



OHO
MEY

State of North Carolina

Department of Justice
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REPLY TO:
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ROY COOPER
ATTORNEY GENERAL

July 21, 2009

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Melchor Huendo
Mexican Grocery
7190 Highway 19 East
Spruce Pine, NC 28777

Dear Mr. Huendo:

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 approximately 15 pounds (22 bags of cooked pork skins and 5 bags of cooked pork cracklings) with no NCDA or USDA mark of inspection or required labeling. In a signed statement dated May 18, 2009, you admitted that you processed, stored, offered for sale and sold misbranded packages of cooked pork skins and cooked pork cracklings to the general public for one year. You further admitted that twice a month for the past year, you purchased a box of cooked pork skins and cooked pork cracklings from Hermanos Chavez, a county inspected Mexican grocery store and restaurant located in Newton NC and in turn, transported the box of cooked pork skins cracklings into retail size plastic bags, without the benefit of inspection, for the sole purpose of resale to the general public. The packages did not contain a NCDA or USDA mark of inspection and were thus misbranded. 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. 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

9/24/09 Sent copies to M. Pollard

RECEIVED

JUL 22 2009

NCDA&CS
MEAT & POULTRY INSPECTION