

## INVESTIGATION REPORT

FIRM/DBA: Sysco Corporation		FIRM NUMBER: See below	INSPECTION DATE: See below
ADDRESS: 1390 Enclave Parkway			
CITY, STATE: Houston, TX	ZIP CODE: 77077-2099	PHONE: 281-584-1390	FAX: N/A
PERSON(S) INTERVIEWED: See below		POSITION: N/A	
OWNERSHIP: Sysco Corporation, Houston, TX			

### Executive Summary:

On 07/08/2013, NBC Bay Area News notified the California Department of Public Health (CDPH), Food and Drug Branch (FDB) that Sysco Corporation, San Francisco may have been engaging in unlawful food distribution practices. According to a confidential informant interviewed by NBC Bay Area News, Sysco delivered to and stored food including potentially hazardous food, in unrefrigerated public storage units. An NBC Bay Area News investigation, including video surveillance, documented Sysco semi-trailer drivers delivering food to public storage units. NBC Bay Area News also produced video evidence of Sysco employees, later identified as Marketing Associates (MA), picking up the food, including meat and dairy products, in their personal vehicles and delivering it to Sysco customers.

An investigation by FDB determined the practice of delivering food to and storing food in unregulated and unregistered locations for later pick-up and delivery by Sysco Marketing Associates in their personal vehicles was common among five of the seven California Sysco Broadline Companies (distribution centers). These "remote drop sites" included public storage units, office spaces and Sysco controlled and public semi-trailer transfer yards.

Sysco Corporation provided FDB with documentation outlining and clarifying Sysco Corporate policy on the use of remote drop sites by the broadline companies. The first piece of documentation was dated [REDACTED] (Attachment 1).

[REDACTED]

The seven Sysco Broadline Companies in California are:

- Sysco Central, 136 Mariposa Road, Modesto, CA, 95354
- Sysco Los Angeles, 20701 East Currier Road, Walnut, CA, 91789
- Sysco Riverside, 15750 Meridian Parkway, Riverside, CA, 95218
- Sysco Sacramento, 7062 Pacific Avenue, Pleasant Grove, CA, 95668
- Sysco San Diego, 12180 Kirkham Road, Poway, CA, 92064
- Sysco San Francisco, 5900 Stewart Ave., Fremont, CA, 94538
- Sysco Ventura, 3100 Sturgis Road, Oxnard, CA, 93030

At the time of this report, twenty five addresses were discovered that were utilized as Sysco remote drop sites. None of the remote drop sites were registered with the State of California pursuant to Health and Safety Code (H&SC) section 110460 thus violating 110461. Food distributed from remote drop sites was misbranded pursuant to HS&C section 110661 thus violating 110760 and adulterated pursuant to H&SC section 110565 thus violating 110620 (Attachment 3).

Sysco provided lease agreements and invoices for some of the remote drop sites (Attachment 4). Sysco was not able to provide consistent documentation for every remote drop site. This was explained as a result of each broadline company being responsible for initial rental and payment of the storage units. Employee turnover also may have contributed to the loss of records. Also contributing to the inability to produce consistent records was the disparity of record keeping among the public storage facilities' management.

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. The records included the following:

- Remote drop site location
- Item delivered
- Dates products were delivered
- List of customers that received items delivered to remote drop sites

This data was updated throughout the course of the investigation as additional remote drop site locations were discovered both by FDB and Sysco internal investigations.

The distribution records identified twelve categories of products as defined by Sysco that were delivered to the remote drop sites. The records were sorted by category and tabulated by line item.

Category	Description
1	Health Care/Hospitality
2	Dairy
3	Meats
4	Seafood
5	Poultry
6	Frozen

Category	Description
7	Canned and Dry
8	Paper and Disposables
9	Chemical/Janitorial
10	Supplies and Equipment
11	Produce
12	Dispenser Beverages

FDB defined categories 2 through 7, 11 and 12 as food products. FDB further defined categories 2 through 6 as being potentially hazardous food, that being any perishable food which consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, or other ingredients capable of supporting rapid and progressive growth of infectious or toxigenic micro-organisms.

These categories were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

FDB's review of distribution records identified that food products were distributed to and held at remote drop sites across the state a total of 23,287 cumulative days between July 2009 and August 2013. Each day of distribution constituted a violation of H&SC section 110461, as the foods were distributed to and held at an unregistered facility.

FDB's review of distribution records identified food that was distributed to and held at unregistered remote drop sites across the state. The number of misbranded items delivered between July 2009 and August 2013 totaled 405,859. Each misbranded item delivered constituted a violation of H&SC section 110760 as defined by 110661, in that food held in an unregistered facility is misbranded.

FDB's review of distribution records identified food that was distributed to and held under conditions without temperature controls such that the food was not protected against microbial growth. The number of adulterated items delivered between July 2009 and August 2013 totaled 156,740. Each adulterated item delivered constituted a violation of H&SC section 110620 defined by 110565, 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i).

FDB's review of distribution records identified potentially hazardous refrigerated food requiring refrigeration being distributed to and held at remote drop sites without proper temperature control across the state. Four out of twenty five remote drop sites that had temperature controlled storage by commercial refrigeration units were excluded from the total. Also excluded was food delivered during thirteen months at two remote drop sites where the average daily high temperature was below 45° Fahrenheit. The number of potentially hazardous refrigerated food items delivered between July, 2009 and August 2013 totaled 156,740. Each potentially hazardous food item delivered to an unrefrigerated location constituted a violation of H&SC section 110960, in that potentially hazardous refrigerated foods were held at temperatures above 45° Fahrenheit.

FDB's investigation identified food items delivered to remote drop sites were stored and subsequently transported by Marketing Associates in their personal vehicles to Sysco customers. The number of food items stored and transported in a personal vehicle between July 2009 and August 2013 across all sheds totaled 405,859. Each food item stored and transported in a personal vehicle constituted a violation of 21 CFR 110.93.

## **Investigation Activity:**

On 07/09/2013 Investigator Karl Birusingh #191 met with [REDACTED] at Sysco, San Francisco, 5900 Stewart Avenue, Fremont, CA. Inv. Birusingh told [REDACTED] that FDB was investigating the practice of Sysco delivering food to public storage units.

[REDACTED] said he was aware of the NBC Bay Area News investigation. He said the use of offsite, or remote, locations to deliver material were called "shed drops". [REDACTED] stated the shed drops were used as mail drops to distribute literature such as mailers and catalogs and paper goods such as cups and plates to a Sysco employed Marketing Associate (MA) for further delivery to a Sysco customer. He said he had no knowledge of food being delivered to sheds, with the exception of a box of lettuce possibly being delivered to a shed. [REDACTED] stated that dropping off lettuce was not a food safety concern; rather it was only a food quality concern. According to [REDACTED] Sysco corporate policy allowed the use of shed drops.

At the request of [REDACTED] provided a list of 14 shed drops including addresses, gate codes, lock combinations and names of "Shed Captains". [REDACTED] said Shed Captains supervised teams of Marketing Associates.

[REDACTED] reported the sheds were rented by Sysco. [REDACTED] The sheds could be used by multiple Marketing Associates to serve multiple customers. [REDACTED] stated that Sysco Corporate in Texas was working on developing a list of all products that had been delivered to the sheds with an expected completion date of 07/10/2013.

[REDACTED] stated that a directive had been issued on 07/08/2013 by Sysco corporate to discontinue the use of shed drops. He agreed to allow the inspection of all shed drops by FDB investigators. Upon FDB request, [REDACTED] provided a letter giving FDB Investigators permission to enter and inspect the shed drop locations (Attachment 5). FDB Investigators initiated inspections of the fourteen remote drop sites identified by Sysco San Francisco on 07/09/2013.

On 07/10/2013, NBC Bay Area News Investigative Team released a news story with video showing Sysco trucks delivering food items, specifically, a delivery driver placing multiple boxes into a storage unit. The video also showed Marketing Associates picking up the food, including meat and dairy items in their personal vehicles and delivering it to Sysco customers.

On 07/10/2013 Inv. Birusingh made contact by telephone to the six remaining California Sysco "Broadline Companies" to ask about the use of shed drops. The results were as follows:

### **Sysco Central, Modesto, CA 209-527-7700**

On 07/10/2013, Inv. Birusingh left a voicemail requesting a call back concerning the use of remote drop sites. On 07/12/2013 Inv. Birusingh spoke via telephone with [REDACTED] of Sysco Central. [REDACTED] stated that Sysco Central utilized two shed drops, each containing a refrigerator and freezer. The sheds were located in Stockton and Visalia.

### **Sysco Los Angeles, Walnut, CA 909-595-9595**

On 07/10/2013, Inv. Birusingh spoke via telephone with [REDACTED] According to [REDACTED] Sysco Los Angeles did not utilize shed drops. They ceased the practice approximately 10 years ago. When they had used shed drops, it was only for dry goods, never perishable items or items requiring refrigeration or freezing.

### **Sysco Riverside, Riverside, CA 951-601-5300**

On 07/10/2013, Inv. Birusingh spoke via telephone with [REDACTED] According to [REDACTED] Sysco Riverside was a new Broadline Company and it had only been operating for approximately six weeks. They had not utilized shed drops. Inv. Birusingh sent [REDACTED] an email confirming the facts of the telephone discussion and asking for a reply if the information was not accurate (Attachment 6). [REDACTED] did not reply to the email.

On 07/18/2013 during a teleconference with FDB, [REDACTED] stated that during his internal investigation he discovered Sysco Riverside had utilized one shed drop in Cathedral City that had a commercial refrigerator and freezer. The remote drop site in Cathedral City was transferred from Sysco San Diego control to Sysco Riverside control in June of 2013.

**Sysco Sacramento, Pleasant Grove, CA 916-569-7000**

On 07/10/2013, Inv. Birusingh spoke via telephone with [REDACTED] said he was unwilling to discuss the matter over the phone. He requested FDB visit the facility to show identification. At approximately 1130 hours after presenting his credentials, Inv. Birusingh met with [REDACTED] at Sysco Sacramento, 7062 Pacific Avenue, Pleasant Grove, CA. Both [REDACTED] and [REDACTED] after being asked if they used shed drops, stated that Sysco Sacramento had not used shed drops for at least five years.

On 7/22/2013, FDB received information from NBC Bay Area News that there were sheds in Mount Shasta and Truckee, both areas that were served by Sysco Sacramento. In response to this finding, Inv. Birusingh returned to the facility and met with [REDACTED]

Inv. Birusingh informed [REDACTED] that this was a follow up visit and asked if all shed locations had been disclosed. [REDACTED] said there was an additional shed in Mount Shasta that USDA had inspected on 07/12/2013 and used up to the time of corporate termination of the practice on approximately 07/15/2013.

When asked why he did not disclose this location to FDB on 07/10/2013, [REDACTED] said it was because the Mount Shasta shed had a freezer in it and he thought he was being asked only about sheds that did not have freezers. Inv. K. Birusingh asked [REDACTED] "Other than the Mount Shasta shed drop, has Sysco Sacramento used public storage shed drops, with or without refrigerators and/or freezers?" He answered, "No". Inv. K. Birusingh asked [REDACTED] how certain he was of this. He answered, "Given the current situation, 100% certain". Inv. K. Birusingh told [REDACTED] of evidence indicating the existence of a Sysco shed drop in Truckee. [REDACTED] seemed surprised and called [REDACTED] into his office. She confirmed the existence of the Truckee shed and said it had not been used in some time, six months to a year. She then advised Inv. K. Birusingh that she was unwilling to further discuss the matter and the Sysco Sacramento President was on his way back to the office to meet with Inv. K. Birusingh and legal counsel would be teleconferencing in. During the subsequent telephone call both Sysco in-house legal counsel [REDACTED] told Inv. K. Birusingh, Emergency Response Unit (ERU) Chief Michael Hernandez and ERU Supervising Investigator Michael Needham that Sysco was committed to cooperating with the investigation and all Sysco management and employees had been instructed to be forthright and truthful. The president of Sysco Sacramento did not attend the meeting.

**Sysco San Diego, San Diego, CA 858-513-7300**

On 07/10/2013, Inv. Birusingh spoke via telephone with [REDACTED] According to [REDACTED] Sysco San Diego did not utilize shed drops. This claim was confirmed via email (Attachment 7).

On 07/18/2013 during a teleconference with FDB, [REDACTED] stated that during his internal investigation he discovered Sysco San Diego had utilized two shed drops; one in Cathedral City that had commercial refrigerator/freezer units and one in Imperial that did not have a refrigerator/freezer unit. The remote drop site in Cathedral City was transferred from Sysco San Diego control to Sysco Riverside control in June of 2013. San Diego retained control of the Imperial shed drop until Sysco Corporate policy discontinued the practice in July of 2013.

**Sysco Ventura, Oxnard, CA 877-205-9800**

On 07/10/2013, Inv. Birusingh spoke via telephone with [REDACTED] According to [REDACTED] Sysco Ventura did not engage in the practice of "shed drops", that is delivering products to storage sheds for later pick up. Furthermore, per corporate policy, they did not allow their Marketing Associates to deliver temperature controlled products nor hazard coded chemicals. Inv. Birusingh sent [REDACTED] an email confirming the facts of the telephone discussion and asking for a reply if the information was not accurate (Attachment 8). [REDACTED] did not reply to the email.

On 07/11/2013, in response to the airing of NBC news video of potentially hazardous foods being delivered by Sysco trucks to public storage units, and subsequently being placed into personal vehicles for further delivery, Inv. Birusingh and Investigator George Tiongson #186 returned to interview [REDACTED] at the San Francisco headline company, 5900 Stewart Avenue, Fremont, CA. [REDACTED] started the interview with an accusation of Inv. Birusingh leaking information to the media. Specifically, that the words, "This is a common practice" was used in the news report and that [REDACTED] had used those exact words during the 07/09/2013 interview. He said he was reluctant to tell Inv. K. Birusingh anything for fear it would be leaked to the media. Inv. K. Birusingh responded that he did not speak to the media and it was his belief after speaking with the seven headline companies that this seemed to be an uncommon Sysco operating practice with the exception of Sysco San Francisco.

[REDACTED]

[REDACTED] Sysco Corporate in-house counsel, joined the interview by telephone. He said it was possible to create a list of items delivered to sheds. He also said it would be nearly impossible to determine which Marketing Associates were responsible. He said Sysco Corporate were at that moment in discussions to formulate a plan to identify and contact customers that may have received compromised products. He said Sysco was not going to initiate a recall.

[REDACTED] said that outside counsel, [REDACTED] had been hired by Sysco to be a contact during the investigation. He asked that all document and information requests be made to counsel to ensure timely and accurate delivery of information.

Inv. K. Birusingh asked [REDACTED] who was responsible for the Marketing Associates and why that person was not in the interview. [REDACTED] said Colby Morse was the VP of Sales and that Mr. Morse was "too high profile" to be meeting with FDB.

On 07/12/2013, a conference call was conducted with ERU Chief M. Hernandez, ERU Supervising Investigator M. Needham, Inv. Birusingh and Sysco counsel [REDACTED]. Although [REDACTED] had previously asserted that Sysco was not going to conduct a recall, Sysco would identify Sysco San Francisco customers that may have received products delivered through the sheds and a voluntary market withdrawal would be conducted. FDB would be given a list of affected customers and given results of the market withdrawal when available. On 07/16/2013 Sysco provided FDB a spreadsheet of customers that received the withdrawal notice and the specific products they received.

On 08/30/2013, Sysco corporate delivered documentation to FDB that contained records of corporate policy and guidelines relating to the use of remote shed drops. The documentation also included policies and guidelines related to remote drop sites that were specific to Sysco San Francisco.

The first documented corporate policy was issued on [REDACTED] (See Attachment 1). [REDACTED]  
[REDACTED] Sysco was not able to provide the previous referenced guidelines.

[REDACTED]

Sysco San Francisco issued a memo dated [REDACTED] (Attachment 9).

[REDACTED]

A Sysco corporate memorandum dated [REDACTED] (Attachment 10)

[REDACTED]

A Sysco corporate document dated [REDACTED] (Attachment 11)

[REDACTED]

A Sysco corporate memorandum dated [REDACTED] (Attachment 12)

[REDACTED]

The [REDACTED] memorandum appeared [REDACTED]

Sysco San Francisco issued a memo dated [REDACTED] (Attachment 13). [REDACTED]

An email dated [REDACTED] Sysco San Francisco, to [REDACTED]  
(Attachment 14) [REDACTED]

The last policy memorandum was dated [REDACTED] (See Attachment 2). The [REDACTED]

A review of Sysco policies and guidelines indicated that between October 2007 and August 2013 all food stored at unregulated and unregistered remote drop sites was in violation of internal corporate procedures.

Between 07/08/2013 and the time of this report, FDB continued the investigation. As remote drop sites were discovered, inspections were conducted at these sites. FDB interviewed Sysco employees and management at all seven California Sysco Broadline Companies. Delivery data was continually collected and analyzed by FDB. Document and information requests were made to Sysco via outside counsel J. Meeder.

## Findings:

### Distribution Center:

**Sysco San Francisco, 5900 Stewart Ave., Fremont, CA, 94538, 510-226-3000**  
**CA Processed Food Registration #13616**

#### Remote drop sites:

1. American Canyon remote drop site, [REDACTED] unregistered, no refrigeration, no freezer.
2. Brentwood remote drop site, [REDACTED] unregistered, no refrigeration, no freezer
3. Concord remote drop site, [REDACTED] unregistered, no refrigeration, no freezer
4. Fort Bragg remote drop site, [REDACTED] unregistered, no refrigeration, no freezer
5. Gilroy remote drop site, [REDACTED] unregistered, no refrigeration, no freezer
6. Greenbrae remote drop site, [REDACTED] unregistered, no refrigeration, no freezer
7. Lakeport remote drop site, [REDACTED] unregistered, no refrigeration, no freezer
8. Monterey remote drop site, [REDACTED] unregistered, residential refrigeration/freezer
9. San Francisco remote drop site, [REDACTED] and [REDACTED] unregistered, no refrigeration, no freezer
10. San Jose remote drop site, [REDACTED] unregistered, no refrigeration, no freezer
11. San Mateo remote drop site, [REDACTED] unregistered, no refrigeration, no freezer
12. Santa Rosa remote drop site, [REDACTED] unregistered, no refrigeration, no freezer
13. Scotts Valley remote drop site, [REDACTED] unregistered, no refrigeration, no freezer
14. Ukiah remote drop site, [REDACTED] unregistered, no refrigeration, no freezer

The following Sysco San Francisco employees were interviewed.

- **[REDACTED] Sales [REDACTED]**  
On 08/15/2013, Inv. K. Birusingh interviewed [REDACTED] Sales [REDACTED] that utilized the Concord remote drop site. [REDACTED] said he had been a Marketing Associate for 9 years and a District Sales Manager for 9 years. He supervised 16 Marketing Associates. He described his job duties as coaching Marketing Associates on systems and policies, and "putting out fires" with customers. [REDACTED] stated that he recalled receiving an email about restricted items. He could not remember the date of the email nor could he produce it, it was "too long ago" to be able to do so. He said the items restricted from being delivered to a shed drop were ice cream, poultry, fresh seafood, and all chemicals. He stated he trained his Marketing Associates about these items. He had received a seven week training class when he was first hired and was Serv Safe certified. [REDACTED] stated he delivered food products to Sysco customers in his personal vehicle.
- **[REDACTED] Marketing Associate**  
On 08/09/2013, Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the Santa Rosa remote drop site. [REDACTED] said she had been a Marketing Associate for approximately two years. She said she had received her training at the Sysco University. She did not recall getting any food safety training. She stated the items restricted from being delivered to the shed were chemicals, seafood, and fresh chicken. She stated she may have received that information in an email. She said her first thoughts on seeing the news video was, "There goes my customer service". [REDACTED] stated she delivered food products to Sysco customers in her personal vehicle.
- **[REDACTED] Driver**  
On 08/15/2013, Inv. K. Birusingh interviewed [REDACTED] a Driver that utilized the Santa Rosa remote drop site. [REDACTED] said he had been employed as a Sysco driver for approximately two years. He stated the only item restricted from delivery to the shed was ice cream. He said "what was on the truck went into the shed".
- **[REDACTED] Marketing Associate**  
On 08/09/2013 Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the San Jose remote drop site. [REDACTED] said she had been working for a little over 2 years as a Marketing Associate. She was trained by other Marketing Associates. She attended a five week Sysco University "week on week off" training upon hire. She did not remember receiving any food safety training. She said the items she could not have shipped to the shed were fresh poultry, seafood, chemicals and ice cream. She said she did not remember reading any official policy on shed use. She said she may have seen a document posted at the will call area of the distribution center with a list of items restricted for delivery to the shed. [REDACTED] said her initial reactions on seeing the NBC news video were, "This is hell" and "embarrassing" and that is was "not portrayed exactly as the truth". She stated [REDACTED] stated the San Jose shed was

clean and using it was just like other people picking their products up at Restaurant Depot and that "other people do it". [REDACTED] stated she delivered food products to Sysco customers in her personal vehicle.

- **[REDACTED] Sales [REDACTED]**

On 08/15/2013, Inv. K. Birusingh interviewed [REDACTED] a [REDACTED] Sales [REDACTED] that utilized the Scotts Valley remote drop site. [REDACTED] said he had been employed by Sysco for 8 years. He said he had been a Marketing Associate for 5 years and now supervised 10 Marketing Associates. His direct supervisor was [REDACTED]. [REDACTED] stated the he had not received food safety training but that his training was basically sales training. [REDACTED] said he was responsible for the Scotts Valley shed. He said he had used the Monterey shed when he was a Marketing Associate. He stated his responsibilities as a [REDACTED] Sales [REDACTED] with regards to the shed was to do periodic sweeps to inspect the shed, look for products left in the shed, and look for personal items left in the shed. [REDACTED] stated that every few months an end of shift drivers would route product to the shed without authorization. When this occurred, he would tell the transportation manager about the problem. He said another problem was Marketing Associates would forget they had routed a product to a shed. When that happened, it was cause for a disciplinary action. He stated this was a rare event and happened approximately once a year. [REDACTED] said when the shed use first started anything could be shipped to a shed. He stated that approximately three years ago the items were restricted from delivery to a shed were chemicals, fresh poultry and fresh seafood. He also said he trained his Marketing Associates on these restricted items. He stated he had not received any written corporate policy on shed use.

- **[REDACTED] Marketing Associate**

On 08/09/2013, Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the San Francisco remote drop site. [REDACTED] said he had been employed as a Marketing Associate for a year and a half. He received his training in the field from District Sales Managers and other Marketing Associates. He attended Sysco University for 3 weeks. He did not remember any food safety training except "something about cooking temperatures". He could not remember receiving any official documentation regarding restricted shed items. He said the restricted items were raw chicken, liquid dairy and chemicals. [REDACTED] stated he delivered food products to Sysco customers in his personal vehicle.

- **[REDACTED] Sales [REDACTED]**

On 08/15/2013, Inv. K. Birusingh interviewed [REDACTED] Sales [REDACTED] that utilized the Santa Rosa remote drop site. [REDACTED] said he had been employed by Sysco for 13 years. He said he had been a [REDACTED] Sales [REDACTED] for 5 years. He supervised 10 Marketing Associates. He had received Serv Safe training in 1999. [REDACTED] stated the title of "Shed Captain" was rarely used. He had heard that term twice in his current position. He had been in charge of the Santa Rosa shed for 3 years. His responsibilities included keeping in touch with the storage facility, keeping the unit clean and making sure everything was out of the shed. He would not typically go the shed every day. On the days he would visit the shed he would arrive around 2:00 to 3:00 p.m. He would sweep out the shed and dispose of any food left in the shed. It was rare to find food left in the shed. He thought that this occurred only every 2 or 3 months. The last occurrence of this he could remember was a box of precut steaks. [REDACTED] stated in 2000, no items were restricted from being delivered to the shed. He said that policy changed in 2005, when the items restricted from deliver to the shed were fresh chicken, fresh fish, ice cream and liquid dairy. He said he had not seen the corporate written policy dictating the use of the shed and he trained the Marketing Associates on the 2005 restrictions.

- **[REDACTED] Sales [REDACTED]**

On 08/09/2013, Inv. K. Birusingh interviewed [REDACTED] Sales [REDACTED] said he had been employed for 21 years; his first 9 as a Marketing Associate. He said he was responsible for the San Francisco shed as a "Shed Captain". He also said there were other [REDACTED] Sales [REDACTED] sharing an informal responsibility for the shed. He said his duties as the shed captain were "cleaning up stuff, picking up mail and clearing out old shrink wrap". He stated the shed use started in 1999 or 2000. He said there were no restrictions on what items could be delivered to the shed when it first opened. He stated he had never received any corporate policy on shed use. He said the items restricted from being delivered to a shed were chemicals, fresh poultry and fresh seafood. He said he trained his Marketing Associates on these restrictions.

- **[REDACTED] Marketing Associate**

On 08/09/2013, Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the San Francisco remote drop site. [REDACTED] said she had been a Marketing Associate for about 7 years. She stated the shed was being used upon her hire. She stated at that time she was not allowed to ship milk or eggs to the shed. She said she got a list of restricted items a couple of years later, either verbally at a meeting or in a document. She said she had received some information about the policy detailing the items that were restricted from being delivered to the shed. She said the restricted items were chemicals, ice cream and fresh chicken. She received her training from



██████████ demonstrated the use of the ordering software on her laptop computer for Inv. K. Birusingh.

██████████ stated her initial reaction upon seeing the NBC video was that it must be a "slow news day" and that "everything was overdramatized". ██████████ stated she delivered food products to Sysco customers in her personal vehicle.

- ██████████ **Sales** ██████████

On 07/09/2013, Investigator Jon Spencer #041 interviewed ██████████ Sales ██████████ during the inspection of the Fort Bragg remote drop site. ██████████ stated that non-perishable foods were routinely stored in the unit but were not left there for more than 3 or 4 hours.

- ██████████ **Marketing Associate**

On 08/09/2013, Inv. K. Birusingh interviewed ██████████ a Marketing Associate that utilized the Santa Rosa remote drop site. ██████████ said he had been employed as a Marketing Associate for 5 years. He said he had received his training in the field from Marketing Associates and that he had not received any food safety training. He stated he was aware of food safety concepts from his previous business experience, a barbeque restaurant. ██████████ stated his first thought upon seeing the news video was it was "no big deal". ██████████ stated he delivered food products to Sysco customers in his personal vehicle.

- ██████████ **Marketing Associate**

On 08/09/2013, Inv. K. Birusingh interviewed ██████████ a Marketing Associate that utilized the San Jose remote drop site. ██████████ said he had been employed as a Marketing Associate for approximately six and a half years. ██████████ stated that when he started, he could ship anything to a shed. Approximately 3.5 years ago a list came out with items that could not be shipped to a shed; fresh fish, ice cream, raw chicken. Ice cream couldn't be shipped to a shed because it would "break freeze" and become "compromised" and was an item that "wouldn't freeze back up". Chemicals were added to the list approximately 2 years ago. If he attempted to ship fresh chicken to a shed somebody in customer service would call and deny that item. ██████████ stated He did not receive any documentation regarding Sysco corporate policy use of shed drops. ██████████ said his first thoughts when he saw the NBC news video were "NBC wasn't being fair" and "turned it the direction they wanted to turn it". He said he

██████████ He said the same day a formal email alert went out discontinuing use of the sheds. He stated at no time in his career could he remember a discussion about the shed drops being or not being a good idea. ██████████ stated he delivered food products to Sysco customers in his personal vehicle.

- ██████████ **Marketing Associate**

On 08/09/2013, Inv. K. Birusingh interviewed ██████████ a Marketing Associate that utilized the Santa Rosa remote drop site. ██████████ said he was employed as a Marketing Associate for 7 years. He said he received very little training due to his 28 years previous experience in the food industry. ██████████ was his ██████████ Sales ██████████ when he started; currently his ██████████ Sales ██████████ was ██████████. He said when he first was hired and began using the shed he thought the practice was unusual because there was no refrigeration. ██████████ stated that the items restricted from delivery to the shed were fresh poultry, seafood, dairy, chemicals and ice cream. He said he did not remember receiving any corporate communication regarding the use of the sheds until he received an email telling him about the discontinued use of the sheds. His thoughts upon seeing the news video was that it was a "media splash". He stated he still felt that way. ██████████ said he delivered food products to Sysco customers using his personal vehicle.

- ██████████ **Driver**

On 08/15/2013, Inv. K. Birusingh interviewed ██████████ Driver. ██████████ said he had been employed as a Sysco driver for 18 years. He said he delivered products to the San Jose and Gilroy sheds. He stated he would deliver products to the sheds between 4:45 a.m. and 7:30 a.m. He also said he would return to the sheds in the afternoon if there were any products to be picked up. He said he was told to never deliver ice cream to the sheds.

- ██████████ **Marketing Associate**

On 08/15/2013, Inv. K. Birusingh interviewed ██████████ a Marketing Associate that utilized the Concord shed. ██████████ said he had been employed as a Marketing Associate for almost 10 years. He said he had previously owned a restaurant and taught food safety at a community college. ██████████ stated that upon hire he had received

a couple days field training. He also stated he had not received any food safety training. [REDACTED] said when he was hired he could ship "anything" to a drop shed. [REDACTED] stated the only official policy he was given regarding the use of shed drops was in a general sales meeting 5 or 6 years ago. He said he was told about items being restricted from being delivered to the shed. He said the restricted items were ice cream, fresh chicken, fresh fish and chemicals. [REDACTED] stated he delivered food products to Sysco customers in his personal vehicle.

- **[REDACTED] Marketing Associate**

On 08/15/2013, Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the Concord shed. [REDACTED] said he had been employed as a Marketing Associate for one and a half years. He stated he had received training at the "Sysco University" upon hire. He stated he did not remember receiving any food safety training. He stated he could not remember receiving any corporate policies about items restricted from delivery to the shed. He said the items restricted from being delivered to the shed were HACCP items, chemicals, fresh poultry and fresh fish. [REDACTED] stated he delivered food products to Sysco customers in his personal vehicle.

- **[REDACTED] Driver**

On 08/15/2013, Inv. K. Birusingh interviewed [REDACTED] Driver. [REDACTED] said he had been employed as a Driver for 10 years. He stated he delivered products to the Concord and Brentwood sheds. He said the items restricted for delivery to the sheds were fresh meat, chicken and beef. He said he did not check what items he delivered to the shed. He said, "Whatever is on the truck is delivered to the shed".

- **[REDACTED] Sales [REDACTED]**

On 08/15/2013, Inv. K. Birusingh interviewed [REDACTED] Sales [REDACTED] that utilized the Concord shed. She said she had been employed by Sysco for 29 years. She was a Marketing Associate for the first 11 years. She said she supervised 12 Marketing Associates. She said her responsibility as the "Shed Captain" was to clean out the shed once a week. She could not recall receiving any food safety training. Her personal food safety protocol was, "When in doubt, throw it out". She stated she knew what the drop shed restrictions were but did not recall how she got the information. She said the items restricted from being delivered to the shed were fuel, fresh chicken, ice cream, chemicals and fresh fish. [REDACTED] stated she delivered food products to Sysco customers in her personal vehicle.

- **[REDACTED] Driver**

On 08/15/2013, Inv. K. Birusingh interviewed [REDACTED] Driver. [REDACTED] said he had been a Sysco driver for 14 years. He currently delivered products to the San Francisco shed and the Santa Rosa sheds. He stated there was no refrigerator or freezer in the San Francisco or Santa Rosa sheds. He stated he was told that ice cream could not be delivered to the sheds.

#### Remote drop sites:

American Canyon remote drop site, [REDACTED] 125 Lombard Road, Unit #249, American Canyon, CA 94503. Napa County

#### Inspection

On 07/09/2013, the American Canyon remote drop site was inspected by Investigator Jack Kirk, #153. The unit was located in a public storage facility. There was no food in the unit. There was no evidence of water activity or rodent activity. There was debris consisting of dirt, dust and cardboard and plastic wrap trash on the floor. Inv. J. Kirk took photos of the unit (see Attachment 15 for report and photos).

#### Violation Summary

Sysco Corporation provided distribution records from July 2009 through the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to the remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the American Canyon remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

H&SC 110461 – It is unlawful to store food in an unregistered facility	# of violations
Number of days delivered Categories 2-7, 11, 12 (All food)	1,038

Distribution records identified the total number of misbranded items that were delivered to and held at the American Canyon remote drop site location. Food items were misbranded because they were held in an unregistered facility as set

forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	6,887

Distribution records identified the total number of adulterated food items delivered to and held at the American Canyon remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	3,289

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the American Canyon remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	3,289

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment16).

**Brentwood remote drop site, [REDACTED] 190 Sand Creek Road, Unit #115 Brentwood, CA 94513. Contra Costa County**

#### **Inspection**

On 07/09/2013 the Brentwood remote drop site was inspected by Investigator Dana Clark #154. The unit was located in a public storage facility. No food items were observed. There were two plastic pallets and signage for "Driver Pick Up" in the unit. Inv. D. Clark took photos of the unit (see Attachment 17 for report and photos).

#### **Violation Summary**

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the Brentwood remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	567

Distribution records identified the total number of misbranded items that were delivered to and held at the Brentwood remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	2,907

Distribution records identified the total number of adulterated food items delivered to and held at the Brentwood remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of

violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	1,633

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Brentwood remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	1,633

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 18).

Concord remote drop site, [REDACTED] 1597 Market Street, Unit #1249, Concord, CA 94520. Contra Costa County

#### Inspection

On 07/09/2013 the Concord remote drop site was inspected by Investigator D. Clark #154. The unit was located in a public storage facility. No food items were observed. There were two wooden pallets, two plastic trash bins, two blue plastic totes containing paperwork and invoices and signage on the walls. There appeared to be water intrusion evidence by the dried matter collected around the gray plastic trash can violating 21 CFR 110.35(a). Inv. D. Clark took photos of the unit (see Attachment 19 for report and photos).

#### Violation Summary

Distribution records identified the total number of days that food products were delivered to and held at the Concord remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	1,231

Distribution records identified the total number of misbranded items that were delivered to and held at Concord remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	26,454

Distribution records identified the total number of adulterated food items delivered to and held at the Concord remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	13,926

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Concord remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	13,926

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 20).

Fort Bragg remote drop site, [REDACTED] 17701 North Highway #1, Unit #19, Fort Bragg, CA 95437.  
Mendocino County

#### Inspection

On 07/09/2013, the Fort Bragg remote drop site was inspected by Investigator Jon Spencer #041. Present during the inspection was [REDACTED] Sales [REDACTED] Inv. J. Spencer's inspection documented the Fort Bragg remote drop site was in a public storage facility. There were no food items observed in the unit. There was one wooden pallet and a 12"x18" plastic box. [REDACTED] said the plastic box was used for mail and documents and not for food storage. [REDACTED] stated that non-perishable foods were routinely stored in the unit but were not left there for more than 3 or 4 hours. Inv. J. Spencer took photos of the unit (see Attachment 21 for report and photos).

#### Violation Summary

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at Fort Bragg remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	722

Distribution records identified the total number of misbranded items that were delivered to and held at the Fort Bragg remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	7,046

Distribution records identified the total number of adulterated food items delivered to and held at the Fort Bragg remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	3,335

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Fort Bragg remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	3,335

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 22).

Gilroy remote drop site, [REDACTED] 8900 Murray Ave., Unit #153 Gilroy, CA 95020. Santa Clara County

#### Inspection

On 07/09/2013, the Gilroy remote drop site was inspected by Inv. K. Birusingh #191. The unit was located in a public storage facility. There was no food items observed in the unit. There was no refrigerator or freezer observed in the unit. There were two rodent bait stations in the hallway leading to the storage unit door. There was a pallet, two plastic bins, a broom and trash bags in the unit. There was a hole in the ceiling with fiberglass insulation visible and extruding through the hole in violation of 21 CFR 110.20(b)(4), 21 CFR 110.20(b)(7) and 21 CFR 110.35(c). There were cobwebs throughout the unit. The floor had debris scattered throughout the unit. Inv. K. Birusingh took photos of the unit (see Attachment 23 for report and photos).

#### **Violation Summary**

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at Gilroy remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	695

Distribution records identified the total number of misbranded items that were delivered to and held at the Gilroy remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	2,978

Distribution records identified the total number of adulterated food items delivered to and held at the Gilroy remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	1,756

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Gilroy remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	1,756

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 24).

**Greenbrae remote drop site, [REDACTED] 46 Industrial Way, Unit #751, Greenbrae, CA 94904. Marin County**

#### **Inspection**

On 07/10/2013, the Greenbrae remote drop site was inspected by Investigator Janet Lei #190. Inv. J. Lei's inspection documented the Greenbrae remote drop site was located in a public storage facility. There was a pallet, a storage rack, a dolly and a small cabinet in the unit. There were no food items observed in storage at the time of inspection. Debris and rodent droppings (4-5) were observed on the lower shelf of the small cabinet in violation of 21 CFR 110.35(c). The rodent droppings appeared old. Debris was observed on the storage rack shelving and on the area underneath the storage rack. Rodent droppings (15-20) were observed on the floor, at the rear left corner inside the unit, next to an empty pallet. Urine stains fluoresced with use of black light near the areas where rodent droppings were. Gaps were observed at the base of

the storage facility where corrugated metal walls adjoined the base of the facility in violation of 21 CFR 110.20(b)(7). Inv. J. Lei took photos of the unit (see Attachment 25 for report and photos).

#### **Violation Summary**

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the Greenbrae remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	1,224

Distribution records identified the total number of misbranded items that were delivered to and held at the Greenbrae remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	18,073

Distribution records identified the total number of adulterated food items delivered to and held at the Greenbrae remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	8,283

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Greenbrae remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	8,283

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 26).

Lakeport remote drop site, [REDACTED] 97 Soda Bay Road, Unit #79, Lakeport, CA 95453. Lake County

#### **Inspection**

On 07/09/2013, the Lakeport remote drop site was inspected by Supervising Investigator Ken Namba #169. The unit was located in a public storage facility. There were numerous non-food items in the unit. There was an empty box labeled "Chicken Gumbo Soup Pouches" in the unit. There was insect webbing in the unit in violation of 21 CFR 110.35(c). Inv. K. Namba took photos of the unit (see Attachment 27 for report and photos).

#### **Violation Summary**

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the Lakeport remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	576

Distribution records identified the total number of misbranded items that were delivered to and held at Lakeport remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	4,447

Distribution records identified the total number of adulterated food items delivered to and held at the Lakeport remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	2,416

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Lakeport remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	2,416

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 28).

**Monterey remote drop site, [REDACTED] 2965 Hwy 68, Unit #6115, Monterey, CA 93940. Monterey County**

#### Inspection

On 07/09/2013, the Monterey remote drop site was inspected by Inv. K. Birusingh #191. The unit was located in a public storage facility. There were non-food items in the unit.

There was a residential type refrigerator in the unit. The refrigerator was approximately 72 inches tall by 28 inches wide by 20 inches deep. It had one blue ice bag in the freezer compartment. It did not have a temperature indicating device. There was foreign matter collected in the bottom of the refrigerator compartment. The electrical outlet supplying the refrigerator was connected to a dial type timer. The timer did not move during the approximately 30 minutes Inv. K. Birusingh was into the unit. The state of the equipment violated 21 CFR 110.40(a).

There was debris on the floor of the unit, including a cigarette butt next to the refrigerator in violation of 21 CFR 110.35(a). There were round holes approximately 3 inches in diameter leading into the adjacent storage units. There were also gaps around the conduit leading into the adjacent storage units in violation of 21 CFR 110.20(b)(7).

There was a box labeled "Certo Liquid Pectin" on the metal shelving unit. The box contained sixteen, six ounce cartons. The box was opened and the individual cartons visible inside. The food was distributed to and held at an unregistered facility violating H&SC 110461. The food was misbranded in that it was held in an unregistered facility violating H&SC 110760. The food was placed under embargo. On 07/10/2013 Investigator John Fox #086 witnessed the destruction of the embargoed food by a Sysco representative.

Inv. K. Birusingh took photos of the unit (see Attachment 29 for report and photos).

#### Violation Summary

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.



Distribution records identified the total number of days that food products were delivered to and held at the Monterey remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	1,196

Distribution records identified the total number of misbranded items that were delivered to and held at the Monterey remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	16,333

Distribution records identified the total number of adulterated food items delivered to and held at the Monterey remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	8,259

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Monterey remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	8,259

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 30).

**San Francisco remote drop site, [REDACTED] Unit W-6, 1100 Pennsylvania Ave., San Francisco, CA 93940. San Francisco County**

#### Inspection

On 07/09/2013 the San Francisco remote drop site was inspected by Inv. Janet Lei #190. The unit was located in a public storage facility. The storage unit was constructed from a shipping container in violation of 21 CFR 110.35(a). There was a broken pallet in the unit. There was also food debris including a putrefied lemon and nuts on the floor of the unit. Inv. J. Lei took photos of the unit (See attachment 31 for report and photos).

#### Violation Summary

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the San Francisco remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	1,245

Distribution records identified the total number of misbranded items that were delivered to and held at the San Francisco remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in

H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	46,459

Distribution records identified the total number of adulterated food items delivered to and held at the San Francisco remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	21,509

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the San Francisco remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	21,509

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 32).

San Jose remote drop site, [REDACTED] 3900 Vistapark Drive, Unit #5060, San Jose, CA 95136. Santa Clara County

#### Inspection

On 07/09/2013, the San Jose remote drop site was inspected by Inv. K. Birusingh #191. The unit was located in a public storage facility. There were wooden pallets, two plastic bins, various pieces of cardboard and broken down cardboard boxes, a broom and signage in the unit. No food was observed in the unit. The unit walls did not reach the ceiling. There was an approximately six inch gap at the ceiling leading in to unit #5061, an approximately six inch gap at the ceiling leading into the access for unit #'s 5055-5059 and an approximately 18 inch gap leading into the unit at rear of #5060. The door to the access hallway unit #'s 5055-5059 had an approximately one to four inch gap at the top of the exterior door. The door to the access hallway unit #'s 5062-5066 had an approximately one to four inch gap at the top of the exterior door. Unit #5061 was between the aforementioned access hallway and unit #5060. These gaps allowed for pest ingress from the exterior of the storage building as well as infiltration from all adjacent units into the Sysco unit in violation of 21 CFR 110.20(b)(4) and 21 CFR 110.20(b)(7). There was debris on the floor between the pallets and the wall. There were significant rust stains on the walls indicating water intrusion. There was no refrigerator or freezer observed in the unit. Inv. K. Birusingh took photos of the unit (see Attachment 33 for report and photos).

#### Violation Summary

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the San Jose remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	1,145

Distribution records identified the total number of misbranded items that were delivered to and held at the San Jose remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	18,258

Distribution records identified the total number of adulterated food items delivered to and held at the San Jose remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	9,487

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the San Jose remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	9,487

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 34).

San Mateo remote drop site, [REDACTED] 110 E. 25<sup>th</sup> Ave., Unit #1041, San Mateo, CA 94403. San Mateo County

#### Inspection

On 07/09/2013, the San Mateo remote drop site was inspected by Investigator Peter Yattaw #069. The unit was located in a public storage facility. There was a shelving unit, a pallet, two plastic bins, a thirty gallon waste basket filled with cardboard and plastic, and signage in the unit. There was debris consisting of cardboard and plastic on the floor of the unit. There was both dirt and residue from spills on the floor of the unit in violation of CFR 110.35(a). The walls appeared clean, but did not reach the ceiling, creating a gap of about two feet between the walls and the ceiling in violation of 21 CFR 110.20(b)(7). Inv. P. Yattaw took photos of the unit (see Attachment 35 for report and photos).

#### Violation Summary

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the San Mateo remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	1,043

Distribution records identified the total number of misbranded items that were delivered to and held at the San Mateo remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	19,141

Distribution records identified the total number of adulterated food items delivered to and held at the San Mateo remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of

violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	9,780

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the San Mateo remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	9,780

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 36).

**Santa Rosa remote drop site, [REDACTED] 3937 Santa Rosa Ave., Santa Rosa, CA 95407. Sonoma County**

#### **Inspection**

On 07/09/2013 the Santa Rosa remote drop site was inspected by Investigator Jack Kirk #153. The unit was located in a public storage facility. There was dirt and dust in the unit in violation of 21 CFR 110.35(a). An unknown facility employee told Inv. J. Kirk that a Sysco representative who visited the unit had just cleared it out earlier that morning. Inv. J. Kirk took photos of the unit (see Attachment 37 for report and photos).

#### **Violation Summary**

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the Santa Rosa remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	1,240

Distribution records identified the total number of misbranded items that were delivered to and held at the Santa Rosa remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	43,421

Distribution records identified the total number of adulterated food items delivered to and held at the Santa Rosa remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	20,902

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Santa Rosa remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	20,902

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 38).

Scotts Valley remote drop site, [REDACTED] 90 Santa's Village Road, Unit #K99, Scotts Valley, CA 95407.  
Santa Cruz County

#### Inspection

On 07/09/2013, the Scotts Valley remote drop site was inspected by Investigator John Fox #086. The unit was located in a public storage facility. The walls and ceiling were observed to be exposed wood framing and unpainted sheetrock. No food products were observed in the unit. No evidence of any rodent activity was observed and no indication of any water in the locker was observed. Gaps at the door were less than 1/4 inch. The unit contained four wood pallets, two plastic bins labeled for mail in and out, one box of miscellaneous empty plastic, fiber food containers, three boxes of promotional material, two boxes of plastic display parts, and one empty plastic food storage cooler that appeared to be new and not used. Examination of the floor found it to be fairly clean of dust and dirt. Further examination of the floor showed evidence, track markings, that a pallet jack or some other wheeled device had been used numerous times to move pallets or other heavy objects in the locker. Examination of the floor at the exterior front of the locker found similar evidence, track markings, on the ground that a pallet jack or some other wheeled device had been used numerous times to move pallets or other heavy objects in and out of the locker as evidenced by the chipping visible in the door threshold. Inv. J. Fox took photos of the unit (see Attachment 39 for report and photos).

#### Violation Summary

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the Scotts Valley remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	965

Distribution records identified the total number of misbranded items that were delivered to and held at the Scotts Valley remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	8,370

Distribution records identified the total number of adulterated food items delivered to and held at the Scotts Valley remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	4,262

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Scotts Valley remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
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Items delivered Categories 2-6 (Potentially hazardous food)	4,262
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The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 40).

Ukiah remote drop site, [REDACTED] 120 Parducci Road, Unit #F29, Ukiah, CA 95482. Mendocino County

#### Inspection

On 07/09/2013 the Ukiah remote drop site was inspected by Investigator Jon Spencer #041. The unit was located in a public storage facility. The walls and framing studs of the unit were bare unpainted wood in violation of 21 CFR 110.20(b)(4). There was both dirt and residue from spills on the floor of the unit in violation of 21 CFR 110.35(a). Inv. J. Spencer took photos of the unit (see Attachment 41 for report and photos).

#### Violation Summary

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the Ukiah remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	406

Distribution records identified the total number of misbranded items that were delivered to and held at the Ukiah remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	2,301

Distribution records identified the total number of adulterated food items delivered to and held at the Ukiah remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	1,194

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Ukiah remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	1,194

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 42).

#### Distribution Center:

**Sysco Central, 136 Mariposa Road, Modesto, CA, 95354, 209-527-7700**  
**CA Processed Food Registration #19217**

Remote Drop Sites:

1. Fresno remote drop site, [REDACTED] unregistered, commercial refrigerated trailer, commercial freezer trailer
2. Stockton remote drop site, [REDACTED] unregistered, commercial refrigeration, commercial freezer
3. Visalia remote drop site, [REDACTED] unregistered, commercial refrigeration, commercial freezer

The following Sysco Central employees were interviewed.

- **[REDACTED] Sales [REDACTED]**  
On 10/04/2013 Inv. K. Birusingh interviewed [REDACTED] Sales [REDACTED] that utilized the Stockton remote drop site. [REDACTED] said he had been employed by Sysco for 13 years, the first 6 years as a Marketing Associate. He said he supervised 12 Marketing Associates. He stated the food safety training he received was Serv Safe training "a long time ago". He said he visited the shed once a month. He said the items restricted for delivery to a shed were fresh product, HAACP items, chemicals, dairy, fresh box beef and fresh chicken. He said when he first saw the video his thoughts were he was "disappointed" and it was "media sensationalism".
- **[REDACTED] Marketing Associate**  
On 11/15/2013 Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the Fresno remote drop site. [REDACTED] said he had been employed as a Marketing Associate for 3 years. He stated the items restricted from delivery to remote drop sites were chemical, dairy, eggs, fresh meat, and fresh and frozen seafood. He stated he delivered food products to Sysco customers in his personal vehicle.
- **[REDACTED] Driver**  
On 10/04/2013 Inv. K. Birusingh interviewed [REDACTED] a Driver who delivered to the Stockton remote drop site. [REDACTED] said he had been employed as a Sysco driver for 26 years. He stated he never saw cooled or frozen product outside of the refrigerator or freezer. He also stated that when the refrigerator or freezer was broken, items would be delivered by him in the temperature controlled trailer directly to Sysco customers. He said broken equipment was repaired "immediately" or products would be rerouted.
- **[REDACTED] Sales [REDACTED]**  
On 10/04/2013 Inv. K. Birusingh interviewed [REDACTED] Sales [REDACTED] that utilized the Visalia remote drop site. [REDACTED] stated he had been employed by Sysco as a [REDACTED] Sales [REDACTED] for 2 years. He stated he had received a six to eight week training course. He said he had received handouts with food safety topics. [REDACTED] said his assignment to supervise the remote drop site had begun approximately two months prior to the unit being closed. He stated he had visited the unit once at the end of June, 2013. He said the unit contained a refrigerator and a freezer. He said Sysco had paid for an exhaust fan to be installed in the unit. [REDACTED] stated his only concern for the food being delivered to the shed was from a sales perspective. He said having to deliver food took time away from sales. [REDACTED] said the items restricted from delivery to the remote drop site were seafood, liquid dairy, eggs, and fresh meat. He also said the Sysco purchasing department would stop the order of restricted items before they were delivered to the unit. [REDACTED] said there was a refrigerated van at the distribution center available for Marketing Associates to checkout and deliver food. This had been available for the two years he had been employed with Sysco. He said when the van was not available Marketing Associates would deliver products in their personal vehicles.
- **[REDACTED]**  
On 07/17/2013 Inv. Jennifer Balinsat #045 interviewed [REDACTED] during the inspection at the Stockton remote drop site. [REDACTED] said the unit had been leased by Sysco since 1995. He said the unit had discontinued operation on 07/09/2013 but the lease had not been cancelled. He said he was waiting for further notice from the corporate office. He stated all products that were in this facility prior to 07/09/2013 had either been distributed to customers such as schools, restaurants, coffee shops, and health care offices located within a 20 mile radius or returned back to Sysco's Modesto distribution center. Items that were previously stored in this unit consisted of dry foods such as chips, rice, beans, refrigerated foods such as fresh produce, lettuce, milk & dairy item, and frozen foods such as fries, bread & breadsticks, raw beef, chicken, and pork meats. He said that all refrigerated and frozen products were stored in the refrigerator and freezer. [REDACTED]

On 07/17/2013, Inv. Maria Bustamante #174 interviewed [REDACTED] during the inspection at the Visalia remote drop site. [REDACTED] said the unit had been rented by Sysco since 1995. He said the unit had discontinued operation on 07/09/2013. According to [REDACTED] the firm used the storage unit for MA' as a drop off and pick up point for products that were delivered to Sysco's customers as needed. [REDACTED] stated that the storage space was used for storing dry goods, paper goods, and refrigerated items such as produce in the refrigerator located inside the unit and the items are stored at the location less than 24 hours. [REDACTED] stated no HACCP items were stored in the unit.

- **[REDACTED] Marketing Associate**

On 10/04/2013, Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the Visalia remote drop site. [REDACTED] said he had been employed by Sysco as a Marketing Associate for 13 years. He stated he had received Serv Safe certification approximately 10 years ago. [REDACTED] said when he was first hired the remote drop site was located in a mini mart convenience store. He stated when he was first hired he could route anything to the remote drop site. He said the current location had opened 4 or 5 years ago. He stated the items restricted from delivery to a shed were fresh chicken, fresh meat, fresh fish, eggs, milk, chemicals, Sterno, fuel and gas, and hazardous materials. He stated produce, frozen food and dry goods were allowed to be delivered to the unit. [REDACTED] stated he had never seen perishable or frozen products outside the refrigerator or freezer. He stated he delivered food products to Sysco customers in his personal vehicle.

- **[REDACTED] Driver**

On 10/04/2013, Inv. K. Birusingh interviewed [REDACTED] a Driver that delivered to the Visalia remote drop site. [REDACTED] said he had been employed as a Driver for 12 years. [REDACTED] delivered products to the unit for approximately 2 years. He always referred to the shed as the "Mail Drop". He described the shed as a 12' by 12' public storage unit that contained a side by side freezer and side by side refrigerator. He said there was a pallet on the side for dry good delivery. [REDACTED] stated that prior to that, he delivered products intended for MA pick up to the 4 Seasons Handimart on Giddings St. in Visalia, CA. He said the Handimart owner, [REDACTED] "booted out" Sysco approximately 2 years ago. [REDACTED] said he picked up his trailer at the Fresno transfer yard. He said there was a hard wired refrigerated trailer and a hard wired freezer trailer at that yard. He stated [REDACTED] pallets were intended for MA pick up. Shuttle drivers would unload [REDACTED] pallets into the Fresno hard wired trailers and the pallets would then be delivered to the unit. [REDACTED] would often meet Marketing Associates at the unit. He said another common practice was for the MA to meet him on his route to pull products off the truck. [REDACTED] said he always put perishable and frozen products in the cooler and freezer. He said the only time he did not do this would be when there was a big order of bread for the school. He said he "never" left meat, dairy or produce outside of the cooler or freezer. He said a "smart" MA would have him deliver products to a customer for another customer to pick up themselves. He said this would save the MA having to deliver the products themselves. [REDACTED]

[REDACTED] He said the MA would have to tell the other customer that the item can be delivered, but only if the customer was willing to pick it up at another customer's place of business. He said the only time he saw products left in the cooler or freezer for more than a day was when a customer returned an item and the item was to be returned to the distribution center.

- **[REDACTED] Marketing Associate**

On 10/04/2013, Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the Stockton remote drop site. [REDACTED] said he had been employed by Sysco as a Marketing Associate for 2 years. He stated he received a Serv Safe certification from Sysco. He said he received a two hour food safety course with a test. [REDACTED] said there had been a refrigerated van available for check out from the distribution center. He stated he had used the van to deliver items such as "fresh stuff" and chicken wings. [REDACTED] said he had received copies of the corporate policy regarding shed use a few days before the 10/04/2013 interview. He stated these were sent to him in preparation for his interview. [REDACTED] stated the items that were restricted from delivery in his personal vehicle were HACCP items, aerosol cans and chemicals. [REDACTED] stated he delivered food products to Sysco customers in his personal vehicle.

#### Remote drop sites:

Fresno remote drop site, [REDACTED] 3059 S. Golden State Frontage Road, Fresno, CA, 93725. Fresno County

#### Inspection

On 11/15/2013, the Fresno remote drop site was inspected by Inv. K. Birusingh. The remote drop site was located in a Sysco owned transfer yard. The transfer yard contained multiple buildings used exclusively by Sysco Corporation. The



transfer yard was used for office space, trailer exchange and storage, equipment maintenance, and product delivery for Marketing Associate pick-up.

Food products being delivered for Marketing Associate will call pick up would be placed in either a hard wired refrigerator Thermo King trailer, a hard wired freezer Thermo King trailer or on the loading dock. Each trailer measured approximately 9'x53'.

Each wired trailer had a temperature log that could be retrieved if needed. The trailers were outfitted with an insulated door that separated the trailer approximately in half. Both trailers contained trash and debris in violation of 21 CFR 110.35(a). Inv. K. Birusingh took photos of the remote drop site (see Attachment 43 for report and photos).

#### **Violation Summary**

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the Fresno remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	1,208

Distribution records identified the total number of misbranded items that were delivered to and held at Fresno remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	36,256

Distribution records identified the total number of potentially hazardous food items delivered to and held at the Fresno remote drop site. Due to the fact there was a hard wired refrigerator trailer and a hard wired refrigerator trailer freezer in the unit no violations of H&SC 110620 were noted.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	0

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Fresno remote drop site which was temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. Due to the fact there was a hard wired refrigerator trailer and a hard wired refrigerator trailer freezer no violations of H&SC 110960 were noted

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	0

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 44).

Stockton remote drop site, [REDACTED] 2972 Swain Road, Unit #D-53, Stockton, CA, 95219 San Joaquin County

#### **Inspection**

On 07/17/2013, the Stockton remote drop site was inspected by Inv. Jennifer Balinsat #045. The shed was located in a public storage facility. There was an upright operating refrigerator without a thermometer in violation of 21 CFR 110.40(e), and operating double door freezer and metal racks in the unit. The unit appeared to be clean.

The left wall immediately as you entered the unit had a large square opening. The opening had been covered with a poorly fitted piece of cardboard leaving several gaps around it in violation of 21 CFR 110.20(b)(7). Inv. J. Balinsat took photos of the unit (see Attachment 45 for report and photos).

### **Violation Summary**

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at Stockton remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	1,111

Distribution records identified the total number of misbranded items that were delivered to and held at the Stockton remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	9,394

Distribution records identified the total number of potentially hazardous food items delivered to and held at the Stockton remote drop site. Due to the fact there was a commercial refrigerator and freezer in the unit no violations of H&SC 110620 were noted.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	0

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Stockton remote drop site which was temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. Due to the fact there was a commercial refrigerator and freezer in the unit no violations of H&SC 110960 were noted.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	0

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 46).

**Visalia remote drop site, [REDACTED] 1130 N. Plaza, Unit #47, Visalia, CA 93291 Tulare County**

### **Inspection**

On 07/17/2013, the Visalia remote drop site was inspected by Inv. Maria Bustamante #174. The unit was located in a public storage facility. The unit had a True brand double door refrigerator and a True brand double door freezer in it. The refrigerator and freezer were plugged in and operating. The freezer was observed to be at 20° Fahrenheit and the refrigerator to be at 40° Fahrenheit. Each appliance had a thermometer. The storage unit was observed to be swept and free of any debris. Inv. M. Bustamante took photos of the unit (see Attachment 47 for report and photos).

### **Violation Summary**

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the Visalia remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	1,228

Distribution records identified the total number of misbranded items that were delivered to and held at Visalia remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661.

The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	13,386

Distribution records identified the total number of potentially hazardous food items delivered to and held at the Visalia remote drop site. Due to the fact there was a commercial refrigerator and freezer in the unit no violations of H&SC 110620 were noted.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	0

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Visalia remote drop site which was temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. Due to the fact there was a commercial refrigerator and freezer in the unit no violations of H&SC 110960 were noted.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	0

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 48).

#### **Distribution Center:**

**Sysco Los Angeles, 20701 East Currier Road, Walnut, CA, 91789, 909-595-9595**  
**CA Processed Food Registration #19980**

The following Sysco Los Angeles employees were interviewed.

- [REDACTED]  
On 12/12/2013, Inv. K Birusingh interviewed [REDACTED] said he had been employed by Sysco for 35 years. [REDACTED] said the only official Sysco policy he could remember receiving regarding the use of remote drop sites was a 2011 memo detailing the Marketing Associates' responsibilities when transporting perishable products. [REDACTED] stated the only methods for Marketing Associates to pick up products in their personal vehicles for delivery to Sysco customers was to pick up products from the distribution center, meet the truck at a transfer yard or find the truck on its route, or have products delivered to a customer for a different customer pickup. [REDACTED] stated Marketing Associates used to deliver products in refrigerated vans, but that practice had been discontinued about a year and a half ago.
- [REDACTED]  
On 12/12/2013, Inv. K. Birusingh interviewed [REDACTED] said he had been employed by Sysco for 14 years. [REDACTED] said he believed the low number of food products routed to Sysco Los Angeles transfer yards, relative to other Broadline Companies, was due to the Sysco Los Angeles policy of requiring Marketing Associates to meet trucks to pick up food products. He speculated that since the trucks deliver in the early morning hours, Marketing Associates would be reluctant to start work at that time.

#### **Remote drop sites:**

Remote drop sites utilizing public storage sheds were not used by this broadline company. A letter dated 12/11/2013 from [REDACTED] to Inv. K. Birusingh (Attachment 49) identified "transfer yards" under Sysco Los Angeles' control where, according to [REDACTED] Marketing Associates would meet Sysco drivers and take products off the semi-trailer for delivery to Sysco customers in the Marketing Associates' personal vehicles. According to Sysco via [REDACTED] "no products were stored at these yards for later MA pickup".

[REDACTED] also identified four transfer yards previously under Sysco Los Angeles' control and transferred to Sysco Riverside's, control in May/June 2013 that had a nominal amount of food products routed to them. According to Sysco via J. Meeder, "(Sysco product categories 2-6 and 11) routed to these yards by year was: 2009 (296 food cases); 2010 (573 food cases); 2011 (551 food cases); 2012 (98 food cases); and 2013 (56 food cases)".

Due to the fact that no food items were stored for a significant amount of time at the Los Angeles transfer yards, no violations were noted.

**Distribution Center:**

**Sysco Riverside, 15750 Meridian Parkway, Riverside, CA, 95218, 951-601-5300**  
**CA Processed Food Registration #71370**

**Remote drop sites:**

1. Cathedral City remote drop site, [REDACTED] unregistered, commercial refrigeration, commercial freezer
2. Cathedral City remote drop site, [REDACTED] unregistered, commercial refrigeration, commercial freezer
3. Hemet remote drop Site, [REDACTED] unregistered, residential refrigeration/freezer

The following Sysco Riverside employees were interviewed.

- **[REDACTED] Marketing Associate**

On 10/01/2013 Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the Hemet remote drop site. [REDACTED] said he had been employed by Sysco for approximately 6 years. [REDACTED] said there was an upright residential refrigerator and an upright residential freezer in the unit. He said that when there were too many products delivered by Sysco drivers to fit into the refrigerator and freezer they would be left out. [REDACTED] stated he remembered receiving a "friendly reminder" about the policies regarding remote drop site use. He stated the items restricted from delivery to the drop site were chemicals, fresh meat and dairy.

- **[REDACTED] Sales [REDACTED]**

On 10/01/2013 Inv. K. Birusingh interviewed [REDACTED] Sales [REDACTED] that utilized the Cathedral City remote drop site. [REDACTED] said he had been employed by Sysco for 21 years. [REDACTED] stated the Cathedral City location was a sales office and attached warehouse. The warehouse space was 80' by 40' with 15' to 18' foot ceilings. [REDACTED] said when he started at the Cathedral City location in 2001 the warehouse had a household refrigerator. He said later two chest freezers, a double door refrigerator, a three door stand up freezer and a two door stand up freezer were added. Sometimes the drivers would deliver products and not put them in the refrigerators or freezers. The employees were very conscientious about the time the product sat out. They would put the products in the refrigerators and freezers when they got into the office.

- **[REDACTED] Driver**

On 10/01/2013 Inv. K. Birusingh interviewed [REDACTED] Driver. [REDACTED] said he had been employed as a Sysco driver for 10 years. [REDACTED] described the remote drop site as a carpeted office space. He said the Marketing Associates had desks and chairs in the same space he would deliver the food to. He said often products would not fit in refrigerator or freezer. He also said when that occurred he would place the food on the carpet. He stated he would pack dry ice around the frozen food. He said the dry ice pack was his standard practice for ice cream. [REDACTED] said he voiced his concerns to the Marketing Associates about the practice of delivering perishable food to the office space "all the time".

- **[REDACTED]**  
On 10/01/2013 Inv. K. Birusingh interviewed [REDACTED] [REDACTED] said he had been employed by Sysco for 16 years. He had been a Marketing Associate for 8 years and a Sales [REDACTED] for 8 years. His current position was new. He said while a Marketing Associate and [REDACTED] Sales [REDACTED] he utilized the Cathedral City remote drop site. [REDACTED] said the only official policy he knew about regarding the use of remote drop sites was a letter from [REDACTED] posted in the office describing restricted items. He stated the items restricted from delivery to the office space were fresh meat and dairy products. [REDACTED] stated there was a "household" refrigerator with a single door and a freezer on top, and a "household" freezer with a single door in the office. [REDACTED] stated that when products were delivered to the office space and not picked up by a Marketing Associate they would be thrown away in the dumpster.

- **[REDACTED] Marketing Associate**

On 10/01/2013 Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the Cathedral City remote drop site. [REDACTED] said he had been employed by Sysco for 18 years. [REDACTED] said the only items restricted for delivery to the remote drop site were hazardous materials. [REDACTED] said he delivered food products to Sysco customers in his personal vehicle.

- **Driver**

On 10/01/2013 Inv. K. Birusingh interviewed [REDACTED] a Driver that delivered to the Cathedral City remote drop site. [REDACTED] said he had been employed by Sysco for 8 years. [REDACTED] described the Cathedral City remote drop site as an office in the front with a 40 foot by 20 foot storage area in back. He said there was a swamp cooler in the storage area. He said there the storage area contained two refrigerators, two upright freezers and one chest freezer. [REDACTED] said he often would not put products in the refrigerators and freezers. He said this was because "it was easier not to put products in the refrigerators and freezers".

#### Remote drop sites:

**Cathedral City remote drop site, [REDACTED] 68703 Perez Road, Suite #A9, Cathedral City, CA, 92234, Riverside County**

The [REDACTED] was changed when control of the remote drop site was transferred from Sysco San Diego to Sysco Riverside.

#### Inspection

The Cathedral City remote drop site was not inspected. Sysco Riverside had discontinued use of that space and moved the remote operations to the distribution center's 15750 Meridian Parkway address.

#### Violation Summary

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the Cathedral City remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	933

Distribution records identified the total number of misbranded items that were delivered to and held at Cathedral City remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	38,463

Distribution records identified the total number of potentially hazardous food items delivered to and held at the Cathedral City remote drop site. Due to the fact there was a commercial refrigerator and freezer in the unit no violations of H&SC 110620 were noted.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	0

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Cathedral City remote drop site which was temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. Due to the fact there was a commercial refrigerator and freezer in the unit no violations of H&SC 110960 were noted.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	0

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 50).

**Hemet remote drop site, [REDACTED] 1000 N. State St., Unit #113, Hemet, CA, 92543 Riverside County**

### Inspection

The Hemet remote drop site was closed when the Sysco Riverside distribution center opened. The last delivery of a food product to the Hemet remote drop site was 06/01/2013. No inspection of the remote drop site was conducted.

### Violation Summary

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the Hemet remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	1,197

Distribution records identified the total number of misbranded items that were delivered to and held at the Hemet remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	22,152

Distribution records identified the total number of adulterated food items delivered to and held at the Hemet remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	12,941

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Hemet remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	12,941

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 51).

### Distribution Center:

**Sysco Sacramento, 7062 Pacific Avenue, Pleasant Grove, CA, 95668, 916-569-7000  
CA Processed Food Registration #22109**

Remote drop sites:

1. Shasta remote drop site, [REDACTED] unregistered, no refrigeration, residential freezer
2. Truckee remote drop site, [REDACTED] unregistered, no refrigeration, no freezer
3. Chico remote drop site, [REDACTED] unregistered, residential refrigeration/freezer
4. Eureka remote drop site, [REDACTED] unregistered, commercial refrigerator, residential freezer
5. Anderson remote drop site, [REDACTED] unregistered, no refrigeration, residential freezer

The following Sysco Sacramento employees were interviewed.

- [REDACTED] Marketing Associate

On 11/06/2013, Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the Eureka remote drop site. [REDACTED] said he had been employed as a Marketing Associate for 19 years. He stated he had received a Serv Safe certification approximately 19 years ago. He said there was a 3 door refrigerator and a single door residential freezer in the maintenance bay. He stated the appliances were donated by a Sysco customer. He said he took the appliances to a junkyard after the use of the remote drop site was discontinued. [REDACTED] stated the drivers would leave food products in the maintenance bay and it was the Marketing Associates responsibility to put the food in the refrigerator and freezer. He stated the items restricted for delivery to the remote drop site were chemicals, dairy products, fresh meat, fresh chicken and fresh seafood. He had received information on the official corporate policy regarding remote drop site use approximately 2 years ago. He could not produce the documentation. He stated he delivered food products to Sysco customers in his personal vehicle.

- **[REDACTED] Marketing Associate**

On 11/07/2013, Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the Chico remote drop site. [REDACTED] said he had been employed as a Marketing Associate for approximately 5 years. He stated there was a household refrigerator and household freezer at the remote drop site. He stated there was no lock on either appliance. He said he received emails regarding the remote drop site use policy, but could not produce any of them. He stated the items restricted for delivery to the sheds were fresh meat, seafood and chemicals. He stated he delivered food products to Sysco customers in his personal vehicle.

- **[REDACTED] Driver**

On 11/06/2013, Inv. K. Birusingh interviewed [REDACTED] a Driver that delivered to the Anderson remote drop site. [REDACTED] said he had been employed as a driver for 23 years. He said there was a residential chest freezer at the remote drop site. He stated if frozen products would not fit into the freezer alternate delivery arrangements would be made

- **[REDACTED] Driver**

On 11/07/2013, Inv. K. Birusingh interviewed [REDACTED] a Driver that delivered to the Chico remote drop site for 10 years. He stated he would put products in the refrigerator and freezer. He also said if the products would not fit in the appliances, he would call a Marketing Associate and not leave the products at the remote drop site.

- **[REDACTED] Marketing Associate**

On 11/06/2013, Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the Anderson remote drop site. [REDACTED] said he had been employed as a Marketing Associate for 4 years. He said that when he was first hired he had received six weeks of training on sales topics and safe driving. He stated he received a Serv Safe certification 20 years earlier. He said the items restricted from delivery to the yard were chemicals, fresh meats and milk. He said he delivered food products to Sysco customers in his personal vehicle.

- **[REDACTED] Driver**

On 09/27/2013, Inv. K. Birusingh interviewed [REDACTED] a Driver that delivered to the Truckee remote drop site. [REDACTED] said he had been employed as a Sysco driver for 2 years. He stated he delivered to the shed one to two times per week. He stated there was no refrigerator or freezer in the shed.

- **[REDACTED] Marketing Associate**

On 09/27/2013, Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the Mount Shasta remote drop site. [REDACTED] said he was a Marketing Associate for 13 years. He stated he had not received any food safety training from Sysco. He stated the food safety training he remembered had been from vendors and reflected the temperature food needed to be cooked to in order to be safe. He said his understanding of the items restricted from delivery to the shed was fresh chicken, ground beef and deli meats. He stated sometimes the drivers would leave frozen food outside of the freezer. He stated he delivered food products to Sysco customers in his personal vehicle.

- **[REDACTED] Marketing Associate**

On 09/27/2013, Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the Mount Shasta remote drop site. [REDACTED] said he had been employed as a Marketing Associate for 6 years. He stated the items restricted from delivery to the shed were hazardous materials, fresh meats and seafood. He said before he was hired by Sysco, he was a Sysco customer and gave [REDACTED] a residential chest freezer to put in the Mount Shasta shed. After being hired by Sysco, the chest freezer broke and he replaced it with a smaller chest freezer. He stated that drivers would leave frozen products out of the freezer when there was not enough room in the freezer to hold all the delivered items. [REDACTED] stated he delivered food products to Sysco customers in his personal vehicle.

- **Marketing Associate**  
On 11/06/2013, Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the Eureka remote drop site. [REDACTED] said he had been employed as a Marketing Associate for 8 years. He stated his food safety training consisted of a topic being "touched on" in a two week training sales training session when he was first hired. He stated the items restricted from being delivered to a remote drop site were liquid dairy, fresh seafood, fresh poultry and chemicals. He said he delivered food products to Sysco customers in his personal vehicle.
- **Marketing Associate**  
On 11/06/2013, Inv. K. Birusingh interviewed [REDACTED] a Marketing Associate that utilized the Anderson remote drop site. [REDACTED] said he had been employed as a Marketing Associate for 2 years. He said he received Serv Safe certification when he was first hired. He stated he couldn't recall receiving any official corporate documentation on remote drop site use policies. He stated he delivered food products to Sysco customers in his personal vehicle.
- **Sales**  
On 09/27/2013, Inv. K. Birusingh interviewed [REDACTED] Sales [REDACTED] that utilized the Mount Shasta remote drop site. [REDACTED] said he had worked for Sysco for more than 24 years; 8 years as a Marketing Associate and 16 years as a Sales [REDACTED]. He stated he had received a Serv Safe food safety certification from Sysco 10 – 12 years ago. He stated he had not received any formal food safety training since then. He stated he had visited to the Mount Shasta shed twice in the past year. He did not recall having received a specific copy of the corporate policy regarding the use of shed drops. He said his understanding of the items restricted for delivery to remote drop sites were fresh proteins and milk and eggs. He said "anything perishable" was restricted. He stated he was not concerned about the safety of food delivered to remote drop sites; rather he was concerned about the quality of the food if Marketing Associates took too much time to deliver the food.
- **Driver**  
On 11/06/2013, Inv. K. Birusingh interviewed [REDACTED] a Driver that delivered to the Eureka remote drop site. He said he delivered pallets containing both perishable and nonperishable food products to the work bay. [REDACTED] stated it was only his responsibility to deliver and put the pallet in the maintenance bay. He said the Marketing Associates would put the food in the refrigerator and freezer.

#### Remote drop sites:

Mount Shasta remote drop site, [REDACTED] 1012 North Mt Shasta Blvd., Unit #53, Mount Shasta, CA 96067. Siskiyou County

#### Inspection

On 08/01/2013 an inspection of the Mount Shasta remote drop site was attempted by Investigator Wendy Reynolds #127 (Attachment 52). Inv. W. Reynolds confirmed the remote drop site had been in a public storage facility. At the time of inspection the lease had been terminated by Sysco and no access to the unit was possible.

#### Violation Summary

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to the Mount Shasta remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC 110460.

H&SC 110461 – It is unlawful to store food in an unregistered facility	# of violations
Number of days delivered Categories 2-7, 11, 12 (All food)	783

Distribution records identified the total number of misbranded items that were delivered to and held at the Mount Shasta remote drop site location. This was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

H&SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food	# of violations
Items delivered Categories 2-7, 11, 12 (All food)	16,484



Distribution records identified the total number of adulterated food items delivered to and held at the Scotts Valley remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013. Three months in that time period were excluded from the total due to low ambient temperature.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	8,195

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Mount Shasta remote drop site which was not temperature controlled. This was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013. Three months in that time period were excluded from the total due to low ambient temperature.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	8,195

The average monthly high temperature for 2009-2013 was greater than 45° Fahrenheit except for the following highlighted three months (Attachment 53).

Month	Avg. High (°F)	Month	Avg. High (°F)
July-2009	90.1	August-2011	87.1
August-2009	85.6	September-2011	85.1
September-2009	84.7	October-2011	66.0
October-2009	64.0	November-2011	50.4
November-2009	53.6	December-2011	51.4
December-2009	43.2	January-2012	49.1
January-2010	45.5	February-2012	50.9
February-2010	48.6	March-2012	48.4
March-2010	53.1	April-2012	59.9
April-2010	53.2	May-2012	72.5
May-2010	60.4	June-2012	74.8
June-2010	75.2	July-2012	86.5
July-2010	91.0	August-2012	89.6
August-2010	81.7	September-2012	86.4
September-2010	78.3	October-2012	69.4
October-2010	64.2	November-2012	55.0
November-2010	46.9	December-2012	41.9
December-2010	41.9	January-2013	46.2
January-2011	51.1	February-2013	53.4
February-2011	47.1	March-2013	59.5
March-2011	46.6	April-2013	64.8
April-2011	53.8	May-2013	71.1
May-2011	62.6	June-2013	79.7
June-2011	73.9	July-2013	88.2
July-2011	83.1		

Truckee Remote drop site, [REDACTED] 40155 Truckee Airport Road, Truckee, CA. Nevada County

#### Inspection

On 08/16/2013 an inspection of the Truckee remote drop site was attempted by Supervising Investigator Ken Namba #169 (Attachment 54). Inv. K. Namba confirmed the remote drop site had been in a public storage facility. At the time of inspection the lease had been terminated by Sysco and no access to the unit was possible.

### **Violation Summary**

Sysco Corporation provided distribution records from July 2009 through the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to the remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the Truckee remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	241

Distribution records identified the total number of misbranded items that were delivered to and held at the Truckee remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	1558

Distribution records identified the total number of adulterated food items delivered to and held at the Truckee remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013. Ten months in that time period were excluded from the total due to low ambient temperature.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	542

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Truckee remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013. Ten months in that time period were excluded from the total due to low ambient temperature.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	542

The average monthly high temperature for 2009-2013 was greater than 45° Fahrenheit except for the following highlighted ten months (Attachment 55).

Month	Avg. High (°F)	Month	Avg. High (°F)
July-2009	86.7	August-2011	82.9
August-2009	84.4	September-2011	81.1
September-2009	79.7	October-2011	64.6
October-2009	60.3	November-2011	49.6
November-2009	53.2	December-2011	45.3
December-2009	36.9	January-2012	48.2
January-2010	40.3	February-2012	45.7
February-2010	44.6	March-2012	45.7
March-2010	47.8	April-2012	56.5
April-2010	50.2	May-2012	68.2
May-2010	56.3	June-2012	74.3
June-2010	72.7	July-2012	83.1
July-2010	85.3	August-2012	86.9
August-2010	81.3	September-2012	80.8
September-2010	78.6	October-2012	67.3
October-2010	60.8	November-2012	52.5
November-2010	45.7	December-2012	39.4
December-2010	41.2	January-2013	38.1
January-2011	42.3	February-2013	44.96
February-2011	40.5	March-2013	55.2
March-2011	42.8	April-2013	59.5
April-2011	50.0	May-2013	65.7
May-2011	56.8	June-2013	78.3
June-2011	69.6	July-2013	88.5
July-2011	81.7		

Chico Remote Drop site, [REDACTED] 201 Meyers Street, Chico, CA 95928. Butte County

#### Inspection

On 11/07/2013, the Chico remote drop site was inspected by Inv. K. Birusingh. The Chico remote drop site was located in a transfer yard. The transfer yard was used for trailer storage, equipment maintenance and product delivery for MA will call and pick-up. The transfer yard was behind a locked gate. According to Sysco employees interviewed, the remote drop site had contained a household refrigerator and a household freezer. Employees also stated there had been no locks on the refrigerator or freezer. At the time of inspection, the refrigerator and freezer had been removed from the transfer yard. There were no food items present. The will call food products were placed in an approximately 6'x20' area behind the office, between the building and a loading dock. The area where the food had been stored was swept and free of debris. The property behind the transfer yard contained trash including old bathroom and old kitchen fixtures in violation of 21 CFR 110.20(a)(1). Inv. K. Birusingh took photos of the transfer yard (see Attachment 56 for report and photos).

#### Violation Summary

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the Chico remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

H&SC 110461 – It is unlawful to store food in an unregistered facility	# of violations
Number of days delivered Categories 2-7, 11, 12 (All food)	838

Distribution records identified the total number of misbranded items that were delivered to and held at Chico remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661.

The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	962

Distribution records identified the total number of adulterated food items delivered to and held at the Chico remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	3,092

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Chico remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	3,092

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 57).

Eureka remote drop site, [REDACTED] 1080 West Waterfront Drive, Eureka, CA 95501. Humboldt County

#### Inspection

On 11/06/2013, the Eureka remote drop site was inspected by Inv. K. Birusingh. The drop site was a transfer yard. The transfer yard was located in an industrial area that at the time of inspection included a logging operation. The transfer yard was used for trailer storage, equipment maintenance, and product delivery for MA will call pick up. The Sysco Eureka facilities include an office space used exclusively by Sysco employees and an approximately 20'x100' bay in a building that contained multiple bays. The other bays were utilized by various companies. According to Sysco employees interviewed, the remote drop site had contained a three door refrigerator and a household freezer. Employees also stated there had been no locks on the refrigerator or freezer. At the time of inspection, the refrigerator and freezer had been removed from the transfer yard and taken to a junk yard. There were no food items present. The maintenance bay was swept and free of trash and debris. Inv. K. Birusingh took photos of the remote drop site (see Attachment 58 for report and photos).

The wall separating the Sysco bay from other bays was constructed from oriented strand board (OSB). It had an approximately ten foot space between the top of the OSB wall and the ceiling in violation of 21 CFR 110.20(b)(7). The bay was used mainly for equipment maintenance. The bay contained tools and supplies for truck and trailer maintenance.

#### Violation Summary

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the Eureka remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	1,038

Distribution records identified the total number of misbranded items that were delivered to and held at Eureka remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	19,330

Distribution records identified the total number of adulterated food items delivered to and held at the Eureka remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	9,095

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Eureka remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	9,095

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 59).

Anderson remote drop site, [REDACTED] 2066 Alexander Ave., Anderson, CA 95501. Shasta County

#### Inspection

On 11/06/2013, the Anderson remote drop site was inspected by Inv. K. Birusingh. The remote drop site was located in a public transfer yard. The transfer yard was located behind a lockable gate. The transfer yard was used for trailer exchange and storage, equipment maintenance, and product delivery for MA will call pick up. Other businesses used the transfer yard, including an automotive repair shop. Food products being delivered for MA will call pick up would be placed in an approximately 8'x10' shed with a lockable roll up door. There was no refrigerator or freezer in the storage shed. No food items were present. The storage shed was swept and free of trash and debris. At the time of inspection, the shed was used to store maintenance equipment. Inv. K. Birusingh took photos of the remote drop site (see Attachment 60 for report and photos).

#### Violation Summary

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at Anderson remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	947

Distribution records identified the total number of misbranded items that were delivered to and held at the Anderson remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	11,682

Distribution records identified the total number of adulterated food items delivered to and held at the Anderson remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of

violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

H&SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food	# of violations
Items delivered Categories 2-6 (Potentially hazardous food)	5,791

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Anderson remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

H&SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit	# of violations
Items delivered Categories 2-6 (Potentially hazardous food)	5,791

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 61)

**Distribution Center:**

**Sysco San Diego, 12180 Kirkham Road, Poway, CA, 92064, 858-513-7300  
CA PFR # 20225**

Remote drop site:

1. Imperial remote drop site, [REDACTED] unregistered, no refrigeration, no freezer.

The following Sysco San Diego employees were interviewed.

- [REDACTED]  
On 07/19/2013, Investigator Steve Damberger interviewed [REDACTED] via telephone. [REDACTED] stated Sysco had removed all products from the storage unit earlier in the week. He stated they would no longer use the storage unit.
- [REDACTED] Driver  
On 09/30/2013, Inv. K. Birusingh interviewed [REDACTED] a Driver that delivered to the Imperial remote drop site. [REDACTED] stated he had been employed as a driver for 7 years. He stated there was no refrigerator or freezer at the remote drop site. He stated he was not concerned about the safety of the food being compromised by being delivered and stored in the shed
- [REDACTED]  
On 09/30/2013, Inv. K. Birusingh interviewed [REDACTED] said he had been employed by Sysco for 11 years. He had been a [REDACTED] Sales [REDACTED] that utilized the Imperial remote drop site for the past 6 years. His position as a [REDACTED] was new. He stated he had received Serv Safe certification before becoming employed by Sysco. He stated he could not remember receiving any food safety training from Sysco. He stated when the shed first opened the items restricted from being delivered to the shed were chemicals and aerosols. He stated currently the restricted items were fresh chicken, fresh beef, and fresh seafood. He stated he could not remember receiving any official documentation regarding remote drop site use policies.
- [REDACTED] Driver  
On 09/30/2013, Inv. K. Birusingh interviewed [REDACTED] a Driver that delivered to the Imperial remote drop site. [REDACTED] said he had been employed as a driver for 10 years. He stated there was no refrigerator or freezer in the shed. He stated he would deliver whatever was on the order to the shed. He stated he was concerned about the safety of the food, but did not say anything. He stated he was especially concerned about the chicken, but that he assumed the MA would get there early to pick it up
- [REDACTED] Sales [REDACTED]  
On 09/30/2013, Inv. K. Birusingh interviewed [REDACTED] Sales [REDACTED] that utilized the Imperial remote drop site. [REDACTED] said he had been employed by Sysco for 14 years. He had been a [REDACTED] Sales [REDACTED] for 4 years. He stated he did not receive any food safety training from Sysco. He said he was aware of food safety issues from his previous food service experience. He stated there was no refrigerator or freezer in the shed. He stated there were no restrictions on items that could be delivered to the shed until it was closed in July of 2013. He stated he also delivered food products to Sysco customers in his personal vehicle.

**Remote Drop site:**

Imperial remote drop site, [REDACTED] 463 Aten Road, Unit #360, Imperial, CA 92251. Imperial County

**Inspection**

On 07/19/2013, the Imperial remote drop site was inspected by Investigator Steve Damberger #091. The remote drop site was located in a public storage facility. At the time of inspection, the manager of the facility, [REDACTED] stated the unit was vacated without notice sometime around July 15, 2013. He said the storage buildings are fumigated but fog is not used.

[REDACTED] said he had observed Sysco trucks deliver products to the storage unit every morning Monday through Friday. He also stated he had observed the contents of the storage room numerous times since 2005 and had only seen cups, gloves, plates and other non-food goods.

Inv. S. Damberger interviewed [REDACTED] via telephone. [REDACTED] stated Sysco had removed all products from the storage unit earlier in the week. He stated they would no longer use the storage unit. Inv. S. Damberger took photos of the unit (see Attachment 62 for report and photos).

**Violation Summary**

Sysco Corporation provided distribution records from July 2009 to the time when each remote drop site's use was discontinued. These distribution records were used to determine the amount of products delivered to remote drop sites and how many cumulative days' products were delivered to remote drop sites.

Distribution records identified the total number of days that food products were delivered to and held at the Imperial remote drop site location between July 2009 and August 2013. At no time during this time period did this facility have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	1,010

Distribution records identified the total number of misbranded items that were delivered to and held at the Imperial remote drop site location. Food items were misbranded because they were held in an unregistered facility as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	13,117

Distribution records identified the total number of adulterated food items delivered to and held at the Imperial remote drop site. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions do not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	7,053

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the Imperial remote drop site which was not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	7,053

The average monthly high temperature for 2009-2013 was consistently greater than 45° Fahrenheit (Attachment 63).

**Distribution Center:**

The following Sysco employee from Sysco Ventura was interviewed.

- On 12/12/2013, Inv. K. Birusingh interviewed [REDACTED] stated that per Sysco Ventura's Broadline company policy, food products were not stored at remote drop sites. He also stated he had never heard of the CA H&SC sections relating to food in the Sherman Food Drug and Cosmetic Law. Specifically, he said he was not knowledgeable about the CA H&SC regulations regarding the processing, distribution and holding of food.

A letter dated 12/11/2013 from [REDACTED] to Inv. K. Birusingh (Attachment 49) identified two "transfer yards" under Sysco Ventura's control where, according to [REDACTED] food products were routed for MA pickup. These two yards were located in Bakersfield and Santa Maria.

According to Sysco via [REDACTED] food products routed to the Bakersfield yard were not stored at the yard; rather they were taken directly off the truck by Marketing Associates for delivery to Sysco customers. The letter stated however, "No products were ever dropped at the yard, except when (an estimated two or three times a year) the MA who had placed the order was late to the yard. On these rare occasions, if the MA, who was running late, made arrangements with another MA to sign off his or her order, the driver would either give the order to the signing MA or place it in the driver's shed for the MA to pick up. Further, the drivers would place only dry products in the shed, except on an estimated two or three occasions over the past four years when they placed refrigerated products in the driver shed. If no such arrangement was made by the MA, the driver would keep the order on his truck and the MA would have to meet the truck somewhere along its route".

Sysco reported via [REDACTED] that some food products were routed to the Santa Maria transfer yard. However, "No products were ever dropped at the yard". The Marketing Associates would meet the truck at the yard or on its route and pick up their order for delivery".

Due to the fact that no products were stored for a significant amount of time at the Ventura transfer yards, no violations were noted.



## **Conclusion:**

In a September 12, 2013 letter from Sysco Corporation to Patrick Kennelly, Chief, Food Safety Section (Attachment 64), Sysco identified two "critical lessons" learned by Sysco.

"1. Sysco's reliance (without effective controls) on its operating companies to implement Sysco's food safety policies and comply with food safety laws did not result in compliant policies and practices at the operating companies."

"2. Sysco's reliance on its operating companies to train employees (at all levels) regarding mandated food safety policies and procedures did not result in effective training."

Results of the FDB investigation support these "critical lessons". Furthermore, interviews with Sysco management and employees support the findings that:

1. Sysco management, specifically [REDACTED] were unaware of, or attempted to conceal or obfuscate the fact that Sysco Broadline Companies San Diego and Sacramento utilized remote drop sites to deliver food products including perishable foods to unregistered facilities.
2. Sysco employees used personal vehicles to deliver misbranded and adulterated products from remote drop sites to Sysco customer and such vehicles are not appropriately designed for commercial food delivery.
3. Sysco [REDACTED] Sales [REDACTED] and Management either supported or were unaware of egregious disregard for Sysco Corporate and Broadline Company policy regarding food safety (Attachments 1, 2, 9, 10, 11, 12, 13, and 14).

The following are the total number of violations of the California Health and Safety Code by Sysco Broadline Companies in California.

Distribution records identified the total number of days that food products were delivered to and held at the California remote drop site locations between July 2009 and August 2013. At no time during this time period did these facilities have a valid registration with CDPH as required by H&SC section 110460.

<b>H&amp;SC 110461 – It is unlawful to store food in an unregistered facility</b>	<b># of violations</b>
Number of days delivered Categories 2-7, 11, 12 (All food)	23,827

Distribution records identified the total number of misbranded items that were delivered to and held at the California remote drop site locations. Food items were misbranded because they were held in unregistered facilities as set forth in H&SC 110661. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110760 – It is unlawful to sell, deliver, hold or offer for sale any misbranded food</b>	<b># of violations</b>
Items delivered Categories 2-7, 11, 12 (All food)	405,859

Distribution records identified the total number of adulterated food items delivered to and held at the California remote drop site locations. Potentially hazardous food items were adulterated because they were held in facilities that were not temperature controlled and where the ambient temperature was above 45 ° Fahrenheit as set forth in 21 CFR 110.93 and 21 CFR 110.80(b)(3)(i). These conditions did not protect against the growth of undesirable microorganisms. The number of violations was calculated by determining the number of perishable food items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site between July 2009 and August 2013.

<b>H&amp;SC 110620 - It is unlawful to sell, deliver, hold or offer for sale any adulterated food</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	156,740

Distribution records identified the total number of potentially hazardous refrigerated foods delivered to and held at the California remote drop site locations which were not temperature controlled to maintain food items at temperatures below 45° Fahrenheit as required by H&SC 110960. The number of violations was calculated by determining the number of perishable foods, defined by a line item in the distribution spreadsheet, delivered to the remote drop site locations between July 2009 and August 2013.

<b>H&amp;SC 110960 - It is unlawful to hold potentially hazardous food above 45° Fahrenheit</b>	<b># of violations</b>
Items delivered Categories 2-6 (Potentially hazardous food)	156,740

Distribution records identified the total number of food items transported to the remote drop sites. The investigation determined that these food items were subsequently transported in Marketing Associates' personal vehicles to customers. These personal vehicles were not inspected or maintained by Sysco Corporation in order to assure the integrity of food during delivery and ensure protection against dirt, pet filth, chemicals or any other source of contamination. Furthermore, the personal vehicles did not have temperature controls that assured the perishable food was maintained at appropriate temperatures. These food items were stored and transported under conditions that did not protect food against physical, chemical, and microbial contamination as well as deterioration of the food and the container thus violating 21 CFR 110.93. The number of violations was calculated by determining the number of items, defined by a line item in the distribution spreadsheet, delivered to the remote drop site for transportation by a Marketing Associate in their personal vehicle between July 2009 and August 2013.

<b>21 CFR 110.93 – Storage and transportation of food shall protect against contamination</b>	<b># of violations</b>
Items stored and transported Categories 2-7, 11, 12 (All food)	405,859

Sysco implemented the following corrective actions to meet regulatory provisions in California. On or near July 8, 2013, Sysco Corporate instructed the California Broadline Companies to discontinue the use of remote drop sites. Also, on or near July 8, 2013, all Sysco Marketing Associates and [REDACTED] Sales [REDACTED] were prohibited from delivering products to Sysco customers in their personal vehicles (Attachment 2).

Furthermore, Sysco Corporation continues to develop a comprehensive Food Safety Manual which is designed to address food safety training deficiencies. Also, the Food Safety Manual will potentially address the lack of knowledge of and adherence to Sysco Corporate policies by the California Broadline companies.

At the time of this report, the Sysco Corporation did not provide the complete data set requested by FDB regarding the food products delivered to remote drop sites. The outstanding records were distribution records for the time period 07/01/2009 through 08/24-26/2009 for the remote drops sites located in American Canyon, Brentwood, Fort Bragg, Fresno, Lakeport, San Jose and Ukiah.

**Attachments:**

Attachment 1 – Sysco Corporate policy [REDACTED]  
Attachment 2 – Sysco Corporate policy [REDACTED]  
Attachment 3 – Applicable California Health and Safety Codes and Code of Federal Regulations  
Attachment 4 – Remote drop site leases and invoices  
Attachment 5 – Sysco San Francisco letter granting FDB permission to enter remote drop sites  
Attachment 6 – Email to [REDACTED] Sysco Riverside  
Attachment 7 – Email from [REDACTED] Sysco San Diego  
Attachment 8 – Email to [REDACTED] Sysco Ventura  
Attachment 9 – Sysco San Francisco policy [REDACTED]  
Attachment 10 – Sysco Corporate policy [REDACTED]  
Attachment 11 – Sysco Corporate policy [REDACTED]  
Attachment 12 – Sysco Corporate policy [REDACTED]  
Attachment 13 – Sysco San Francisco policy [REDACTED]  
Attachment 14 – Email from [REDACTED] Sysco San Francisco  
Attachment 15 – American Canyon inspection report and photos  
Attachment 16 – American Canyon temperature chart  
Attachment 17 – Brentwood inspection report and photos  
Attachment 18 – Brentwood temperature chart  
Attachment 19 – Concord inspection report and photos  
Attachment 20 – Concord temperature chart  
Attachment 21 – Fort Bragg inspection report and photos  
Attachment 22 – Fort Bragg inspection report and photos  
Attachment 23 – Gilroy inspection report and photos  
Attachment 24 – Gilroy temperature chart  
Attachment 25 – Greenbrae inspection report and photos  
Attachment 26 – Greenbrae temperature chart  
Attachment 27 – Lakeport inspection report and photos  
Attachment 28 – Lakeport temperature chart  
Attachment 29 – Monterey inspection report and photos  
Attachment 30 – Monterey temperature chart  
Attachment 31 – San Francisco inspection report and photos  
Attachment 32 – San Francisco temperature chart  
Attachment 33 – San Jose inspection report and photos  
Attachment 34 – San Jose temperature chart  
Attachment 35 – San Mateo inspection report and photos  
Attachment 36 – San Mateo temperature chart  
Attachment 37 – Santa Rosa inspection report and photos  
Attachment 38 – Santa Rosa temperature chart  
Attachment 39 – Scotts Valley inspection report and photos  
Attachment 40 – Scotts Valley temperature chart  
Attachment 41 – Ukiah inspection report and photos  
Attachment 42 – Ukiah temperature chart  
Attachment 43 – Fresno inspection report and photos  
Attachment 44 – Fresno temperature chart  
Attachment 45 – Stockton inspection report and photos  
Attachment 46 – Stockton temperature chart  
Attachment 47 – Visalia inspection report and photos  
Attachment 48 – Visalia temperature chart  
Attachment 49 – Letter from James Meeder dated 12/11/2013  
Attachment 50 – Cathedral City temperature chart  
Attachment 51 – Hemet temperature chart  
Attachment 52 – Mount Shasta inspection report and photos  
Attachment 53 – Mount Shasta temperature chart  
Attachment 54 – Truckee inspection report and photos  
Attachment 55 – Truckee temperature chart  
Attachment 56 – Chico inspection report and photos  
Attachment 57 – Chico temperature chart  
Attachment 59 – Eureka inspection report and photos

**Attachments (continued):**

- Attachment 60 – Anderson inspection report and photos
- Attachment 61 – Anderson temperature chart
- Attachment 62 – Imperial inspection report and photos
- Attachment 63 – Imperial temperature chart
- Attachment 64 – Letter from James Meeder dated 09/12/2013

**Witnesses:**

The following persons witnessed interviews conducted with Sysco management and employees by CDPH EDB Investigators, with the exception of interviews conducted with [REDACTED]

- Mark Hattam Esq. - Allen Matkins Leck Gamble Mallory & Natsis LLP
- James Meeder Esq. - Allen Matkins Leck Gamble Mallory & Natsis LLP
- Eileen Notolli Esq. - Allen Matkins Leck Gamble Mallory & Natsis LLP

INVESTIGATOR SIGNATURE: <i>Karen R. [Signature]</i>	INV.# 191	REPORT DATE 01/08/2013
SUPERVISOR SIGNATURE: <i>Michael D. Needham [Signature]</i>	#094	DATE REVIEWED 2/13/2014
SUPERVISOR DISPOSITION:  <i>Corrective actions initiated by firm Refer to district attorney's office in Santa Clara County</i>		

*[Signature]*  
#094