



Steve Troxler  
Commissioner

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

Dr. Beth Yongue  
State Director

October 26, 2017

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Kevin Dale Stevens  
920 Bryant Road  
Mount Airy, North Carolina 27030

RE: CIVIL PENALTY ASSESSMENT FOR VIOLATIONS  
OF THE MEAT AND POULTRY INSPECTION LAWS  
G.S. § 106- 549.17, § 106- 549.23(1), § 106- 549.23(3)(a) and § 106-549.23(3)(b)

Dear Mr. Stevens,

Pursuant to North Carolina General Statutes § 106-549.35(c), § 106- 549.17, § 106- 549.23(1), § 106- 549.23(3)(a) and § 106-549.23(3)(b), this letter is notice of a civil penalty by the North Carolina Department of Agriculture and Consumer Services, Meat and Poultry Inspection Division (NCDA&CS). The Notice of Violations and Assessment of Civil Penalty is attached.

Within 60 days from the date of receipt, you must do one of the following:

1. Pay the civil penalty assessment; or
2. File a written petition for a contested case hearing in the Office of Administrative Hearings appealing the penalty assessment.

Pursuant to G.S. §150B-22, informal settlement negotiations may be initiated at any time. To negotiate a settlement of this assessment, present your offer to Dr. Beth Yongue, Director, Meat & Poultry Inspection Division, who may be contacted by telephone at (919) 707-3180. Settlement offers do not extend the 60 day deadline for payment or filing of a contested case petition.

Additional information about your options is provided below:

**-PAYMENT-**

To pay the penalty, please send your payment by check or money order made payable to the North Carolina Department of Agriculture and Consumer Services to:

North Carolina Department of Agriculture and Consumer Services  
Dr. Beth Yongue, Director  
Meat & Poultry Inspection Division  
1001 Mail Service Center  
Raleigh, North Carolina 27699-1001

**-APPEAL-**

If you file a contested case petition, it must be in writing and in the form prescribed by G.S. § 150B-23. File the petition and one copy with:

Office of Administrative Hearings  
6714 Mail Service Center  
Raleigh, North Carolina 27699-1001

Any questions about filing a petition may be directed to the Clerk of OAH by telephone (919) 733-0926. You must serve NCDA&CS by mailing a copy of the petition to:

Ms. Tina Hlabse  
North Carolina Department of Agriculture and Consumer Services  
Process Agent and General Counsel  
1001 Mail Service Center  
Raleigh, North Carolina 27699-1001

Payment of the penalty will not foreclose further enforcement action against you for any new violation. If the violations which resulted in the assessment are of a continuing nature, NCDA&CS reserves the right to assess additional civil penalties in the future or take other enforcement action against you.

Your attention to this matter is appreciated.

Sincerely,



Dr. Beth Yongue  
Director, Meat & Poultry Inspection Division

MEY:dm

Attachments: Assessment Document  
CC: Mr. Chris McLennan, Assistant Attorney General  
Joe Reardon, Assistant Commissioner  
Tina Hlabse, General Counsel

STATE OF NORTH CAROLINA  
COUNTY OF SURRY

NORTH CAROLINA DEPARTMENT OF  
AGRICULTURE & CONSUMER SERVICES,  
MEAT & POULTRY INSPECTION DIVISION

IN THE MATTER OF

Mr. Kevin Dale Stevens

FOR VIOLATIONS OF NORTH CAROLINA  
COMPULSORY MEAT INSPECTION LAWS  
G.S. § 106- 549.17, § 106- 549.23(1),  
§ 106- 549.23(3)(a) & § 106-549.23(3)(b)

)  
)  
) NOTICE OF VIOLATIONS  
) AND ASSESSMENT OF  
) CIVIL PENALTY  
)  
)  
)

Acting pursuant to North Carolina General Statutes § 106-549.35(c), § 106- 549.17, § 106- 549.23(1), § 106-549.23(3)(a) and § 106-549.23(3)(b), Dr. Beth Yongue, Director, Meat and Poultry Inspection Division (MPID) of the North Carolina Department of Agriculture and Consumer Services (NCDA&CS) makes the following:

I. FINDINGS OF FACTS:

- A. This investigation is a result of information received from an anonymous complainant which alleged that Kevin Dale Stevens, 997 Bryant Road, Mount Airy, North Carolina 27030 is illegally slaughtering (without the benefit of NCDA (State) or USDA (Federal) inspection) cattle (beef) and processing the beef carcasses for the general public.
- B. On August 30, 2017, the North Carolina Department of Agriculture and Consumer Services (NCDA & CS), Meat and Poultry Inspection Division (MPID), Food Compliance Officer Jake Groce, conducted mobile surveillance at 997 Bryant Road, Mount Airy, North Carolina to investigate the alleged illegal slaughtering and processing of cattle. CO Groce observed two men engaging in slaughter activity of two beef calves.
- C. On September 1, 2017, NCDA & CS, MPID, Compliance Officers Melanie Pollard, Marvin Lackman and Jake Groce (hereinafter, CO Pollard, CO Lackman and CO Groce), along with members of the North Carolina Forest Service Officers David Lafon and Jamie Logan, arrived at the property owned by Mr. Kevin Dale Stevens located at 997 Bryant Road, Mount Airy, North Carolina 27030 and announced the execution of an Administrative Search Warrant for the property on behalf of the North Carolina Department of Agriculture and Consumer Services, Meat and Poultry Inspection Division.
- D. Upon entering the property, CO's Pollard, Lackman and Groce observed and photographed the location and conditions being used by Mr. Kevin Dale Stevens to slaughter, process and sell of misbranded/non-inspected beef meat to the general public.
- E. On September 1, 2017, after entering the property of Mr. Kevin Dale Stevens, CO Pollard, CO Lackman and CO Groce observed several vehicles, approximately thirty (30) individuals, one beef calf (dead) on the ground with its throat cut, tractor with a front-end loader, second beef carcass with hide removed, eviscerated, split and hanging from the front-end loader and a barn.

- F. After entering the property, CO Groce interviewed Mr. Kevin Dale Stevens, about the alleged illegal slaughtering (without the benefit of NCDA (State) or USDA (Federal) inspection), processing, storing, offering for sale and selling of misbranded/non-inspected meat products to the general public in violation of the North Carolina Compulsory Meat Inspection Laws.
- G. Located inside of the barn was an interior room that was used for processing the illegally slaughtered beef carcasses. The interior room contained the following items: Hobart bandsaw, a commercial meat grinder, a stainless steel three compartment sink, two (2) cutting tables, water hoses, sinks and utensils.
- H. Also located in the interior room (hereafter, processing room) was a third beef carcass, that was slaughtered earlier that day, being processed. Approximately 300 pounds of the processed beef meat was cut up and placed in several 5 gallon buckets located on the floor and the remaining carcass/beef meat was being cut up and processed by other individuals in the processing room.
- I. The walls and ceiling of the processing room were covered with sheet metal and the floor was made of concrete.
- J. Upon further examination of the property, CO's Pollard, Lackman and Groce located a small room (hereafter, hide room) that was used to store and cure beef hides. The hide room contained a small mound of beef hides covered in salt. The Compliance Officers also observed a pit that was being used to place the viscera that was removed from the illegally slaughtered animals. Located inside the pit was one viscera from a single cow that was slaughtered earlier that day.
- K. CO's Pollard, Lackman and Groce also observed on the property fifteen (15) live beef calves located in the livestock holding area of the barn and in the pasture located on the property.
- L. In a signed statement dated September 1, 2017, Mr. Kevin Dale Stevens stated that he had purchased 18 beef cattle for him and his son (Levi Stevens) to sell and slaughter for the 2017 "Eid" Festival. Mr. Stevens stated that he would charge an average of \$800.00 per animal and in turn assist with the slaughtering and processing of the animal.
- M. Mr. Kevin Dale Stevens stated that when an animal is purchased he would then shoot the animal, in the head, with a rifle and the customer would slit the animals throat, so it could bleed out. Mr. Stevens then assisted with the evisceration and dressing of the animal, if needed. The customer then cut up the meat themselves using Mr. Stevens facility and equipment.
- N. Mr. Kevin Dale Stevens alleged that from August 30, 2017 to September 1, 2017, he illegally slaughtered (without the benefit of State (NCDA) or Federal (USDA) inspection), processed, stored, offered for sale and sold four (4) beef calves/cattle weighing approximately 700 pounds each to the general public during the 2017 "Eid" Festival.
- O. Mr. Kevin Dale Stevens, in a signed statement stated that for the past 2 to 3 years he has sold livestock to local farmers and has in turn assisted with the slaughtering and processing of those animals on either his property or the customers property.
- P. Mr. Kevin Dale Stevens, owner/operator of 997 Bryant Road, Mount Airy, North Carolina 27030, does not operate under County, State (NCDA) or Federal (USDA) inspection.
- Q. On September 1, 2017, Mr. Kevin Dale Stevens was issued a Custom Exemption of Federal Regulation Letter (Form C&E 19).
- R. On September 1, 2017, Mr. Kevin Dale Stevens was also issued an on-site Cease and Desist Letter (Form C&E 20) for the slaughtering (without the benefit of State (NCDA) or Federal (USDA) inspection), processing, storing, offering for sale and selling of misbranded/non-inspected meat products to the general public.

II. CONCLUSIONS OF LAW

- A. Mr. Kevin Dale Stevens was found to be slaughtering (without the benefit of NCDA (State) or USDA (Federal) inspection), processing, storing, offering for sale and selling misbranded/non-inspected meat products to the general public in violation of General Statutes § 106-549.17, § 106-549.23(1), § 106-549.23(3)(a) and § 106-549.23(3)(b) and may be assessed a civil penalty of up to five thousand (\$5,000.00) dollars per violation under North Carolina General Statute § 106.549.35 (c).
- B. The Commissioner of Agriculture, pursuant to North Carolina General Statute §106.549.35 (c), has the authority to assess civil penalties in this matter. This authority has been delegated to Dr. Beth Yongue, Director, Meat and Poultry Inspection Division by the Commissioner of Agriculture pursuant to North Carolina General Statute § 143B-10(a).

III. DECISION

- A. As required by North Carolina General Statute § 106-549.35 (c) in determining the amount of the civil penalty, I have considered the degree and extent of harm caused by the violation of General Statutes § 106-549.17, § 106-549.23(1), § 106- 549.23(3)(a) and § 106-549.23(3)(b).

Accordingly, Mr. Kevin Dale Stevens is assessed a civil penalty of:

\$2,000.00 for violating G.S. § 106-549.17 – (Inspection Before Slaughter/Meat)  
\$2,000.00 for violating G.S. § 106-549.23(1) – (Prohibited Slaughter/Meat)  
\$2,000.00 for violating G.S. § 106-549.23(3)(a) – (Misbranded/Meat)  
\$2,000.00 for violating G.S. § 106-549.23(3)(b) – (Non-Inspected/Meat)

**\$8,000.00 TOTAL AMOUNT ASSESSED.**

October 27, 2017

Date

Dr. Beth Yongue

Dr. Beth Yongue

Director, Meat and Poultry Inspection Division