



May 12, 1997

WARNING LETTER
CHI-26-97Chicago District
300 S. Riverside Plaza, Suite 550 South
Chicago, Illinois 60606
Telephone: 312-353-5863CERTIFIED MAIL
RETURN RECEIPT REQUESTEDEdward C. Simpson
Simpson Farm
12421 228th St. North
Port Byron, IL 61275

Dear Mr. Simpson:

An inspection of your swine producing operation, conducted by Investigator James L. Finn on April 15, 1997, found that you offered an animal for sale for slaughter as human food in violation of Section 402(a)(2)(D) of the Federal Food, Drug, and Cosmetic Act (Act).

On or about December 4, 1996, you sold a hog for slaughter through [] USDA analysis of tissue samples collected from this animal identified the presence of 0.29 parts per million (ppm) penicillin in the kidney tissue. There is no established tolerance for penicillin in swine. The presence of this drug in the tissue from this animal causes the food to be adulterated under section 402(a)(2)(D) of the Act.

Our investigation also found that you do not maintain records of medications administered to swine you raise as food for human consumption. This is not intended as an all-inclusive list of violations. As a producer of animals for human consumption, you are responsible for assuring that your overall operation and the food products you produce for distribution are in compliance with the law.

You should take prompt action to correct these violations, and you should establish procedures whereby such violations do not recur. Failure to promptly correct these violations, may result in regulatory action without further notice, such as seizure and/or injunction. This letter constitutes official notification under the law.

Please advise this office in writing within 15 working days of receipt of this letter of the steps you have taken to bring your firm into compliance with the law. Your response should include each step that has been taken or will be taken to correct the violation and prevent its recurrence. If corrective action cannot be completed within 15 working days, state the reason for the delay and the time frame within which the correction will be completed. Please include copies of any available documentation demonstrating that the correction have been made.

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Your response should be directed to Richard Harrison, Acting Director, Compliance Branch.

Sincerely,

Raymond V. Mlecko
District Director

cc: Dr. Judd Giezentanner
North Central Region
FSIS Inspection Operations
United States Department of Agriculture
11338 Aurora Ave.
Des Moines, IA 50322

cc: Richard Hull, DVM
Chief Veterinarian
Bureau of Animal Health
Division of Animal Industries
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281

cc: Mark Ringler
Bureau Manager
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