DEPARTMENT OF HEALTH AND HUMAN SERVICES Public Health Service

Food and Drug Administration
College Park, MD 20740

October 4, 2012

Mr. Zhu Jun Wen, Manager
Foshan Shi Nanhai Yu Feng Heng Le Tu Chan Process Factory
Jiaqyu Road Xiaxi Industry,
Jiujiang Town, Nanhai District
Foshan City, China
528203 Guangdong Province

Re: 362838

Dear Mr. Wen:

The Food and Drug Administration (FDA) conducted an inspection of your facility at Foshan Shi Nanhai Yu Feng Heng Le Tu Chan Process Factory, located at Jiaqyu Road Xiaxi Industry, Jiujiang Town, Nanhai District, Foshan City, China, 528203 Guangdong Province, from May 10th to 11th, 2012. The inspection was conducted to determine compliance with the Federal Food, Drug, and Cosmetic Act (the Act). During the inspection, FDA collected labels for your almond product. Based on our review, we have concluded that this product is misbranded within the meaning of section 403 of the Federal Food, Drug, and Cosmetic Act (the Act) [21 U.S.C. § 343], and the applicable regulations in Title 21, Code of Federal Regulations, Part 101 (21 CFR 101). You can find copies of the Act and FDA regulations through links in FDA's home page at http://www.fda.gov.

Our review identified the following significant issues with your labeling:

- Your product is misbranded within the meaning of section 403(i)(1) of the Act [21 U.S.C. § 343(i)(1)] because the label does not bear the common or usual name of the food. Our inspectors confirmed that the product being manufactured was almonds. However, the product package labeling lists "Blanched Apricot Kernels" as the common or usual name of the product, both at the top of the product label and after the heading "Product Name." Misidentification of the product is especially a concern for consumers who may be allergic to almonds.

- The product label fails to bear an accurate statement of the net quantity of contents in terms of weight designated in both U.S. Customary and metric terms in accordance with 21 CFR 101.105.

You should respond in writing within 30 working days from your receipt of this letter. Your response should outline the specific things you are doing to further correct these violations. You should include in your response documentation that would assist us in evaluating your corrections. If you cannot complete all corrections within 30 days, you should explain the reason for your delay and state when you will correct any remaining violations.

This letter may not list all the violations at your facility. You are responsible for ensuring that your firm operates in compliance with the Act and other applicable regulations. You also have a responsibility to use procedures to prevent further violations of the Federal Food, Drug, and Cosmetic Act and all applicable regulations.

Please send your reply to the U. S. Food and Drug Administration, Attention: Lara Snyder, Consumer Safety Officer, Office of Compliance, Division of Enforcement, Labeling and Dietary Supplement Compliance Team (HFS-608), 5100 Paint Branch Parkway, College Park, MD 20740 U.S.A. If you have any questions regarding any issue in this letter, you may contact Ms. Snyder at (240) 402-1626 or via email at Lara.Snyder@fda.hhs.gov.

Sincerely,

/s/

Jennifer A. Thomas
Director
Division of Enforcement
Office of Compliance
Center for Food Safety
and Applied Nutrition