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Food and Drug Administration
Minneapolis District
240 Hennepin Avenue
Minneapolis MN 55401-1999
Telephone: 612-334-4100

cc: HFI-35/FOI Staff
DWA

December 10, 1998

WARNING LETTER

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Refer to MIN 99 - 08

Ron L. Jacobson
President/CEO
Avera Health Systems
525 North Foster Street
Mitchell, South Dakota 57301

Dear Mr. Jacobson:

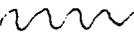
During our recent inspection of your Avera-Queen of Peace Hospital medical oxygen transfiller operation located in Mitchell, SD, our investigator found serious violations of the current Good Manufacturing Practices (GMPs) for Finished Pharmaceuticals, Title 21, Code of Federal Regulations, Part 211 (21 CFR 211). Oxygen is a drug within the meaning of Section 201(g) of the Federal Food, Drug and Cosmetic Act (the Act). Your transfilled oxygen is adulterated within the meaning of Section 501(a)(2)(B) of the Act.

Violations observed during our inspection include, but are not limited to, the following:

1. Failure to calibrate instruments, apparatus, gauges, and recording devices at suitable intervals [21 CFR 211.160(b)(4)]. For example, you are not using calibration standards (oxygen and nitrogen) to calibrate your *wavy line* and you are not calibrating your thermometer used in the filling operation.

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2. Failure to assure batch uniformity and integrity of drug products by establishing and following written procedures that describe the in-process controls, and tests, or examinations to be conducted [21 CFR 211.110(a)]. For example, during your pre-fill steps you are only evacuating to 23 psi. This is not equivalent to 25 psi at sea level for your altitude.
3. Failure to document that each significant step in the manufacture, processing, packing or holding of the batch was accomplished [21 CFR 211.188(b)]. For example, you have no record of the zeroing step during calibration of your  and the results of the span gas are not recorded.
4. Failure to maintain complete records of the periodic calibration of laboratory instruments, apparatus, gauges, and recording devices [21 CFR 211.194(d)]. For example, there is no procedure or record of calibration of your thermometer; there is no verification of the calibration of the vacuum gauge, pressure gauge, or thermometer; and the "CERTIFICATION OF OXYGEN PURITY" lacks reference to the nitrogen calibration standard for zeroing your  oxygen analyzer.

The above indication of violations is not intended to be an all-inclusive list of deficiencies at your facility. It is your responsibility to ensure adherence to each requirement of the Good Manufacturing Practice regulations. Federal agencies are advised of the issuance of all Warning Letters about drugs so they may take this information into account when considering the award of contracts.

You should take prompt action to correct these deviations. Failure to promptly correct these deviations may result in regulatory action without further notice. Possible actions include seizure and or injunction. This is official notification that FDA expects all your locations to be in compliance.

You should notify this office in writing, within 15 working days of receipt of this letter, of specific steps you have taken to correct the noted violations, including an explanation of each step being taken to prevent the recurrence of similar violations. If corrective action cannot be completed within 15 working days, state

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the reason for the delay and the time within which the corrections will be completed.

Your reply should be sent to Compliance Officer Carrie A. Hoffman at the address indicated on the letterhead.

Sincerely,

A handwritten signature in black ink, appearing to read "James A. Rahto". The signature is stylized with a large, sweeping initial "J" and "R".

James A. Rahto
Director
Minneapolis District

CAH/ccl