



Steve Troxler
Commissioner

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

Alan Wade
State Director

April 4, 2016

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. David Holt
Armstrong Grocery
1201 Broad Street
New Bern, North Carolina 28560

NOTICE OF WARNING

We have an investigative case report showing that you violated the North Carolina Poultry Products Inspection Law. These reported violations were discussed with you on March 21, 2016. Specifically, our investigation revealed that you had offered for sale and/or sold misbranded chicken wings, chicken tenders and chicken fritters, which did not contain State (NCDA) or Federal (USDA) marks of inspection or required labeling, to the general public. In a signed statement dated March 21, 2016 you stated that you purchased the above mentioned poultry products in large boxes from US Foods, 1500 NC Highway 39, Zebulon, North Carolina. You in-turn removed the bags of chicken products, which did not contain a mark of inspection or required labeling, and offered them for sale and sold them to the general public for approximately two (2) years.

Please be advised that the sale of misbranded and/or non-inspected poultry products is a violation of North Carolina General Statute (N.C.G.S.) §106-549.56 with civil and/or criminal penalties. Please be advised that you will not receive any further warning with regard to these violations. If you should continue to sell misbranded and/or non-inspected poultry 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

W. Alan Wade
State Director

cc: Mr. Chris McLennan, Assistant Attorney General
Mr. Joe Reardon, Assistant Commissioner
Ms. Tina Hlabse, General Counsel