



Steve Troxler
Commissioner

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

W. Alan Wade
State Director

November 6, 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Eddie Squires
2828 Old Monroe Road
Stallings, North Carolina 28401

RE: CIVIL PENALTY ASSESSMENT FOR VIOLATIONS
OF THE MEAT AND POULTRY INSPECTION LAWS
G.S. § 106-549.23, § 106-549.24 and § 106-549.56

Dear: Mr. Eddie Squires

Pursuant to North Carolina General Statute (G.S.) § 106-549.35(c) and § 106-549.59(a1) 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, NCDA & CS 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,

W. Alan Wade

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

STATE OF NORTH CAROLINA
COUNTY OF UNION

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

IN THE MATTER OF)

Mr. Eddie Squires)

FOR VIOLATIONS OF N.C. COMPULSORY)
MEAT AND POULTRY INSPECTION LAWS)
G.S. § 106-549.23, § 106-549.24 and § 106-549.56)

) NOTICE OF VIOLATIONS
) AND ASSESSMENT OF
) CIVIL PENALTY

Acting pursuant to North Carolina General Statute (G.S.) § 106-549.35(c) and § 106-549.59(a1), Mr. W. Alan Wade, Director, Meat and Poultry Inspection Division (MPID) of the North Carolina Department of Agriculture and Consumer Services (NCDA & CS) makes the following:

I. FINDINGS OF FACTS:

- A. On April 14, 2015 NCDA & CS, MPID Food Compliance Officer Phillip Renshaw (hereinafter, CO Renshaw), visited Squires Meats, 2828 Old Monroe Road, Stallings, North Carolina to perform a Planned Compliance Review.
- B. CO Renshaw spoke with Mr. Eddie Squires, who identified himself as the owner/operator of Squires Meats.
- C. CO Renshaw inspected the goods being offered for sale to the general public and discovered that the meat and poultry products being offered for sale were bearing an unauthorized U.S.D.A. mark of inspection (est. #19511) and the meat and poultry products were processed and packaged without required inspection.
- D. On April 14, 2015, CO Renshaw detained three (3) one (1) pound packages of Pork and Chicken Hotdogs, three (3) one (1) pound packages of Ground Pork, two (2) one (1) pound packages of Cubed Boneless Pork Chops, ten (10) one and a half (1.5) pounds packages of Bone-In Pork Chops, two (2) three (3) pound packages of Pork Spare Ribs, ninety- nine (99) two (2) pound packages of Pork Sausage, twenty-four (24) one (1) pound packages of Pork Bacon, three (3) one (1) pound packages of Pork and Chicken Traditional Bologna, three (3) one (1) pound packages of Pork and Chicken Loaf Style Deli Meat and twenty-six (26) two (2) pound packages of Unsliced Salted Fat Back which all contained an unauthorized U.S.D.A. mark of inspection (Est. # 19511).
- E. Mr. Squires stated in a signed statement dated April 14, 2015 that he printed the labels containing the U.S.D.A. mark of inspection (Est. # 19511) at his home and applied the labels containing the U.S.D.A. mark of inspection, without authorization, to the misbranded/non-inspected meat and poultry products that he had processed and packaged in his home kitchen.

- F. Mr. Squire's home kitchen is not under County, State, or Federal Inspection.
- G. CO Renshaw observed a retail display cooler with wet, slimy, rusty and filthy surfaces, which was being used for the storage of misbranded, non-inspected and fraudulently labeled meat and/or poultry products that were being offered for sale to the general public.
- H. Also in the retail display cooler, CO Renshaw observed salted pork fatback which contained visible signs of green, white and black colored mold which was being offered for sale to the general public.
- I. On July 7, 2015 CO Renshaw and Compliance Officer Jake Groce interviewed Mr. Joseph Thomas, owner/operator of Thomas Brothers Abattoir (USDA Establishment # 19511). Mr. Thomas stated that he had not transported, slaughtered, processed, stored, offered for sale, sold, or donated any meat and/or poultry products to Mr. Eddie Squires. Mr. Thomas further stated that he had not given Mr. Squires permission to use his labels; he had not issued or provided Mr. Squires with any labels; nor had he otherwise assisted Mr. Squires in obtaining labels containing the USDA mark of inspection (Est. #19511).
- J. On August 6, 2015 CO Renshaw interviewed Mr. Allen Batten owner/operator of Country Slaughter and Meat, 962 Old Cheraw Highway, Rockingham, North Carolina. Mr. Batten stated that Mr. Squires had approximately ten (10) swine and fifty (50) bovine slaughtered thus far this year (2015). Mr. Squires would in turn take the slaughtered animals back to his home where he further processed them into various meat and poultry products and applied a fraudulent label bearing the USDA mark of inspection (Est. # 19511).
- K. Mr. Squires stated in a signed statement dated April 14, 2015 that he sold over 1500 packages and/or 3000 pounds of misbranded/non-inspected/adulterated meat and poultry products that contained an unauthorized label bearing the USDA mark of inspection (Est. # 19511).
- L. Mr. Squires further admitted in a signed statement dated April 14, 2015 that he had been processing and selling misbranded, non-inspected and adulterated meat and poultry products that contained a label bearing the USDA mark of inspection (Est. # 19511), which he used without authorization, to the general public for approximately three (3) years.

II. CONCLUSIONS OF LAW

- A. Mr. Eddie Squires was found to be processing, storing, transporting, offering for sale and selling misbranded, non-inspected and/or adulterated meat and poultry products to the general public. In addition, Mr. Squires was found to be fraudulently applying labels that contained the USDA mark of inspection (Est. # 19511) to the meat and poultry products being offered for sale and sold to the general public in violation of General Statutes §106-549.23, §106-49.24, and §106-549.56 and may be assessed a civil penalty of up to five thousand (\$5,000.00) dollars per violation under General Statutes §106-549.35(c) and §106.549.59(a1).
- B. The Commissioner of Agriculture, pursuant to General Statute §106-549.35(c) and §106.549.59(a1), has the authority to assess civil penalties in this matter. This 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) and §106-549.59(a1) in determining the amount of the civil penalty, I have considered the degree and extent of harm caused by the violation of General Statutes § 106-549.23, § 106-549.24 and § 106-549.56.

Accordingly Mr. Eddie Squires is assessed a civil penalty of:

- \$ 2,000.00 for violating 106-549.23 – (Misbranded/Non-inspected Meat)
- \$ 2,000.00 for violating 106-549.23 – (Adulterated Meat)
- \$ 2,000.00 for violating 106-549.24 – (Prohibited Acts regarding certificate)
- \$ 2,000.00 for violating 106-549.56 – (Prohibited Sales of misbranded Poultry)
- \$ 2,000.00 for violating 106-549.56 – (Prohibited Acts printing labels that contain official mark)

\$10,000.00 TOTAL AMOUNT ASSESSED.

11/6/15

Date

W. Alan Wade

W. Alan Wade
Meat and Poultry Inspection Division