



DND

State of North Carolina

ROY COOPER
ATTORNEY GENERAL

Department of Justice
PO Box 629
Raleigh, North Carolina
27602

REPLY TO:
ANNE J. BROWN
SERVICE TO STATE AGENCIES
PHONE: (919) 716-6800
FAX: (919) 716-6755
E-MAIL: ABROWN@NCDOJ.GOV

October 5, 2009

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Ms. Charity Morgini
Ojemba African Market & Gift
3579 Maitland Drive
Raleigh, NC 27610

Dear Ms. Morgini:

This Office represents the North Carolina Department of Agriculture and Consumer Services (hereinafter, "NCDACS") and this letter is written in that capacity.

We recently received information from NCDACS concerning misbranded meat and poultry products which you stored, offered for sale and sold to the general public. Specifically, the NCDACS investigation found approximately 124 pounds of misbranded meat and poultry (goat meat and whole chickens) products with no mark of inspection or required labeling. In a signed statement dated August 17, 2009, you admitted that for approximately two years you purchased goat meat and whole chickens from Afrik International Food Market, 6690 Old Landover Road, Hyallsville, Maryland. The individually bagged meat and poultry products came in large boxes with USDA mark of inspection. You further stated that you removed the individually bagged meat and poultry from the box, stored them in you freezer and sold them to your retail customers. Your store does not operate under county, state or federal inspection.

Please be advised that the sale of misbranded and/or uninspected meat is a violation of North Carolina General Statute (N.C.G.S.) §106-549.23 with civil and criminal penalties. Also be advised that the sale of misbranded and/or uninspected poultry products is a violation of N.C.G.S. §106-549.56 with criminal penalties. Please understand that you will not receive any further warning with regard to this violation. If you should continue to sell misbranded and/or uninspected meat products, the NCDACS will pursue legal action against you to invoke the penalties associated with these continued violations. I certainly hope this expensive action will not be necessary.

Sincerely,

Anne J. Brown
Anne J. Brown
Special Deputy Attorney General

RECEIVED
OCT 14 2009

10/21/09^{^JP/11} Sent copies to:

CO/VMO Danny Moody and the

Wake County Health Department

NCDACS
MEAT & POULTRY INSPECTION

MEY **AW**
M O H O

PART I

NATURE OF ACTION

A

A = Add New Firm
BC = Update Based Upon Review

C = Change Form
D = Delete Form

DATE OF THIS REVIEW

Month	Day	Year
08	17	09

PART II

NAME OF FIRM/INDIVIDUAL

Ojemba African Market & Gift

AREA

453-NE

ESTABLISHMENT NUMBER

N/A

STREET ADDRESS OR R.F.D. NUMBER

3579 Maitland Drive

CITY

Raleigh

STATE ABBREV.

NC

ZIP CODE

27610

COUNTY CODE

Wake

REGION

NE

RISK CATEGORY

1

1 2 3 9

TYPE OF PRODUCT

B

M = MEAT
P = POULTRY
B = MEAT AND POULTRY

TYPE OF BUSINESS (code* in order of prominence)

06

14

None

INSPECTION PROGRAM

N

N = NONE F = FEDERAL S = STATE
C = COUNTY T = TALMADGE-AIKEN

GRADING CODE

N

N = NONE
F = FEDERAL
S = STATE

PART III

MANAGING OFFICIALS

NAME

NAME

Ms. Charity Morgini

N/A

ADDRESS

ADDRESS

Same as above.

N/A

SOURCE(S) OF INFORMATION, ADDITIONAL REMARKS, AND OTHER PERTINENT INFORMATION (include names and addresses where appropriate.)

The above named firm was found to be storing, offering for sale and selling misbranded (no N.C.D.A. or U.S.D.A. mark of inspection or required labeling) meat and misbranded poultry products to the general public.

This violation is being issued for the storing, offering for sale and selling of misbranded (no N.C.D.A. or U.S.D.A. mark of inspection or required labeling) meat and misbranded poultry products to the general public in violation of the North Carolina Compulsory Meat Inspection Law, General Statutes 106-549.23.(3).a.b. and the North Carolina Poultry Products Inspection Law, General Statutes 106-549.56(2)a.b.

North Carolina Department of Agriculture & Consumer Services, Meat and Poultry Inspection Division, Food Compliance Officer Daniel E. Moody Jr. submitted Form C&E-1A, Report Of Investigation, on August 31, 2009.

RECOMMENDATIONS

LETTER OF WARNING FROM THE NORTH CAROLINA ATTORNEY GENERAL'S OFFICE
RISK CATEGORY 1 / REVIEW 4TH QUARTER 2009

AREA OFFICE

Raleigh, NC

SIGNATURE OF OFFICER

Daniel E. Moody Jr.

BADGE NUMBER

12

*CODES: 01-Processor; 02-Distributor; 03-Renderer; 04-Broker; 05-4-D; 06-Retailer; 07-Transporter; 08-Custom; 09-Restaurant; 10-Abattoir; 11-Animal Food; 12-Warehouse; 13-Salvage; 14-Miscellaneous