



OND

ROY COOPER
ATTORNEY GENERAL

State of North Carolina
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REPLY TO:
ANNE J. BROWN
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May 28, 2009

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Rick Hannon
Rick's Foods
1801-A Cross Beam Drive
Charlotte, NC 28217

Dear Mr. Hannon:

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 stored, offered for sale and sold to the general public. Specifically, the NCDACS investigation found meat and poultry (beef cube steaks, chicken tenders, Italian chicken breast and chicken wings) products that were misbranded, i.e., offered for sale to the general public without any marks of inspection. In your signed statement dated April 9, 2009, you admitted that you stored, offered for sale and sold misbranded meat and poultry products to the general public for approximately one month at various auctions in North Carolina. You further admitted that you purchased the meat and poultry products in large boxes with U.S.D.A. marks of inspection that were intended for H.R.I. (Hotel, restaurant and institutional) sales, took the individual packs of meat and poultry out of the boxes and sold the meat and poultry products to the general public. The meats did not have NCDA or USDA marks of inspection and were thus misbranded. You are required to keep accurate and legible records in relationship to the selling of single ingredient meat items to Hotel, Restaurant and Institution (H.R.I.) trade sales. You must also be under county, USDA or NCDACS inspection in order to process (repackage) meat and/or poultry products.

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

2/2/09 Sent copies to:

CO P. Russell

Mecklenburg Co. Health Department

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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

RECEIVED

JUN 01 2009

NCDACS
MEAT & POULTRY INSPECTION