



Steve Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Food and Drug Protection Division

Joseph W. Reardon
Director

August 25, 2008

Mr. Krupa Patel, Owner
Coward's Red and White
Post Office Box 187
Trenton, North Carolina 28585

Dear Mr. Patel:

A reinspection of your retail grocery store was conducted on July 28, 2008 by Food Regulatory Specialist Laura Cain of this Department. This inspection revealed the presence of objectionable and insanitary food processing and storage conditions. We specifically direct to your attention the following observations.

1. Forty (40) cans of Lipil Enfamil Hypoallergenic Infant Formula 13 fl oz were observed bearing a sell by date of 1 Jul 08.
2. Ten (10) cans of Enfamil Lacto Free Lipil Ready To Use Infant Formula 1 Qt were observed bearing a sell by date of 1 June 08.

The preceding products were placed under State embargo FDC No. 0015981 pursuant to the North Carolina Food, Drug, and Cosmetic Act due to their being offered for sale after the "Use By" date appearing on the product label.

2. More than ten (10+) live suspect fruit flies were noted in the retail onion display.
3. Over ten (10+) suspect house-type flies were observed in the bottom of the retail coffin freezer.
4. The stand up frozen meat retail case was observed with products inside soft around the edges.
5. More than twenty-five (25+) ceiling tiles above the coffin freezer observed with a heavy amount of black mold-like substance adhered.
6. Trash can adjacent to the walk-in meat cooler in stock room holding soiled towels and meat aprons noted without cover.
7. Protective light shields noted missing in the following areas: seven (7) above retail produce cases; two (2) above produce prep area; one (1) walk-in produce cooler; one (1) walk-in freezer- two (2) bags of frozen food noted stored open.

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8. Approximately ¼ inch of standing water noted in front of mop pit in the stock room.

9. Grass on the exterior at rear of building noted high.

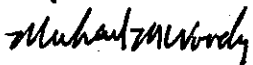
The sale of outdated infant formula as documented by Ms. Cain constitutes a violation of the following sections of the North Carolina Food, Drug, and Cosmetic Act and the North Carolina Administrative Code:

- Section §106-130(8) of the North Carolina Food, Drug and Cosmetic Act states: **"A food shall be deemed to be misbranded if it purports to be or is represented as a food for which a standard of quality has been prescribed by regulations as provided by G.S. 106-128.**
- Section 09N .0101 of the North Carolina Administrative Code states: **"Infant formula shall not be sold, held for sale or offered for sale after the "use by" date appearing on the label.**

A previous inspection conducted by Ms. Cain on June 18, 2008 revealed evidence of out of date infant formula, insect and rodent activity, and inadequate attention to facility maintenance creating a potential for pest attraction and/or harborage.

We have directed this matter to your attention as Owner of Coward's Red and White in order that you might take immediate steps to correct the above-mentioned conditions and assure a continual safe and sanitary operation. Your written response outlining the actions you are taking will be anticipated by this office within fifteen (15) days of receiving this letter.

Sincerely,



Michael M. Woody
Food Compliance Officer

cc: Laura Cain – Food Regulatory Specialist