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

ROY COOPER
ATTORNEY GENERAL

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

March 31, 2009

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. James Byers
Black Ash Barbq and Beef Jerky
1739 Goble Road
Hiddenite, NC 28636

Dear Mr. Byers:

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 one four (4) ounce retail size bag of original beef jerky with no NCDA or USDA mark of inspection or required labeling. In a signed statement dated January 27, 2009, you admitted that you purchased beef London broils from Statesville Meat Center in Statesville, NC and Mays Meat in Taylorsville, NC. You further admitted that you processed the meat in your home, stored it, offered it for sale and sold the misbranded beef jerky via the internet on ebay and to the general public for approximately two weeks.

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

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NCDA&CS
MEAT & POULTRY INSPECTION

4/9/09 cc: Alexander Co.
D.H.D.