

As noted in the above table, 16 seizures, or 18 percent, removed 10 percent or less of the products identified for seizure.

The slowness of seizures and the lack of detention authority can pose a serious health problem to the public. Some examples follow.

Example E--A firm stored fifty-one 100-pound bags of flour under insanitary conditions, and the flour became contaminated with filth. An FDA inspection at the firm showed that rodents had gnawed into the bags and that rodent urine and excreta pellets were on the bags. The firm agreed to voluntarily hold the 51 bags, pending FDA's analysis and completion of the seizure action. The seizure action took 47 days. Because FDA could not detain the flour during this period, only 21 bags, or 41 percent, were still available for seizure at the time action was taken. The other bags were apparently sold, contrary to the firm's agreement.

Example F--FDA attempted to seize 3,960 capsules of a drug which contained thyroid, because the firm marketed this drug without obtaining FDA's approval of a new drug application. The approval is required by FDA to insure that all new drugs have been properly tested for safety and effectiveness. Also an FDA study showed that thyroid products were ineffective in the treatment of obesity--their intended use. The study of products containing thyroid and thyroid combinations was conducted because of numerous injuries and deaths attributable to their use. The seizure action took 30 days, and, because FDA did not have authority to detain products, all the capsules were sold before they could be seized.

Example G--A food firm manufactured and packaged noodles under insanitary conditions. FDA's inspections revealed that the noodles were being processed in an insect- and rodent-infested plant. Insect parts and rodent hairs contaminated the noodles. FDA attempted to seize 5,436 packages of noodles, but the seizure action took 33 days and only 684 packages were actually seized. According to FDA officials the remaining 4,752 packages were apparently sold to the public.