



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service <sup>57440</sup> d17461b  
Food and Drug Administration

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

CERTIFIED MAIL  
RETURNED RECEIPT REQUESTED

April 13, 1998

Mr. Tai K. Lau, Managing Owner  
Dong Ling Sprouts and Produce Co.  
2400 Grant Avenue  
San Lorenzo, CA 94580

WARNING LETTER

Dear Mr. Lau:

An inspection of your sprout manufacturing facility on February 2, 4, and 9, 1998, by Food and Drug Administration Investigator Davina M. Martinez and Microbiologist Paula E. Davis-Debella revealed significant insanitary conditions which may cause your products to be adulterated under the Food, Drug, and Cosmetic Act. Among the conditions and insanitary practices noted during the inspection were:

The maintenance of the building structure was inadequate to prevent conditions whereby the foods may have been contaminated with filth or rendered injurious to health.

- Standing water and debris were found in the sprout washing area at the west side of the building and in the raw materials area at the east side of the building.
- Unused equipment (lockers) and construction debris (torn down roof) were found at the east side of the building.
- A hole in the wall, opening to the outside of the building, measuring approximately 1" to 2" in diameter, found at the south side of the building near the raw materials area.

- Loading doors into the sprout washing and packaging/staging areas and to the fresh produce storage area were left open during production. Two dogs were observed using these doors as an entry way into the firm.
- No hand-dips were observed in the sprout washing and packaging/staging areas. In addition, the employee lunchroom and office bathrooms did not have hot running water or paper towels available.

Numerous insanitary practices were observed, including:

- At least 10 live ants were found crawling along the east wall of hot house #3 in the sprout growing and washing area located at the west side of the building.
- At least 8 rodent excreta pellets were found along the south side of the building behind the raw material storage area where bags of mung beans and soybeans are kept.
- At least one of four employees was found directly touching finished bean sprouts and was then observed driving a forklift only to return to directly touching the finished bean sprouts without washing or sanitizing his hands.
- One employee was found directly touching the finished bean sprouts without wearing gloves and having an exposed band-aid on his right hand.
- One employee was found cleaning the sprout tank while smoking a cigarette. In addition, soft drink containers were observed in the sprout washing area and the packaging/staging area.
- Four employees were observed in the sprout processing/packaging area without wearing proper hair restraints.
- Plastic scoops used to package finished bean sprouts were found stored directly on the floor.

A food is adulterated within the meaning of Section 402(a)(3) of the 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.

At the conclusion of the inspection, the insanitary conditions were listed on Form FDA 483 (Inspectional Observations) and discussed with you. A copy of this is enclosed for your ready reference. 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. Failure to achieve prompt corrective action may result in enforcement action without further notice, including seizure and/or injunction.

Please advise us in writing within fifteen (15) working days of receipt of this letter about the measures you have taken to preclude adulteration of foods.

Your response should be directed to:

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

Sincerely,

*Charles D. Moss*  
*Acting District Director*

*for*

Patricia C. Ziobro  
District Director

Enclosure: FDA 483