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Chicago District  
300 S. Riverside Plaza, Suite 550 South  
Chicago, Illinois 60606  
Telephone: 312-353-5863

March 13, 2001

**WARNING LETTER**  
**CHI-25-01**

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Hei Yeng Kwok, Owner  
K&W Trading, Inc.  
1419 W. 15<sup>th</sup> Street  
Chicago, IL 60608

Dear Mr. Kwok:

An inspection of your firm by the Food and Drug Administration (FDA) on January 24, 26, 29, 31, and February 8 and 13, 2001, documented numerous insanitary conditions at your facility. The inspection was conducted at the request of the U.S. Department of Agriculture (USDA), Food Sanitation and Inspection Service (FSIS), following their report of live rat sightings at your plant, which manufactures and/or distributes both USDA and FDA-regulated products. This letter refers to our findings concerning FDA-regulated products only.

The insanitary conditions observed at your firm during our inspection cause products you manufacture, store and distribute to be adulterated, within the meaning of Sections 402 (a)(3) and 402(a)(4) of the Federal Food, Drug, and Cosmetic Act (the Act). They are adulterated because they consist in whole or in part of filthy substances, including rodent hair and feather barbules. They are also adulterated because they have been held under conditions whereby they may have become contaminated with rodent and bird filth. Specifically, the inspection disclosed the following insanitary conditions:

- Rodent gnaw holes in bags of rice and in bags of [REDACTED] noodles, located on the first floor (north end) and third floor (northwest end) respectively of your warehouse. Additionally, our lab confirmed the presence of rodent hair/feather barbules and of mouse fecal pellets in product inside these holes, in the rice bags and in the noodle bags respectively.
- Rat fecal pellets under bags of rice and rodent fecal pellets on a box of crushed red chili peppers, located on the first floor (west end) and third floor respectively of your warehouse.

- Bird excreta on and/or under bags of rice at the north end and at the west end of the first floor of your warehouse.
- Fresh rat fecal pellets near the center and at the east end of the first floor of your warehouse.
- Dead rodents in traps near the north/northeast wall of the second floor of your warehouse, including one dead rodent near open bags of MSG and flour.
- Live birds in the north part of the first floor of your warehouse.
- A building hole(s) and/or closure gap(s) in your cabbage processing room, in the east wall of the first floor of the warehouse, in the third floor juncture of the south wall, in the women's washroom, under dock doors, and under your basement door. Additionally, open sewers were noted in the lower level room of the first floor of the warehouse, and open windows were observed in the second floor of the warehouse.
- Product residue-covered and/or taped equipment in your processing area for egg roll filling manufacture.

At the close of the inspection, you were issued an FDA 483 (Inspectional Observations), listing deficiencies observed during the inspection. Our investigator reported that you have made several corrections in response to our inspection, including voluntary destruction of contaminated product lots and removal of environmental rodent feces/bird excreta in your warehouse. Corrections also included sealing some but not all structural holes/gaps, and contacting new pest control services. Our investigator also reported that you have promised to correct all other deviations noted during the inspection.

While we acknowledge these corrective actions, your response to insanitary conditions in the current inspection should include a specific, comprehensive plan to monitor and prevent insanitary conditions and practices from rendering your product storage and other operations out-of-control. As one element of this plan, you may want to access the services of a professional consultant, who can recommend procedures to enable you to regain control of your operations.

The above-listed violations are not intended to be all-inclusive. It is your responsibility to assure adherence to each requirement of the federal regulations. We request that you take prompt action to correct all violations.

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Please provide this office, within 15 days of receipt of this letter, a detailed response stating the actions you plan to take, or have taken, to correct and prevent the recurrence of these objectionable conditions. Provide the time within which corrections will be completed, reasons why any corrective action cannot be completed, and documentation to show that corrections have been made. Failure to take prompt action to correct all violations may result in regulatory action without further notice. Such action may include seizure and/or injunction.

Your reply should be directed to James Karpus, Compliance Officer, at the Chicago District Office.

Sincerely,

\s\  
Raymond V. Mlecko  
District Director