



DEPARTMENT OF HEALTH & HUMAN SERVICES

g1627d

San Francisco District
1431 Harbor Bay Parkway
Alameda, CA 94502-7070
Telephone: 510/337-6700

VIA FEDERAL EXPRESS

August 14, 2001

Our Reference: 2937298

Peng Tiao, Owner
Tiao Peng Trading Company
1021 - 45th Avenue
Oakland, California 94601

WARNING LETTER

Dear Mr. Tiao:

On June 29, 2001, our inspection of a shipment of Fish Snack imported into the United States by your firm on June 7, 2001 under entry number GN9-0000469-0/010/001 revealed the actual product to be Fish Maw. As a Customs self-filer, your firm electronically transmitted data for this product as Shrimp/Prawn Crackers with an importer description of Fish Snack.

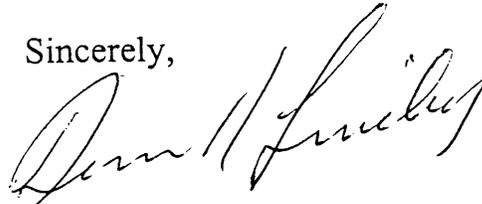
Such misrepresentation at the time of entry appears to be an attempt to circumvent our Detention Without Physical Examination action against Fish Maw as covered by Import Alert 16-02 (copy enclosed), and is a violation of the Federal Food, Drug, and Cosmetic Act, (21 U.S.C. 301, *et seq.*) and may violate other provisions of the law such as 19 U. S. C. 1592 and 18 U. S. C. 542. Results of the analysis of the product by [REDACTED] a private laboratory hired by your firm, revealed that the product is violative in that the sample contained various filth elements from insects, rodents, and other animals.

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

Within fifteen (15) working days of receipt of this letter, notify this office in writing 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.

Please send your reply to the Food and Drug Administration, Attention: Erlinda N. Figueroa, Compliance Officer, 1431 Harbor Bay Parkway, Alameda, California 94502-7070. If you have questions regarding any issue in this letter, please contact Ms. Figueroa at (510) 337-6795.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dennis K. Linsley".

Dennis K. Linsley
Director
San Francisco District

Enclosure

cc: Danai Kietikul, Manager