



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

June 1, 1999

WARNING LETTER
CHI-20-99

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Donald H. Guebert, Owner
5107 Griggs Road
Red Bud, IL 62278

Dear Mr. Guebert:

An investigation of your dairy firm, conducted by Investigator Mark Peterson, on March 26, 1999, found you offered a cull cow for sale for slaughter as human food in violation of Section 402(a)(2)(C)(ii) of the Federal Food, Drug, and Cosmetic Act (Act).

On March 5, 1999, you sold a cow for slaughter as human food to [REDACTED], [REDACTED]. USDA analysis of tissue samples collected from that animal identified the presence of [REDACTED] parts per million (ppm) Gentamicin in the kidney tissue. There is not established tolerance for Gentamicin in cattle. The presence of this drug in the edible tissue from this animal causes the food to be adulterated under Section 402(a)(2)(C)(ii) of the Act.

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

You should take prompt action to correct the 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 violations and prevent their recurrence. If corrective action cannot be completed within 15 working days, state the reason for the delay and the time frame within which the corrections will be completed. Please include copies of any available documentation demonstrating that corrections have been made.

Page 2

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

Sincerely,

/s/
Raymond V. Mlecko
District Director

- cc: Manzoor Chaudry, DVM
Branch Chief, Residue Staff
Food Safety and Inspection Service
US Dept. of Agriculture
Technical Service Center
106 S. 15th St., Ste 904
Omaha, NE 68102
- 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 Ringle
Bureau Manager
Bureau of Agricultural Products Inspection
Division of Agricultural Industry Regulations (DAIR)
Illinois Department of Agriculture
P.O. Box 19281
Springfield, IL 62794-9281