



OHD

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
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FAX: (919) 716-6755
E-MAIL: ABROWN@NCDOJ.GOV

October 5, 2009

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Ms. Sharon Miller
Miller Produce
2795 Highway 88 W
Warrensville, NC 28693

Dear Ms. Miller:

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 processed, stored, offered for sale and sold to the general public. Specifically, the NCDACS investigation found approximately 5 pounds of misbranded meat and poultry (sliced turkey breast, sliced ham and sliced bologna) products with no mark of inspection or required labeling. In a signed statement dated August 7, 2009, you admitted that for approximately one month you purchased, whole cooked turkey breasts, whole cooked deli hams, a roll of bologna and a whole loaf of spiced luncheon deli meat, which was fully labeled with a USDA mark of inspection, from Moseley and Reece, Inc., 82 Reeves Drive, Mt. Airy, NC. You further admitted to processing the deli meats by slicing and repackaging into consumer size packages, without the benefit of county, state or federal inspection, for the sole purpose of resale to the general public.

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
Special Deputy Attorney General

RECEIVED
OCT 14 2009

10/21/09 Sent copies to:

CO/VMO Melanie Pollard and the

Ashe County Health Department

MEAT & POULTRY INSPECTION