



**DEPARTMENT OF HEALTH & HUMAN SERVICES**

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New York District

Food & Drug Administration  
300 Pearl Street, Suite 100  
Buffalo, NY 14202

April 6, 2000

**WARNING LETTER NYK 2000-58**

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

William Lynch  
Chairman and Chief Operating Officer  
Eagle Family Food, Inc.  
2120 White Plains Road  
Tarrytown, New York 10591

Dear Mr. Lynch:

Food and Drug Administration Investigator David M. McNew conducted an inspection of your food manufacturing facility located at 61 Swift Street, Waterloo, New York on November 18, 1999. During the inspection, Investigator McNew collected samples of REALEMON and REALIME and copies of product labeling.

FDA's Center for Food Safety and Applied Nutrition reviewed the labels for REALEMON and REALIME which were collected and has determined that they are in violation of the Federal, Food, Drug, and Cosmetic Act (the Act) and Title 21, Code of Federal Regulations, Part 101 - Food Labeling (21 CFR 101).

The products are misbranded within the meaning of Section 403(i)(2) of the Act in that they are foods that contain juice but their labels fail to bear a statement on the information panel of the total percentage of juice contained in the food (21 CFR 101.30(a)).

The violation cited above is not intended to be an all-inclusive list of deficiencies on your labels. Other label violations may exist that can subject the food to legal action. You should conduct a complete review of all of your product labels to ensure that all of your products are labeled in compliance with the Act and the regulations promulgated thereunder.

You should take prompt action to correct this violation. Failure to correct this violation may result in regulatory action without further notice. Possible regulatory actions include seizure and/or injunction.

You should notify this office in writing within fifteen (15) working days of receipt of this letter of the specific steps you have taken to correct the noted violations, including an explanation of each step being taken to prevent the recurrence of similar violations. If corrective action cannot be completed within 15 working days, state the reason for the delay and the time within which corrections will be completed.

Eagle Family Foods, Inc.  
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Your response may be directed to Lisa M. Utz, Compliance Officer, at the above address. Ms. Utz can be reached by telephone at (716) 551-4461 extension 3165.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brenda J. Holman".

Brenda J. Holman  
District Director