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Food and Drug Administration
7200 Lake Ellenor Drive
Orlando, FL 32809

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Ref: FDA Sample No. 3109306
Customs Entry No. 826-0053251-7
Product: Fresh Swordfish

WARNING LETTER

FLA-97-36

April 4, 1997

Mr. Pablo Lizana
Manager, Banff, Inc.
3601 N.E. 207 Street
Miami, Florida 33180

Dear Mr. Lizana:

The Food and Drug Administration (FDA) attempted to examine a shipment of fresh swordfish offered for entry into the United States by your firm on February 17, 1997, under the above referenced entry number, and found that the shipment was not held intact for FDA examination. Regulation, 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. We have requested the U. S. Customs Service (Customs) to order redelivery of this shipment (copy enclosed).

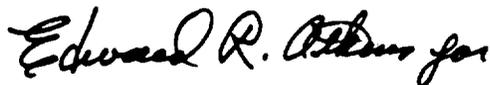
Failure to promptly correct this violation and prevent future violations may result in regulatory action without further notice such as seizure, injunction, or automatic detention of future shipments. It is your responsibility, as the importer, to ensure that imported products meet all requirements of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

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.

Mr. Pablo Lizana
Page 2
April 4, 1997

Your written reply should be directed to the Food and Drug Administration, Attention: Paul R. Bagdikian, Compliance Officer, P. O. Box 59-2256, Miami, Florida 33159-2256.

Sincerely,



Douglas D. Tolen
Director, Florida District

Enclosure

cc: America's Custom Brokers, Inc.
2050 N.W. 70th Avenue
Miami, Florida 33122