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State of North Carolina

ROY COOPER
ATTORNEY GENERAL

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REPLY TO:
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March 31 2009

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Ms. Magaly Gonzalez
La Costena Market
324 West Geer Street
Durham, NC 27701

Dear Ms. Gonzalez:

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 92 pounds (35 bags) of misbranded beef meat, sheep meat, pork meat, pork chops, pig ears and whole chickens with no marks of inspection or required labeling. In a signed statement dated February 25, 2009, you admitted that for the past six months you have purchased meat and poultry products in large boxes bearing a USDA mark of inspection from Amigo Meat Distributors in Atlanta GA. You further admitted that you repackaged the meat and poultry products into smaller retail size packages without the benefit of a NCDA or USDA mark of inspection and sold the misbranded meat and poultry products to your retail customers for approximately two months. Your store does not operate under county, state or federal 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. 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
Anne J. Brown
Special Deputy Attorney General

RECEIVED
APR 07 2009

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

NCDA&CS
MEAT & POULTRY INSPECTION

4/9/09 cc: Durham Co. H.D.
D.M. 1.1