



Steven W. Troxler
Commissioner

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

Joseph W. Reardon
Assistant Commissioner
for Consumer Protection

Dr. Beth Yongue
Director

July 25, 2019

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. James Barbee
Fit Fresh Kitchen
14027 Conlan Circle, Suite A2
Charlotte, North Carolina 28277

NOTICE OF WARNING

We have an investigative case report showing that you violated the North Carolina Poultry Products Inspection Law. This reported violation was discussed with you on June 6, 2019. Specifically, our investigation revealed that you had processed, stored, transported, offered for sale and sold/wholesaled misbranded poultry entrees (buffalo chicken flatbread, chicken and turkey bacon ranch flatbread, Hawaiian BBQ Chicken Flatbread and chicken parmesan) to a retail store (No Limits Fitness, 3203 West Highway 74, Suite H, Monroe, North Carolina 28110) for the sole purpose of resale to the general public, that was produced without the benefit of State (NCDA) or Federal (USDA) inspection. In a signed statement dated June 6, 2019, you stated that you processed, stored, transported, offered for sale and sold/wholesaled misbranded poultry entrees to a retail store for the sole purpose of resale to the general public for approximately four (4) months.

Please be advised that the sale of misbranded and/or non-inspected meat products and the sale of misbranded and/or non-inspected poultry products is a violation of North Carolina General Statute (N.C.G.S.) §106-549.23 and §106-549.56 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 and 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,

Dr. Beth Yongue
State Director

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