



OHD

State of North Carolina

ROY COOPER  
ATTORNEY GENERAL

Department of Justice  
9001 Mail Service Center  
RALEIGH, NORTH CAROLINA  
27699-9001

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

May 28, 2009

**CERTIFIED MAIL/RETURN RECEIPT REQUESTED**

Ms. Sereh Olatoye  
N.C. African Market  
2245 New Hope Church Road  
Raleigh, NC 27604

Dear Ms. Olatoye:

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 poultry products which you processed, stored, offered for sale, and sold to the general public. Specifically, the NCDACS investigation found approximately 84 pounds (42 bags) of misbranded poultry products (smoked chickens) bearing no NCDA or USDA mark of inspection or required labeling. In a signed statement dated April 16, 2009, you admitted that for the past two months, you purchased smoked chickens from Dave's Seafood, Meat Poltry, LLC, Baltimore, MD in large boxes with USDA mark of inspection. You further admitted that you removed the chickens from their original container, repackaged them into smaller retail size packages with no mark of inspection and sold them to your retail customers. Your store is not under county, state or federal inspection.

Please 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 poultry 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.

6/2/09 Sent copies to:  
cc Danny Moody  
Wake Co. Health Department

Sincerely,  
*Anne J. Brown*  
Anne J. Brown  
Special Deputy Attorney General

AJB/alh  
cc: Mr. Donald H. Delozier, MPID Director

**RECEIVED**  
JUN 01 2009  
NCDA&CS  
MEAT & POULTRY INSPECTION

NC DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES  
MEAT AND POULTRY INSPECTION SERVICE  
**REVIEW AND COMPLIANCE RECORD**

NAME OF FIRM/INDIVIDUAL  
N.C. African Market

*AD*  
*M O H D*

**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
04	16	09

**PART II**

NAME OF FIRM/INDIVIDUAL N.C. African Market	AREA 453-NE	ESTABLISHMENT NUMBER N/A
--	----------------	-----------------------------

STREET ADDRESS OR R.F.D. NUMBER 2245 New Hope Church Road		CITY Raleigh
--	--	-----------------

STATE ABBREV.	ZIP CODE	COUNTY CODE	REGION	RISK CATEGORY	TYPE OF PRODUCT
NC	27604	Wake	NE	<b>1</b> 1 2 3 9	<b>P</b> M = MEAT P = POULTRY B = MEAT AND POULTRY

TYPE OF BUSINESS (code* in order of prominence)		INSPECTION PROGRAM	GRADING CODE
06	None	<b>N</b> N = NONE F = FEDERAL S = STATE C = COUNTY T = TALMADGE-AIKEN	<b>N</b> N = NONE F = FEDERAL S = STATE

**PART III**

**MANAGING OFFICIALS**

NAME	NAME
Ms. Sereh Olatoye	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 processing, storing, offering for sale and selling misbranded (no N.C.D.A. or U.S.D.A. mark of inspection or required labeling) poultry products to the general public.

This violation is being issued for the processing, storing, offering for sale and selling of misbranded (no N.C.D.A. or U.S.D.A. mark of inspection or required labeling) poultry products to the general public in violation of 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 May 8, 2009.

**RECOMMENDATIONS**

LETTER OF WARNING FROM THE NORTH CAROLINA ATTORNEY GENERAL'S OFFICE  
RISK CATEGORY 1 / REVIEW 3RD QUARTER 2009

AREA OFFICE	SIGNATURE OF OFFICER	BADGE NUMBER
Raleigh, NC	<i>Daniel E. Moody Jr.</i>	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

**COPY TO ATTORNEY GENERAL'S OFFICE**