



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Central Region

M3769N

Telephone (973) 526-6008

Food and Drug Administration
Waterview Corporate Center
10 Waterview Blvd., 3rd Floor
Parsippany, NJ 07054

WARNING LETTER

**Certified Mail
Return Receipt Requested**

File # 00-NWJ-37

May 24, 2000

Ernie Casper
Port Manager
Del Monte Fresh Produce, Inc.
2500 Broadway
Camden, NJ 08101

Dear Mr. Casper:

The Food and Drug Administration (FDA) conducted an inspection of your potable water servicing operation located at 2500 Broadway, Pier 5, Camden, NJ 08101 on May 5, 2000. During that inspection, our Investigator collected evidence of violations of the Public Health Service Act [Section 361], the Food, Drug and Cosmetic Act [Section 402(a)(4)], and Title 21, Code of Federal Regulations, Sections 1240 and 1250.

The observations noted include:

1. Water hydrants 1, 2 and 3 were not equipped with backflow prevention devices. In addition, hydrant 1 contained a submerged inlet between a non-potable water source and potable water source.
2. The hydrants' installation and maintenance is inadequate. The discharge outlets for the hydrants are positioned less than 18" above the pier surface. The outlets were not positioned in a downward or horizontal direction. The outlets are not capped properly (including keeper chains of appropriate length attached to the caps) when the hydrants are not in use.
3. The hoses used for potable water transfer are not constructed of food grade material and are not cleanable. The canvas hoses also displayed visible signs of rust deposits. The hoses were in a state of disrepair and poor maintenance, showing evidence of dragging damage and were not capped properly while being stored. Finally, cans of spray paint were observed stored in the same box as the potable water hoses.

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4. The hydrants did not display a sign or other notification that the hydrant was for dispensing "potable water only."

The seriousness of these deficiencies requires FDA to classify your operation as "*Provisional Status.*"

It is your responsibility, as a servicer of interstate conveyances, to ensure that your operations are not in violation of the law. The violations specified in this letter may not include all deficiencies present with your potable water systems and equipment.

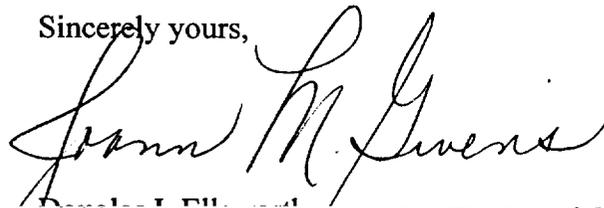
You have 30 days to correct the above violations, as well as any other violations you have knowledge of. Corrections should include the installation of equipment and adoption of procedures designed to prevent future violations. If you fail to perform these corrections within the time allotted, FDA may execute serious regulatory actions, which can include:

- Classification of your operation as "*Use-Prohibited,*" where we will notify conveyances of your violations and deny their use of your facilities;
- Seizure of potable water hydrants, either by permanent capping preventing their use or physical removal;
- Permanent injunction of operations; or
- Criminal prosecution of your firm.

You should notify this office in writing within 15 working days from receipt of this letter of any and all corrections previously unreported to us. You may direct your reply to the attention of Kirk D. Sooter, Compliance Officer, at the address and telephone number above.

We are enclosing for your benefit FDA's Guide to Inspections of Interstate Carriers and Support Facilities. Please pay particular attention to the Watering Points section (pages 14-15 of the guide).

Sincerely yours,

A handwritten signature in black ink, appearing to read "James M. Owens". The signature is written in a cursive style with a large, prominent initial "J".