



Steve Troxler
Commissioner

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

W. Alan Wade
State Director

February 19, 2014

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Halal Meat Slaughter House
Mr. Zafer Kafozi
36117 Rocky River Springs Road
Norwood, North Carolina 28128

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

Dear: Mr. Zafer Kafozi

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. W. Alan Wade, 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
Mr. W. Alan Wade, 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, N.C.D.A. & C.S. 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,



Mr. W. Alan Wade
Director, Meat & Poultry Inspection Division

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

STATE OF NORTH CAROLINA
COUNTY OF STANLY

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

IN THE MATTER OF)

Halal Meat Slaughter House)
Mr. Zafer Kafozi)

FOR VIOLATIONS OF N.C. COMPULSORY)
MEAT INSPECTION LAWS.)
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. W. Alan Wade, Director, Meat and Poultry Inspection Division (M.P.I.D.) of the North Carolina Department of Agriculture and Consumer Services (N.C.D.A. & C.S.) makes the following:

I. FINDINGS OF FACTS:

- A. This investigation is a result of information received on October 16, 2013, from the Georgia Department of Agriculture which stated misbranded, non-inspected and/or adulterated beef quarters, goat carcasses and lamb carcasses were shipped to Desi Bazaar Halal Meats, 2785 Cruse Road NW #10, Georgia by Halal Meat Slaughter House, (USDA Est. 31795), 36117 Rocky River Springs Rd., Norwood N.C.
- B. On October 16, 2013, officers from the Georgia Department of Agriculture and the U.S.D.A., F.S.I.S., Office of Investigations, Enforcement and Audits branch detained all misbranded, non-inspected and/or adulterated beef quarters, goat and lamb carcasses delivered by Halal Meat Slaughter House, 36117 Rocky River Springs Rd., Norwood N.C. to Desi Bazaar Halal Meats, 2785 Cruse Road NW #10, Georgia 30044.
- C. On October 16, 2013, U.S.D.A., F.S.I.S., Office of Investigations, Enforcement and Audits, Senior Investigator Kenneth Cash sealed (Seal Number 213379) the Halal Meat Slaughter House delivery truck that contained the misbranded, non-inspected and/or adulterated beef quarters, goat and lamb carcasses and instructed the driver to return back to Halal Meat Slaughter House.
- D. On October 17, 2013, at approximately 1:10 A.M., North Carolina Department of Agriculture and Consumer Services (N.C.D.A & C.S.), Meat and Poultry Inspection Division (M.P.I.D.), Food Compliance Officer Ray Sloan and North Carolina Department of Agriculture and Consumer Services (N.C.D.A & C.S.), Meat and Poultry Inspection Division (M.P.I.D.), Area IV Supervisor John Horne Jr. met the delivery truck at Halal Meat Slaughter House (Est. # 31795), 36117 Rocky River Springs Road, Norwood, North Carolina 28128 and verified the truck seal (Seal Number 213379) had not been broken.

- E. On October 17, 2013, at approximately 9:00 A.M., N.C.D.A. & C.S., M.P.I.D., Food Compliance Officer Ray Sloan, N.C.D.A. & C.S., M.P.I.D., Agriculture Program Specialist Rick Phillips and N.C.D.A. & C.S., M.P.I.D., Area IV Supervisor John Horne Jr. visited Halal Meat Slaughter House to perform re-inspection of the misbranded, non-inspected and/or adulterated beef quarters, goat and lamb carcasses. After breaking the seal and opening the doors they observed that some of the beef quarters, goat carcasses and lamb carcasses were loaded directly on the floor of the delivery truck and had been contaminated with dirt and leaves and some were also adulterated with fecal material. Some of the carcasses also appeared to be in an off condition and omitting an odor.
- F. On October 17, 2013, N.C.D.A. & C.S., M.P.I.D., Agriculture Program Specialist Rick Phillips and N.C.D.A. & C.S., M.P.I.D., Area IV Supervisor John Horne Jr. instructed Mr. Zafer Kafozi, Owner/Operator of Halal Meat Slaughter House, to unload the misbranded, non-inspected and/or adulterated beef quarters, goat and lamb carcasses in a walk in cooler located at Halal Slaughter House for re-inspection. Approximately eight (8) beef quarters, one hundred seventeen (117) goat carcasses and nine (9) lamb carcasses were off loaded and taken to the walk in cooler where they were re-inspected by M.P.I.D. inspection personnel.
- G. Upon re-inspection forty-eight (48) goat carcasses and nine (9) lamb carcasses were condemned by M.P.I.D. inspection personnel due to being misbranded, non-inspected and/or adulterated.
- H. Mr. Zafer Kafozi, Owner/Operator of Halal Meat Slaughter House, stated in a signed statement dated October 17, 2013, that he transported, stored, offered for sale and sold misbranded/ non-inspected, adulterated/contaminated meat carcasses that had been temperature abused to the general public to retail stores in the State of Georgia.
- I. On October 17, 2013, Mr. Zafer Kafozi, Owner/Operator of Halal Meat Slaughter House, was issued an on-site Cease and Desist letter for the slaughtering, processing, transporting, storing, offering for sale and selling of misbranded, non-inspected and/or adulterated beef quarters, goat carcasses and lamb carcasses to various retail stores and to the general public in the State of Georgia.

II. CONCLUSIONS OF LAW

- A. Mr. Zafer Kafozi, Owner/Operator of Halal Meat Slaughter House was found to be slaughtering, processing, storing, transporting, offering for sale and/or selling misbranded, non-inspected and/or adulterated meat products 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 General Statute § 106-549.35 (c).
- B. The Commissioner of Agriculture, pursuant to General Statute §106-549.35 (c), has the authority to assess civil penalties in this matter. The authority has been delegated to Mr. W. Alan Wade, Director, Meat and Poultry Inspection Division by the Commissioner of Agriculture pursuant to General Statute § 143B-10(a).

III. DECISION

- A. As required by 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 and 106-549.23.

Accordingly Mr. Zafer Kafozi, owner/operator of Halal Meat Slaughter House, is assessed a civil penalty of:

\$10,000.00 for violating General Statutes § 106-549.17 and 106.549.23
\$10,000.00 TOTAL AMOUNT ASSESSED.

2-19-14
Date

W. Alan Wade
W. Alan Wade
Meat and Poultry Inspection Division