



Steve Troxler
Commissioner

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

Donald H. Delozier
State Director

March 28, 2011

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Hipolito A. Fernandez
Boswell Mini Mart
4812 Boswellville Road
Wilson, NC 27893

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 March 2, 2011. Specifically, our investigation revealed that you had stored, offered for sale and/or sold approximately thirty-seven (37) pounds of beef ribeye steaks, T-bone steaks, sirloin steaks and/or beef steak patties, which did not contain State (NCDA) or Federal (USDA) marks of inspection or required labeling, to the general public. You stated in a signed statement dated March 2, 2011 that you had been selling the afore mentioned misbranded meat products to the general public for the last three months.

Please be advised that the sale of misbranded and/or uninspected 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 uninspected 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,

Donald H. Delozier
State Director

cc: Mr. Barry Bloch, Assistant Attorney General
Mr. Ray Starling, General Counsel
Mr. Howard Isley, Assistant Commissioner