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PURGED RTK

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

January 3, 2001

WARNING LETTER

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Refer to MIN 01 - 20

Terrence J. Seubert
Owner
Seubert Calf Ranch
3696 Draper Road
Dorchester, Wisconsin 54425

Dear Mr. Seubert:

An investigation at your calf operation located at Dorchester, WI, conducted by our investigators on November 28-30, 2000, confirmed that you offered animals for sale for slaughter as food in violation of Sections 402(a)(2)(C)(ii) of the Federal Food, Drug, and Cosmetic Act (the Act).

On or about June 9, 2000, you sold a bob veal calf identified with back tag number 35 MT 8040 that was slaughtered for food at [redacted] USDA analysis of tissue samples collected from that animal identified the presence of 16.32 parts per million (ppm) neomycin in the kidney. A tolerance of 7.2 ppm has been established for residues of neomycin in the kidney of cattle [Title 21, Code of Federal Regulations, Part 556.430 (21 CFR 556.430)].

On or about June 29, 2000, you sold a bob veal calf identified with back tag number 35 MT 8168 that was slaughtered for food at [redacted] USDA analysis of tissue samples collected from that animal identified the presence of 0.54 ppm penicillin in the liver, 0.38 ppm penicillin in the kidney, 0.10 ppm sulfamethoxazole in the liver, and 0.30 ppm sulfamethoxazole in the muscle. A tolerance of 0.05 ppm has been established for residues of penicillin in the edible tissues of cattle (21 CFR 556.510). A tolerance for sulfamethoxazole has not been established in the edible tissues of cattle.

The presence of these drug residues in the edible tissues from these animals causes the food to be adulterated within the meaning of 402(a)(2)(C)(ii) of the Act.

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Terrence J. Seubert
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The above is not intended to be an all-inclusive list of violations. As a producer of animals offered for use as food you are responsible for ensuring that your overall operation and the foods you distribute are in compliance with the law.

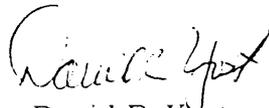
Although you have initiated a procedure to identify the source of the animals you purchase, you should also attempt to determine if the animals have been medicated, with what medication, how much, and when. This information will allow you to determine when the animals can be safely marketed.

You should take prompt action to correct the above violations and to establish procedures whereby such violations do not recur. Failure to do so may result in regulatory action without further notice such as seizure and/or injunction.

You should notify this office in writing within 15 working days of the steps you have taken to bring your firm into compliance with the law. Your response should include each step taken or 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.

Your reply should be directed to Compliance Officer Robert P. Snell at the address on the letterhead.

Sincerely,



David R. Yost
Acting Director
Minneapolis District

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