



San Francisco District  
1431 Harbor Bay Parkway  
Alameda, California 94502  
Telephone (510) 337-6700

**CERTIFIED MAIL**  
**RETURNED RECEIPT REQUESTED**

April 13, 1998

Our Reference No.: 29-53900

Phuong Le, Owner  
Baked Fresh Daily  
1670 Rogers Avenue  
San Jose, California 95112

**WARNING LETTER**

Dear Ms. Le:

On March 25, 1998 and April 2, 1998, U.S. Food and Drug Administration Investigators Lorna F. Jones and Frank A. Arezzo conducted an inspection of your bakery and found significant insanitary conditions which may cause bakery products manufactured in your facility to be adulterated within the meaning of Section 402(a)(4) of the Food, Drug, and Cosmetic Act. The conditions reflect serious violations of good manufacturing practices for manufacturing and holding of food, as described in Title 21, Code of Federal Regulations, as follows:

- Employees were observed drinking and eating while preparing dough inside the processing area.
- An employee was observed handling the pet dog, then proceeded to handle the dough without washing her hands.
- An employee, who was preparing dough, was observed cleaning the processing area with a broom and a dust pan, then proceeded to handle the dough without washing his hands.
- A dog was observed in the processing area where muffins and croissants were being prepared.
- Two soiled rags containing grease and food debris build-up were stored on the dough preparation table. An employee was observed using one of these rags to dry her hands prior to handling the dough.

- The hose used for cleaning the floor was stored inside the two compartment sink that was also being used for washing and rinsing pans and utensils. The employees used the same hose to wash and rinse their hands.

A food is adulterated within the meaning of Section 402(a)(3) of the Federal Food, Drug, and Cosmetic Act if it consists in whole or in part of any filthy substance or is otherwise unfit for food. A food is adulterated within the meaning of Section 402(a)(4) of the Act if it has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated.

Adulterated foods are subject to seizure as authorized by Section 304 of the Act. The adulteration of a food while held for sale after shipment in interstate commerce is prohibited by Section 301(k).

At the conclusion of the inspection, the insanitary conditions were listed on Form FDA 483 (Inspectional Observations) and discussed with you. This list is not meant to be an all-inclusive list of violations. It is your responsibility to ensure that all requirements of the Act and regulations promulgated thereunder are being met.

Please advise us in writing within fifteen (15) days of receipt of this letter about the measures you have taken to implement sanitation procedures that would preclude the adulteration of food. Your response should be directed to:

Mr. Charles D. Hoffman, Compliance Officer  
Food and Drug Administration  
1431 Harbor Bay Parkway  
Alameda, CA 94502

You may contact Mr. Hoffman at (510) 337-6840.

Sincerely,

*Charles D. Moss*  
Acting District Director

*for* Patricia C. Ziobro  
District Director