



**DEPARTMENT OF HEALTH & HUMAN SERVICES**

Public Health Service

Central Region

M2504N

Telephone (973)

526-6010

Food and Drug Administration  
Waterview Corporate Center  
10 Waterview Blvd., 3rd Floor  
Parsippany, NJ 07054

April 5, 1999

**WARNING LETTER**

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
Mr. Antonio Seabra, President  
Triunfo Import Export Corporation  
35-37 Liberty Street  
Newark, NJ 07102

**FILE NO.: 99-NWJ-19**

Dear Mr. Seabra:

During an inspection of your firm conducted on March 5, 1999, an FDA investigator collected a sample of Garoto Chocolate Eggs, 5.29-oz, code #1871. This chocolate egg product contained a plastic toy inside, approximately one-inch in size. The inspection revealed that your firm imports this product from Brazil and distributes it in the United States.

Our analysis of this product revealed that it is in violation of Section 402(d)(1) of the Federal Food, Drug, and Cosmetic Act. This product is adulterated, in that it has a non-nutritive object (small plastic toy) imbedded in it. Federal law prohibits the sale of confectioneries with non-nutritive objects partially or completely imbedded inside. These laws are designed in part to ensure a safe food supply and to prevent children from confusing toys with candy. Without these laws drawing the distinction between toys and candy, children could expose themselves to choking hazards.

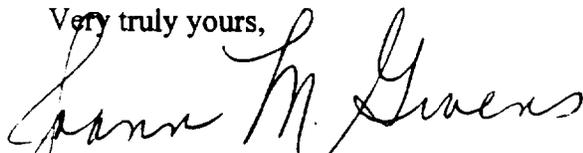
You should take prompt action to correct this violation. Failure to promptly correct this violation may result in regulatory action with further notice, such as seizure of your products.

We request that you reply in writing within 15 working days of receipt of this letter, of the specific steps you have taken to correct the noted violation, prevent occurrence in the future and how you plan to handle the product that has been distributed and remains on the market.

Triunfo Import Export Corp  
Warning Letter

Your reply should be directed to the Food and Drug Administration, New Jersey District Office, 10 Waterview Blvd., 3<sup>rd</sup> Floor, Parsippany, NJ 07054, Attention: Paul L. Bellamy, Acting Compliance Officer.

Very truly yours,



DOUGLAS I. ELLSWORTH  
District Director  
New Jersey District