



ROY COOPER
ATTORNEY GENERAL

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REPLY TO:
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March 9, 2009

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Henry Lail
Butch's Old Store
1708 East Main Street
Valdese, NC 28690

Dear Mr. Lail:

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 stored, offered for sale and sold to the general public. Specifically, the NCDACS investigation found approximately 6 pounds of misbranded pork sausage with no NCDA or USDA mark of inspection or required labeling. In a signed statement dated January 7, 2009, you admitted that you stored, offered for sale and sold misbranded pork sausage to the general public for approximately two months. You further admitted that you placed an order for ten retail size packages of pork sausage from Olde World Meat Market, USDA Est. # 21169-A, Winston Salem, NC, where in turn you offered it for sale to the general public. 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

AJB/alh

cc: Mr. Donald H. Delozier, MPID Director

3/18/09 Sent copy to M. Pollard + Burke Co. H.D.