

PRODUCT DISPOSITION FORM

1. Establishment Information.

| | | |
|---------------------|-------------------------|-------|
| Establishment Name: | Address: | |
| ID Number: | | |
| Responsible Person: | | Date: |
| Title: | Facility Type (if any): | |

2. Description of Product(s).

| | | |
|---------------------|-----------|--|
| Type of Product(s): | Quantity: | Status: <input type="checkbox"/> Fresh <input type="checkbox"/> Frozen |
| | | <input type="checkbox"/> Cooked <input type="checkbox"/> Raw |
| | | Were photographs taken? <input type="checkbox"/> Yes <input type="checkbox"/> No |

3. Description of Product(s) Conditions Requiring Action.

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| Product(s) was / were suspected of being: (check) <input type="checkbox"/> Adulterated <input type="checkbox"/> Misbranded as noted by the following conditions: |
|--|

4. Disposition of Product(s) (check box by action taken).

| | | |
|---|--------|-------|
| <input type="checkbox"/> VOLUNTARY DISPOSAL I do hereby agree to dispose of the product(s) specifically described in Section 2 of this form. I will dispose of the product(s) in the following manner: | | |
| Signature of Responsible Person: | Title: | |
| Disposal Observed By: | Title: | Date: |

NOTICE OF EMBARGO You will take notice that the items specifically described in Section 2 of this form have been embargoed because the undersigned has probable cause to believe that they have been (check)

Adulterated **Misbranded** as evidenced by the specific conditions noted in Section 3 of this form. This action is authorized by N.C.G.S. 130A-21. A petition will be filed in district or superior court requesting an order of condemnation in accordance with N.C.G.S. 106-125. The court will review and act on the request in accordance with that law.

A tag is affixed to the product(s) embargoed. All persons are warned not to remove or dispose of the product(s) until permission for removal is given by the N.C. Department of Health and Human Services, The N.C. Department of Agriculture and Consumer Services, or by the court in accordance with N.C.G.S. 106-125. It shall be unlawful for any person to remove or dispose of the embargoed product(s) without that permission.

| | | |
|---------------------------|--------|-------|
| Embargo Tag(s) Number(s): | | |
| Signature of Official: | Title: | Date: |

Instructions for Completing the “Product Disposition Form”

List the following:

Section 1. Establishment information. Name of establishment, establishment ID number, physical address of the establishment and the mailing address if different, responsible person (establishment owner, manager, or employee in charge) and his/her title, date, type of facility, e.g., restaurant, food stand, meat market, temporary food establishment.

Section 2. Description of product(s). Describe the type of food, drink or ingredients. Record the quantity by specifying the approximate weight, measure, or numerical count. Check the appropriate status box of the food, drink, or ingredient. Check “yes” or “no” if photographs were taken.

Section 3. Description of product(s) condition requiring action. Check whether the product(s) are suspected of being misbranded or adulterated.

Adulterated food or drink products are essentially any food or drink, which has been mixed or altered to a point at which it may result in human illness and/or death if consumed. Examples of this may include but is not limited to the following: food cross contaminated with organic substances such as blood, fecal matter (animal or human) or chemicals such as petroleum products, pesticides and cleaning solutions; any food products that, through temperature abuse have begun to decompose to the point that the product is generating a foul odor, is discolored, or slimy. Refer to N.C.G.S. 106-129 for further explanation of adulterated.

Misbranded food or drink may include but is not limited to the following examples: false or misleading labels, missing or incomplete labeling (e.g., required information missing on labels such as shellfish certification numbers), imitation products not labeled as such (e.g., imitation crabmeat), obscured or concealed labels (e.g., when required to be present, the sell-by date is concealed or obscured by addition of other labels). Examples of milk misbranding would be for the label not to have Grade “A” and/or the processing plant identification (which can be the plant's Interstate Milk Shipper's number or the name and address of the processing plant). Refer to N.C.G.S. 106-130 for further explanation of misbranded.

Section 4. Disposition of product(s). This section is divided into two parts: Voluntary Disposal and Notice of Embargo. Only one of the parts should be completed. If the management of the establishment agrees to dispose of a product found to be in violation, complete only the Voluntary Disposal section. If agreement cannot be reached, complete the Notice of Embargo only. Check the appropriate block that describes which action has been taken.

Voluntary Disposal: Describe the disposal method of the product(s). This may include destroying or denaturing the product by various means, such as using bleach or detergent on the product(s). Request that the responsible person (as indicated in section 1) sign and record his/her title. Indicate, “refused to sign” if applicable. The witness (environmental health specialist, regional environmental health specialist, or health director) that observes the disposal shall sign at the bottom of the Voluntary Disposal box; record his/her title and the current date.

Notice of Embargo: Check Adulterated or Misbranded as described in Section 3. Record the tag(s) number(s) that were affixed to the product(s). Retain the stub(s) of those tag(s). The official (health director or regional environmental health specialist) shall sign at the bottom of the Notice of Embargo box; record his/her title, and the current date.