



Steve Troxler  
Commissioner

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

Joseph W. Reardon  
Director

August 13, 2008

Ms. Mary Sammons, President/CEO  
Rite Aid  
P.O. Box 3165  
Harrisburg, PA 17105

Dear Ms. Sammons:

A re-inspection of your retail store, Rite Aid # 11400, located at 1910 Falls Valley Road, Raleigh, NC 27515, was conducted on June 4, 2008 by Food Regulatory Specialist Janna Spruill of this Department. This re-inspection revealed the continued presence of objectionable and insanitary food storage conditions. We specifically direct to your attention the following observations and FDC 0014161-0014162:

1. Approximately twenty seven (27) packages of candy products were observed with Indian Meal Moths larvae casings and webbing contamination on the exterior surfaces of the product packaging. Products effected included Riesen, Jolly Ranchers, Tootsie Rolls, Blow Pop, Dum Dum Pops, and Sour Patch Kids.

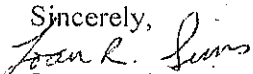
The above referenced items with an estimated value of sixty five dollars (\$65.00) were placed under State Embargo FDC 0018406 and were voluntarily removed from sale and disposed of by management during inspection.

2. More than forty (40+) moth casings and webbing were observed on the shelving inside the plastic shelf spacers/compartments and inside the peg holes of the pegboard walls of retail aisles 2,3, and 19 as well as the endcaps between aisles 2 and 3.
3. More than seventy (70) moth casings and webbing were observed on approximately twenty seven (27) packages of candy products.

Our records indicate that similar conditions were documented during previous inspections of February 18, 2008 and March 19, 2008. These inspections were conducted in response to a consumer complaint of insects in candy products.

We have directed this matter to your attention as the President/CEO of Rite Aid in order that you take immediate steps to address these issues and make the necessary corrections. Your written response outlining the actions you are taking to correct the above referenced conditions will be anticipated by this office within fifteen (15) days of receiving this letter.

Sincerely,

  
Joan R. Sims

Food Compliance Officer

cc: Jan Jenkins, Store Manager  
Janna Spruill, Food Regulatory Specialist



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FDC NO: 0014161 Raleigh, N.C. June 26, 2008

An OFFICIAL SAMPLE, represented or sold as Riesen Chocolate and Caramel Chews obtained by

Janna Spruill an officer of this Department on June 4, 2008

Labeled: 10 oz. package of Riesen Chocolate and Caramel Chews with suspect moth casings and webbing on the exterior of bag. Date Code: 02/2008 7BL18E

\*Frozen to Kill

\*Package opened by Inspector

Mfr. or Dist. August Storck KG./Storck USA L.P., Chicago, IL 606010

Retail Dealer Rite Aid #11400, 1910 Falls Valley Rd., Raleigh, NC 27615

RESULTS OF ANALYSIS:

On exterior of retail bag:

Eight (8) empty pupa cases entangled in webbing;

Five (5) Indian meal moth larval head capsules;

In the retail bag:

One (1) empty pupa case entangled in webbing;

One (1) Indian meal moth larval head capsule;

One (1) Indian meal moth larva.

CONCLUSION: Food is deemed adulterated in that it consists in whole or in part of a diseased, contaminated, filthy, putrid, or decomposed substance, or if it is otherwise unfit for foods.

TO: Janna Spruill

Rite Aid #11400

*Larry D. Gabriel*

Larry D. Gabriel, Food Administrator

BY: Melanie Mhorsson

Food Compliance Officer



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FDC NO: 0014162 Raleigh, N.C. June 27, 2008

An OFFICIAL SAMPLE, represented or sold as Jolly Rancher Hard Candy obtained by  
Janna Spruill an officer of this Department on June 4, 2008

Labeled: 14 oz. package of Jolly Rancher Hard Candy with suspect moth casings & webbing on the exterior  
of bag. Code: 46L117T 9B

\*Frozen to Kill

\*Opened by Inspector

Mfr. or Dist. The Hershey Company, Hershey, PA 17033-0815

Retail Dealer Rite Aid # 11400, 1910 Falls Valley Rd., Raleigh, NC 27615

RESULTS OF ANALYSIS:

On the exterior of retail bag:

Five (5) empty pupa cases entangled in webbing;

Three (3) Indian meal moth larva head capsules;

One (1) Indian meal moth larva;

Inside the retail bag:

One (1) empty pupa case entangled in webbing;

One (1) Indian meal moth larval head capsule.

CONCLUSION: Food is deemed adulterated in that it consists in whole or in part of a diseased, contaminated, filthy, putrid, or decomposed substance, or if it is otherwise unfit for foods.

TO: Janna Spruill

Rite Aid #11400

*Larry D. Gabriel*

Larry D. Gabriel, Food Administrator

BY: Melanie Mhorsson

Food Compliance Officer

Rite Aid

Per Cheryl Slavinsky/Spokesperson:

“It has always been the policy of Rite Aid not to sell out dated products. We’ve retrained our associates and we have a new system of checks in our stores.”