

**VIA FEDERAL EXPRESS**Food and Drug Administration
555 Winderley Pl., Ste. 200
Maitland, FL 32751Ref: Customs Entry No. 032-0261457-8
Hearts of Palm**WARNING LETTER****FLA-00-16**

December 16, 1999

Mr. Rick Long
President, Gourmet Award Foods SE
4006 Airport Rd.
Plant City, Florida 33567-1124

Dear Mr. Long:

The Food and Drug Administration (FDA) attempted to examine a shipment of hearts of palm (2672 cartons of whole heart of palm and 600 cartons of hearts of palm) offered for entry into the United States by your firm on November 3, 1999, under the above referenced entry number, and found that the entire shipment was not available for FDA examination. Title 21, Code of Federal Regulations (21 CFR), Section 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 hearts of palm 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 the requirements of the Federal Food, Drug, and Cosmetic Act and the regulations promulgated thereunder.

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. Your response should include an explanation of each step being taken to prevent the recurrence of the violation. In the event that the product is still available for examination, you should inform Customs and FDA if and when redelivery is accomplished.

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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,



Douglas D. Tolen
Director, Florida District

Enclosure

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

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