



DEPARTMENT OF HEALTH & HUMAN SERVICES

PUBLIC HEALTH SERVICE
FOOD AND DRUG ADMINISTRATION

PHILADELPHIA DISTRICT

M40237

900 U.S. Customhouse
2nd and Chestnut Streets
Philadelphia, PA 19106

Telephone: 215-597-4390

WARNING LETTER

00-PHI-21

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

August 4, 2000

King Siu, Owner
Tung Yee Ltd., Inc.
439-43 N. 11th Street
Philadelphia, PA 19123

Dear Mr. Siu:

On June 26 – June 28, 2000, Investigator Maureen A. Duckworth of the Food and Drug Administration (FDA) conducted an inspection of your firm, a manufacturer of mung bean sprouts. The inspection revealed mung bean sprouts grown by your firm are adulterated within the meaning of section 402(a)(4) of the Food Drug and Cosmetic Act (the Act), in that they have been prepared, packed or held under conditions whereby they may have been rendered injurious to health.

Specifically, the conditions under which the sprouts are being produced are considered insanitary since effective preventive controls, particularly microbial testing of spent irrigation water, have not been adopted and implemented by your sprouting facility. Your failure to adopt effective controls causes your sprouts to be in violation of section 402(a)(4) of the Act.

You should take prompt action to correct this violation. Failure to do so may result in regulatory action without further notice. These actions include, but are not limited to, seizure and/or injunction.

Please notify this office in writing, within fifteen (15) working days from your receipt of this letter, of the specific things you are doing to correct this deviation. You may wish to include in your response documentation that would

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assist us in evaluating your corrections. If you cannot complete the correction before you respond, we expect that you will explain the reason for your delay and state when you will correct the deviation.

This letter may not list all the deviations at your facility. You are responsible for ensuring that your processing plant operates in compliance with the Act. You also have a responsibility to use procedures to prevent further violations of the Federal Food, Drug and Cosmetic Act.

Your response should be sent to Lynn S. Bonner, Compliance Officer at the address noted above.

Sincerely,

Marguerite E. Egan
for Thomas D. Gardine
District Director
Philadelphia District

lsb

cc: Pennsylvania State Department of Agriculture
Bureau of Food Safety and Laboratory Services
2301 North Cameron Street
Harrisburg, PA 17110-9408
Attention: Lenchen H. Radle, Chief Food Safety Division