



September 28, 2001

WARNING LETTER NO. 2001-NOL-60

**FEDERAL EXPRESS
OVERNIGHT DELIVERY**

Donald Vizier, President
Tidewater Dock, Inc.
21549 Highway 1
Golden Meadow, Louisiana 70357

Dear Mr. Vizier:

During an inspection of your vessel watering point facility, located at 21549 Highway 1, Golden Meadow, Louisiana, on September 14, 2001, our investigator observed violations of U.S. Public Health Service Act found in the Interstate Conveyance Sanitation Regulations (Title 21, *Code of Federal Regulations*, Parts 1240 and 1250).

At the conclusion of the inspection, the Form FDA 483 (Inspectional Observations) and Form FDA 2521 (Inspection Summary – Vessel Watering Point Sanitation) were issued to, and discussed with, Mr. Ricky G. Dupre, Vice President of Operations. Copies of the Forms FDA 483 and 2521 are enclosed. The following violations were noted during the inspection:

- The North Pier Potable Water Hydrant is not constructed with a backflow prevention device; and,
- The North Pier Potable Water Hydrant is not constructed or maintained in a manner that prevents contamination of the water. For example, the unhooded North Pier Potable Water Hydrant is located less than 18” above the pier. Additionally, on September 14, 2001, the North Pier Potable Water Hydrant water hose was observed uncapped and laying directly on the ground.

As a result of the deficiencies observed, we are classifying your watering point as “Provisional” for interstate carrier use for a period of thirty (30) days. A “Provisional” classification means that a facility may continue to operate; however, correction of violations must be made within 30 days. Another inspection will be conducted within 30 days to assure corrections meet FDA requirements. If corrections have not been made, then FDA will classify your watering point as

“Not Approved.” A classification of “Not Approved” means that interstate carrier companies are prohibited from using your watering point.

You should take prompt action to correct the identified deficiencies. This letter is not meant to provide an all-inclusive list of deficiencies that may exist at your vessel watering point. It is your responsibility to ensure that all requirements of the U.S. Public Health Service Act and its associated regulations are met.

At the close of the inspection, on September 14, 2001, Mr. Dupre reported to our investigator that he would correct the above conditions. You should notify this office in writing, within fifteen (15) working days from receipt of this letter, of the actions you have taken to correct the deficiencies and to assure that such violations will not recur. If you cannot correct the deficiencies within the required timeframe, we expect you to explain, in writing, the reason for the delay and provide a date by which you will correct any remaining deficiencies.

Your response, and any questions regarding the contents of this letter, should be directed to Rebecca A. Asente, Compliance Officer, at the above address or at 504-253-4519.

Sincerely,



Richard D. Debo
Acting District Director
New Orleans District

Enclosures: Form FDA 483
Form FDA 2521