



DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration

Chicago District
550 West Jackson Blvd., 15th Floor
Chicago, Illinois 60661
Telephone: 312-353-5863

May 20, 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Jeanette A. Toledo
President
Del Rey Tortilleria, Inc.
5201 West Grand Avenue
Chicago, Illinois 60639

Re: United States v. Del Rey Tortilleria, Inc., Jeanette A. Toledo, Marcellina M. Toledo, and Dorothy L. De La Torre, No. 09 C 1415 (N.D. Ill.)

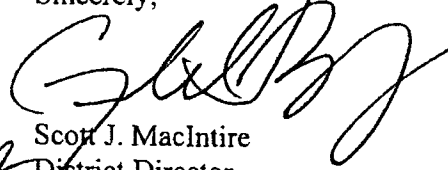
Dear Ms. Toledo:

On April 24, 2009, the United States Food and Drug Administration ("FDA") conducted an inspection at Del Rey Tortilleria, Inc. ("Del Rey") located at 5201 West Grand Avenue, Chicago, IL 60639. The inspection was conducted to determine your compliance with the requirements set forth in paragraph 5 of the consent decree entered in this case, Title 21 C.F.R. Part 110, and the Federal Food, Drug and Cosmetic Act ("Act").

Based on the inspection, and FDA's review of your sanitation control program, food processing quality control program, and expert certifications submitted under the terms of the consent decree, FDA hereby notifies you, pursuant to paragraph 5(f) of the decree, that Del Rey appears to be in compliance with the requirements set forth in paragraph 5 of the consent decree, 21 C.F.R. Part 110, and the Act. This notification confirms that Del Rey is authorized to resume receiving, manufacturing, preparing, packing, labeling, and distributing soft-shell flour tortillas.

We remind you that FDA will continue to monitor and evaluate your compliance with the terms of the consent decree, 21 C.F.R. Part 110, and the Act. If at any time FDA determines that you have failed to comply with provisions of the consent decree, or violated 21 C.F.R. Part 110 or the Act, FDA may require you to take steps to achieve compliance, including requiring that you cease manufacturing operations until you have received notification from FDA permitting you to resume operations.

Sincerely,

A handwritten signature in black ink, appearing to read "SJM", written over the printed name.

for
Scott J. MacIntire
District Director

cc: Mr. Robert Orman, Attorney
1 North LaSalle Street
Suite 1775
Chicago, Illinois 60602
Donald R. Lorenzen
Assistant U.S. Attorney
219 South Dearborn, 5th Floor
Chicago, Illinois 60604