



## U. S. Department of Justice

United States Attorney  
Northern District of Illinois

---

Patrick J. Fitzgerald  
United States Attorney

Federal Building  
219 South Dearborn Street, Fifth Floor  
Chicago, Illinois 60604  
(312) 353-5300

FOR IMMEDIATE RELEASE  
THURSDAY JUNE 19, 2008  
[www.usdoj.gov/usao/iln](http://www.usdoj.gov/usao/iln)

PRESS CONTACTS:  
AUSA Donald Lorenzen (312) 353-5330  
AUSA/PIO Randall Samborn (312)353-5318

### **U.S. SEIZES ANIMAL FOOD AT PETCO WAREHOUSE IN JOLIET AFTER ALLEGING RODENT AND BIRD INFESTATION**

CHICAGO – United States Marshals, acting on behalf of the Food and Drug Administration, today seized various animal food products stored under allegedly unsanitary conditions, including widespread and active rodent and bird infestation, at a PETCO Animal Supplies, Inc., distribution center in Joliet. The action was taken after the United States filed a civil lawsuit yesterday and obtained a warrant from a federal judge to seize the products at the warehouse operated by the San Diego-based animal food and supply company, announced Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois. The suit alleges that all the food held in the facility, except that found in glass or metal containers, is subject to seizure and condemnation because it was stored under allegedly unsanitary conditions at the warehouse.

The PETCO Animal Supplies Distribution Center, located at 3801 Rock Creek Blvd., in Joliet, stores pet food products and supplies for PETCO retail stores in 16 states, including Illinois, Alabama, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, Texas and Wisconsin.

According to the complaint, the FDA inspected the warehouse in April 2008, and found live and dead rodents and birds on or around the containers of pet food, as well as rodent excreta pellets and bird droppings throughout the facility. Inspectors allegedly found holes and gaps in the

warehouse allowing entry for the birds and rodents, and they observed debris outside the building that can harbor rodents.

FDA investigators informed PETCO management in late April of their findings, but a follow-up inspection last month confirmed continuing, widespread rodent and bird infestation, according to the complaint. Investigators at the May inspection continued to see live and dead rodents and birds on or around the food containers, some of which had been gnawed and defiled by excrement, the lawsuit alleges.

The Federal Food, Drug and Cosmetic Act permits the seizure and condemnation of food, including food for animals, shipped in interstate commerce that has been “adulterated,” or held for sale under unsanitary conditions where it might have been contaminated with filth.

Mr. Fitzgerald and other officials emphasized that there are no known immediate public health risks posed by the seized pet food and that no incidents of human or animal illness have been traced to products stored at the warehouse.

The government is being represented by Assistant U.S. Attorney Donald Lorenzen. In a civil case, the government has the burden of proving its case by a preponderance of the evidence.

###