



DEPARTMENT OF HEALTH & HUMAN SERVICES

**Public Health Service
Food and Drug Administration**

94184d

San Francisco District
1431 Harbor Bay Parkway
Alameda, CA 94502-7070
Telephone: 510/337-6700

VIA FEDERAL EXPRESS

Our Reference: 3003238494

July 31, 2003

Alfredo A. Pedroza, Owner
Something Special Aviation Catering
1250 Aviation Avenue, Suite 265
San Jose, California 95110

WARNING LETTER

Dear Mr. Pedroza:

On June 2, 2003, FDA conducted an inspection of your facility, located at 1250 Aviation Avenue, San Jose, California, which provides food and beverage service to various airlines at San Jose International Airport. The observations made during the inspection revealed that your facility is in violation of Section 361 of the Public Health Service Act and the Interstate Conveyance Sanitation regulations at Title 21, Code of Federal Regulations, Part 1250 (21 CFR Part 1250). FDA's observations were listed on Form FDA 483, List of Inspectional Observations, a copy of which was provided to and discussed with you at the conclusion of the inspection. Form FDA 2420, Food Service Establishment Inspection Report, was also provided to you. Copies of both documents are enclosed for your reference.

During the inspection, the following observations were noted:

Per Form FDA 2420:

1. Item 03: The internal temperature of the potato salad was 58° F and the internal temperature of the cantaloupe was 59° F, while being stored in the refrigerator units. All perishable food or drink shall be kept at or below 50° F, except when being prepared or kept hot for serving (21 CFR § 1250.27).
2. Item 05: There were no thermometers provided inside the reach-in refrigerators and at the food preparation station. Each refrigerator shall be equipped with a thermometer located in the warmest portion thereof (21 CFR § 1250.34).
3. Item 08: A container of cooked lasagna and two bags of ice were stored directly on the floor of the walk-in freezer. All food-handling operations shall be

accomplished so as to minimize the possibility of contaminating food, drink, or utensils (21 CFR § 1250.32(a)).

4. Item 12: Two employees were observed not washing their hands between cleaning and food preparation. The hands of all persons shall be kept clean while engaged in handling food, drink, utensils, or equipment (21 CFR § 1250.32(b)).
5. Item 13: Two employees were observed preparing food without wearing hair restraints. All food-handling operations shall be accomplished so as to minimize the possibility of contaminating food, drink, or utensils (21 CFR § 1250.32(a)).
6. Item 15: The back panel of the reach-in refrigerator is missing and has a build-up of old food debris around the motor area. Also, the compressor fan is soiled with mold, dust, and dirt. All utensils and working surfaces used in connection with the preparation, storage, and serving of food or beverages, and the cleaning of food utensils, shall be so constructed as to be easily cleaned and self-draining and shall be maintained in good repair (21 CFR § 1250.33(a)). All equipment shall be kept clean (21 CFR § 1250.33(b)).
7. Item 17: There are no chemical test kits provided to measure the chlorine concentration of sanitizer solutions. Adequate facilities shall be provided for the cleaning and bactericidal treatment of all multiuse eating and drinking utensils and equipment used in the preparation of food and beverages (21 CFR § 1250.33(a)).
8. Item 20: There was no measurable chlorine concentration (0 ppm) in the sanitizer solution used to clean utensils and equipment. Adequate facilities shall be provided for the cleaning and bactericidal treatment of all multiuse eating and drinking utensils and equipment used in the preparation of food and beverages (21 CFR § 1250.33(a)).
9. Item 22: The blade of the meat slicing machine, the cracks in the wooden butcher's table, the internal surface of the microwave oven, and the surface of the can opener have a build-up of old food residue. All multiuse eating and drinking utensils shall be thoroughly cleaned in warm water and subjected to an effective bactericidal treatment after each use. All other utensils that come in contact with food and drink shall be similarly treated immediately following the day's operation. All equipment shall be kept clean (21 CFR § 1250.33(b)).
10. Item 23: The front panel of the oven, the holding racks, and the shelves have a build-up of old food residue. All multiuse eating and drinking utensils shall be thoroughly cleaned in warm water and subjected to an effective bactericidal treatment after each use. All other utensils that come in contact with food and drink shall be similarly treated immediately following the day's operation. All equipment shall be kept clean (21 CFR § 1250.33(b)).

11. Item 24: Clean utensils are stored inside drawers that are dirty with old food residue. After bactericidal treatment, utensils shall be stored and handled in such a manner as to prevent contamination before reuse (21 CFR § 1250.33(c)).
12. Item 29: No hot or warm water is available at the hand-washing sink for employees to wash their hands. Hand-washing facilities shall include soap, sanitary towels, and hot and cold running water, or warm running water in lieu of hot and cold running water (21 CFR § 1250.38(b)).
13. Item 36: The floor areas of the walk-in refrigerator and throughout the facility have build-up of old food debris. All kitchens, galleys, pantries, and other places where food is prepared, served, or stored shall be so constructed and maintained as to be clean and free from flies, rodents, and other vermin (21 CFR § 1250.30(a)).
14. Item 38: The walk-in freezer does not have any lighting. All kitchens, galleys, pantries, and other places where food is prepared, served, or stored shall be adequately lighted and ventilated, provided, however, that ventilation of cold storage rooms shall not be required (21 CFR § 1250.30(a)).
15. Item 42: The food-service elevator is filled with unnecessary articles, such as old, unused, dirty equipment. All places where food is prepared, served, or stored shall be so constructed and maintained as to be clean and free from flies, rodents, and other vermin (21 CFR § 1250.30(a)).

The list of inspectional observations, identified above, is not intended to be an all-inclusive list of the conditions observed at your facility. It is your responsibility to assure adherence with all applicable statutes and regulations enforced by FDA.

Based on the inspectional findings, we are classifying your facility as "Provisional" for interstate carrier use for a period of thirty days. A "Provisional" classification means that the facility may continue to operate; however, significant correction of violations must be made by the expiration date. On or about that date, a re-inspection of this facility will be conducted to assure that corrections meet FDA requirements. If significant corrections are not made by the time of the next inspection, this facility will be reclassified as "Not Approved" for carrier use. Assignment of "Not Approved" status for food service facilities means that food and beverages from this facility may not be used by interstate conveyances until the violations have been corrected and the facility has been re-inspected by FDA.

You should notify this office in writing, within fifteen working days of the receipt of this letter, of the specific steps that you have taken to prevent a recurrence of the cited deficiencies. Your response should include an explanation of each step being taken to correct the violations and prevent their recurrence. If corrective action cannot be completed within 30 days, state the reason for the delay and the date by which the corrections will be completed. Include copies of any available documentation demonstrating that corrections have been made. Your response should be directed to:

Randall P. Zielinski, CSO/ITS
U.S. Food and Drug Administration
1431 Harbor Bay Parkway
Alameda, CA 94502-7070

You may wish to fax your response to Mr. Zielinski at (510) 337-6703.

Sincerely,

Charles D. Moss, Acting DD

For

Dennis K. Linsley
District Director
San Francisco District

Enclosures:

- Form FDA 483
- Form FDA 2420