



DEPARTMENT OF HEALTH & HUMAN SERVICES

New York District

M37001

Food & Drug Administration
158-15 Liberty Avenue
Jamaica, NY 11433

WARNING LETTER

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 3, 2000

Gary Ellmer
President & Chief Operating Officer
Business Express Airlines
55 Washington Street
Dover, NH 03820

Ref: NYK-2000-69

Dear Mr. Ellmer:

During an April 14, 2000 inspection of your airline catering facility located at Westchester County Airport in White Plains, New York, our investigator observed violations of the U.S. Public Health Service Act and its implementing regulations for the Control of Communicable Diseases and Interstate Conveyance Sanitation (Title 21, Code of Federal Regulations, Parts 1240 and 1250).

At the conclusion of the inspection, the investigator presented the Inspectional Observations (Form FDA 483) and Food Service Establishment Inspection Report (Form FDA 2420) (copies enclosed) to Ms. Terry L. Cowan, Supervisor and discussed the findings with her. The following deficiencies were observed:

1. The hand-washing sink located in the women's restroom at the departure gate is used for washing and rinsing food equipment and utensils.
2. There is no hand-washing station in the coffee preparation area.
3. Food contact surfaces are not sanitized.
4. There is no three-compartment sink in the coffee preparation area for washing, rinsing, and sanitizing equipment and utensils.
5. Equipment and utensils are not thoroughly washed with a hot detergent solution.
6. Employees in the coffee preparation area are not wearing hair restraints to prevent contamination of food.

This letter is not intended to be an all-inclusive list of deficiencies that may exist. As a result of these inspectional findings, a "Provisional" classification has been assigned for a 30 day period at which time a reinspection will be conducted. If significant improvements have not been made at that time, a "Not Approved" classification will be justified.

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You should take prompt action to correct the deficiencies. It is your responsibility to ensure that all requirements of the U.S. Public Health Service Act and its implementing regulations are being met. You should notify this office in writing, within 15 working days of receipt of this letter, of the specific steps you have taken to correct each of the noted violations.

Your response should be sent to the Food and Drug Administration, 158-15 Liberty Avenue, Jamaica, NY 11433, Attn: Bruce A. Goldwitz, Compliance Officer. If you have any questions, you can call Mr. Goldwitz at 718/340-7000 ext. 5582.

Sincerely,



Brenda J. Holman
District Director

Enclosures: Forms FDA 483 and FDA 2420 dated April 14, 2000