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**VIA FEDERAL EXPRESS**

**Food and Drug Administration  
555 Winderley Pl., Ste. 200  
Maitland, FL 32751**

Ref: Customs Entry No. EJ7-0026659-9/001/001  
Product: Fresh Crab Meat

**WARNING LETTER**

**FLA-02-39**

May 8, 2002

Mr. Jose Rincon, President  
Lamar Seafood Corporation  
10545 NW 29<sup>th</sup> Terrace  
Miami, Florida 33172

Dear Mr. Rincon:

The Food and Drug Administration (FDA), on April 2, 2002, attempted to examine a shipment of fresh crab meat in accordance with our Notice of FDA Action, dated April 1, 2002. The shipment was offered for import (imported) into the United States by your firm on April 1, 2002, under the above referenced entry number.

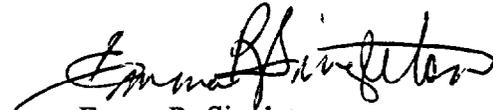
On April 2, 2002, the FDA investigators noted that the shipment was partially unavailable for FDA examination. The product had been partially distributed prior to the FDA examination. Since you voluntarily decided to redeliver the missing portion of the shipment, FDA conducted a second examination of the lot. As per your request, on April 10, 2002, the FDA investigators visited your firm to conduct an examination of the lot, including the amount of product redelivered by you. FDA examination revealed that you were not successful in redelivering 52 cases of the crabmeat under this entry. This is in violation of Title 21, Code of Federal Regulations, Section 1.90, which requires the importer to hold an entry intact pending receipt of a "May Proceed Notice" or "Notice of Release" from FDA. We have requested the U. S. Customs Service (Customs) to order redelivery of 52 cases (1,040 lbs.) of fresh crab meat referenced above.

Failure to promptly correct this situation and prevent future premature distribution of imported product may result in requiring that future shipments be held in secured storage. Secured storage will be under the supervision and direction of U.S. Customs Service, such as in a bonded warehouse. You will be responsible for all costs incurred in secured storage.

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

Your written reply should be addressed to the Food and Drug Administration, Attention: Carlos W. Hernandez, Compliance Officer, P.O. Box 59-2256, Miami, Florida 33159-2256.

Sincerely,

A handwritten signature in black ink, appearing to read "Emma R. Singleton". The signature is fluid and cursive, with a large initial "E" and "S".

Emma R. Singleton  
Director, Florida District

cc: Thomas Winkowski  
Port Director  
U. S. Customs Service  
P. O. Box 02-580  
Miami, Florida 33102-5280

Transcargo Broker  
2335A N.W. 72<sup>nd</sup> Avenue  
Miami, Florida 33122