



Steve Troxler  
Commissioner

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

Donald H. Delozier  
State Director

October 10, 2012

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

High Point Halal Meats  
Mr. Tahir Pervez Khan  
307 Coltrane Avenue  
High Point, NC 27265

RE: CIVIL PENALTY ASSESSMENT FOR VIOLATIONS  
OF THE MEAT INSPECTION LAW.  
G.S. § 106-549.17 and 106-549.23.

Dear Mr. Tahir Pervez Khan:

Pursuant to North Carolina General Statute (G.S.) 106-549.35(c) 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 civil penalty assessment document 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 Mr. Donald H. Delozier, 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.

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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  
Donald H. Delozier, 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:

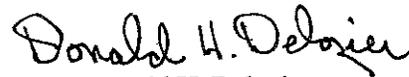
Mr. Ray Starling  
North Carolina Department of Agriculture and Consumer Services  
Process Agent and General Counsel  
1001 Mail Service Center  
Raleigh, North Carolina 27699-1001

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.

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Your attention to this matter is appreciated.

Sincerely,



Mr. Donald H. Delozier  
Director, Meat & Poultry Inspection Division

DHD:aw

Attachments: Assessment Document

CC: Ms. Anne J. Brown, Special Deputy Attorney General

STATE OF NORTH CAROLINA  
COUNTY OF DAVIDSON

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

IN THE MATTER OF )  
)  
High Point Halal Meats )  
Mr. Tahir Pervez Khan )  
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)  
FOR VIOLATIONS OF THE N.C. COMPULSORY )  
MEAT INSPECTION LAW )  
G.S. § 106-549.17 and 106-549.23 )

NOTICE OF VIOLATIONS  
AND ASSESSMENT OF  
CIVIL PENALTY

Acting pursuant to North Carolina General Statute (G.S.) § 106-549.35(c) Mr. Donald H. Delozier, Director, Meat and Poultry Inspection Division of North Carolina Department of Agriculture and Consumer Services (NCDA&CS) makes the following:

I. FINDINGS OF FACTS:

- A. On August 17, 2012, NCDA & CS, MPID Food Compliance Officers Alan Wade (hereinafter, FCO Wade) and Melanie Pollard (hereinafter, FCO Pollard, respectively), while performing a planned compliance review investigation at Universal Halal Meat & Grocery, 2025 South College Drive, High Point, NC observed misbranded, non-inspected and/or adulterated sheep carcasses, beef carcasses and goat carcasses being offered for sale to the general public.
- B. On August 17, 2012, FCO's Wade and Pollard NC Detained (Tag #4031-4040 and #3681-3684) and photographed 1,056.5 pounds of meat products at Universal Halal Meat & Grocery, 2025 South College Drive, High Point, NC which included two sheep carcasses, 9 beef carcass parts, and four goat carcasses.
- C. The NC Detained carcasses and carcass parts did not contain State (NCDA) or Federal (USDA) marks of inspection or required labeling and were adulterated with hair, ingesta, foreign materials and/or fecal material.
- D. In a signed statement dated August 17, 2012, Mr. Aqeel Sabri, owner/operator of Universal Halal Meat & Grocery, 2025 South College Drive, High Point, NC stated that on the morning of August 16, 2011 he placed an order with High Point Halal Meats, 307 Coltrane Ave., High Point, NC for four goats, two sheep and two beef carcasses for the sole purpose of further processing and reselling to the general public.
- E. In a signed statement dated August 17, 2012, Mr. Aqeel Sabri, owner/operator of Universal Halal Meat & Grocery, 2025 South College Drive, High Point, NC stated that the four goats, two sheep and two beef carcasses that he purchased from High Point Halal Meats were delivered by High Point Halal Meats on August 16, 2012 and did not contain NCDA or USDA marks of inspection or required labeling and were adulterated with hair, ingesta, foreign materials and/or fecal material.

- F. On August 17, 2012, NCDA & CS, MPID FCO's Wade and Pollard, while performing a planned compliance review investigation at APNA Halal Meat & Grocery, 2850 South Main Street, High Point, NC observed misbranded, non-inspected and/or adulterated goat carcasses being offered for sale to the general public.
- G. On August 17, 2012, FCO's Wade and Pollard NC Detained (Tag #4023 & 4024) and photographed two goat carcasses weighing 57.5 pounds at APNA Halal Meat & Grocery, 2850 South Main Street, High Point, NC.
- H. The NC Detained carcasses did not contain State (NCDA) or Federal (USDA) marks of inspection or required labeling and/or was adulterated with fecal material.
- I. In a signed statement dated August 17, 2012, Mr. Ghulam Murtaza, owner/operator of APNA Halal Meat & Grocery, 2850 South Main Street, High Point, NC stated that on the first part of the week of August 13, 2012 he placed an order for two freshly slaughtered goat carcasses with Mr. Tahir Pervez Khan , owner/operator of High Point Halal Meats, for the sole purpose of further processing and reselling to the general public.
- J. In a signed statement dated August 17, 2012, Mr. Ghulam Murtaza, owner/operator of APNA Halal Meat & Grocery, 2850 South Main Street, High Point, NC stated that the two goats that he purchased from High Point Halal Meats were delivered by High Point Halal Meats on August 16, 2012 and did not contain NCDA or USDA marks of inspection or required labeling and were adulterated with fecal material.
- K. On August 24, 2012, Mr. Tahir Pervez Khan, owner/operator of High Point Halal Meats, 307 Coltrane Ave., High Point, NC orally admitted to NCDA & CS, MPID Food Compliance Officers Alan Wade and Percy Russell that he slaughtered, processed, stored, transported, offered for sale and sold misbranded, non-inspected and/or adulterated meat products to Universal Halal Meat & Grocery, 2025 South College Drive, High Point, NC and APNA Halal Meat & Grocery, 20850 South Main Street, High Point, NC on August 16, 2012.
- L. On August 24, 2012, Mr. Tahir Pervez Khan, owner/operator of High Point Halal Meats, 307 Coltrane Ave., High Point, NC stated to NCDA & CS, MPID Food Compliance Officers Alan Wade and Percy Russell that the carcasses he delivered and sold to Universal Halal Meat & Grocery and APNA Halal Meat & Grocery were slaughtered under "custom" inspection.
- M. On August 24, 2012, Mr. Tahir Pervez Khan, owner/operator of High Point Halal Meats, 307 Coltrane Ave., High Point, NC was issued an on-site Cease and Desist letter for selling misbranded, non-inspected and/or adulterated meat products.

II. CONCLUSIONS OF LAW

- A. Mr. Tahir Pervez Khan, owner/operator of High Point Halal Meats, found to be slaughtering, processing, storing, transporting, offering for sale and selling non-inspected/misbranded and/or adulterated meat products to the general public in violation of General Statutes 106-549.17 and 106-549.23 and may be assessed a civil penalty of up to five thousand (\$5,000.00) dollars per violation under G.S. §106-549.35(c).
- B. The Commissioner of Agriculture, pursuant to G.S. §106-549.35(c) has the authority to assess civil penalties in this matter. The authority has been delegated to Mr. Donald H. Delozier, Director, Meat and Poultry Inspection Division by the Commissioner of Agriculture pursuant to G.S. §143B-10(a).

III. DECISION

As required by G.S. §106-549.35(c) and in determining the amount of the civil penalty, I have considered the degree and extent of harm caused by the violation of G.S. § 106-549.17 and 106-549.23.

Accordingly Mr. Tahir Pervez Khan, owner/operator of High Point Halal Meats is assessed a civil penalty of:

- \$ 4,000.00 for violating 106-549.23(3)a – (Misbranded Meat)
- \$ 4,000.00 for violating 106-549.23(3)b – (Not Inspected/Meat)
- \$ 6,000.00 for violating 106-549.23(3)a – (Adulterated Meat)
- \$ 2,000.00 for violating 106-549.17a – (Inspection Before Slaughter)

\$16,000.00 for violating G.S. §106-549.17 and 106-549.23  
\$16,000.00 TOTAL AMOUNT ASSESSED.

Oct 10, 2012  
Date

Donald H. Delozier  
Mr. Donald H. Delozier, Director  
Meat and Poultry Inspection Division