



Steve Troxler
Commissioner

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

W. Alan Wade
State Director

September 22, 2016

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Mr. Clarke Merrell
Circa 81 Tapas and Cocktaillaria Restaurant
4650 Arendell Street
Morehead City, North Carolina 28557

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 August 30, 2016. Specifically, our investigation revealed that you had processed, stored, offered for sale and sold the misbranded /non-inspected Adult Lunchables that contained pepperoni, chorizo and sopresate, (dried salami), to a retail store for the sole purpose of resale to the general public without benefit of State (NCDA) or Federal (USDA) inspection. In a signed statement dated August 30, 2016 you stated that you processed, stored, offered for sale and sold misbranded/non-inspected meat products wholesale for the sole purpose of resale to the general public for approximately two (2) months.

Please be advised that the sale of misbranded and/or non-inspected 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 non-inspected 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,

W. Alan Wade

W. Alan Wade
State Director

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

Copy sent to Carteret Co. Health Dept., Craig Phillyan, and Danny Moody