



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration
Minneapolis District Office
Central Region
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Minneapolis, MN 55401
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December 20, 2011

Via HAND-DELIVERY and CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Eric C. Haertle
President
H&P Industries, Inc.
700 West North Shore Drive
Hartland, Wisconsin 53029

Re: United States of America v. 169/50kg drums. . . et. al., (E. D. Wis.), Civil No. 2:11-cv-00319-AEG

Dear Mr. Haertle:

On December 14, 2011, pursuant to paragraph 8 of the Consent Decree of Condemnation, Forfeiture, and Permanent Injunction entered in the Eastern District of Wisconsin on June 13, 2011 (the "Decree"), FDA issued a letter to you approving your third revised reconditioning plan submitted November 23, 2011, as clarified and amended in your letter dated December 2, 2011.

Pursuant to paragraph 9 of the Decree, FDA notified the United States Marshals Service of FDA approval of your third revised reconditioning plan. The United States Marshals Service released the condemned articles from his custody for the sole purpose of your attempt to bring the condemned articles into compliance with the law in accordance with the approved, third revised reconditioning plan, as clarified and amended in your letter dated December 2, 2011.

Pursuant to paragraph 10 of the Decree, this letter, upon receipt from Investigator Sandra A. Hughes of the FDA, releases the condemned articles to you for purposes of reconditioning and destruction as outlined in the approved, third revised reconditioning plan, as amended in your December 2, 2011, submission.

If you have questions about this letter, please respond to Dr. Brian D. Garthwaite, Compliance Officer, at (612) 758-7132.

Sincerely,

Elizabeth A. Waltrip
Acting Director
Minneapolis District

BDG/ccl

xc:

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