



2/10/98  
D1446B

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Food and Drug Administration  
7200 Lake Ellenor Drive  
Orlando, FL 32809

Ref: Customs Entry No. EF3-0004498-1  
Product: Blackberries and Raspberries

**WARNING LETTER**

FLA-98-27

February 3, 1998

Mr. Edward Mievogel  
President, Transworld Forwarding, Inc.  
2984 N.W. 79th Avenue  
Miami, Florida 33122

Dear Mr. Mievogel:

The Food and Drug Administration (FDA) attempted to examine a shipment of blackberries and raspberries offered for entry into the United States by your firm on December 10, 1997, under the above referenced entry number, and found that the shipment was not available. Regulation Title 21, Code of Federal Regulations (CFR), Part 1.90, requires the importer to hold an entry intact pending receipt of a "May Proceed Notice" or "Release Notice" from FDA. We have requested the U. S. Customs Service (Customs) to order redelivery of this shipment (copy enclosed).

Failure to promptly correct this violation and prevent future violations may result in regulatory action without further notice such as seizure, injunction, or automatic detention of future shipments. It is your responsibility, as the importer, to ensure that imported products meet all requirements of the Federal Food, Drug, and Cosmetic Act and the regulations promulgated thereunder.

We request a response in writing within fifteen (15) working days of receipt of this letter of the specific steps you have taken to correct the violation, including an explanation of each step being taken to prevent the recurrence of the violation. In addition, you should inform Customs and FDA if and when redelivery is accomplished.

Mr. Edward Mievogel  
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Your written reply should be addressed to the Food and Drug Administration, Attention: Paul R. Bagdikian, Compliance Officer, P. O. Box 59-2256, Miami, Florida 33159-2256.

Sincerely,

A handwritten signature in black ink that reads "Douglas D. Tolen". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Douglas D. Tolen  
Director, Florida District

Enclosure