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One Montvale Avenue
Stoneham, Massachusetts 02180
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FAX: (781) 279-1742

WARNING LETTER

NWE-11-01W

VIA FEDERAL EXPRESS

January 31, 2001

Robert Giordano
Managing Partner
B & M Fish Co., LLC
312 Northern Avenue
Boston, MA 02210

Dear Mr. Giordano:

We inspected your firm, located at 312 Northern Avenue, Boston, MA on January 4 and 8, 2001, and found that you have a serious deviation from the Seafood HACCP regulations (21 CFR Part 123). This deviation, which was previously brought to your attention, cause your seafood products to be in violation of section 402(a)(4) of the Federal Food, Drug, and Cosmetic Act (the Act). You can find this Act and the seafood HACCP regulations through links in FDA's home page at www.fda.gov.

The deviation was as follows:

- You must implement the recordkeeping system listed in your HACCP plan, to comply with 21 CFR 123.6(b). For example, on at least 6 occasions, your firm did not record temperatures of fresh tuna upon receipt to control the hazard of histamine as required by your HACCP plan.

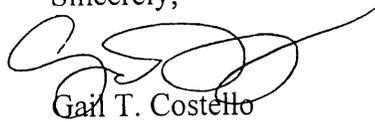
We may take further action if you do not promptly correct this above violation. For instance, we may take further action to seize your product(s) and/or enjoin your firm from operating.

Please respond in writing within fifteen (15) days from your receipt of this letter. Your response should outline the specific things you are doing to correct these deviations. If you cannot complete all corrections before you respond, we expect that you will explain the reason for your delay and state when you will correct any remaining deviations.

This letter may not list all the deviations at your facility. You are responsible for ensuring that your processing plant operates in compliance with the Act, the Seafood HACCP regulations and the Good Manufacturing Practice regulations (21 CFR Part 110). You also have a responsibility to use procedures to prevent further violations of the Act and all applicable regulations.

You may direct your reply to Karen N. Archdeacon, Compliance Officer, at the address noted above. If you have any questions concerning this matter, please contact Ms. Archdeacon at (781) 279-1675, Extension 1708.

Sincerely,

A handwritten signature in black ink, appearing to read "Gail T. Costello", with a long, sweeping horizontal line extending to the right.

Gail T. Costello
District Director
New England District Office