



ROY COOPER
ATTORNEY GENERAL

State of North Carolina
Department of Justice
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RALEIGH, NORTH CAROLINA
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REPLY TO:
ANNE J. BROWN
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March 9, 2009

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Ms. Nyota Kilema
Victorie Foods Market
1612 North Market Drive
Raleigh, NC 27609

Dear Ms. Kilema:

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 94 pounds of misbranded lamb meat, goat meat, beef tripe, cow skins, whole chickens, turkey wings and smoked turkey with no marks of inspection or required labeling. In your signed statement dated January 8, 2009, you admitted that you purchased large boxes of meat and poultry products from International Oasis, Inc., Hyattsville, MD bearing USDA mark of inspection. You further admitted that you repackaged the meat and poultry into smaller retail size packages and sold the misbranded meat and poultry products to the general public. Your store does not operate under count, 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
Special Deputy Attorney General

AJB/alh

cc: Mr. Donald H. Delozier, MPID Director

3/18/09 cc: D. Moody
Wake Co. H.D.

NC DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES MEAT AND POULTRY INSPECTION SERVICE REVIEW AND COMPLIANCE RECORD	NAME OF FIRM/INDIVIDUAL Victorie Foods Market
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Handwritten initials: DND

PART I

NATURE OF ACTION <input type="checkbox"/> BC A = Add New Firm BC = Update Based Upon Review	C = Change Form D = Delete Form	DATE OF THIS REVIEW		
		Month	Day	Year
		04	01	09

PART II

NAME OF FIRM/INDIVIDUAL Victorie Foods Market	AREA 453-NE	ESTABLISHMENT NUMBER N/A
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STREET ADDRESS OR R.F.D. NUMBER 1612 North Market Drive	CITY Raleigh
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STATE ABBREV. NC	ZIP CODE 27609	COUNTY CODE Wake	REGION NE	RISK CATEGORY <input type="checkbox"/> 1 1 2 3 9	TYPE OF PRODUCT <input type="checkbox"/> B M = MEAT P = POULTRY B = MEAT AND POULTRY
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TYPE OF BUSINESS (code* in order of prominence) 06	None	None	INSPECTION PROGRAM <input type="checkbox"/> N N = NONE F = FEDERAL S = STATE C = COUNTY T = TALMADGE-AIKEN	GRADING CODE <input type="checkbox"/> N N = NONE F = FEDERAL S = STATE
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PART III

MANAGING OFFICIALS

NAME Ms. Nyota Kilema	NAME N/A
ADDRESS Same as above	ADDRESS N/A

SOURCE(S) OF INFORMATION, ADDITIONAL REMARKS, AND OTHER PERTINENT INFORMATION (Include names and addresses where appropriate.)

Date of violation: January 8, 2009 - Processing, storing, offering for sale and selling misbranded meat and misbranded poultry products to the general public. Letter of Warning (L.O.W.) was issued on March 9, 2009.

Date of first follow up review: April 1, 2009 - No violation observed.

RECEIVED

APR 06 2009

NCDA&CS
MEAT & POULTRY INSPECTION

On April 1, 2009 a Planned Compliance Review was conducted at Victorie Foods Market, owned/operated by Ms. Nyota Kilema. This compliance review revealed all meat and poultry products being offered for sale were properly marked and labeled, properly refrigerated and wholesome. No violation was observed during this review.

RECOMMENDATIONS

Risk category 1/ review 3RD Quarter 2009

AREA OFFICE Raleigh, NC	SIGNATURE OF OFFICER <i>David E. Moody Jr.</i>	BADGE NUMBER 12
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*CODES: 01-Processor; 02-Distributor; 03-Renderer; 04-Broker; 05-4-D; 06-Retailer; 07-Transporter; 08-Custom; 09-Restaurant; 10-Attainor; 11-Animal Food; 12-Warehouse; 13-Salvage; 14-Miscellaneous