



DEPARTMENT OF HEALTH & HUMAN SERVICES

**Public Health Service
Food and Drug Administration**

m3064n

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

Via Federal Express

Warning Letter

September 13, 1999

Our Reference: 2954537

Timor Shah Ayubza
T. A. Dry Fruit and Nuts
30982 Huntwood Ave. #206
Hayward, CA 94537

Dear Mr. Ayubza:

On September 1, 1999, the Food & Drug Administration attempted to sample products from a shipment of Dried Raisins and Dried Apricots imported into the United States by your firm on July 27, 1999 under entry number XXX-0021686-2 (original entry number AB8-0053009-4). We found that [REDACTED] cases of raisins and [REDACTED] cases of apricots had been sold. This is a violation of the Code of Federal Regulations, Title 21, Section 1.90, which requires the importer to hold an entry intact pending receipt of a "May Proceed" or "Release Notice" from the FDA. We are hereby requesting U. S. 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 detention without physical examination 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.

Within 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. In addition, you should inform Customs and FDA if and when redelivery is accomplished.

Your written reply should be addressed to: U.S. Food and Drug Administration,
Attention: Mr. Michael Wong, 1431 Harbor Bay Parkway, Alameda, CA 94502-7070.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patricia C. Ziobro', written in a cursive style.

Patricia C. Ziobro
Director, San Francisco District

Enclosure

cc: Vantage Point Services
P.O. Box 2213
South San Francisco, CA 94083