LION	
T. (505) 22. F. (505) 226	33-1184 EXT ] 53-3156	12						
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					SMLU 61			YEAR 4 2020

SHIPPER/EXPORTER/REMTENTE



## ARRIVAL NOTIFICATION

05/26/20

15:52:49

ATTENTION:

d.cazares@labodegameat.com

VESSEL/VOYAGE: NORDBALTIC 00030 CENSUS PORT: 5301

CENS

FROM: SEABOARD MARINE, LTD 16398 JACINTOPORT BLVD HOUSTON, TX 77015

CONTACT: Omar Lacayo HOUSTON INBOUND

FAX: 305 5773818

PHONE: 305 5305776

EMAIL: omar.lacayo@seaboardmarine.com

ARRIVAL PORT: HOUSTON, TX

ARRIVAL DATE: 05/27/20 08:00:00

DISCHARGE DATE: 05/27/20 14:00:00

CARGO LOCATIONS

LTL: 16203 PENINSULA ST HOUSTON, TX FIRMS CODE (U966)

FULLLOAD: 16398 JACINTO PORT BLVD HOUSTON, TX FIRMS CODE (U966)

BILL OF LADINGS

6156282A

EQUIPMENT

SEGU 902327 0

#### NOTICES

EQUIPMENT DEMURRAGE/ENERGY FREE TIME
FREE TIME WILL COMMENCE DAY AFTER VESSEL'S ARRIVAL
DRY- 3 WORKING DAYS

REEFER- 3 WORKING DAYS

PRIOR TO RELEASE THE FOLLOWING ARE REQUIRED:
U.S. CUSTOMS CLEARANCE (AMS). DELIVERY ORDER AND ORIGINAL B/L.
FINAL DELIVERY INSTRUCTIONS MUST CONSIDER REMOVING THE SHIPMENT FROM THE
TERMINAL WITHIN TH ETERMINAL FREE PERIOD. PLEASE PROVIDE DELIVERY
INSTRUCTIONS THAT ALLOW FOR THE TRANSIT TIME REQUIRED BY THE MODE OF
EXPIRATION OF TERMINAL FREE TIME IN ORDER TO AVOID THE ASSESSMENT OF
DEMURRAGE CHARGES.
NOTE: AS PER US CUSTOMS REGULATIONS. CARGO MUST BE CLEARED WITHIN 15 DAYS
OF ARRIVAL. OTHERWISE SHIPMENT WILL BE UNLOADED IN A CUSTOMS
WIRE TRANSFER INSTRUCTIONS:

WIRE TRANSFER INSTRUCTIONS:

\*\* PLEASE INCLUDE BILL OF LADING NUMBER
ACCOUNT NUMBER: 30623911

FURTHER CREDIT: VASOO SFABOARD MARINE (HOUSTON)
PLEASE NOTE, THE TRANSPORTATION COMPANY CARRYING SLABBOARD'S EQUIPMENT MUST
LOCAL DOOR DELIVERIES ARE PREDICATED ON A ONE (1) HOUR FREE UNLOAD; ANY
ADDITIONAL WAITING TIME IS ASSESSED AT \$100.00 PER HALF HOUR.

\*\* ADDITIONAL WAITING TIME IS ASSESSED AT \$100.00 PER HALF HOUR.

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\*\* ADDITIONAL WAITING TIME IS ASSESSED AT \$100.00 PER HALF HOUR.

\*\* ADDITIONAL WAITING TIME IS ASSESSED AT \$100.00 PER HALF HOUR.

\*



## ARRIVAL NOTIFICATION

05/26/20

15:52:49

ATTENTION:

d.cazares@labodegameat.com

VESSELVOYAGE: NORDBALTIC 00030 CENSUS PORT: 5301

CENS

Q C1

ARRIVAL PORT: HOUSTON, TX

ARRIVAL DATE: 05/27/20 08:00:00

DISCHARGE DATE: 05/27/20 14:00:00

FROM: SEABOARD MARINE, LTD 16398 JACINTOPORT BLVD HOUSTON, TX 77015

CONTACT: Omar Lacayo HOUSTON INBOUND

FAX: 305 5773818

PHONE: 305 5305776

EMAIL: omar.lacayo@seaboardmarine.com

CARGO LOCATIONS

FULL LOAD:

ITI:

BILL OF LADINGS

EQUIPMENT

NOTICES

IF PAYER DOES NOT HAVE CREDIT PRIVILEGES ESTABLISHED WITH SEABOARD MARINE + PAYMENT IS REQUIRED IN THE FORM OF:

\*\*\*\*\* CASHIER CHECK, MONEY ORDER OR WIRE TRANSFER \*\*\*\*\*
PLEASE CALL THE ABOVE CONTACT BEFORE ISSUING PAYMENT.

THANK YOU

OMB APPROVAL NO: 1651-0022 EXPIRATION DATE 01/31/2021

						TEAM: (b)(	7)(E)	OMB APPROVAL NO: 1651-0 EXPIRATION DATE 01/31/3
DEPARTMENT OF HOMELAND SECURITY					1. Filer Code/Entry		try Type	3. Summary Date
U.S. Customs and Border Protection					(b)(4)		ABI/A	06/11/20
ENTRY SUMMARY					4. Surety No. 5. B	2000	rt Code 01	7. Entry Date 06/04/20:
8. Importing Carrier 9. Mode of Transport			10. Country of Origin			11. Import Date		
40 D/I	(b)(4)		11	·	NI			06/04/20
12. B/L	or AWB No. (b)(4)		13. Man	ufacturer ID (b)(4)	14. Exporting Cour	ntry		15. Export Date
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5 12500	- JACINTO PORT	0.55	(b)(4	)	(b)(4)			
25. Ultir	mate Consignee Name	and Addres	SS	=14	26. Importer of Red	cord Name and	Address	
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I declare	e that I am the I Impor	rter of record	and that th	e actual owner,		E. Ascertained	Total	40. Total
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	naser or agent thereof I feet forth in the invoices are							
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1 Page 2011 C. 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	r services provided to the				2-10 DDM sect to represent years 50-10 \$ return 6-6 may be tall			
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E	ker/Filer Information (N	ame, addre	ss, phone	number)	43. Broker/Importe (b)(4)	r File No.		CBP FORM 7501 (2

#### Form Approved OMB No. 1651-0024 Exp. 01-31-2012

## DEPARTMENT OF HOMELAND SECURITY U.S. CUSTOMS AND BORDER PROTECTION ENTRY/IMMEDIATE DELIVERY

19 CFR 142.3, 142.16, 142.22, 142.24

(b)(4)(b)(7)(E 1. ARRIVAL DATE 2. ELECTED ENTRY DATE 3. ENTRY TYPE CODE/NAME 4. ENTRY NUMBER 06/04/20 02 ABI/A (b)(4)5. PORT 6 SINGLE TRANS BOND 7. BROKER/IMPORTER FILE NUMBER 5301 (b)(4)8. CONSIGNEE NUMBER 9. IMPORTER NUMBER (b)(4)(b)(4)10. ULTIMATE CONSIGNEE NAME 11. IMPORTER OF RECORD NAME LA BODEGA MEAT & PRODUCE INC 2017 14330 GILLIS RD FARMERS BRANCH TX 75244 US 12. CARRIER CODE 13. VOYAGE/FLIGHT/TRIP 14. LOCATION OF GOODS/CODE(S)/NAME(S) 0013 JACINTO PORT TERMINAL - WHARF 3 15. VESSEL CODE/NAME (b)(4)16. U.S. PORT OF UNLADING 17. MANIFEST NUMBER 18. G.O. NUMBER 19. TOTAL VALUE 5301 HOUSTON, TX \$129,736 20 DESCRIPTION OF MERCHANDISE BONELESS BEEF/4.4 CENTS/KG 21. IT/BL/ AWB CODE 22 IT/BL/AWB NO 23. MANIFEST QUANTITY 25 COUNTRY 26. MANUFACTURER NO. OF ORIGIN 24 TSUSA NUMBER (b)(4) 795 CT 0201305085 NI (b)(4)27 CERTIFICATION 28. CBP USE ONLY I hereby make application for entry/immediate delivery. I certify that the above OTHER AGENCY ACTION REQUIRED, NAMELY: information is accurate, the bond is sufficient, valid, and current, and that all requirements of 19 CFR Part 142 have been met... SIGNATURE OF APPLICANT X (b)(6)PHONE NO **CBP EXAMINATION REQUIRED** 06/01/20 29. BROKER OR OTHER GOVT, AGENCY USE ENTRY REJECTED. BECAUSE: SIGNATURE DELIVERY DATE AUTHORIZED Paperwork Reduction Act Statement: An agency may not conduct or sponsor an information collection and a person is not required to respond to this information unless it displays a current OMB control number and an expiration date. The control number for this collection is 1651-0024. The estimated average time to complete this application is 15 minutes. If you have any comments regarding the burden estimate

you can write to U.S. Customs and Border Protection, Office of Regulations and Rulings, 799 9'th Street NW., Washington DC 20229.

June 3, 2020 ABI MESSAGES PAGE 1 OF 1 (b)(4)

#### Central America-Dominican Republic-United States Free Trade Agreement

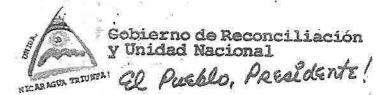
#### CERTIFICATION OF ORIGIN

Tratado de Libre Comercio entre Centroamérica, República Dominicana y los Estados Unidos

## CERTIFICADO DE ORIGEN

36

1. Exporter's name, address and tax identification number:		REPUBLICA	DE NICARAGL	ΙΔ Ν	***
Nombre, dirección y número de registro fiscal del exportador	<ol><li>Blanket pen</li></ol>	iod:		No.	. 001970
NUEVO CARNIC S.A	Período que	cubre:			
		M Y-A		1991	25.00
KM 10.5 CARRETERA NORTE, 1000 METROS AL NORTE,	From	GE I AZ E SA	To 2-		Y- A
MANAGUA, NI CARAGUA	De *	7 05 2020	A 2	05	2021
J031000000646 NICARAGUA		(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)		* - L L	
Producer's name, address and tax identification number;     Number disease.	4. Importer's na	ame, address and tax iden	Mication au-bas		
Nombre, dirección y número de registro fiscal del productor: NOEVO CARNIC, S.A.	Nombre, dire	cción y número de rea str	o fiscal del moorts	ador	
S. LEASTER	LA BODEGA	MEAT			
	14330 GILL	IS RD FARMERS BRA	NCH, TX 7524	4	
5. Description of good(s) - Descripción de la(s) mercancia(s)	*		ESTAD	OS UNIDOS	
good(s, - descripcion de la(s) mercancia(s)	6. HS tariff	7. Preferencial tariff	8. Other Criteria	9. Producer	10. Country
	classification Clasificación	treadment criteria	Otros Criterios	Productor	of origin
	Arancelaria	Criterio para trato arancelario preferencia	į		Pais de Orig
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1. Remarks - Observaciones	** ** **				
INVOICE 27178					
2. Under oath I certify that:	Desta Co	CONTRACT NO.			
STACKE (Design West, Appropriate Company of the Com	Declaro bajo juran				
false statements or material omissions made on or in connection with this decrease	and an annie de c	contenida en esta do: omprobar lo aquí certific ción falsa u omisión ma	BOO FRIOV CONCE		
this confination and to its	documento.				
this certification, and to inform, in writting, all persons to whom the certification was given of any changes that would affect the accuracy or validty of this Certification.	- Me comprometo	a conservar y present	ar, en caso de s	er requerido,	los document
The goods originated in the territory of one or more of the Perties, and comply with	10000001102 dog 10	spaidell el contenido de l	a presente certific	anian ani	
the origin requirements specified for those goods in the Central America Deminion	openio a rocas re	as personas a quienes ue pudiera afectar la exe	Se ha entregedo	a procents	certificación.
Republic - United States Free Trade Agreement, and that there has been no further	- Las mercancias	son originarias del territor	io de una o más P	artee v aumol-	n nau (
enerifically determine is \$ 3 to 1 and 4	adoising as olide	in que les son aplicable.	conforme al Tra	tedo do Libro	Campania
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his Certification consists in pages, including all attachments.  sta certificación se compone de _1 hojas incluyendo todos sus anexos		permitidos en el Artículo	4-12, el Anexo 4.1	o en el Apénd	lice 3.3.6.
	Company - Empres			- Police	
	NUEVO CARNIC	, S.A.	1/2	APA	
me - Nombre			10	THE STATE OF	
RIGHE HUMBERTO MONCADA HEDNAMORE	Title - Cargo		1/1		0/1
to Coaha	DIRECTOR COM	EKCIAL	112	THE PERSON	$  \nabla   $
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Place:

MANAGUA

NICARAGUA

MANAGUA

MAY 27th, 2020

#### CERTIFICATE

I CERTIFY THAT IN THIS ESTABLISHMENT NUMBER FIVE (5), NUEVO CARNIC, S.A. WE RUN E. COLI AND SALMONELLA TESTS INCLUDING E. COLI 0157: H7 AND NON 0157 STECs ACCORDING TO SSOP PROGRAM REQUIRED BY THE USDA. THE TESTS WITH NEGATIVE RESULTS COVERSTHE LOTS CONTAINED UNDER SHIPPING MARK # 0671-20 CERTIFICATE No. 5-5317 CONTAINER SMLU 544470-4 DURING THE SLAUGHTER AND DEBONING PROCESS ALL THE CRITICAL POINTS OF THE LOTS EXPORTED AND COVERED UNDER THIS CERTIFICATE WERE CHECKED AND VERIFIED ACCORDING TO THE HACCP PLAN IN FORCE IN THIS ESTABLISHMENT PRODUCTION DATE MAY 13th, 2020 - TO MAY 27th, 2020

THE TEST USED IS THE GENETIC DETECTION SYSTEM (GDS MPX Top 7 STEC) FROM BIOCONTROL SYSTEM FOR A QUICK RESULT AND THE CONFORMATORY TEST IS THE MLG 5.05 AND THE MLG 5B.01 FOR DETECTION ISOLATION AND IDENTIFICATION METHOD FOR E. COLI 0157: H7 AND THE E. COLI NON 0157 STECs. ALL METHODS ARE

I HEREBY CERTIFY THAT ALL PRODUCTS EXPORTED COME ONLY FROM BOVINE ANIMALS (CATTLE) AND THAT ARE SO DECLARED ON THE LABEL.

CERTIFICO QUE EN ESTE ESTABLECIMIENTO NUMERO CINCO (5), NUEVO CARNIC, S.A. SE REALIZAN LOS TESTS PARA E. COLI Y SALMONELLA INCLUYENDO E. COLI 0157: H7 Y E. COLI NON 0157 STECs DE ACUERDO AL PROGRAMA SSOP REQUERIDO POR EL USDA, LOS TEST CON RESULTADOS NEGATIVO CUBREN LOS LOTES BAJO MARCAS DE EMBARQUE # 0671-20 CERTIFICADO # 5-5317 CONTENEDOR SMLU 544470-4 DURANTE EL PROCESO DE MATANZA Y DESHUESE TODOS PUNTOS CRITICOS DE CONTROL DE LOS LOTES EXPORTADOS Y CUBIERTOS BAJO ESTE CERTIFICADO FUERON OFFICADOS E VERIFICADOS DE ACUERDO AL PLAN HACCP EN VIGENCIA EN ESTA ESTABLECIMIENTO: FECHA DEL 13 DE MAYO 2020 - AL 27 DE MAYO 2020 PRODUCCION

Dr. Raul Guilleti Castro

Oficial Veterinarian Inspector

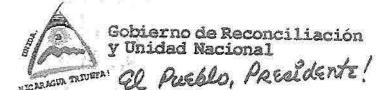
Cc.archivo/Luck



CRISTIANA, SOCIALISTA, SOLIDARIA!

INSTITUTO DE PROTECCION Y SANIDAD AGROPECUARIA

Dirección de Inocuidad Agroalimentaria DIA-IPSA. www.ipsa.gob.ni Km 5 carretera norte, contiguo a ENACAL Portezuelo Correo: inocuidad.agroalimentaria@ipsa.gob.ni Tel: (505)22981330 Ext. 178 web: www.ipsa.gob.ni







Place:

MANAGUA

Country:

NICARAGUA

City: MANAGUA

Date: MAY 27th, 2020

I, Raúl Guillen Castro, DVM, Official Veterinary Head Inspector from Institute of Protection and Agricultural Health of the Republic of Nicaragua Certifies that: (IPSA), assigned at establishment # 5, certifies that all processed beef product at the plant and exported to the United States of America and other markets around the World, is 100% derived from bovine animals which were inspected before and post mortem and found in optimum sanitary conditions for human consumption in compliance with importing country requirements.

Yo Dr. Raúl Guillen Castro, Médico Veterinario Oficial del Instituto de Protección Agroalimentaria (IPSA) de la República de Nicaragua, asignado al Establecimiento No. 5, hago constar que el producto cárnico que se procesa y exporta a los Estados Unidos de América y demás mercados en el mundo procede de animales de la especie Bovina los cuales fueron inspeccionados. Antes y Post-Mortem y se encuentran en condiciones higiénico - sanitarias óptimas para consumo humana en pumplimiento de las disposiciones sanitarias de cada país.

Dr. Kaul Guillen Castro Official Veterifario Inspector



Cc.archivo/Lucy/



CRISTIANA, SOCIALISTA, SOLIDARIA!
INSTITUTO DE PROTECCION Y SANIDAD AGROPECUARIA

Dirección de Inocuidad Agroalimentaria DIA-IPSA. www.ipsa.gob.ni Km 5 carretera norte, contiguo a ENACAL Portezuelo

Correo: inocuidad.agroalimentaria@ipsa.gob.ni Tel: (505)22981330 Ext. 178 web: www.ipsa.gob.ni



#### **ORIGINAL**

No 5-5317

MAY 27th, 2020

Fecha:

#### REPÚBLICA DE NICARAGUA INSTITUTO DE PROTECCIÓN Y SANIDAD AGROPECUARIA DIRECCIÓN DE INOCUIDAD AGROALIMENTARIA

SECCIÓN DE INOCUIDAD CARNES CERTIFICADO OFICIAL DE INSPECCIÓN DE CARNES PARA

CARNES FRESCAS Y SUS DERIVADOS (Official Meat-Inspection Certificate for Fresh Meat and Meat By Products)

País:

NICARAGUA

MANAGUA

Cludad:

Lugar:

Yo, por medio del presento, certifico que, la carne y sus derivados de carne aqui descritos, son derivados de animales: que recibieron lospe Vesterinaria Anta-Mortem y Post-Mortem, al tiempo de serificarse en plantas certificados para la exportación de sus productos hacia lumidos y que en estra adultarendos o mai eliquendos de secured a las regulaciones del Departamento de Agricultura de los estrados Unidos productos han estra de l'entro y que elches productos han sido manejados de manera sinitaria en este país y además en cumplimiento como de la contra de la contra Malgina, por lo miento en los oltimos seis meias; y el Antras no es prevalente en el país.  In hereby certify that the meat and marb by producta herein described were derived from livestock which received authematican para en contra de la	(Place)	(City)			Fecua:	
Lindica y que no están adultenados o mai elecuerados de acuerados de parte parte de Departamento de Agricolura de las expoducios has tos de parte parte de Agricolura de las expoducios has tos de las regulaciones del Departamento de Agricolura de las expoducios has tos de parte parte part	,	(City)	(Country)		(Date)	W
I horeby cartify that the meat and most by products herein described were derived from livestock which received ante-mortem and post-movement in inspection at the time of slaughter in plants certified for exportation of their products towards the United Estates, and are not adulte or misbranded as defined by the regulations governing meat impection of the US operament of Agriculture, and that said products have handled in a sanitary manner in this country and are otherwise in compliance with requirements at least equal to those in the Federal Meat imperation of the US of those in the Federal Meat imperation of the US of the Window of an Mouth Disease, Rinderpest, Constgious Bovine Pleuroneumonia, Bovine Mailgnand Catal for at least the last 1x months and Anthrax is not provident in the country.  Tipo de producto.  (Kind of product).  Especie animal del cual se deriva (Species of livestock Derived from)  Cual se deriva o recipientes (Weight)  (Species of livestock Derived from)  Person or containers)  FRESH BONELESS BEEF  BOVINE  BOVINE  P95 CARTONS  41,693.60 POUNDS  ANIOUS FRESH BNIS BEEF CUTS  **NO. FIVE (5)  **MARIOUS FRESH BNIS BEEF CUTS  **NO. FIVE (5)  **See reverse**  Marcas de identificación en el pro Jucto y recipientes:  (Identification marks on product and container)  **Embarcador;*  NUEVO CARNIC, S.A.  **Consignord**  Inapplication of the product of th	Unidos y que no están adulten gobierna la inspección de Carr requisitos similares a los del A	ados o mal etiquetados de acue ne y que dichos productos han s acta Federal de Inspección de Ca	rdo a las regulaciones del E ildo manejados de manera :	s para la exportac Departamento de A sanitaria en este p	ión de sus produ Agricultura de los aís y además en	ectos hacia los Estad Estados Unidos y c cumplimiento con
Cual se deriva (Species of livestock Derivation)  Cual se deriva (Species of livestock Derivation)  Derived from)  See reverse  Marcas de Identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  See reverse  Marcas de Identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  See reverse  Marcas de Identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  See reverse  Marcas de Identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  See reverse  Marcas de Identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  See reverse  Marcas de Identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  NUEVO CARNIC, S.A.  Consignation:  I ABODEGA MEAT  Consignation:  Consignation:  Consignation:  ANA PRODUCT-INTACT  Temperatura del producto:  (Product Category)  PRIMALS  Container Number)  Número de Contenedor:  Container Number)  Número de Bertabora Inanto:  FIVE (5)  Fireduct Group)  MAY 13th, 2020  MAY 13th, 2020  Número de Bertabora Inanto:  FIVE (5)  Estil Des de Producto:  MAY 27th, 2020  Número de Destribution Inanto:  FIVE (5)  Estil Des de Producto:  FIVE (5)  FIRMAL SELLO OFICIAL  FIRMA  SELLO OFICIAL	I hereby certify that the meat veterinary inspection at the tim or misbranded as defined by the handled in a sanitary manner in Act and said regulations. Nicara	and meat by products herein do e of slaughter in plants certified he regulations governing meat in this country and are otherwise in igua is free from food and Mouth	escribed were derived from for exportation of their pro- nospection of the U.S Depar nocompliance with requirem Disease Rindernest Control	livestock which re fucts towards the tment of Agricultu	eceived ante-mor United Estates a re and that sali	tem and post-morte nd are not adulterat d products have be
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see reverse  Marcas de identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  Embarcador:  (Identification marks on product and container)  Embarcador:  (Consignor)  Dirección::  (Address)  LA BODEGA MEAT  (Consignes)  (Consignes)  (Product temperature)  Número del producto:  MAY 27th, 2020  Número de marchamo:  (Container Number)  Número de marchamo:  (Consignes)  (Seal Number)  Número del producto:  FIVE (5)  (Establiss al Julia Meatamaine)  (Descination)  SELLO OFICIAL  (DESCIAL VETERINARIA IN MERCACOO)	FRESH BONELESS BEEF	POVINE	705	CARRONIC	A COMPANS	/2
see reverse  Marcas de identificación en el pro Jucto y recipiente:  EST. No. FIVE (5)  Embarcador;  NUEVO CARNIC, S.A.  (Consignor)  Dirección:  LA BODEGA MEAT  (Consignatión:  LA BODEGA ME	3		795	CARTONS	41,693.60	POUNDS
See reverse  Marcas de identificación en el pro Jucto y recipiente:  (Identification marks on product and container)  Embarcador:  (Consignor)  Dirección:  (Consignor)  Dirección:  (Address)  ConsignatAtio:  ConsignatAtio:  LA BODEGA MEAT  (Consigned)  Destino:  14330 GILLIS RD FARMERS BRANCH, TX 75244  Destino:  Destino:  Destino:  Product group:  RAW PRODUCT-INTACT  Temperatura del producto:  Product Category)  RAW INTACT-BEEF  Número de contenedor:  SMUL544470-4  Product Category)  PRIMALS  (Container Number)  Grupo de Producto:  Product Group)  MAY 13th, 2020  Seal Number)  Product Group)  MAY 13th, 2020  Secha de Producción:  MAY 27th, 2020  Número del Establistical entre la producto:  MAY 27th, 2020  Número del Establistical entre la producto:  Shipping marks)  DR RAUL GUILLEN CASTRO  INSPECTOR VETERINARIO OFICIAL  (OFEICIAL VETERINARIO OFICIAL  (OFEICIAL VETERINARIO OFICIAL  (OFEICIAL)  FIRMA  SELLO OFICIAL	*YIGOO3 LICEN BIJES BEEL CO.12					
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Consignor   Cons	Embarcador:		ILIEVO CARNIC S A	3/44		
Consignative:  LA BODEGA MEAT  (Consignee)  Destino:  Destino:  DALLAS TEXAS  U.S.A  (Destination)  Categoría de proceso:  (Process Category)  Categoría de producto:  Product Categoría de producto:  Product Categoría de producto:  Product Categoría  Primals  Grupo de Producto:  AND SUBPRIMALS  (Container Number)  Fecha de Producción:  MAY 13th, 2020  MAY 13th, 2020  MAY 27th, 202	(Consignor)  Dirección: KM. 10		The Property of the Parket of	251 MANAGUA, NI	CARAGUA	
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Categoría de producto: RAW INTACT-BEEF Número de contenedor: SMILI 544470.4  (Product Category) PRIMALS (Container Number)  Grupo de Producto: AND SUBPRIMALS Número de marchamo: 0005489 NIC-INSP & AP  (Product Group) MAY 13th, 2020 (Seal Number)  Fecha de Producción: MAY 27th, 2020 Número del Establizacionilento: FIVE (5)  (Production date) (Establish 1344470.4  (Establis			Temperatura	del producto: _	+ 33*5	( i
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# REPÚBLICA DE NICARAGUA INSTITUTO DE PROTECCIÓN Y SANIDAD AGROPECUARIA SECCIÓN DE INOCUIDAD CARNES

El suscrito Médico Veterinario Oficial del Instituto de Protección y sanidad Agropecuaria de la República de Nicaragua certifica que:

- El producto cárnico de bovino es originario de Nicaragua, país clasificado por la OIE como de Riesgo Insignificante de EEB.
- Si la EEB ha sido diagnosticada en uno o más bovinos nativos de Nicaragua, los productos se derivaron de los bovinos sujetos a una prohibición de alimentación a rumiantes con harina de carne y huesos o chicharrones derivados de rumiantes.
- Los productos cárnicos de bovino proceden de animales sanos que recibieron inspección Ante-Mortem y Post-Mortem.
- La carne que ampara el presente certificado no ha tenido contacto con cerdos ni productos de cerdos durante su sacrificio, faenamiento, almacenamiento y transporte.

The undersigned Official Veterinary Inspector of the Institute of Protection and Agricultural Health of the Republic of Niçaçagua certifies that:

- The bovine meat product is originally from Nicaragua, a country classified by OIE as Negligible Risk for BSE.
- If BSE has been diagnosed in one or more indigenous bovines of Nicaragua, the commodities were derived from bovines subject to a ban on the feeding to ruminants of meat-and-bone meal or greaves derived from ruminants.
- The bovine meat products were derived from bovines that passed ante-mortem and postmortem inspections.
- The beef under this Certificate has not been in contact with pork or its products, throughout slaughtering, handling, storage and transport.

DR. RAUL GUILLEN CASTRO

INSPECTOR VETERINARIO OFICIAL (OFFICIAL VETERINARIAN INSPECTOR)

FIRMA (SIGNATURE)



NUEVO CARNIC, S.A

Kilómetro 10.5 carretera norte, 1000 metros al norte, Managua, Nicaragua.
Tel: (505) 2263-3156 E-mail: a\_export@nuevocarnic.com.nl
Ruc No. J031000000646

FACTURA DE EXPORTACION / INVOICE

No: 27178

DIA/DAY	MES/MONTH	ANOMEAR
27	may.	2020

COMPRADOR	LE: EX-WORKS	1-10-17-03-2		
LA BODEGA M		NAVIERA/SHIPPING LINE	SEABOARD	7
		SELLO NAVIERA/SEAL SHIPPPING LINI	E G2783162	
DIRECCION/AC		TEMPERATURA/TEMPERATURE	28°F	
14330 GILLIS R	D FARMERS BRANCH, TX 75244	ORDEN DE COMPRA/P.O NO.	418	
		LOTE No./SHIPPING MARK	0671-20	
		FECHA EMBARQUE/SHIPPING DATE	31-may2020	
		FECHA ARRIBO/ARRIVAL DATE	04-jun2020	
	A/CONSIGNEE:	B/L No.	SMLU6164368	BA.
A BODEGA ME	EAT	PUERTO SALIDA/PORT OF LOADING	CORTEZ, HON	
DIRECCION/AD		DESTINO/DESTINATION	DALLAS, TEX	
14330 GILLIS R	D FARMERS BRANCH, TX 75244	VIA EMBARQUE/ROUTE OF SHIPMENT	Maritima	25
		NOMBRE BARCO/VESSEL VOYAGE	AS PETRA 13	
		AGENCIA ADUANERA/CUSTOM AGENCY		
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	DE PAGO/TERMS:	No. FURGON/CONTAINER No.	SMLU 544470-	4
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45	3,636.8 <b>5</b> 3-433 - SIGNATURE - SB 2,447.6 <b>5</b> 3-434 - SIGNATURE - ER		3.9700	14,438.29
100	5,144.903-435 - SIGNATURE - OUT		2.9900	7,318.47
17	910.353-436 - SIGNATURE - FLAP MEAT		2.9600	15,228.90
135	6.877.753-439 - SIGNATURE - CL		4.1500	3,777.95
11	621.453-443 - SIGNATURE - FLANK STE	AV.	2.2900	15,750.05
25	1,399.753-444 - SIGNATURE - INSIDE SKIF		3.9800	2,473.37
10	538.203-445 - SIGNATURE - OUTSIDE SK		3.5000	4,899.13
37	1,952.003-446 - SIGNATURE - BRISKET	NINE	4.4100	2,373.46
102	5,652.503-447 - SIGNATURE - RE		2.9100	5,680.32
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No. Autorizacion DGI - ASFC010012022015-7



#### Nuevo Carnic S.A.

Kilómetro 10.5 carretera norte, 1000 metros al norte, Managua, Nicaragua. RUC: J0310000000646 Teléfonos:

#### PACKING LIST, REMISION AND WEIGHT LISTA DE EMPAQUE, REMISION Y PESO

Consignee: Consignado a : LA BODEGA MEAT

Date: Fecha:

27/05/2020

Notify:

LA BODEGA MEAT

Invoice #:

27178

Notificar a:

Factura #:

Destination:

DALLAS, TEXAS

Lote No.:

Shipping Mark:

0671-20

Destino:

Container #: Furgon No.:

SMLU 544470-4

Routen of Shipment: Maritima

Seal #:

0005489

Via de Embarque:

SIGNATURE - RE

Sello No.:

DESCRIPTION/DESCRIPCION BOXES/CAJAS WEIGHT/LIBRAS NETAS SIGNATURE - IN 156 7,783,55 SIGNATURE - KNX 90 4,728.65 SIGNATURE - SB 67 3,636.85 SIGNATURE - ER 45 2,447.65 SIGNATURE - OUT 100 5,144.90 SIGNATURE - FLAP MEAT 17 910.35 SIGNATURE - CL 135 6,877.75 SIGNATURE - FLANK STEAK 11 621.45 SIGNATURE - INSIDE SKIRT 25 1,399.75 SIGNATURE - OUTSIDE SKIRT 10 538.20 SIGNATURE - BRISKET

Naviera:

**SEABOARD** 

Product Temperature:

Thermoking Temperature: 28°F

Net Weight/Total

795

Tare/Tara

37

102

41,693.60

1,952.00

5,652.50

2,286.40

Gross Weight/Peso Bruto

43,980.00

Recibi Conforme Transportistas

### Seaboard Marine Ltd.

BOOKING NUMBER

SHIPPER NUMBER

ELECTRONIC BILL OF LADING

BROKERAGE

Page 1 OF 1

INVOICE NUMBER

RUC J0310	0000006	46		1388	TARREST TO NO. 1 TO AN		4368 A	INVOICE NUMBER 878		BROKERAGE
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PLACE OF RECEIPT / CARGA MANAGUA	DE RECIBDA EN									
VESSEL NAME / VAPOR AS PETRA 13		Y NO. / VIAJE N	2525	RTO CORTES	RGA	LOADING F	PIER TERMINAL / TERMI	NAL DE ÉMBARQUE		
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			1 2 2	PARTICULARS	FURNIS	HED E	3Y SHIPPER			
MARKS AND NO./ CONTA MARCAS Y NUME	NNER(S) NO EROS	NO. OF PKGS NO. DE BULTOS		DESCRIPTION CONTENIE	N OF PACK DO SEGUN	AGES A	AND GOODS RCADOR	528	GROSS WEIGHT LBS/LIBRA/KILOS	MEASUREMENT MEDIDAS
SMLU 544470 SN: G2783162 SHIPING MARK 0671-20 INVOICE: 27178 SEAL IPSA: 0005489 FREIGHT COLL SHIPPER LOAD NOT VERIFIED TLI 0200-02-0	ECT WEIGHT BY CAR 0000-08		40' REEFER CONTAINER S.L.W.C. TEMP: 28 F 795 CARTONS CONTAINING: FRESH BONELESS BEEF 020130 NP 41,693.60 KN 18,912.00 NT. QUALITY, QUANTITY, CONDITION AND CONTENTS					)		
HAZARDOUS DECL	ARATION: SHIP	PPER CERTIF	IES THAT THE AS	BOVE NAMED MATERIALS RTATION ACCORDING TO	ARE PROPER	LY PACKE	ED, LOADED, CLASSIF	FIED, DESCRIBED, M	ARKED LABELED PLAC	ARDED
CHARGES, INCLU	(se	e Cl.20 or	back side) I	Declared Value per I	Package if	Value M	ILATIONS Iore Than \$500.0	0 per Package	U.S	
PAYABLE AT:	DESTINA		BY LA BO	DEGA MEAT IN	C			TARIFF NO.		
OCEAN FR	EIGHT C	HARGE	NO ON	PREPAID	COLL	ECT	RECEIVED FOR a other PACKAGEs inde of transport AND CONDITION applicable Tariff One Original BILL, the GOODS or CO	i mentioned above for all or any part of VS appearing on the	8:51:23 MERCHANT, the GOOD to be transported as pot the Carriage SUBJECT face and back hereof a fit agrees by excepting the surrendered, duly end in PACKAGES, the others  JFE INE LTD.	TO ALL THE TERMS not in the CARRIER'S
	тотл	AL CHA	RGES				NON-NI	EGOTIABLE	MO DAY	YEAR
Rev.03/07		-#E.					SMLU 6164	368A	MAY 31	DISERVICE

SHIPPER/EXPORTER/REMTENTE



## ARRIVAL NOTIFICATION

06/01/20

7:51:23

ATTENTION:

d.cazares@labodegameat.com

VESSELVOYAGE: AS PETRA 00013 CENSUS PORT: 5301

CENSUS

ARRIVAL PORT: HOUSTON, TX

ARRIVAL DATE: 06/04/20 01:00:00

DISCHARGE DATE: 06/03/20 17:00:00

FROM: SEABOARD MARINE, LTD 16398 JACINTOPORT BLVD HOUSTON, TX 77015

CONTACT: Omar Omar Lacayo HOUSTON INBOUND

FAX: 305 5773818

PHONE: 305 5305776

EMAIL: omar.lacayo@seaboardmarine.com

#### CARGO LOCATIONS

FULL LOAD: 16398 JACINTO PORT BLVD HOUSTON, TX FIRMS CODE (U966)

LTL: 16203 PENINSULA ST HOUSTON, TX FIRMS CODE (U966)

#### BILL OF LADINGS

6164368A

EQUIPMENT

SMLU 544470 4

#### NOTICES

EQUIPMENT DEMURRAGE/ENERGY FREE TIME FREE TIME WILL COMMENCE DAY AFTER VESSEL'S ARRIVAL DRY- 3 WORKING DAYS REEFER- 3 WORKING DAYS ENERGY - 2 WORKING DAYS PRIOR TO RELEASE THE FOLLOWING ARE REQUIRED:
U.S. CUSTOMS CLEARANCE (AMS), DELIVERY ORDER AND ORIGINAL B/L.
FINAL DELIVERY INSTRUCTIONS MUST CONSIDER REMOVING THE SHIPMENT FROM THE
TERMINAL WITHIN THE TERMINAL FREE PERIOD. PLEASE PROVIDE DELIVERY
INSTRUCTIONS THAT ALLOW FOR THE TRANSIT TIME REQUIRED BY THE MODE OF
TRANSPORT TO FINAL DESTINATION. FINAL DELICERY MUST COMMENCE PRIOR TO THE
EXPIRATION OF TERMINAL FREE TIME IN ORDER TO AVOID THE ASSESSMENT OF
DEMURRAGE CHARGES.
NOTE: AS PER US CUSTOMS REGULATIONS, CARGO MUST BE CLEARED WITHIN 15 DAYS
OF ARRIVAL. OTHERWISE SHIPMENT WILL BE UNLOADED IN A CUSTOMS
DESIGNATED WAREHOUSE.
WIRE TRANSFER INSTRUCTIONS: \*\* PLEASE INCLUDE BILL OF LADING NUMBER
BANK NAME .: CITIBANK, N.A.
ACCOUNT NAME .: MERRIAM FINANCIAL SERVICES, LTD.
ABA: 021000089 WIKE TRANSFER INSTRUCTIONS: \*\* PLEASE INCLUDE BILL OF LADING NUMBER BANK NAME . : CITIBANK, N.A.
ACCOUNT NAME . : MERRIAM FINANCIAL SERVICES, LTD.
ABA:021000089

ACCOUNT NUMBER : 30623911

PLEASE NOTE, THE TRANSPORTATION COMPANY CARRYING SEABOARD'S EQUIPMENT MUST HAVE AN INTERCHANGE AGREEMENT WITH SEABOARD MARINE LTD.
LOCAL DOOR DELIVERIES ARE PREDICATED ON A ONE (1) HOUR FREE UNLOAD; ANY ADDITIONAL WAITING TIME IS ASSESSED AT \$100.00 PER HALF HOUR.
TO SCHEDULE AND EQUIPMENT PICK-UP PLEASE GO TO
WWW.SEABOARDMARINE.COM/CP/EQUIPMENTPICKUP.
MERCHANT HAULAGE IS SUBJECT TO \$150.00 CHASSIS CHARGE IF CARRIER CHASSIS IS IMPORTANT PAYMENT INSTRUCTIONS



## ARRIVAL NOTIFICATION

06/01/20

7:51:23

ATTENTION:

d.cazares@labodegameat.com

VESSELVOYAGE: AS PETRA 00013 CENSUS PORT: 5301

CENSUS

ARRIVAL PORT: HOUSTON, TX

ARRIVAL DATE: 06/04/20 01:00:00

DISCHARGE DATE: 06/03/20 17:00:00

FROM: SEABOARD MARINE, LTD 16398 JACINTOPORT BLVD HOUSTON, TX 77015

CONTACT: Omar Lacayo | HOUSTON INBOUND

FAX: 305 5773818

PHONE: 305 5305776

EMAIL: omar.lacayo@seaboardmarine.com

CARGO LOCATIONS

FULL LOAD:

LTL:

BILL OF LADINGS

EQUIPMENT

NOTICES

IF PAYER DOES NOT HAVE CREDIT PRIVILEGES ESTABLISHED WITH SEABOARD MARINE + PAYMENT IS REQUIRED IN THE FORM OF:

\*\*\*\*\* CASHIER CHECK, MONEY ORDER OR WIRE TRANSFER \*\*\*\*\*
PLEASE CALL THE ABOVE CONTACT BEFORE ISSUING PAYMENT.

THANK YOU

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OF PA		CONTRACTOR IN ACCOUNT OF	OF HOMELAND		1.Filer Code / En	try No.	-	2. Entry Ty	BI/S	3.Summary Date 07/24/2020
	U	J.S. Custom	s and Border	Protection			d Type	6. Port Cod	3.0	7. Entry Date
CAN I	SECUE	ENT	RY SUMMAR	Υ	(b)(4)	0, 50,	8	CONTRACTOR OF CASCOCION DE	10	07/13/2020
8. Importi	ng Carrier		9. Mode of Transport		10. Country of Or	rigin				11. Import Date
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12. B/L o	r AWB No.		13. Manufacturer ID		14. Exporting Co.	untry				15. Export Date
	(b)(4)		(b)(4)		CA					07/13/2020
16. I.T. N	o. 17.	I.T. Date	18. Missi	ing Docs	19. Foreign Port	of Ladir	ng		20. U.S.Port	of Unlading
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21. Locat	ion of Goods / G.O. No.	1	22. Consignee No.		23. Importer No.	-			24. Referen	ce No.
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#### Customs release information sent to ITS. Check your release status at www.itscustoms.com

NEXT GENERATION EXPRESS LTD Invoice #: JBS000932175 **Customs Clearance By:** NEXGJBS000932175 Reference #: 4879708 P.O. #: NO PO REQUIRED Entry #: 572-4932167-0 **CUSTOMS BROKERS** Invoice Date: 07/09/2020 Exporter: JBSFOO1 Consignee: BALMEA1239 Buyer: BALMEA1239 JBS Food Canada ULC BALTER MEAT BALTER MEAT Hwy 1 West P O Box 1868 12390 SW 128TH ST 12390 SW 128TH ST Brooks, AB MIAMI, FL MIAMI, FL T1R 1C6 33186 33186 IRS #: 59-127643200 IRS #: 59-127643200 Duty/Brokerage Inc: **Bill Customs Charges To:** : JBSFOO1 **Parties Related: Currency Used:** USD Freight Included: Terms and Conditions: Weight **Total Price** Product ID CO PO Tariff# **Description of Goods** Qty U/M U/W Price **EST** EST CV5060DFT CA AB 0206,29,0000 BEEF HEAD MEAT 1.50 660 BG 39,606.0 LB 59,409.11 **BONELESS** 7 Frozen 932175

Trailer Number: YMSNOTRLR

Ref #: 4879708; Entry #: 572-4932167-0; Weights or values are estimated. The Importer of Record will update weights and values via Entry Summary, or Post Summary Correction.

USMCA on File

Total Manifest Quantity: 660 PK Total Weight: 39,606 LB Total Price: \$59,409.11

Port of Entry: Sweetgrass, MT - 3310 Est. Date of Crossing: 07/09/2020

Freight Charges To Port: 100 CAD

Freight Charges To Dest: 0 CAD Preparer: Jeanne Arlantico

ITS Customs Brokers: Customs with Confidence

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is obsa-159. The time required to complete this information collection is estimated to average 16 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

U.S. DEPARTMENT OF AGRICULTURE FOOD SAFETY AND INSPECTION SERVICE				1. COU	NTRY OF ORIGIN	2.INSPECTION CER 01	TIFICATE NUMBER	
IM	IPORT INSPECTION	ON APPLICA	ATION		CA	3.EXPORTING ESTA	ABLISHMENT NUMBER	
	(Meat, Poultry & Mea	t or Poultry Produ	icts)		M.L.		38	
4. U.S. POINT OF	ENTRY/CBP PORT CODE			5. U.S.	POINT OF UNLADING/C	BP PORT CODE		
Sweetgra	ss, MT - 3310				Swee	tgrass, MT - 3310		
6. FSIS ESTABLIS	HMENT NUMBER	7. NAME	& ADDRESS OF FSIS E	STABLIS		100 C 1 C 1 C 1 C 1 C 1 C 1 C 1 C 1 C 1		
	147		A.N. Deringer, In	c.	Sweetgras	s 59484 US		
8. NAME & BUSII	NESS NAME & ADDRESS O	F CUSTOMS BROK	KER OR APPLICANT	8a. PF	IONE NUMBER	8b. FACSIMILI	E NUMBER	
ITS Customs E	Brokers		Casey Baumann		701.551.1400	701.4	199.7415	
PO Box 12607 Grand Forks, N	ND 58208-2607			8b. EN	MAIL ADDRESS fsis(	@itscustoms.com		
11. BILL OF LADIN	C7 78	NEXGJBS000		106	1 West P O Box 1868	; Brooks; AB T1R		
	rough 32 repeat for e		i d			1		
12. LOT NO.	13. SHIPPING/IDENTIFICA		14. CUSTOM ENTR	RY NUMBER(S) 15. PRODUCTION FROM:			ITO:	
4	011572	2	5	72-4932	167-0	6/16/20	6/26/20	
16. NET WEIGHT OF LOT (pounds)	17. SHIPPING UNIT PACKAGE TYPE NAME	18. NUMBER OF UNITS	19. IMMEDIATE UN PACKAGE TYPE N		20. NUMBER PER SHIPPING UNIT	21. SEAL NUMBER	(S) <b>9352</b>	
39,606.07	Box	660	Vacuum-Pac	kaged	2	270	3332	
22. PROCESSING	EST NO.	23. SOURCE CC	DUNTRY(S)(if different from	block 1)	24. SOURCE EST. NO	. 25. HTS CODE (S)		
	038				038		290000	
26. PROCESS CA		27. PRODUCT C	ATEGORY		28. PRODUCT GROUP	P		
			Raw Intact Beef		Head Meat			
		29a. ADDITIONA	ea. ADDITIONAL SPECIES (if applicable)		30. DESCRIPTION OF PRODUCT			
Bovi	Bovine (Beef, Veal)				Frozen B	EEF HEAD MEAT E	BONELESS	
31. SUPPLEMENTAL PRODUCT CODES (GTN, INTENDED USE CODE, UPC)				32. ESTIMATED DATE OF ARRIVAL 07/09/2020				

IN CONSIDERATION of the U.S. Director of Customs and Border Protection granting me/us permission to transfer the packages of foreign food product described on this form which are offered for entry into the United States, I/we agree, under bond filed with said director of Customs and Border Protection and subject to penalties prescribed in laws enacted by Congress and regulations issued there under by the Secretary of Homeland Security, to hold the said food product intact at the location indicated above until it has been inspected and passed by a food inspector from the Food Safety and Inspection Service or has been other wise disposed of under the supervision of a U.S. Customs and Border Protection Officer or a FSIS inspector.

33. PRINT NAME OF CUSTOMS BROKER OR APPLICANT	34. SIGNATURE	35. DATE
Jeanne Arlantico		07/09/2020



#### 2021-FSIS-00121-F Freedom of Information Act request

Harrid, April - FSIS <April.Harrid@usda.gov>
To: Laura Smith <Ismith@truthinadvertising.org>
Cc: "Dutt, Michael - FSIS" <michael.dutt@usda.gov>

Tue, Jul 20, 2021 at 12:37 PM

Hello L	.aura,
---------	--------

As discussed earlier today, please see below:

Page 1 pertains to Recall 008-2020.

Pages 2-28 pertain to Recall 013-2020.

Pages 29-31 pertain to Recall 018-2020.

Please let me know if you have received all three (3) emails with the requested clarification for 21-120 and 21-121.

Respectfully,

#### April D. Harrid, Esq.

Acting FOIA Director

Office of Public Affairs and Consumer Education

Food Safety and Inspection Service, USDA

Room 1170 South Building

Washington, DC 20250

Phone: (202) 720-8215

April.Harrid@usda.gov

From: Dutt, Michael - FSIS

[Quoted text hidden]

[Quoted text hidden]

#### 2 attachments





#### RE: 2021-FSIS-00121-F Freedom of Information Act request

Harrid, April - FSIS <April.Harrid@usda.gov>
To: Laura Smith <Ismith@truthinadvertising.org>
Cc: "Dutt, Michael - FSIS" <michael.dutt@usda.gov>

Tue, Jul 27, 2021 at 12:46 PM

Hello Ms. Smith,

Yes, that is correct. FSIS was only able to locate 5 recalls responsive to your request regarding the country of origin. As we discussed via phone call months earlier, FSIS does not independently track country of origin for recalls. Information pertaining to country of origin in a recall will only be available if the country of origin is necessary or required for the recall.

For example, if there is a recall due to an undeclared allergen, the country of origin will not likely be included in as part of the recall.

So you are correct, FSIS did not locate any additional records pertaining to the country of origin for the remaining requested recalls in your two requests.

Respectfully,

#### April D. Harrid, Esq.

Acting FOIA Director

Office of Public Affairs and Consumer Education

Food Safety and Inspection Service, USDA

Room 1170 South Building

Washington, DC 20250

Phone: (202) 720-8215

April.Harrid@usda.gov

From: Laura Smith <smith@truthinadvertising.org>

Sent: Monday, July 26, 2021 1:24 PM

**To:** Harrid, April - FSIS <April.Harrid@usda.gov> **Cc:** Dutt, Michael - FSIS <michael.dutt@usda.gov>

Subject: [EXTERNAL: Suspicious Link]Re: FW: 2021-FSIS-00121-F Freedom of Information Act request

**CAUTION:** This message triggered warnings of **potentially** malicious web content. Consider whether you are expecting the message, along with inspection for suspicious links, prior to clicking. Any concerns with known senders, use a good contact method to verify.

Send Questions or Suspicious messages to: Spam.Abuse@usda.gov

April:

I've gone through the three emails you sent me on July 20, identifying which attachments pertain to which recall numbers (thank you, again, for doing that).

Just to confirm, of the 69 recalls from 2019 listed in our Jan. 4, 2021 FOIA request No. 2021-FSIS-00120-F, you have only provided requested documents for two of them (recalls 090-2019 and 059-2109), and of the 19 recalls from 2020/2021 listed in our Jan. 4, 2021 recall request No. 2021-FSIS-00121-F, you have only provided requested documents for three of them (recalls 008-2020, 013-2020, and 018-2020). Is that correct? If so, will we be receiving any documents for the remaining 83 recalls?

Many thanks for your assistance,

Laura Smith

Legal Director

203-421-6210 | Ismith@truthinadvertising.org

truthinadvertising.org | @TruthinAd | facebook.com/truthinad





On Tue, Jul 20, 2021 at 8:37 PM Laura Smith <smith@truthinadvertising.org> wrote:

Thank you so much, April. I have received your three emails and will review them each carefully. If I have any further questions, I will let you know. Really appreciate it.

Laura Smith

Legal Director

203-421-6210 | Ismith@truthinadvertising.org



On Tue, Jul 20, 2021 at 12:38 PM Harrid, April - FSIS < April. Harrid@usda.gov > wrote:

Hello Laura,

As discussed earlier today, please see below:

Page 1 pertains to Recall 008-2020.

Pages 2-28 pertain to Recall 013-2020.

Pages 29-31 pertain to Recall 018-2020.

Please let me know if you have received all three (3) emails with the requested clarification for 21-120 and 21-121.

Respectfully,

#### April D. Harrid, Esq.

Acting FOIA Director

Office of Public Affairs and Consumer Education

Food Safety and Inspection Service, USDA

Room 1170 South Building

Washington, DC 20250

Phone: (202) 720-8215

April.Harrid@usda.gov

From: Dutt, Michael - FSIS

Sent: Tuesday, May 4, 2021 2:12 PM

To: 'Laura Smith' < lsmith@truthinadvertising.org>

Cc: Harrid, April - FSIS <April.Harrid@usda.gov>; Sharpe, Mary Frances - FSIS <maryfrances.sharpe@usda.gov>

Subject: 2021-FSIS-00121-F Freedom of Information Act request

Good day,

Please see the attached regarding your 2021-FSIS-00121-F Freedom of Information Act request.

Sincerely,

#### Michael R. Dutt

Records and Information Management Specialist - Freedom of information Act Staff Office of Public Affairs and Consumer Education Room 1170, South Building Washington, DC 20228 Phone: (202) 720-4058 Michael.dutt@usda.gov

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Consider the environment. Please don't print this e-mail unless you need it.

## EXHIBIT I



September 7, 2021

#### VIA EMAIL AND REGULAR MAIL

Paul Kiecker Administrator U.S. Department of Agriculture Food Safety and Inspection Service 1400 Independence Ave., SW Room 1170, South Building Washington, DC 20250-3700 fsis.foia@usda.gov

Re: Appeal of FOIA Request 2021-FSIS-00120-F

Dear Mr. Kiecker:

Pursuant to 5 U.S.C. § 552(a)(6), Truth in Advertising, Inc. (TINA.org) writes to appeal the U.S. Department of Agriculture's Food Safety and Inspection Service's refusal to disclose documents within its control.

By way of background, on January 4, 2021, TINA.org, a 501(c)(3) nonprofit consumer group that publishes educational articles and consumer news on its website regarding important consumer topics, sent a Freedom of Information Act request for records to FSIS FOIA Officer Arianne Perkins. Specifically, TINA.org requested USDA records that pertain to the country of origin of live cows and pigs, as well as raw beef and pork, ultimately used in the products subject to 69 different USDA recalls from 2019. *See* TINA.org Jan. 4, 2021 FOIA Request Letter to A. Perkins (attached). This request was assigned identification number 2021-FSIS-00120-F.

On May 4, 2021 and June 10, 2020, TINA.org received documents pertaining to a total of two the 69 recalls listed in TINA.org's FOIA request, recalls 090-2019 and 059-2109. See May 4, 2021 letter from A. Harrid to L. Smith; June 10, 2021 letter from A. Harrid to L. Smith (attached). While the provision of these documents makes clear that TINA.org is entitled to information about the origin of animals and raw meats used in products regulated by the USDA and FSIS, no documents were produced pertaining to the other 67 recalls listed in TINA.org's request.

Upon information and belief, FSIS only looked within the USDA recall files associated with the recall numbers provided in TINA.org's January 4, 2021 FOIA request and did not look elsewhere within FSIS¹ despite the fact that TINA.org broadly requested origin information regardless of which labelled file the information may be located in. Specifically, TINA.org requested access to:

any and all USDA records, including but not limited to, correspondences, memos, shipping documents, permits, certificates, invoices, bills of sale, marketing materials, graphs, charts, photographs, images, and other data – stored in any medium from which information can be obtained – that pertain, relate and/or refer to the country of origin of live cows and pigs, as well as raw beef and pork ultimately used in the product(s) subject to the following USDA recalls, including the country or countries where the animal(s) were raised and slaughtered, and the country or countries where any processing of the product(s) occurred...

As it is our understanding that FSIS is indeed in possession of country of origin information for the products identified in TINA.org's January 4th request, we respectfully ask that the origin information be disclosed for all 69 recalls TINA.org requested.<sup>2</sup>

Further, FSIS's June 10th response letter indicates that FSIS withheld 15 pages of documents pursuant to section (b)(4) of the FOIA, 5 U.S.C. § 552, as amended, determining that such records contain commercial or financial information that is customarily treated as private by the business submitters.

However, TINA.org is not seeking commercial or financial information. Rather, TINA.org is seeking country of origin information *only* – that is, where did the animal and/or raw meat used in products that were recalled by the USDA and consumed by U.S. consumers originate from? Where their food is coming from is of vital importance to American consumers. *See* Tell USDA: Consumers Should Know Where Their Meat Comes From!, Farm & Ranch Freedom Alliance, July 20, 2018, available at <a href="https://farmandranchfreedom.org/productofusa\_labels/">https://farmandranchfreedom.org/productofusa\_labels/</a> (finding that 93 percent of Americans want to know where their food comes from); Nationwide Surveys Reveal Disconnect Between Americans and their Food, PRNewswire, Sep. 22, 2011, available at

<sup>1</sup> 

<sup>&</sup>lt;sup>1</sup> According to Ms. Harrid, "[i]nformation pertaining to country of origin in a recall will only be available if the country of origin is necessary or required for the recall." *See* July 27, 2021 email from A. Harrid to L. Smith (attached).

<sup>&</sup>lt;sup>2</sup> According to the USDA's website, "FSIS is responsible for assuring that U.S. imported meat...[is] safe, wholesome, unadultered, and properly labeled and packaged." USDA FSIS Import Guidance, <a href="https://www.fsis.usda.gov/inspection/import-export/import-guidance">https://www.fsis.usda.gov/inspection/import-export/import-guidance</a>. See also USDA FSIS Fact Sheet: FSIS Import Inspection and Failure to Present (FTP), available at <a href="https://www.fsis.usda.gov/sites/default/files/media\_file/2020-08/FTP-fact-sheet.pdf">https://www.fsis.usda.gov/sites/default/files/media\_file/2020-08/FTP-fact-sheet.pdf</a>. It is inconceivable that FSIS would be able to make such assurances without country of origin information in its possession.

https://www.prnewswire.com/news-releases/nationwide-surveys-reveal-disconnect-between-americans-and-their-food-130336143.html. Accordingly, TINA.org requests that FSIS release the withheld documents to the extent they contain origin information as the public interest in their release outweighs any public interest in withholding them.

This letter is sent without prejudice to any of TINA.org's rights or remedies, all of which are expressly preserved.

If you have any questions, please do not hesitate to contact me. Thank you for your consideration of this appeal.

Sincerely,

Laura Smith, Esq. Legal Director

Truth in Advertising, Inc.



January 4, 2021

#### **VIA EMAIL**

Arianne Perkins FOIA Officer 1400 Independence Avenue, SW South Building, Room 2170 Washington, DC 20250 FSIS.FOIA@usda.gov

#### Dear Ms. Perkins:

On behalf of Truth in Advertising, Inc. (TINA.org), a 501(c)(3) nonprofit consumer group that publishes educational articles and consumer news on its website regarding important consumer topics, and pursuant to the Freedom of Information Act, 5 U.S.C. §552, I am requesting access to any and all USDA records, including but not limited to, correspondences, memos, shipping documents, permits, certificates, invoices, bills of sale, marketing materials, graphs, charts, photographs, images, and other data – stored in any medium from which information can be obtained – that pertain, relate and/or refer to the country of origin of live cows and pigs, as well as raw beef and pork ultimately used in the product(s) subject to the following USDA recalls, including the country or countries where the animal(s) were raised and slaughtered, and the country or countries where any processing of the product(s) occurred:

123-2019	086-2019	047-2019
122-2019	082-2019	046-2019
119-2019	081-2019	044-2019
118-2019	079-2019	043-2019
116-2019	078-2019	042-2019
113-2019	077-2019	040-2019
<u>111-2019</u>	<u>076-2019</u>	039-2019
<u>109-2019</u>	<u>074-2019</u>	038-2019
<u>107-2019</u>	<u>073-2019</u>	037-2019
<u>104-2019</u>	<u>072-2019</u>	035-2019
<u>103-2019</u>	<u>071-2019</u>	033-2019
<u>102-2019</u>	<u>070-2019</u>	032-2019
<u>101-2019</u>	<u>069-2019</u>	029-2019
<u>100-2019</u>	<u>067-2019</u>	028-2019

<u>099-2019</u>	<u>065-2019</u>	<u>027-2019</u>
<u>098-2019</u>	<u>063-2019</u>	<u>024-2019</u>
<u>097-2019</u>	<u>062-2019</u>	<u>022-2019</u>
<u>096-2019</u>	<u>059-2019</u>	<u>020-2019</u>
<u>095-2019</u>	<u>057-2019</u>	<u>017-2019</u>
<u>091-2019</u>	<u>056-2019</u>	<u>015-2019</u>
<u>090-2019</u>	<u>055-2019</u>	006-2019
<u>089-2019</u>	<u>053-2019</u>	003-2019
<u>088-2019</u>	<u>048-2019</u>	<u>001-2019</u>

I am making the request so that TINA.org can educate consumers and not for any commercial purpose.

I request a waiver of all fees for this request as disclosure of the requested information to TINA.org is in the public interest as it is likely to contribute significantly to public understanding of the origin of food products that consumers are purchasing or have purchased for consumption.

I further request that the information we seek be provided in electronic format and on an expedited basis as traceability and source-verification are of significant importance to consumers. *See, e.g.,* Dickinson, D., & Bailey, D. (2002). Meat Traceability: Are U.S. Consumers Willing to Pay for It? *Journal of Agricultural and Resource Economics,* 27(2), 348-364. Retrieved December 16, 2020, <a href="https://www.jstor.org/stable/40987840">http://www.jstor.org/stable/40987840</a>; Arnold, K. et al., Importance of Steak Origin to Restaurant Customers, <a href="https://beef.unl.edu/b11eefdf-8342-4eda-8290-7e873ffc5d7c.pdf">https://beef.unl.edu/b11eefdf-8342-4eda-8290-7e873ffc5d7c.pdf</a>.

If you have any questions or concerns regarding this request, please do not hesitate to email or call me at (203) 421-6210 anytime.

Sincerely,

Laura Smith, Esq.

Legal Director

Truth in Advertising, Inc.



#### **United States Department of Agriculture**

Food Safety and Inspection Service

May 4, 2021

#### TRANSMITTED VIA ELECTRONIC MAIL

1400 Independence Avenue, SW. Washington, D.C. 20250

Laura Smith
Truth in Advertising, Inc.
P.O. Box 927
Madison, CT 06443
lsmith@tina.org

RE: 2021-FSIS-00120-F

Dear Ms. Smith:

This is the first interim response to your Freedom of Information Act (FOIA) request to the Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS), dated January 4, 2021, in which you requested a copy of records regarding 2019 Recalls pertaining to live cows, pigs, raw beef and pork. FSIS received your request on January 4, 2021.

The FSIS FOIA staff works with subject matter experts across the Agency to locate responsive documents. For this request, we conducted a records search in the Office of Field Operations. FSIS' search began on January 4, 2021 and includes responsive records in our control on that date.

For this interim release, we have located 6 pages that are responsive to your request. After a thorough review of the responsive records, we are releasing these records in their entirety. Accordingly, this portion of your request is granted in full.

FSIS will continue to process records responsive to your request and will forward them promptly upon completion of review. As this is not a final response to your FOIA request, we request that you reserve your right to appeal. We will include your appeal rights in our final release.

If you have any questions about the processing of your request or about the USDA's FOIA regulations, please contact Michael Dutt at 301-289-9692 or via email at michael.dutt@usda.gov. If you have general questions about FSIS' FOIA procedures or regulations, please contact me, Acting FOIA Director/FOIA Public Liaison at 202-720-8215 or via email at April.Harrid@usda.gov.

You also have the option to seek assistance from the Office of Government Information

Laura Smith Page 2

Services (OGIS). Please visit <a href="https://www.archives.gov/ogis/mediation-program/request-assistance">https://www.archives.gov/ogis/mediation-program/request-assistance</a> for information about how to request OGIS assistance in relation to a FOIA request.

Thank you for your interest in FSIS programs and policies.

Sincerely,

April D. Harrid

and & Hand

Acting Director, Freedom of Information Act Staff Office of Public Affairs and Consumer Education

Enclosure





## CERTIFICATE OF INSPECTION COVERING MEAT AND POULTRY PRODUCTS .

## CERTIFICAT D'INSPECTION POUR LES PRODUITS CARNÉS ET VOLAILLES

EXPORTER / EXPORTATEUR	SHIPPING MARKS STAMPED C MARQUES D'EXPÉDITION EST.	N CARTONS	CERTIFICATE NO.	/ N° DE CERTI	FICATE
BCI FOODS INC 4800 PINARD AVE	944915	AMPILLEES SUN OANTON	944	1915	
ST-HYACINTHE QUEBEC J2S 8E1 CANADA	PRODUCING ESTABLISHMENT NUMBER(S) / N° D'ÉTABLISSEMENT PRODUCTION  142				
IMPORTER / IMPORTATEUR	SHIPPING EST. NO. / N. DE L'ÉTABLISSEMENT	COUNTRY(S) OF ORIGIN AN PAYS D'ORIGINE ET N° D'É	ND FOREIGN EST. NU TABLISSEMENT ÉTR	JMBER(S) KANGER	
ALDI INC- C/O TULLY DIVISION 300 STATE ROUTE 281	ÉXPEDITEUR S-752	CHICKEN - USA F			267A
TULLY NEW YORK	COUNTRY OF DESTINATION PAYS DE DESTINATION	BEEF - USA 2133 BEEF - USA 9267			
13159 UNITED STATES	USA	B 2 M1			
PRODUÇT DESCRIPTION INCLUDING PROCESSING CATEGORY, PRODUCT CATEGORY AND PRODUCT GROUP DESCRIPTION DU PRODUIT Y COMPRIS LA CATÉGORIE DE TRAITEMENT, LA CATÉGORIE DE PRODUITS ET GROUPES DE PRODUITS	SPECIES OF ORIGIN ESPÈCES ANIMALES	NUMBER AND KIND O NOMBRE ET NATURI		NET WEIG POIDS N	
Thermally Processed - Commercially Sterile - Thermally Processed - Commercially Sterile - Soups	Chicken				
CHUNKY CHICKEN NOODLE SOUP 18.6OZ = 1680CANS/ PLT		2 PALLETS		3 948	LBS
Chicken Noodle Soup of 10.5 oz = 2400 cans		1 PALLET		1 575	LBS
Condensed Cream of Chicken Soup of 10.5oz = 2400 cans		2 PALLETS		3 150	LBS
Fit & Active Chicken Noodle Chunky Soup of 18.6oz = 1680 cans		1 PALLET		1 974	LBS
Thermally Processed - Commercially Sterile - Thermally Processed - Commercially Sterile - Soups	Chicken, Pork, Beef	59 38			
Assorted Soups Homestyle Traditional Chicken & Wild Rice Soup of 19oz = 560 cans Homestyle Italian-Style Wedding Soup of 19 OZ= 560 cans		2 PALLETS		2 660	LBS
Thermally Processed - Commercially Sterile - Thermally Processed - Commercially Sterile - Soups	Beef				
Assorted Chunky Beef Soups 18.8 Oz = 1680 cans		3 PALLETS		5 922	LBS
Thermally Processed - Commercially Sterile - Thermally Processed - Commercially Sterile - Soups	Chicken, Pork				
Chunky Grilled Chicken & Sausage Gumbo Soup of 18.8oz = 840 cans		2 PALLETS		1 974	LBS



944915

ADDITIONAL CERTIFICATION (IF REQUESTED) / ATTESTATION SUF	PPLÉMENTAIRE (SI REQUISE)		
ANNEXE A-1			
PRODUCTION CODE: EST 142 598 18 310			
PRODUCTION CODE: EST 142 598 18 310			
PRODUCTION CODE: EST 142 598 19 109			
PRODUCTION CODE: EST 142 625 19 142			
PRODUCTION CODE: EST 142 622 19 113			
PRODUCTION CODE: EST 142 602 19 064			
PRODUCTION CODE: EST 142 603 19 063			
PRODUCTION CODE: EST 142 603 18 180			
PRODUCTION CODE: EST 142 613 18 319			**
PRODUCTION CODE: EST 142 613 18 269			
PRODUCTION CODE: EST 142 613 19 065	4 ( )		
PRODUCTION CODE: EST 142 613 18 331			
PRODUCTION CODE: EST 142 614 19 049			
PRODUCTION CODE: EST 142 611 19 115			
THE PRODUCT DESCRIBED ON THIS OFFICIAL EXPORT CERTIFICATE WAS PRODUCED IN ACCORDANCE WITH THE REGULATORY REQUIREMENTS IN 9 CFR 327.2 OR 381.196. THESE REQUIREMENTS ARE FULFILLED BASED ON THE CANADIAN FOOD INSPECTION PROGRAM AND ALL APPLICABLE EXPORT REQUIREMENTS	MTH THE A ÉTÉ PRODUIT EN CONFORMITÉ ÂVEC LES EXIGENCES 1381.196. RÉGLEMENTAIRES DU 9 CFR 327-2 OU 381,196. CES CONDITIONS ON THE SONT REMPLIES SUR LA BASE DU PROGRAMME CANADIEN		CFIA OFFICIAL CERTIFICATE SEAL SCEAU OFFICIEL DE CERTIFICAT
NAME AND TITLE OF CFIA OFFICIAL / NOM ET TITRE DE L'AGENT (	DE L'ACIA		国 Canada S 質
1			
OR KOUROSH SHIRANI BIDABADI			The Man I want to
CFIA INSPECTOR,, D.M.V.			As would be to the
Ito Km	. DAT	E DIJ MIM YIA	C. D. M.S. P. C. C.
SIGNATURE		05/07/2019	

Canadlar Inspection

Canadian Food Inspection Agency Aganos canadianno d'inspection des aliments

#### ANNEX(E) A 9

VETERINARY CERTIFICATE FOR POULTRY MEAT PRODUCTS COOKED OR FRESH INTENDED FOR HUMAN CONSUMPTION DESTINED TO THE UNITED STATES AND FOR POULTRY MEAT PRODUCTS IN TRANSIT IN THE USA.

CERTIFICAT VÉTÉRINAIRE VISANT LES PRODUITS DE VIANDE DE VOLAILLE CUITS OU FRAIS DESTINÉS À LA CONSOMMATION HUMAINE ET EXPORTÉS VERS LES ÉTATS-UNIS ET POUR LES PRODUITS DE VIANDE DE VOLAILLE EN TRANSIT PAR LES ÉTATS-UNIS.

Address(es) and veterinary approval number(s) of the producing establishment(s) (establishment number on the label) /
Adresse(s) et numéro(s) d'agrément vétérinaire de l'usine ou des usines de fabrication (numéro
d'établissement sur l'étiquette) : EST. 142 - BCI FOODS, 4800 PINARD AVE.
 ST-HYACINTHE, QC J2S 8E1, CA

#### II. Animal Health Attestation / Attestation de santé animale

The undersigned Official Veterinarian certifies that the poultry meat products certified under the above certificate meet the following conditions: / Le soussigné, vétérinaire officiel, certifie que les produits de viande de volaille visés par le certificat indiqué ci-haut satisfont aux exigences suivantes:

- 1) The poultry meat or other poultry products are derived from poultry slaughtered in a region designated in title 9 of the Code of Federal Regulations (9 CFR) section 94.6 as free of Newcastle disease. (1) / La viande de volaille et autre produits de volaille proviennent de volaille abattues dans une région désignée à l'article 94.6 du titre 9 du « Code of Federal Regulations » (9CFR) comme indemne de la maladie de Newcastle(1).
- 2) The establishment is approved to export poultry meat and other poultry products to the United States In accordance with 9 CFR 381.196. (2) / L'établissement est approuvé pour exportation de viande de volaille et autres produits de volaille aux USA selon les dispositions du 9 CFR 381.196. (2)
- 3) The poultry meat or other poultry products have not been in contact with poultry meat or other poultry products from any region where Newcastle disease exists. <sup>(3)</sup> / La viande de volaille et autres produits de volaille ne sont pas entrés en contact avec de la viande de volaille ou autres produits de volaille de toute région où la maladie de Newcastle existe. <sup>(3)</sup>
- That the poultry meat was cooked throughout to reach a minimum internal temperature of 74°C (165°F) / Que la viande de volaille a été cuite pour atteindre une température de 74°C((165°F).

Or

-The poultry meat was derived from birds that did not originate in a current USDA, APHIS recognized Avian Influenza Control Zone(s) (quarantine control zone(s)) established due to the detection of Highly Pathogenic Avian Influenza (HPAI) in commercial poultry./ La viande de volaille provient d'oiseaux qui ne sont pas originaire d'une zone reconnue par le USDA, APHIS comme étant une zone(s) de contrôle de l'influenza aviaire (zone(s) de contrôle de quarantaine) établie en raison de la détection de l'influenza aviaire hautement pathogène (IAHP) chez la volaille de commerce.

Done at / Fait à	Name of the official veterinarian/ nom du vétérinaire officiel
ST-Damuse Canada On/Le 05-07-2019	Signature  Signature  Signature  Signature  Signature  Signature
Official Seal / Cachet officiel	Canada S E

(1) The following regions are considered to be free of Exotic Newcastle disease (END): Argentina, Australia, Canada, Chile, Costa Rica, Denmark, Fiji, Finland, France, Great Britain (England, Scotland, Wales, and the Isle of Man), Greece, Iceland, Luxembourg, Mexico (States of Campeche, Quintana Roo, and Yucatan), New Zealand, Republic of Ireland, Spain, Sweden, and Switzerland. / Les régions suivantes sont reconnues indemnes de la forme exotique de la maladie de Newcastle: Argentine, Australie, Canada, Chili, Costa Rica, Danemark, Fiji, Finlande, France, Grande Bretagne (Angleterre, Écosse, pays de Galles et île du Man), Grèce, Islande, Luxembourg, Mexique (État de Campeche, Quintana Roo et Yucatan), Nouvelle Zélande, République d'Irlande, Espagne, Suède et Suisse.

(2) In the case of products other than Canadian or US origin, based on compliance with the provisions of annex Q. In the case of poultry meat products not under the jurisdiction of the FSIS, all establishments registered under the Safe Food for Canadians Act are eligible to export./ En ce qui a trait aux produits autres que ceux provenant du Canada ou des États-Unis, sur la base de conformité aux dispositions de l'annexe Q. Dans le cas des produits de volaille qui ne relevent pas de la juridiction du FSIS, tous les établissements agréés sous la Loi sur la salubrité des aliments au Canada sont admissibles à exporter.

(3) Based on compliance with the provisions of the approved segregation procedures. / Sur la base de la conformité aux dispositions de procédures de ségrégations approuvées.

2019-01-15

Canadian Food Inspection Agency

Food Agence canadienne n Agency d'inspection des aliments

#### ANNEX(E) A-1

VETERINARY CERTIFICATE FOR BOVINE¹ MEAT AND MEAT BY-PRODUCTS INTENDED FOR HUMAN CONSUMPTION DESTINED TO THE USA AND FOR BOVINE MEAT PRODUCTS IN TRANSIT IN THE USA. CERTIFICAT VÉTÉRINAIRE VISANT LA VIANDE BOVINE¹ ET LES SOUS-PRODUITS DE VIANDE DESTINÉS À LA CONSOMMATION HUMAINE ET EXPORTÉS VERS LES ÉTATS-UNIS ET POUR LES PRODUITS DE VIANDE DE BOVINS EN TRANSIT PAR LES ÉTATS-UNIS.

ADDENDUM TO CERTIFICATE CFIA/ACIA NO. /	
AJOUT AU CERTIFICAT ACIA/CFIA Nº	:944915

<ol> <li>Address(es) and veterinary approval number(s) of the product (establishment number on the label) / Adresse(s) et numéro(s) d'agrément vétérinaire de l'usine ou d (numéro d'établissement sur l'étiquette) :</li> </ol>	37 (91
BCI FOODS INC. EST 142 4800 PINARD AVENUE, ST-HYACINTHE, QUÉBEC, CAN	NDA
4000 FINARD AVENUE, ST-HYACINTHE, QUEBEC, CAN	10A

#### II. Animal Health Attestation

The undersigned CFIA Official certifies that the meat, meat by-product, or meat food product is derived from bovine and meets the following conditions / Le soussigné, officiel de l'ACIA, certifie que la viande, les sous-produits de viande et les produits alimentaires à base de viande, sont issus de bovins et satisfont aux exigences suivantes :

- The commodities were exported from a region of controlled risk for BSE/ Les produits ont été
  exportés d'une region à risque maitrisé pour le ESB.
- The commodities were derived from bovines that passed ante-mortem and post-mortem inspections/ Les produits proviennent de bovins qui ont été approuvés suite à une inspection ante-mortem et à une inspection post-mortem.
- 3. The commodities were derived from bovines that were not subjected to a stunning process, prior to slaughter, with a device injecting compressed air or gas into the cranial cavity, or to a pithing process/ Les produits proviennent de bovins qui n'ont pas été étourdis, avant leur abattage, par par un dispositif qui injecte l'air ou un gaz comprimé dans la boîte crânienne, ni soumis au jonchage.
- 4. The commodities were produced and handled in a manner that ensured that such commodities do not contain and are not contaminated with either of the following / Les produits ont été produits et manipulés de facon à ce que ces derniers ne contiennent pas et ne sont pas contaminés par aucun des suivants :

un des suivants :

a) Specified risk materials (SRMs) from regions of controlled risk for BSE / Matériel a risque spécifié (MRS) à partir de regions à risque maîtrisé pour l'ESB ordou sui l'alle de la risque maîtrisé pour l'alle de la risque maîtrisé pour l'alle de la risque maîtrisé pour l'alle de la risque maitrisé pour l'alle d

Mechanically separated meat from the skull and vertebral column from bovines 30 months of age or older/ Viande mécaniquement séparée du crâne et de la colonne vertébrale de bovins âgés de 30 mois et plus.

Mis armost 10

CERTIFICATE NO. / 944915

Done at / à	Name and official title /Nom et titre officiel
St-Danise-Canada	DR KOUROSH SHIRANI BIDABADI D.M.W.
On/Le 0 5 -07- 2019	Signature
	117 1-3 N

Official Seal / Cachet officiel

Official seal

Bovine is defined as Bos taurus, Bos indicus and Bison bison/ Bovins s'entend des espèces Bos taurus, Bos indicus et Bison bison.



#### **United States Department of Agriculture**

Food Safety and Inspection Service June 10, 2021

#### TRANSMITTED VIA ELECTRONIC MAIL

1400 Independence Avenue, SW. Washington, D.C. 20250

Laura Smith Legal Director Truth in Advertising, Inc. P.O. Box 927 Madison, CT 06443 lsmith@tina.org

RE: 2021-FSIS-00120-F

Dear Ms. Smith:

This is the final response to your Freedom of Information Act (FOIA) request, dated January 4, 2021, to the U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS). You requested A copy of records regarding 2019 Recalls pertaining to live cows, pigs, raw beef and pork. We received your request in our office on January 04, 2021.

The FSIS FOIA staff works with subject matter experts across the agency to locate responsive documents. For this request, we conducted a records search in Office of Field Operations (OFO). FSIS' search began on January 4, 2021. Our search includes responsive records in FSIS' control on that date.

We have located 20 pages that are responsive to your request. After a thorough review, we have determined that 15 pages are being withheld in full under (b)(4) of the FOIA, 5 U.S.C. § 552, as amended. Accordingly, this request is granted in part.

Exemption 4 of the FOIA protects "trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential." 5 U.S.C. § 552(b)(4). The exemption covers two distinct categories of information in federal agency records, (1) trade secrets, and (2) information that is (a) commercial or financial, and (b) obtained from a person, and (c) privileged or confidential. In this instance, the agency is withholding foreign establishment related certificates, bill of laden and establishment invoices. The information was submitted to USDA by a business. We have determined that these records contain commercial or financial information that is customarily treated as private by the business submitters. Therefore, the information is considered confidential.

You may appeal this determination no later than 90 days from the date of this letter. Your appeal should include copies of your original request and this response, as well reasons supporting your appeal. The envelope should be plainly marked to indicate that it contains a FOIA appeal. If you decide to appeal, please send your appeal to:

Paul Kiecker Administrator U.S. Department of Agriculture Food Safety and Inspection Service 1400 Independence Avenue, SW. Laura Smith Page 2

Room 1170, South Building Washington, DC 20250-3700 FSIS.FOIA@USDA.GOV

Please be advised that your FOIA request, including your identity and the information made available, is releasable to the public under any subsequent FOIA requests. However, FSIS does not release your personal privacy information, such as home addresses, telephone numbers, or Social Security Numbers, all of which are protected from disclosure under FOIA Exemption 6.

If you have any questions about the processing of your request or about the USDA's FOIA regulations, please contact Michael Dutt at 301-289-9692 or via email at michael.dutt@usda.gov. If you have general questions about FSIS' FOIA procedures or regulations, please contact me, Acting FOIA Director/ FOIA Public Liaison at 202-720-8215 or via email at April.Harrid@usda.gov.

You also have the option to seek assistance from the Office of Government Information Services (OGIS). Please visit <a href="https://www.archives.gov/ogis/mediation-program/request-assistance">https://www.archives.gov/ogis/mediation-program/request-assistance</a> for information about how to request OGIS assistance in relation to a FOIA request.

Thank you for your interest in FSIS programs and policies.

Sincerely,

aril & Hamid

April D. Harrid Acting Director, Freedom of Information Act Staff Office of Public Affairs and Consumer Education

Enclosure: Responsive Records: Five (5) pages

- (1) The following regions are considered to be free of Exotic Newcastle disease (END): Argentina, Australia, Canada, Chile, Costa Rica, Denmark, Fiji, Finland, France, Great Britain (England, Scotland, Wales, and the Isle of Man), Greece, Iceland, Luxembourg, Mexico (States of Campeche, Quintana Roo, and Yucatan), New Zealand, Republic of Ireland, Spain, Sweden, and Switzerland. / Les régions suivantes sont reconnues indemnes de la forme exotique de la maladie de Newcastle: Argentine, Australie, Canada, Chili, Costa Rica, Danemark, Fiji, Finlande, France, Grande Bretagne (Angleterre, Écosse, pays de Galles et île du Man), Grèce, Islande, Luxembourg, Mexique (État de Campeche, Quintana Roo et Yucatan), Nouvelle Zélande, République d'Irlande, Espagne, Suède et Suisse.
- (2) In the case of products other than Canadian or US origin, based on compliance with the provisions of annex Q. In the case of poultry meat products not under the jurisdiction of the FSIS, all establishments registered under the Safe Food for Canadians Act are eligible to export./ En ce qui a trait aux produits autres que ceux provenant du Canada ou des États-Unis, sur la base de conformité aux dispositions de l'annexe Q. Dans le cas des produits de volaille qui ne relèvent pas de la juridiction du FSIS, tous les établissements agréés sous la Loi sur la salubrité des aliments au Canada sont admissibles à exporter.
- (3) Based on compliance with the provisions of the approved segregation procedures. / Sur la base de la conformité aux dispositions de procédures de ségrégations approuvées.



Canadian Food Inspection Agency

Agence canadienne d'inspection des aliments

### ANNEX(E) C

CERTIFICATE NO. /

CERTIFICAT N°: .....812263

ADDENDUM TO CERTIFICATE CFIA/ACIA NO. / 

# CERTIFICATE FOR ANIMAL CASINGS(1) TO THE UNITED STATES

# CERTIFICATE FOR ANIMAL CASINGS' TO THE **UNITED STATES**

# CERTIFICAT VISANT LES BOYAUX¹ EXPORTÉS **AUX ÉTATS-UNIS**

180.56 LBS

Location/Lieu: London, Ontario, Canada Date: May 7, 2019 In the case of casings from ovine species, the Dans le cas des boyaux d'ovins, les animaux animals from which the casings were derived were desquels sont issus les boyaux avaient moins de less than 12 months of age when slaughtered and 12 mois à l'abattage et ont fait l'objet d'une were subject to a ruminant feed ban equivalent to interdiction visant les aliments du bétail équivalente the requirements established by the U.S. Food and aux exigences énoncées par la Food and Drug Drug Administration at 21 CFR 589.20002, or the Administration des Étas-Unis à l'article 21 CFR casings are derived from ovine products legally 589.2000<sup>2</sup>, ou sont issus de produits ovins qui ont imported in Canada from the USA or from a region été importés légalement au Canada à partir des not considered by the USDA to be affected with or États-Unis ou d'une région qui n'est pas considérée at risk of BSE. par l'USDA comme touchée par l'ESB ou jugée à risque. In the case of casings derived from bovines: Dans le cas de boyaux issus de boyins: 1. The bovines were slaughtered and the casings 1. Les bovins ont été abattus et les boyaux récoltés were collected in a region/country (name) dans une région/pays (nom) of negligible risk for BSE; de risque négligeable pour or l'ESB; ou 2. The casings are derived from bovines from a region of controlled risk(name) 2. Les boyaux sont issus de bovins d'une région de a) The casings are not derived from the small risque contrôlé (nom) intestines a) Les boyaux ne sont pas issus de l'intestin grêle ou b)The casings are derived from that part of the small intestines that is eligible for use as human b) Les boyaux sont issus de la portion de l'intestin food in accordance with the requirements grêle qui est apte à la consommation humaine conformément aux exigences établies par le Food Safety established by the Food Safety and Inspection and Inspection Service dans le 9 CFR 310.22 et par le Service at 9 CFR 310.22 and the Food and Drug Food and Drug Administration dans le 21 CFR 189.5. (3) Administration at 21 CFR 189.5. (3) FORD INSPECTIO ment of Ca Kind of casings (Species) No. Of packages Net weight Nature des boyaux (espèces) Nbre d'emballages Poids net Sheep (Ovine) 1 Box 13.87 LBS

8 Boxes

Pork (Hog)

ENNE DUNST

# FSIS 9540-1, IMPORT INSPECTION APPLICATION

(Meat, Poultry & Egg Products)

The following is guidance for applicants/custom brokers importing meat, poultry or egg products to the United States. The FSIS form 9540-1 has been modified to capture more detailed information about shipments.

#### Block:

- 1. Country of Origin. Enter the name of the country that issued the inspection certificate for the export of the product.
- Inspection Certificate Number. Enter the serial number, including dashes/slashes, from the foreign country inspection contained on the
- 3. Exporting Establishment Number. Enter the official number of the foreign facility that the product was exported from the
- 4. U.S. Port of Entry/CBP Port Code. This is the name of the port of entry and the associated CBP port code designation where the entry is filed with U.S. Customs and Border Protection (CBP). Example: When the entry is filed at the Port of Philadelphia for merchandise unladed at Long Beach, CA, enter "Philadelphia, PA - 1101" as the U.S. Port of Entry and Port Code.
- 5. U.S. Port of Unlading/CBP Port Code. This is the name of the U.S. port of entry and the associated CBP port code for merchandise unladed at Long Beach, CA, enter "Los Angeles/Long Beach, CA - 1104" as the U.S. Port of Unlading and Port Code.
- 6. FSIS Establishment Number. This is the official number assigned by FSIS to the establishment where the product will move for FSIS
- 7. Name and Address of FSIS Establishment. The name and address of the FSIS establishment where the product is to be moved for
- 8. Name (first/last), Business Name and Address of Customs Broker or Applicant, as applicable (including zip code). Self explanatory (NOTE: the name of a responsible person is required, in addition to the name of the business). 8a. Phone Number. Self explanatory.
  - 8b. Facsimile Number. Self explanatory.
  - 8c. E-Mail Address. The email address for refused entry notifications and communication with the applicant.
- Name (first/last), Business Name and Address of Consignee (including zip code): The name and address, including zip code, of the company or person to which the product is consigned (NOTE: the name of a responsible person is required, in addition to the name of
- 10. Enter Name (first/last), Business Name and Address of Importer of Record (IR) (including zip code). The name and address of the Importer of Record as declared to Customs when the entry is filed (NOTE: the name of a responsible person is required, in addition to the name of
- 11. Bill of Lading Number(s). Enter the applicable bill of lading numbers for this application.
- 12. Lot No. The lot number of each line item of product identified on the foreign inspection certificate. Start with 1 and continue with 2, 3,
  - NOTE: Blocks 13 through 32 repeat for each lot on an inspection certificate. FSIS expects that each line item on the inspection certificate is one (1) lot on the form 9540-1.
- 13. Shipping/Identification Mark. Enter the unique number from the inspection certificate that links the product in the lot to the inspection certificate. Include slashes/dashes as appropriate.
- 14. Custom Entry Number(s). Enter each applicable 11 digit custom entry number associated with the shipment. For locations where the custom entry number is not 11 characters long, enter enough zeros at the beginning to make an eleven digit number.
- 15. Production Date(s). Enter the range of production dates from the inspection certificate for each lot when applicable.
- 16. Net Weight of Lot. Enter the net weight of each lot in pounds from the inspection certificate.
- 17. Shipping Unit Package Type Name. Enter the type of shipping unit.
- 18. Number of Units. Enter the number of shipping units from the inspection certificate.
- 19. Immediate Unit Package Type Name. Enter the type of immediate container packaging.
- 20. Number per Shipping Unit. Enter the number of immediate containers contained in a shipping unit. When the amount is not standard in each shipping container, enter an average/approximate number.
- 21. Seal Number(s). Enter the conveyance seal number(s) from the inspection certificate (egg products, red meat carcass shipments, etc).
- 22. Processing Est. No. Enter the foreign establishment number from the inspection certificate of the foreign plant that produced the product
- 23. Source Country(s). Enter each country, other than the exporting country, from which product was sourced to produce the product in this
- 24. Source Est. No. Enter each establishment, other than an establishment in the exporting country, from which product was sourced to produce the
- HTS Code(s): Enter the 10 number Harmonized Tariff Schedule code(s) for the product(s) in the lot.
- 26. Process Category. Enter the process category from the inspection certificate.
- 27. Product Category. Enter the product category from the inspection certificate.
- 28. Product Group. Enter the product group from the inspection certificate. Species (dominant:) Enter one of the following species that the product predominantly contains: Beef, Veal, Goat, Lamb, Mutton, Pork, Horse, Equine other than horse, Chicken, Duck, Goose, Guinea, Squab, Turkey, Emu, Ostrich, or Rhea.
- 29a. Additional Species (if applicable). Enter the less predominant additional species from the inspection certificate, when applicable. Refer to #29 for the applicable entries.

- 30. Description of the Product. Enter the name or description of the product from the inspection certificate. For example, lamb legs,
- 31. Supplemental Product Code. Enter the GTIN, Intended Use Code, UPC, or other product code that is used in commerce for the
- 32. Estimated Date of Arrival. Enter the date that the product is expected to arrive at the FSIS establishment for import inspection.
- 33. Printed Name of Customs Broker or Applicant. Enter actual name of person signing this application.
- 34. Signature. Signature of person filing this application.
- 35. Date. Enter the date the application is completed.

1/ For American Samoa, enter either Pago Pago, AS Seaport - 0001 or Pago Pago, AS Airport - 0002

# NORTH AMERICAN FREE TRADE AGREEMENT CERTIFICATE OF ORIGIN INSTRUCTIONS

For purposes of obtaining preferential tariff treatment, this document must be completed legibly and in full by the exporter and be in the possession of the importer at the time the declaration is made. This document may also be completed voluntarily by the producer for use by the exporter. Please print or type.

- Field 1: State the full legal name, address (including country) and legal tax identification number of the exporter. Legal tax identification number is: In Canada, employer number assigned by the Canada Revenue Agency or the importer/exporter number assigned by the Canada Border Services Agency; in Mexico, federal taxpayer's registry number (RFC); and the United States, employer's identification number or Social Security Number.
- Field 2: Complete field if the Certificate covers multiple shipments of identical goods as described in Field 5 that are imported into a NAFTA country for a specified period of up to one this Certificate). "FROM" is the date upon which the Certificate becomes applicable to the good covered by the blanket Certificate (it may be prior to the date of signing must occur between these dates.
- Field 3: State the full legal name, address (including country) and legal tax identification number, as defined in Field 1, of the producer. If more than one producer's good is included on the Certificate, attach a list of the additional producers, including the legal name, address (including country) and legal tax identification number, cross referenced to the same, complete field with "SAME". If the producer is unknown, it is acceptable to state "UNKNOWN".
- Field 4: State the full legal name, address (including country) and legal tax identification number, as defined in Field 1, of the importer. If importer is not known, state "UNKNOWN", if multiple importers, state "VARIOUS".
- Field 5: Provide a full description of each good. The description should be sufficient to relate it to the invoice description and to the Harmonized System (HS) description of the good. If the Certificate covers a single shipment of a good, include the invoice number as shown on the commercial invoice. If not known, indicate another unique reference number,
- Field 6: For each good described in Field 5, identify the HS tariff classification to six digits. If the good is subject to a specific rule of origin in Annex 401 that requires eight digits, using the HS tariff classification of the country into whose territory the good is imported.
- Field 7: For each good described in Field 5, state which criterion (A through F) is applicable. The rules of origin are contained in Chapter Four and Annex 401. Additional rules are described in Annex 703.2 (certain agricultural goods), Annex 300-B, Appendix 6A (certain textile goods) and Annex 308.1 (certain automatic data processing goods and their parts). Note: In order to be entitled to preferential tariff treatment, each good must meet at least one of the criteria below.

#### Preference Criteria

- A The good is "wholly obtained or produced entirely" in the territory of one or more of the NAFTA countries, as referred to in Article 415. Note: The purchase of a good in the territory does not necessarily render it "wholly obtained or produced". If the good is an agricultural good, see also criterion F and Annex 703.2. (Reference: Article 401(a) and
- The good is produced entirely in the territory of one or more of the NAFTA countries and satisfies the specific rule of origin, set out in Annex 401, that applies to its tariff classification. The rule may include a tariff classification change, regional value-content requirement or a combination thereof. The good must also satisfy all other applicable requirements of Chapter Four. If the good is an agricultural good, see also criterion F and Annex 703.2. (Reference: Article 401(b))
- C The good is produced entirely in the territory of one or more of the NAFTA countries exclusively from originating materials. Under this criterion, one or more of the materials may not fall within the definition of "wholly produced or obtained", as set out in Article 415. All materials used in the production of the good must qualify as "originating" by meeting the rules of Article 401(a) through (d). If the good is an agricultural good, see also criterion F and Annex 703.2. (Reference: Article 401(c))
- Goods are produced in the territory of one or more of the NAFTA countries but do not meet the applicable rule of origin, set out in Annex 401, because certain non-originating criterion is limited to the following two circumstances:
  - 1. the good was imported into the territory of a NAFTA country in an unassembled or disassembled form but was classified as an assembled good, pursuant to HS General Rule of Interpretation 2(a): or
  - the good incorporated one or more non-originating materials, provided for as parts under the HS, which could not undergo a change in tariff classification because the heading provided for both the good and its parts and was not further subdivided into subheadings, or the subheading provided for both the good and its parts and was not further subdivided.

Note: This criterion does not apply to Chapters 61 through 63 of the HS (Reference: Article 401(d))

- E Certain automatic data processing goods and their parts, specified in Annex 308.1, that do not originate in the territory are considered originating upon importation into the territory of a NAFTA country from the territory of another NAFTA country when the Most-Favoured-Nation Tariff rate of the good conforms to the rate established in Annex 308.1 and is common to all NAFTA countries. (Reference: Annex 308.1)
- The good is an originating agricultural good under preference criterion A, B or C above and is not subject to a quantitative restriction in the importing NAFTA country because it is a "qualifying good" as defined in Annex 703.2, Section A or B (please specify). A good listed in Appendix 703.2.B.7 is also exempt from quantitative restrictions and is wholly originate in Canada or the United States and are imported into either country. Note: A tariff rate quota is not a quantitative restriction.
- Field 8: For each good described in field 5, state "YES" if you are the producer of the good. If you are not the producer of the good, state "NO" followed by (1), (2), or (3), depending on whether this certificate was based upon: (1) your knowledge of whether the good qualifies as an originating good; (2) your reliance on the producer's written representation the producer.
- Field 9: For each good described in Field 5, where the good is subject to a regional value content (RVC) requirement, indicate "NC" if the RVC is calculated according to the net cost method; otherwise, indicate "NO". If the RVC is calculated according to the net cost method over a period of time, further identify the beginning and ending dates (DD/MM/YY)
- Field 10: Identify the name of the country ("MX" or "US" for agricultural and textile goods exported to Canada; "US" or "CA" for all goods exported to Mexico; or "CA" or "MX" for all goods exported to the United States) to which the preferential rate of customs duty applies, as set out in Annex 302.2, in accordance with the Marking Rules or in each Party's schedule of tariff elimination.

For all other originating goods exported to Canada, indicate appropriately "MX" or "US" if the goods originate in that NAFTA country, within the meaning of the NAFTA Rules of Origin Regulations, and any subsequent processing in the other NAFTA country does not increase the transaction value of the goods by more than 7%; otherwise indicate as "JNT" for joint production. (Reference: Annex 302.2)

Field 11: This field must be completed, signed and dated by the exporter. When the Certificate is completed by the producer for use by the exporter, it must be completed, signed and dated by the producer. The date must be the date the Certificate was completed and signed.



# RE: 2021-FSIS-00121-F Freedom of Information Act request

Harrid, April - FSIS <April.Harrid@usda.gov>
To: Laura Smith <Ismith@truthinadvertising.org>
Cc: "Dutt, Michael - FSIS" <michael.dutt@usda.gov>

Tue, Jul 27, 2021 at 12:46 PM

Hello Ms. Smith,

Yes, that is correct. FSIS was only able to locate 5 recalls responsive to your request regarding the country of origin. As we discussed via phone call months earlier, FSIS does not independently track country of origin for recalls. Information pertaining to country of origin in a recall will only be available if the country of origin is necessary or required for the recall.

For example, if there is a recall due to an undeclared allergen, the country of origin will not likely be included in as part of the recall.

So you are correct, FSIS did not locate any additional records pertaining to the country of origin for the remaining requested recalls in your two requests.

Respectfully,

#### April D. Harrid, Esq.

Acting FOIA Director

Office of Public Affairs and Consumer Education

Food Safety and Inspection Service, USDA

Room 1170 South Building

Washington, DC 20250

Phone: (202) 720-8215

April.Harrid@usda.gov

From: Laura Smith <smith@truthinadvertising.org>

Sent: Monday, July 26, 2021 1:24 PM

**To:** Harrid, April - FSIS <April.Harrid@usda.gov> **Cc:** Dutt, Michael - FSIS <michael.dutt@usda.gov>

Subject: [EXTERNAL: Suspicious Link]Re: FW: 2021-FSIS-00121-F Freedom of Information Act request

**CAUTION:** This message triggered warnings of **potentially** malicious web content. Consider whether you are expecting the message, along with inspection for suspicious links, prior to clicking. Any concerns with known senders, use a good contact method to verify.

Send Questions or Suspicious messages to: Spam.Abuse@usda.gov

April:

I've gone through the three emails you sent me on July 20, identifying which attachments pertain to which recall numbers (thank you, again, for doing that).

Just to confirm, of the 69 recalls from 2019 listed in our Jan. 4, 2021 FOIA request No. 2021-FSIS-00120-F, you have only provided requested documents for two of them (recalls 090-2019 and 059-2109), and of the 19 recalls from 2020/2021 listed in our Jan. 4, 2021 recall request No. 2021-FSIS-00121-F, you have only provided requested documents for three of them (recalls 008-2020, 013-2020, and 018-2020). Is that correct? If so, will we be receiving any documents for the remaining 83 recalls?

Many thanks for your assistance,

Laura Smith

Legal Director

203-421-6210 | Ismith@truthinadvertising.org

truthinadvertising.org | @TruthinAd | facebook.com/truthinad





On Tue, Jul 20, 2021 at 8:37 PM Laura Smith <smith@truthinadvertising.org> wrote:

Thank you so much, April. I have received your three emails and will review them each carefully. If I have any further questions, I will let you know. Really appreciate it.

Laura Smith

Legal Director

203-421-6210 | Ismith@truthinadvertising.org



On Tue, Jul 20, 2021 at 12:38 PM Harrid, April - FSIS < April. Harrid@usda.gov > wrote:

Hello Laura,

As discussed earlier today, please see below:

Page 1 pertains to Recall 008-2020.

Pages 2-28 pertain to Recall 013-2020.

Pages 29-31 pertain to Recall 018-2020.

Please let me know if you have received all three (3) emails with the requested clarification for 21-120 and 21-121.

Respectfully,

# April D. Harrid, Esq.

Acting FOIA Director

Office of Public Affairs and Consumer Education

Food Safety and Inspection Service, USDA

Room 1170 South Building

Washington, DC 20250

Phone: (202) 720-8215

April.Harrid@usda.gov

From: Dutt, Michael - FSIS

Sent: Tuesday, May 4, 2021 2:12 PM

To: 'Laura Smith' <smith@truthinadvertising.org>

Cc: Harrid, April - FSIS <April.Harrid@usda.gov>; Sharpe, Mary Frances - FSIS <maryfrances.sharpe@usda.gov>

Subject: 2021-FSIS-00121-F Freedom of Information Act request

Good day,

Please see the attached regarding your 2021-FSIS-00121-F Freedom of Information Act request.

Sincerely,

#### Michael R. Dutt

Records and Information Management Specialist - Freedom of information Act Staff Office of Public Affairs and Consumer Education Room 1170, South Building Washington, DC 20228

Phone: (202) 720-4058 Michael.dutt@usda.gov

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# **EXHIBIT J**



Food Safety and Inspection Service

1400 Independence Avenue, SW. Washington, D.C. 20250

October 15, 2021

# TRANSMITTED VIA ELECTRONIC MAIL

Laura Smith Legal Director Truth in Advertising, Inc. P.O. Box 927 Madison, CT 06443

RE: Final Response to Freedom of Information Act (FOIA) 2021-FSIS-00130-A *Appeal of 2021-FSIS-00121-F* 

Dear Ms. Smith:

This responds to your Freedom of Information Act (FOIA) appeal dated and received by U.S. Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS) on July 29, 2021, ("Appeal").

The Appeal pertains to your January 4, 2021 FOIA request assigned tracking number 2021-FSIS-00121-F ("Request"). The Request sought the following information:

Any and all USDA records, including but not limited to, correspondences, memos, shipping documents, permits, certificates, invoices, bills of sale, marketing materials, graphs, charts, photographs, images, and other data – stored in any medium from which information can be obtained – that pertain, relate and/or refer to the country of origin of live cows and pigs, as well as raw beef and pork ultimately used in the product(s) subject to the following USDA recalls, including the country or countries where the animal(s) were raised and slaughtered, and the country or countries where any processing of the product(s) occurred:

001-2021, 031-2020, 029-2020, 028-2020, 025-2020, 023-2020, 021-2020, 019-2020, 018-2020, 017-2020, 016-2020, 013-2020, 012-2020, 009-2020, 008-2020, 006-2020, 005-2020, 003-2020, 001-2020.

On May 4, 2021, FSIS issued its final response ("Final Response"). The Final Response included thirty-three (33) pages of records, two (2) of which that were withheld in full pursuant to Exemption 4. ("Final Response Record Set")

According to an email communication dated October 6, 2021, with Ethan Pickrell and Sarah Scharf, of this office, you agreed to receipt of Recall Recommendations

Memos, "Recall Memos" that include the country of origin information, as opposed to other recall background documents.

The Appeal Alleges the following:

- I. Allegation 1- Adequacy of the Search.
- II. Allegation 2 Release of Country of Origin Information in Withheld Records.

# I. Adequacy of the Search

Allegation I. asserts that FSIS only looked within the USDA recall files associated with the recall numbers provided in the Request. The records provided in the Final Response were those found as a result of FSIS's search for records it maintains in furtherance of its missions. The initial search for responsive records was conducted by the FSIS's Office of Field Operations (OFO). OFO is the largest program in FSIS, responsible for managing and administering the nation's meat, poultry and egg products inspection and verification program. Organized into 10 District Offices nationwide, OFO carries out FSIS' food safety mission in processing and slaughter facilities across the country. OFO is also responsible for managing all certification work including export verification.

The OFO's search for country-of-origin records included review of the FSIS import inspection files for products not of obvious US origin. The origin of the live animals or the raw material is not routinely collected as part of the preliminary investigation for recalls unless that information may be relevant to the issue causing the product to be recalled. OFO staff reviewed the recall related records identified in the request and provided the origin information that was collected as part of the normal recall information collection process. Country of origin information, if available outside of the recall/import records process, would require searching and collection of establishment controlled records, and are therefore not available within OFO's records. Collection of this information would require an origin investigation solely in response to this FOIA request. According to 7 CFR 1.7(b), the FOIA does not require agencies to do research, to analyze data, or to answer written questions in response to a request.

Records that "pertain, relate and/or refer to the country of origin of live cows and pigs, as well as raw beef and port used in the product(s) subject to the ... recalls" would likely originate in the OFO. For purposes of the Appeal, the OFO was asked to conduct an additional search for responsive records. The OFO located additional responsive records. Responsive records totaling four pages were identified.

Following a review of the responsive records, the OIA has determined that these records can be released in their entirety.

# II. Allegation 2 – Release of Country of Origin Information in Withheld Records.

The Final Response indicated that two pages of records were withheld in full pursuant to Exemption 4. The Appeal alleges that "TINA.org is not seeking commercial or financial

information" and that the information withheld under Exemption 4 should be released to the extent they contain origin information as the public interest in their release outweighs any public interest in withholding them.

The records located for the Final Response pertain to Recall Numbers 008-2020, 013-2020 and 018-2020 and did not include the Recall Memos, which include the country of origin information. According to the October 6, 2021 email mentioned above, you have agreed to receipt of the Memos that include the country of origin information, as opposed to other recall background documents. FSIS is providing the Recall Memos in full that pertain to 008-2020, 013-2020 and 018-2020, in addition to the Recall Memo located on Appeal for Recall 012-2020 which no prior records were provided for. Therefore, Allegation 2 is moot based on the October 6, 2021 agreement.

# Conclusion

Ultimately, your appeal is granted in part. This is the final administrative determination on your FOIA appeal. If you are dissatisfied with this final decision on the Appeal, you may seek judicial review in an appropriate U.S. District Court.

Prior to seeking judicial review, and as a non-exclusive alternative to litigation, you may want to contact the Office of the Government Information Services (OGIS). As *part* of the 2007 FOIA amendments, OGIS was created to offer mediation series to resolve disputes between FOIA appellants and Federal agencies. Using OGIS services does not affect your right to pursue litigation. Contact information for OGIS can be located at the following link: <a href="https://www.archives.gov/ogis/mediation-program/request-assistance">https://www.archives.gov/ogis/mediation-program/request-assistance</a>.

Thank you for your interest in FSIS programs and policies.

Sincerely,

Carol Blake Assistant Administrator Office of Public Affairs and Consumer Education

Enclosures: FOIA Appeal Response Records (4 pages)



Food Safety and Inspection Service

TO: Philip Bronstein, Assistant Administrator

Office of Field Operations

1400 Independence Avenue, SW. Washington, D.C. 20250

FROM:

William Griffin, Domestic Operations Branch Chief

WILLIAM Digitally signed by WILLIAM GRIFFIN Date: 2020.04.13 07:59:20 -04'00'

Recall Management and Technical Analysis Division

SUBJECT: Product Recall Recommendation, Case 008-2020

Jowett Farms Corporation, Importer of Record, Manitoba, Canada

Raw Pork Trim, Other (Failure to Present)

On April 10, 2020, the FSIS recall committee voted unanimously to recommend a Class I recall of approximately 42,587 pounds of imported raw pork trim products because the products were imported and distributed in the United States without the benefit of FSIS import re-inspection. Jowett Farms Corporation, the importer of record, in Manitoba, Canada, agreed to this recommendation and will initiate a voluntary recall. FSIS has not received any reports of injury or illness pertaining to these products from the public or the recalling firm.

On April 9, 2019, FSIS' Recall Management and Technical Analysis Division (RMTAD) discovered the problem through routine targeting and determined that Jowett Farms Corporation imported approximately 42,587 pounds of raw pork trim products from Canada on or about April 2, 2020, without the benefit of import reinspection. The receiving consignee, FSIS establishment 7779, further processed the pork trim into various sausage products that they distributed into commerce. Upon notification of the failure to present, Est. 7779 regained control of all finished products except for approximately 12,450 pounds of sausage that remain in commerce available for sale. Therefore, the scope of the recall is approximately 42,587 pounds of raw pork trim products, which includes 12,450 pounds of further processed sausage product, that were imported and distributed in the United States without the benefit of FSIS import re-inspection.

FSIS determined that the product may be adulterated, at a minimum, within the meaning of 21 U.S.C. §601(m)(3) in that they may be "otherwise unfit for human food."

<u>Recall Committee</u>: Stacy Womack, Rochelle Kopicki, William Griffin, Barry Rhodes, Nick Bauer, Angel Cruzafanador, Angela Glodowske, RMTAD/OFO; David Dejaynes, Chicago District Office/OFO; Ben Bell CPA/OPACE; Mark Carter Sci-S/OPHS; Mary Porretta, OPPD; Shaun Smith, Olaya Valadez, Joseph Woltz; CID/OIEA; Shannon McMurtrey, OIC; Lucy Touhey, SIPRS.

OFO Executive: Hany Sidrak, Deputy Assistant Administrator



Food Safety and Inspection Service TO: Philip Bronstein, Assistant Administrator

Office of Field Operations

1400 Independence Avenue, SW. Washington, D.C. 20250

FROM:

William Griffin, Domestic Operations Branch Chief

WILLIAM GRIFFIN /

Recall Management and Technical Analysis Division

SUBJECT: Product Recall Recommendation, Case 013-2020

La Bodega Meat. LLC, Importer of Record, Farmers Branch, Texas

Beef Products, Other (Failure to Present)

On June 17, 2020, the FSIS recall committee voted unanimously to recommend a Class I recall of approximately 83,038 pounds of imported beef products because the products were imported and distributed in the United States without the benefit of FSIS import re-inspection. La Bodega Meat LLC, the importer of record, located in Farmers Branch, Texas, agreed to this recommendation and will initiate a voluntary recall. FSIS has not received any reports of injury or illness pertaining to these products from the public or the recalling firm.

On June 16, 2020, FSIS' Recall Management and Technical Analysis Division (RMTAD) discovered the problem through routine targeting and determined that La Bodega Farm, LLC imported two shipments (Entry numbers AYB22487318 and AYB22487375) of various beef products, approximately 83,721 pounds from Nicaragua on June 2<sup>nd</sup> and 3<sup>rd</sup>, 2020, without the benefit of import re-inspection. RMTAD requested assistance from FSIS' Office of Investigation, Enforcement, and Audit (OIEA)/Compliance and Investigations Division (CID) which detained 682 pounds of product on June 16, 2020, and verified that approximately 83,038 pounds have been shipped and/or sold in commerce to customers in Arkansas. Missouri, and Texas.

FSIS determined that the product may be adulterated, at a minimum, within the meaning of 21 U.S.C. §601(m)(3) in that they may be "otherwise unfit for human food."

Recall Committee: Don Williams, Janice Walton, Rochelle Kopicki, Stacy Womack, Paul Melita, Carolyn Pearson, Megan Potts, Angel Cruzafanador, Wendy Calkins, Nick Bauer, William Griffin, Barry Rhodes, RMTAD/OFO; Shaun Smith, Olaya Valadez, Louis Tate; CID/OIEA; Nancy Layland and Samuel Dragoi, Dallas District Office/OFO; Emmanuel Olufotebi and Roxanne Smith, CPA/OPACE; Udit Minocha Sci-S/OPHS; Kysha Hendrix, AES/OPHS; and Teresa Taylor, OPPD.

OFO Executive: Michael Watts, Executive Associate for Regulatory Operations



Food Safety and Inspection Service

TO: Philip Bronstein, Assistant Administrator

Office of Field Operations

1400 Independence Avenue, SW. Washington, D.C. 20250

FROM: Barry Rhodes, Director

SUBJECT:

Recall Management and Technical Analysis Division

BARRY RHODES c=US, o=U.S. Government,

ou=Department of Agriculture cn=BARRY RHODES,

2020.06.17 13:50:39 -04'00'

0.9.2342.19200300.100.1.1=12001

Product Recall Recommendation, Case 012-2020

Lakeside Refrigerated Services, Swedesboro, New Jersey

Ground Beef, E. coli O157:H7

On June 13, 2020, the FSIS recall committee voted unanimously to recommend a Class I recall of approximately 42,922 pounds of various ground beef products because they may be adulterated with *E. coli* O157:H7. Lakeside Refrigerated Services agreed to this recommendation and will initiate a voluntary recall. FSIS has not received any reports of injury or illness pertaining to these products from the public or the recalling firm.

During import reinspection on May 28, 2020, FSIS reinspected two lots of beef trim from Uruguay Establishment 3 certified for export on certificate C0457 and bearing shipping marks 73325A and 73325B. FSIS collected a random sample for STEC analysis from shipping mark 73325A with a production date of April 15, 2020. FSIS performed routine reinspection of the lot identified by shipping mark 73325B and released this product on May 28, 2020. On June 5, 2020, FSIS confirmed the sample from shipping mark 73325A positive for E. coli O157:H7, refused entry to the sampled lot, and reported this issue to the central competent authority in Uruguay. On June 11, 2020, the government of Uruguay identified the production lot of the positive sample as 20041531 and informed FSIS that this production lot had been split among both shipping marks on certificate C0457 with 236 cartons—14,160 pounds marked with 73325B. On June 12, 2020, the government of Uruguay confirmed that all product from this production lot should be considered implicated with the positive sample regardless of shipping mark. FSIS determined that Lakeside Refrigerated Services, Establishment M46841 located in Swedesboro, New Jersey and doing business as Thomas Foods International USA (Importer of Record), used the implicated beef trim to produce approximately 19,584 pounds of ground beef. The establishment subsequently produced another 34,678 pounds of ground beef as part of the same production lot and shipped a total of 42,922 pounds into commerce. FSIS reviewed documentation submitted by the establishment and concluded they were unable to support a smaller scope.

FSIS determined that these products may be adulterated within the meaning of 21 U.S.C. §601(m)(1) in that they may bear or contain a substance that is injurious to the health and 21 U.S.C. §601(m)(4) in that they may have been prepared, packed, or held under insanitary conditions whereby they may have been rendered injurious to health.

Recall Committee: Donald Williams, William Griffin, Barry Rhodes, Jim Kirkbride, RMTAD/OFO; Emmanuel Olufotebi, Roxanne Smith, CPA/OPACE; Randolph Duverna, Science Staff/OPHS; Chuck Williams, OPPD; David Lilly, Dan Lang, Matt Nowicki, Mark Roling, Raleigh District Office/OFO; Larry Hortert, OIEA, Paul Wolseley, HQ/OFO

OFO Executive Clearance: Paul Wolseley, Executive Associate Regulatory Operations



Food Safety and Inspection Service TO: Philip Bronstein, Assistant Administrator

Office of Field Operations

1400 Independence Avenue, SW. Washington, D.C. 20250

FROM:

William Griffin, Domestic Operations Branch Chief WILLIAM WILLIAM GRIFFIN

Recall Management and Technical Analysis Division GRIFFIN Date: 2020.09.23

SUBJECT: Product Recall Recommendation, Case 018-2020

JBS Food Canada ULC, Importer of Record, Alberta, Canada

Raw Intact Beef products, Other (Failure to Present)

On July 30, 2020, the FSIS recall committee voted unanimously to recommend a Class I recall of approximately 38,406 pounds of imported raw intact beef products because the products were imported and distributed in the United States without the benefit of FSIS import re-inspection. JBS Food Canada ULC, the importer of record, in Brooks, Alberta, Canada, agreed to this recommendation and will initiate a voluntary recall. FSIS has not received any reports of injury or illness pertaining to these products from the public or the recalling firm.

On July 29, 2020, FSIS' Inspection Program Personnel (IPP) at Est. I-47 notified Recall Management and Technical Analysis Division (RMTAD) Imports Staff that JBS Food Canada ULC imported approximately 39,606 pounds of raw intact beef head meat from Canada or around July 13, 2020, without the benefit of import reinspection. The carrier did not stop at the I-house by the estimated arrival date and delivered the product directly to Balter Meat Co., Est. 11126, in Miami, Florida. Balter Meat Co. mixed the head meat with beef trim and further processed it into ground beef that they shipped to commerce for retail sale. The Atlanta District Office verified that Est. 11126 has approximately 1,200 pounds of head meat on hold. Therefore, the scope of the recall includes the remaining 38,406 pounds of raw beef products further processed and distributed to commerce.

FSIS determined that the product may be adulterated, at a minimum, within the meaning of 21 U.S.C. §601(m)(3) in that they may be "otherwise unfit for human food". They may be misbranded, within the meaning of 21 U.S.C. §601(n)(1), in that their labeling may be false or misleading in some particular.

Recall Committee: Stacy E. Womack, Rochelle Kopicki, William Griffin, Barry Rhodes, Nick Bauer, Angel Cruzafanador, RMTAD/OFO; Geneva Dennis, Phyllis Adams, Ghias Mughal, Debra Halteman, Atlanta District Office/OFO; Chrystal Okonta, CPA/OPACE; Krystal Southern, Sci-S/OPHS; Lee Puricelli, OPPD; Larry Hortert, Jose Pereira, CID/OIEA; Shannon McMurtrey, OIC; Vidit Krishna, SIPRS; Michael Watts, OFO/HQ.

OFO Executive: Michael Watts, Executive Administrator Regulatory Operations

# EXHIBIT K



Food Safety and Inspection Service

1400 Independence Avenue, SW. Washington, D.C. 20250 December 2, 2021

# TRANSMITTED VIA ELECTRONIC MAIL

Laura Smith P.O. Box 927 Madison, CT 06443 lsmith@tina.org

RE: Final Response to Freedom of Information Act (FOIA) 2021-FSIS-00144-A *Appeal of 2021-FSIS-00120-F* 

Dear Ms. Smith:

This responds to your Freedom of Information Act (FOIA) appeal dated and received by U.S. Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS) on September 7, 2021, ("Appeal").

The Appeal pertains to your January 4, 2021 FOIA request assigned tracking number 2021-FSIS-00120-F ("Request"). The Request sought the following information:

Any and all USDA records, including but not limited to, correspondences, memos, shipping documents, permits, certificates, invoices, bills of sale, marketing materials, graphs, charts, photographs, images, and other data – stored in any medium from which information can be obtained – that pertain, relate and/or refer to the country of origin of live cows and pigs, as well as raw beef and pork ultimately used in the product(s) subject to the following USDA recalls, including the country or countries where the animal(s) were raised and slaughtered, and the country or countries where any processing of the product(s) occurred:

123-2019, 122-2019, 119-2019, 118-2019, 116-2019, 113-2019, 111-2019, 109-2019, 107-2019, 104-2019, 103-2019, 102-2019, 101-2019, 100-2019, 086-2019, 082-2019, 081-2019, 079-2019, 078-2019, 077-2019, 076-2019, 074-2019, 073-2019, 072-2019, 071-2019, 070-2019, 069-2019, 067-2019, 047-2019, 046-2019, 044-2019, 043-2019, 042-2019, 040-2019, 039-2019, 038-2019, 037-2019, 035-2019, 033-2019, 032-2019, 029-2019, 028-2019, 099-2019, 098-2019, 097-2019, 096-2019, 095-2019, 091-2019, 090-2019, 089-2019, 088-2019, 065-2019, 063-2019, 062-2019, 059-2019, 057-2019, 056-2019, 055-2019, 053-

2019, 048-2019, 027-2019, 024-2019, 022-2019, 020-2019, 017-2019, 015-2019, 006-2019, 003-2019, 001-2019.

On May 4, 2021, FSIS issued an interim response ("Interim Response"). Six (6) pages of records were released in-full ("Interim Response Record Set"). On June 10, 2021, FSIS issued its final response ("Final Response"). The Final Response included fifteen (15) pages of records that were withheld in-full and five (5) pages released in their entirety ("Final Response Record Set").

The Appeal makes the following arguments:

- I. Argument 1- In Providing Records Responsive to the Interim Response and Final Response, FSIS Performed an Inadequate Search for Records.
- II. Argument 2 In Providing Records Responsive to the Final Response, FSIS Inappropriately Withheld Information.

Subsequent to receiving the Appeal, and according to an email communication dated October 6, 2021, with Ethan Pickrell and Sarah Scharf, both of this office, in order to satisfy the Request, you agreed to receipt of Recall Recommendations Memos ("Recall Memos") that include the country-of-origin information, as opposed to other recall background documents. Based on this October 6, 2021, agreement, FSIS is now providing you the Recall Memos in satisfaction of the Request. As a result of providing the Recall Memos, FSIS believes your Appeal is moot.

I. Argument 1 of Appeal - In Providing Records Responsive to the Interim Response and Final Response, FSIS Performed an Inadequate Search for Records.

Argument 1 of the Appeal asserts that FSIS only looked within the USDA recall files associated with the recall numbers provided in the Request.

The records provided in the Final and Interim Responses were those found as a result of FSIS' search for records maintained by FSIS in furtherance of its missions. The initial search for responsive records was conducted by FSIS Office of Field Operations (OFO). OFO is the largest program in FSIS, responsible for managing and administering the nation's meat, poultry and egg products inspection and verification program. Organized into 10 District Offices nationwide, OFO carries out FSIS' food safety mission in processing and slaughter facilities across the country. OFO is also responsible for managing all certification work including export.

The OFO's search for country-of-origin records included review of the FSIS import inspection files for products not of obvious U.S. origin. The origin of the live animals or the raw material is not routinely collected as part of the preliminary investigation for recalls unless that information may be relevant to the issue causing the product to be recalled. OFO staff reviewed the recall related records identified in the request and provided the origin information that was collected as part of the normal recall information collection process. Country-of-origin information, if available outside of the recall/import records process, would require searching and collection of

establishment controlled records, and are therefore not available within OFO's records. Collection of this information would require an origin investigation solely in response to this FOIA request. According to 7 CFR 1.7(b), the FOIA does not require agencies to do research, to analyze data, or to answer written questions in response to a request.

However, the October 6, 2021, agreement between you and FSIS wherein you agreed to accept Recall Memos to satisfy the Request renders moot the adequacy of search portion of your appeal. Pursuant to your October 6, 2021, agreement with FSIS, the OFO was asked to conduct a search for Recall Memos. Records that "pertain, relate and/or refer to the country of origin of live cows and pigs, as well as raw beef and pork used in the product(s) subject to the ... recalls" would likely originate in the OFO. The OFO located five (5) pages of Recall Memos that are now being provided to you.

II. Argument 2 of Appeal – In Providing Records Responsive to the Final Response, FSIS <u>Inappropriately Withheld Information</u>.

The Final Response indicated that fifteen pages of records were withheld pursuant to Exemption 4. The Appeal alleges that "TINA.org is not seeking commercial or financial information" and that the information withheld under Exemption 4 should be released to the extent they contain origin information as the public interest in their release outweighs any public interest in withholding them.

The records located for the Interim Response and the Final Response pertain to Recall Numbers 059-2019 and 090-2019 and did not include the Recall Memos, which include the country-of-origin information. According to the October 6, 2021 email mentioned above, in order to satisfy the Request, you have agreed to receipt of the Recall Memos that include the country-of-origin information, as opposed to other recall background documents. Pursuant to this October 6, 2021 agreement, FSIS is now providing Recall Memos that pertain to 059-2019 and 090-2019, in addition to the other Recall Memos. Therefore, Argument 2 of your Appeal is moot as a result of the October 6, 2021, agreement and FSIS' production of the Recall Memos.

# Application of FOIA Exemption 4 to Recall Memos

Exemption 4 of the FOIA protects "trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential." 5 U.S.C. § 552(b)(4) (Exemption 4). The exemption covers two distinct categories of information in federal agency records, (1) trade secrets, and (2) information that is (a) commercial or financial, and (b) obtained from a person, and (c) privileged or confidential.

Following a review of the five (5) pages of Recall Memos now being provided you, FSIS has determined that certain information contained in the Recall Memos should be withheld pursuant to FOIA Exemption 4. In this instance, FSIS is withholding information pertaining to a client distributor and other confidential commercial information contained within the Recall Memos. The information was submitted to USDA by a business during the course of a recall

investigation. We have determined that this information contains commercial or financial information that is customarily treated as private by the business submitter. Therefore, the information is considered confidential information protected from disclosure pursuant to Exemption 4.

### Conclusion

As you and FSIS agreed on October 6, 2021, in satisfaction of your Request, FSIS is providing you with Recall Memos. Exemption 4 has been applied to certain information within these Recall Memos. As these Recall Memos are now being provided to you for the first time, you may appeal the production of Recall Memos, including any withholdings applied to the Recall Memos, in satisfaction of your Request. Your appeal may be submitted by email to FSIS.FOIA@USDA.GOV. Your appeal must be in writing, and it must be received electronically no later than 90 days from the date of this letter. FSIS will not consider appeals received after the 90 calendar-day limit. Appeals received after 5:00 PM EST will be considered received the next business day. Your appeal should include the FOIA tracking number, a copy of your original request and appeal, FSIS' response to your original request and appeal, as well as reasons supporting your appeal.

For quickest possible handling, please email your appeal to <u>FSIS.FOIA@USDA.GOV</u>, and in the subject line of your email and the appeal letter, mark "Freedom of Information Act Appeal" and reference FOIA No. 2021-FSIS-00144-A.

If you do not have access to email, or are otherwise unable to email your appeal, you may mail your appeal to:

Paul Kiecker Administrator U.S. Department of Agriculture Food Safety and Inspection Service 1400 Independence Avenue, SW. Room 1170, South Building Washington, DC 20250-3700

If you have any questions about this appeal, please contact Sarah A. Scharf, at 202-853-6166 or via email at <a href="mailto:sarah.scharf@usda.gov">sarah.scharf@usda.gov</a>.

If you are dissatisfied with FSIS' decision to treat the arguments in your appeal as moot, you may seek judicial review in the Federal District Court.

Prior to seeking judicial review, you may want to contact the Office of the Government Information Services (OGIS). As part of the 2007 FOIA amendments, OGIS was created to offer mediation series to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. Please visit <a href="https://www.archives.gov/ogis/mediation-program/request-assistance">https://www.archives.gov/ogis/mediation-program/request-assistance</a>.

Thank you for your interest in FSIS programs and policies.

Sincerely,

Carol Blake Assistant Administrator Office of Public Affairs and Consumer Education

Enclosures: FOIA Appeal Response Records (5pp)



Food Safety and Inspection Service TO: Philip Bronstein, Assistant Administrator

Office of Field Operations

1400 Independence Avenue, SW. Washington, D.C. 20250

FROM: Barry Rhodes, Director

Recall Management and Technical Analysis Division

Office of Field Operations

SUBJECT: Product Recall Recommendation, Case 059-2019

Sikorski Sausage Co. Ltd., London, Ontario, Canada

Ready-to-Eat (RTE) Meat and Poultry Sausage, Other (Failure to

Present)

BARRY RHODES c=US, o=U.S. Government, ou=Department of Agriculture, cn=BARRY RHODES, 0.9.2342.19200300.100.1.1 =12001000086494 2019.05.25 18:44:22 -04'00'

On May 24, 2019, Sikorski Sausage Co. Ltd., Importer of Record, voluntarily agreed to a Class I recall of approximately 74 pounds of various imported RTE meat and poultry sausage products because the products were not presented for import reinspection upon entry into the United States.

On May 22, 2019, RMTAD-Imports discovered the problem through routine targeting and determined that approximately ounds of product entered the United States from Canada on or about May 14, 2019 under U.S. Entry# 9RK-2745413-1 without FSIS import reinspection. The Office of Investigation, Enforcement, and Audit (OIEA) Compliance and Investigation Division (CID) dispatched an Investigator and determined that (California received all(b) (4) bounds of affected of affected product at (b) (4) However, (b) (4) further distributed the remaining 74 pounds of RTE meat and poultry ucts into commerce prior to CID's arrival. FSIS has not received any reports of injury or illness pertaining to this product from the public or the recalling firm.

FSIS determined that the recalled products may be adulterated within the meaning of 21 U.S.C. §601(m)(3) and 21 U.S.C. §453(g)(3), in that they are otherwise unfit for human consumption because they were not appropriately inspected and passed.

The Recall Committee for this case consisted of: Barry Rhodes, Rochelle Kopicki, Donald Williams, Nick Bauer, Angel Cruzafanador, Megan Potts, RMTAD/OFO; Mitch Adams, CPA/OPACE; Lindsay Ward-Gokhale, Oliver Ou, Science Staff/OPHS; Curtis Eilers, OPPD; Jannette Pagan, Edgar Jaimez, Jared Bevill, OIEA/CID; Ben Dinsmore, SIPRS, Michael Watts, HQ/OFO.

The committee's unanimous recommendation is for a Class I Recall.



Food Safety and Inspection Service TO: Philip Bronstein, Assistant Administrator

Office of Field Operations

1400 Independence Avenue, SW. Washington, D.C. 20250

FROM: Barry Rhodes, Director

Recall Management and Technical Analysis Division

SUBJECT: Product Recall Recommendation, Case 079-2019

Kent Quality Foods, Inc., Establishment 5694 M/P, Grand Rapids,

Michigan

Ready-to-Eat (RTE) Polish Sausages with Beef, Extraneous Material

c=US. o=U.S. Government

cn=RARRY RHODES

ou=Department of Agriculture

(Soft Rubber)

On July 26, 2019, the FSIS recall committee voted unanimously to recommend a Class I recall of approximately 48,681 pounds of RTE Polish Sausages with Beef because the products may contain extraneous material, specifically pieces of pink rubber. Kent Quality Foods, Inc. (Est. 5694 M/P), in Grand Rapids, Michigan agreed to this recommendation and will initiate a voluntary recall. FSIS has not received any reports of injury or illness pertaining to these products from the public or the recalling firm.

The problem was discovered after Kent Quality Foods, Inc. received complaints of extraneous materials from retail consignees on July 17, 2019 and July 18, 2019. The consignees reported finding pieces of pink rubber in RTE Polish Sausages made with Beef with a June 17, 2019 code date. The three pieces of rubber measured 11.57mm x 5.31mm, 9.90mm x 6.91mm, and 10.33mm x 4.94mm. Kent Quality Foods Inc. investigated and determined that it is possible that the pieces of pink rubber originated from their raw material supplier in Australia that used pink rubber gloves as part of their employees personal protective equipment during their fabrication process. The product associated with the complaints was produced on June 14, 2019 and packaged on June 17, 2019. Additionally, there was rework generated during finished product packaging on June 17th that was used in the production of raw product on June 19th. The June 19th production was packaged on June 20th. The Chicago District Office verified the amount of affected product through a review of records.

The scope of the recall will include approximately 48,681 pounds of RTE Polish Sausage with beef products packaged on June 17, 2019 and June 20, 2019. The firm distributed the products to a retail store chain in California and Utah.

FSIS determined that the product may be adulterated within the meaning of 21 U.S.C. §601(m)(4) in that it may have been prepared, packed, or held under conditions that may have become contaminated with filth or rendered injurious to health.

<u>Recall Committee</u>: Rochelle Kopicki, Megan Potts, Barry Rhodes, RMTAD/OFO; Mitch Adams, CPA/OPACE; Denise Piaskowski, AES/OPHS; Joshua Ayers, OPPD; David Dejaynes, Tamara Mayberry Davis, Chicago District Office/OFO; Thomas Collaro, OIEA; David Sandler, SIPRS; Michael Watts, HQ/OFO.



Food Safety and Inspection Service TO: Philip Bronstein, Assistant Administrator

Office of Field Operations

1400 Independence Avenue, SW. Washington, D.C. 20250

FROM: Barry Rhodes, Director

Recall Management and Technical Analysis Division

Product Recall Recommendation, Case 090-2019 SUBJECT:

BCI Foods, Inc., Importer of Record, Quebec, Canada

BARRY RHODES c=US, o=U.S, Government

cn=BARRY RHODES

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2019.09.10 13:24:50 -04'00'

Various Meat and Poultry soups, Other (Failure to Present)

On September 5, 2019, the FSIS recall committee voted unanimously to recommend a Class I recall of approximately 3,304 pounds of various meat and poultry soups because the products were imported and distributed in the United States without the benefit of FSIS import reinspection. BCI Foods, Inc., the importer of record, in Quebec, Canada agreed to this recommendation and will initiate a voluntary recall. FSIS has not received any reports of injury or illness pertaining to these products from the public or the recalling firm.

BCI Foods, Inc. (Canada Establishment 142) imported 13 pallets of various canned meat and poultry soup products on or about July 17, 2019 and delivered these products to an ALDI distribution center in Tully, NY without FSIS import reinspection. FSIS identified this issue through routine data monitoring. OIEA/CID detained 13 pallets of various canned meat and poultry soups from Canada Establishment 142 on July 24, 2019 and verified re-export of this product back to Canada on August 28, 2019. The Canadian Food Inspection Agency notified FSIS on August 30, 2019 that 2 of the pallets returned were not part of the shipment that failed to present for FSIS import inspection. Subsequent FSIS investigation determined that ALDI had previously distributed 2 pallets of the soup that had failed to present for FSIS import inspection and that some of the product returned to Canada had been imported as part of previous shipments that were inspected and passed by FSIS.

The 2 missing pallets associated with the failure to present shipment included a pallet of Homestyle Traditional Chicken & Wild Rice Soup and Homestyle Italian Style Wedding Soup and another pallet of Chunky Beef with Country Vegetables Soup and Chunky Sirloin Burger with Country Vegetable Soup. ALDI reported that they distributed these products to their retail stores in New York and Pennsylvania.

FSIS has determined that the products may be considered adulterated within the meaning of 21 U.S.C. §601(m)(3) and §453(g)(3), in that they may be unsound, unhealthful, unwholesome, or otherwise unfit for human food.

Recall Committee: Monique Wiggins, Rochelle Kopicki, Janice Walton, Paul Melita, Nick Bauer, Carolyn Pearson, Wendy Calkins, James Kirkbride, Megan Potts, Barry Rhodes, RMTAD/OFO; Maria Machuca, CPA/OPACE; Mark Carter, Sci-S/OPHS; Curtis Eilers, OPPD; James Borda, Michael Ronczka, Michael Becker, OIEA; George Slobodjian, Michael Osifat, Philadelphia District Office; Greg Grover, SIPRS; Shannon McMurtrey, OIC.



Food Safety and Inspection Service TO: Philip Bronstein, Assistant Administrator

Office of Field Operations

1400 Independence Avenue, SW. Washington, D.C. 20250

FROM:

William Griffin, Domestic Operations Branch Chief

Recall Management and Technical Analysis Division

WILLIAM GRIFFIN GRIFFIN Date: 2019 10.72 13:44-17 JOHNS

SUBJECT: Product Recall Recommendation, Case 098-2019

Global Zakii Enterprises LLC, Importer of Record, Houston, Texas Canned Chicken and Beef Products, Other (Failure to Present)

On October 17, 2019, the FSIS recall committee voted unanimously to recommend a Class I recall of approximately 100 pounds of imported canned chicken and beef products because the products were imported and distributed in the United States without the benefit of FSIS import re-inspection. Additionally, the products were imported from a country that is ineligible to export product to the United States. Global Zakii Enterprises, LLC, the importer of record, in Houston, Texas agreed to this recommendation and will initiate a voluntary recall. FSIS has not received any reports of injury or illness pertaining to these products from the public or the recalling firm.

On October 11, 2019, RMTAD-Imports received a CCMS complaint (case 2019-1400) reporting that a consumer identified canned corn beef product in two retail stores that did not appear to have adequate labeling, such as wording in English. RMTAD-Imports requested assistance from the Office of Investigation, Enforcement, and Audit (OIEA), Compliance Investigations Division (CID) to investigate the products in commerce. On October 15 and 16, 2019, CID visited the retail stores associated with the complaint and observed canned corn beef products produced in Brazil that did not meet all FSIS labeling requirements. In addition, CID observed additional products, canned chicken luncheon meat and canned beef luncheon meat, produced by Siniora Food Industries, in Sahab, Jordan. Jordan is not eligible to export meat products to the United States. The retail locations provided documentation demonstrating that they received the products from Global Zakii Enterprises LLC, an importer/distributor located in Houston, Texas.

CID visited Global Zakii Enterprises, LLC and determined that the firm imported the canned chicken and meat products from Jordan, an ineligible country, on or about September 20, 2019. The producer of the canned corn beef products is located in Brazil, which is an eligible country; however, the firm imported the shipment from Jordan. In addition, the products were not presented for FSIS import-reinspection. The firm was unable to report the total amount of product illegally imported into the United States; however, the firm did report that they distributed approximately 100 pounds of product into commerce.

FSIS determined that the product may be adulterated, at a minimum, within the meaning of 21 U.S.C. §601(m)(3) and 21 U.S.C. §453(g)(3) in that they may be

"otherwise unfit for human food". The products may also be misbranded as per the FMIA, within the meaning of 21 U.S.C §601(n)(1) and §453(h)(1) in that its labeling may be false or misleading in some particular.

Recall Committee: Donald Williams, Janice Walton, Rochelle Kopicki, Monique Wiggins, Megan Potts, William Griffin; RMTAD/OFO; Samuel Dragoi, Jennifer McKean, Nancy Layland, Gary Davis, Dallas District Office/OFO; Benjamin Bell, CPA/OPACE; Kristina Barlow, Sci-S/OPHS; Krystal Southern, AES/OPHS; Gina Kouba, John Antonetti, Charles Williams, OPPD; Shaun Smith, Ronald Wells, Louis Tate, Olaya Valadez, CID/OIEA; Marianne Elbertson, SIPRS; Michael Watts, HQ/OFO; Shannon McMurtrey, Brianna Robinson-Verloop, OIC.