



Steve Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Food and Drug Protection Division

Joseph W. Reardon
Director

March 9, 2009

Curtis Oldenkamp, President
Lowe's Foods, Inc.
PO Box 24908
Winston Salem, North Carolina 27114-4908

Dear Mr. Oldenkamp:

A reinspection of Lowe's Foods # 433 located at Hwy 158 Main St. Extension, Murfreesboro, North Carolina was conducted on February 5 and 6, 2009 by Food Regulatory Specialist William Creps of this Department. This inspection revealed the continued presence of objectionable and insanitary food processing and storage conditions:

We specifically direct to your attention the following inspection observations:

1. The following products with an estimated value of eighteen dollars (\$18.00) were placed under State Embargo FDC 0018890 pursuant to the North Carolina Food, Drug, and Cosmetic Act due to being subject to a current recall. These products were voluntarily removed from sale and disposed of by management during inspection: three (3)-1.75 QT containers of Blue Bunny No Sugar Added RF Bunny Tracks, UPC code 70640-03434, Lot 80033 MM 19115 12:46 8294, Best Used By 10/20/09.
2. Suspected rodent excreta pellets as follows:
 - a. More than one hundred (100+) in the Produce Prep Room:
 - i. Behind ice maker.
 - ii. On produce handling and candy shelves.
 - iii. On boxes and bundles of fire wood stored in the back corner of this room.
 - b. More than twenty (20+) inside Produce Prep Room Produce Cooler.
 - c. More than ten (10+) along the floor/wall juncture to the left of the shipping dock roll-up door.
 - d. Approximately eight (~8) on bottom shelf of retail Aisle #3 End-Cap under 37.5 # bag of Purina Puppy Chow.
 - e. Approximately four (~4) on bottom shelf of retail aisle #11 behind bags of dry dog food.

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3. Potential rodent entry points and harborage noted as follows:

- a. A six to ten inch (6"-10") crack of up to two inches (2") behind the ice maker along the floor/wall juncture in the Produce Prep Room.
 - b. An approximate three quarter inch (3/4") opening under personnel door exiting Produce Prep Room to the outside.
 - c. A one to two inch (1"-2") opening under the roll-up door on the shipping dock with door locked in place and the opening along the entire width of the door.
 - d. Product spillage on the outside of the dumpster outside the Produce Prep Room acting as an attractant for rodents.
4. More than one hundred (100+) dead house flies in retail cases to include fresh meats, lunch meats, open-top freezer cases and dairy cases.
 5. Safe Load Limits were exceeded on numerous products in the open-top freezer units at retail including the following item brands: Stouffer's Lean Cuisine, Healthy Choice, Smart Ones, Michelina's and Banquet with these products generally in the upper 20 degree F range as measured by an infrared thermometer.
 6. Black mold-like residue in the Dairy case display at retail on shelves and backing displaying dough products (bread sticks and biscuits), sour cream and Activia products.
 7. Two (2) open-top freezer cases at retail have inoperable monitoring thermometers with the Gorton Fish products reading 110 degrees F, the case with cakes does not read anything, and both cases were found reading 5-6 degrees F with an infrared thermometer.
 8. Debris and spillage observed throughout the rear storage areas to include under shelving, under Dairy cooler and in receiving area with the floors very dirty throughout.

Review of our records indicates that similar objectionable and insanitary conditions were observed during a previous inspection of Lowe's Foods #433 conducted on October 13, 2008 by Food Regulatory Specialist William Creps of this Department.

We have directed this matter to your attention as the President of Lowe's Foods in order that you might take immediate steps to correct the above-mentioned conditions and assure safe and sanitary operation. Your written response outlining the actions you are taking will be anticipated by this office within fifteen (15) days of receiving this letter.

Sincerely,



Melanie Mhorsson
Food Compliance Officer

cc: William Creps, Food Regulatory Specialist
Daniel Harrell, Store Manager
Truman Shurles, Asst. Manager