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ROY COOPER
ATTORNEY GENERAL

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

REPLY TO:
ANNE J. BROWN
SERVICE TO STATE AGENCIES
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E-MAIL: ABROWN@NCDOJ.GOV

March 31, 2009

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Albreto Herrera
Todo Guerrerense, Inc.
1514 South Saunders Street
Raleigh, NC 27603

Dear Mr. Herrera:

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 products that you processed, stored, offered for sale and sold to the general public. Specifically, the NCDACS investigation found approximately 20 pounds of misbranded cooked pork skins (Chicharron Ranchero) with no NCDA or USDA mark of inspection or required labeling. In a signed statement dated February 18, 2009, you admitted that you purchased pork skins in large plastic containers from a Hispanic gentleman that lives in the Charlotte, NC area. You further admitted that you repackaged the products into smaller retail size packages, stored, offered for sale and sold misbranded pork sausage to your retail customers for approximately three months. Your store does not operate under State, Federal or County 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. 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
Special Deputy Attorney General

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APR 17 2009

NCDA&CS
MEAT & POULTRY INSPECTION

AJB/alh

cc: Mr. Donald H. Delozier, MPID Director

4/9/09 cc: Wake Co. H.D.
D. Morley

MEY
OH
M

NC DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES MEAT AND POULTRY INSPECTION DIVISION REVIEW AND COMPLIANCE RECORD	NAME OF FIRM/INDIVIDUAL Todo Guerrerense, Inc.
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PART I		DATE OF THIS REVIEW		
NATURE OF ACTION <input type="checkbox"/> BC A = Add New Firm BC = Update Based Upon Review		C = Change Form D = Delete Form		
		Month	Day	Year
		08	03	09

PART II				
NAME OF FIRM/INDIVIDUAL Todo Guerrerense, Inc.			AREA 453-NE	ESTABLISHMENT NUMBER N/A
STREET ADDRESS OR R.F.D. NUMBER 1514 South Saunders Street			CITY Raleigh	
STATE ABBREV.	ZIP CODE	COUNTY CODE	REGION	RISK CATEGORY
NC	27603	Wake	NE	<input type="checkbox"/> 1 1 2 3 9
TYPE OF BUSINESS (code* in order of prominence) 06			INSPECTION PROGRAM <input type="checkbox"/> N N = NONE F = FEDERAL S = STATE C = COUNTY T = TALMADGE-AIKEN	TYPE OF PRODUCT <input type="checkbox"/> M M = MEAT P = POULTRY B = MEAT AND POULTRY
			GRADING CODE <input type="checkbox"/> N N = NONE F = FEDERAL S = STATE	

PART III		MANAGING OFFICIALS	
NAME		NAME	
Mr. Alberto Herrera		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.)			

Date of violation: February 18, 2009 - 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) meat products to the general public. L.O.W. was issued on March 31, 2009.

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 AUG 10 2009
 NCD&CS
 MEAT & POULTRY INSPECTION

Date of first follow up review: May 11, 2009 - No violation observed.

On August 3, 2009 a second Planned Compliance Review was conducted at Todo Guerrerense, Inc., owned/operated by Mr. Alberto Herrera. This compliance review revealed all meat and poultry products being offered for sale were properly marked and labeled, properly refrigerated and wholesome. No violation was observed during this review.

RECOMMENDATIONS		
Risk category 1/ review 4TH Quarter 2009		
AREA OFFICE	SIGNATURE OF OFFICER	BADGE NUMBER
Raleigh, NC	<i>David 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