



Steve Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Meat and Poultry Inspection Division

W. Alan Wade
State Director

May 14, 2014

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. John Fortes
Mimosa Grill
327 South Tryon Street
Charlotte, North Carolina 28202

NOTICE OF WARNING

We have an investigative case report showing that you violated the North Carolina Compulsory Meat Inspection Law. This reported violation was discussed with you on April 14, 2014. Specifically, our investigation revealed that you had processed, transported, stored, offered for sale and/or sold cooked pork chili, pork barbecue and lard wholesale, which did not contain State (NCDA) or Federal (USDA) marks of inspection or required labeling, to Rockhouse Farm, 1120 North Green Street, Morganton, North Carolina 28655, for the sole purpose of resale to the general public. In a signed statement dated April 14, 2014 you stated you had prepared cooked pork chili, pork barbecue and lard for approximately nine months without the benefit of state (N.C.D.A) or federal (U.S.D.A.) inspection to be resold at the Charlotte Regional Farmers Market, 1801 Yorkmont Road, Charlotte, North Carolina 28217.

Please be advised that the sale of misbranded and/or non-inspected meat products is a violation of North Carolina General Statute (N.C.G.S.) §106-549.23 with civil and/or criminal penalties. Please be advised that you will not receive any further warning with regard to this violation. If you should continue to sell misbranded and/or non-inspected meat products, we 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. An officer from this department will visit you periodically to verify compliance.

Sincerely,

W. Alan Wade
State Director

cc: Mr. Barry Bloch, Assistant Attorney General
Mr. Joe Reardon, Assistant Commissioner
Ms. Tina Hiabse, General Council