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VIA FEDERAL EXPRESS

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

Ref: Entry No. 032-0257852-6  
Canned Fruit Salad

WARNING LETTER

FLA-99-87

September 1, 1999

Mr. Dennis Kovler  
Traffic Manager  
Mitsui Foods, Inc.  
35 Maple St.  
Norwood, New Jersey 07648-2092

Dear Mr. Kovler:

The Food and Drug Administration (FDA) attempted to examine a shipment of canned fruit salad offered for entry into the United States by your firm on August 6, 1999, under the above referenced entry number, and found that the entire shipment was not held intact for FDA examination. A FDA inspector visited your firm on August 17, 1999, and verified that 214 cartons out of the original [REDACTED] cartons had been distributed without a FDA release. Regulations 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. Since the product was not held intact, we have requested the U. S. Customs Service (Customs) to order redelivery of the canned fruit salad which has been distributed without a release from FDA (copy enclosed).

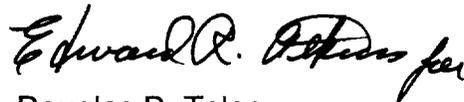
Failure to promptly correct this violation and prevent future violations may result in regulatory action without further notice such as seizure, injunction, or automatic detention of future shipments. It is your responsibility, as the importer, to ensure that imported products meet all requirements of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

Mr. Dennis Kovler  
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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.

Your written reply should be addressed to the Food and Drug Administration, Attention: Timothy J. Couzins, Compliance Officer, Food and Drug Administration, 555 Winderley Place, Ste. 200, Maitland, Florida 32751.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas D. Tolen".

Douglas D. Tolen  
Director, Florida District

cc: U. S. Customs Service  
1624 E. 7<sup>th</sup> Avenue, Ste. 101  
Tampa, Florida 33605

Peter Alberdi, President  
A. J. Arango, Inc.  
1516 E. Eighth Avenue  
Tampa, Florida 33605