**Steve Troxler**
Commissioner

# North Carolina Department of Agriculture and Consumer Services

*Food and Drug Protection Division*

**Joseph W. Reardon**
Director

September 23, 2008

Larry Wilburn, Vice-President
Hallie Cookie Company, Inc.
PO Box 2434
Kennesaw, Georgia 30144

Dear Mr. Wilburn:

An reinspection of Pretzelmaker/[redacted]s located at 5959 Triangle Town Blvd-AU 2016, Raleigh, North Carolina was conducted on September 3 and 4, 2008 by Food Regulatory Specialist Janna Spruill of this Department. This inspection revealed the presence of objectionable and insanitary food processing conditions. We specifically direct to your attention the following observations:

1. Pest activity:

    a. More than ten (10+) suspect live German cockroaches were observed on the floor beneath and around the dip ice cream chest freezer and topping warmer case.
    b. Approximately two (2) live and dead suspect cockroaches were observed on the floor of the stock room.
    c. Approximately two (2) live and dead suspect cockroaches were observed on the floor and inside a retail storage cabinet located beneath the pretzel oven.
    d. One (1) dead suspect cockroach was observed on the floor behind the ice maker.

2. Heavy suspect mold residues were observed along the inside of the ice cream dip well.

3. Loose and old appearing product residues and dust were observed throughout the firm, specifically in the retail cookie display compartments, inside cabinets and shelves, around the pretzel warmer, on the fan covers in the bakery freezer, on the floor of the cooler, and on walls and floors behind/beneath mobile and non-mobile equipment.

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4. Damage to processing surfaces and equipment were observed in the following retail locations:

    a. The processing countertop adjacent to the pretzel oven was observed with multiple cracks on the top surface.
    b. The lid to the ice cream chest freezer was noted broken/cracked and taped together.
    c. The corner of the countertop adjacent to the fountain drink dispenser/ice maker was noted broken off.

5. The stock room floor, specifically beneath shelving units, was observed disorganized with cardboard, signage and holiday containers.

A follow-up inspection conducted on September 11, 2008 by Food Regulatory Specialist Janna Spruill of this Department revealed the continued presence of similar objectionable and insanitary food processing conditions. We specifically direct to your attention the following observations:

1. Approximately ten (10) dead suspect cockroaches and more than five (5+) suspect egg casings were observed on the floor behind and beneath equipment throughout the firm.

2. Product residues were observed inside retail cabinets and on the floor in the stock area.

3. Structural equipment and processing surface damage was observed in the following areas:

    a. The processing countertop adjacent to the pretzel oven noted with multiple cracks on the top surface.
    b. The lid to the ice cream chest freezer noted broken/cracked and taped together.
    c. The corner of the counter adjacent to the fountain drink dispenser noted broken.
    d. Two (2) large rectangular openings cut into the wall noted for access to electrical outlets behind the ice cream chest freezer and topping warmer.
    e. Three (3) dime-sized holes noted in the north wall of stock room approximately two feet (2') from floor.
    f. The black rubber baseboard observed loose at various locations throughout firm.
    g. Three (3) cracked wall tiles noted on the vertical support beam in the middle of retail area.

A review of our records reveals that similar conditions involving insect activity in this facility were documented during previous inspections conducted on April 8, 2008 and June 3, 2008. The conditions observed during the June 3, 2008 inspection were directed to your attention in a letter from this Department dated July 14, 2008. Your response dated July 21, 2008 offered assurances that objectionable conditions had been corrected.

Please be advised that the North Carolina Food, Drug and Cosmetic Act states: **"A food shall be deemed to be adulterated if it has been produced, prepared, packed or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered diseased, unwholesome, or injurious to health."** The conditions documented by Ms. Snipes place you and your firm in violation of the Act.

We have directed this matter to your attention as the Vice-President of Hallie Cookie Company, Inc. in order that you might take immediate steps to correct the above-mentioned conditions and assure a continual safe and sanitary operation. Your written response outlining the actions you are taking will be anticipated by this office within fifteen (15) days of receiving this letter.

Sincerely,

Melanie Mhorsson
Food Compliance Officer

cc: Janna Spruill, Food Regulatory Specialist
Charles Parker, General Manager

Hallie Cookie Company Inc.
P.O. Box 2434
Kennesaw, Ga. 30156

July 21, 2008

Melanie Mhorsson
Food Compliance Officer
North Carolina Dept. of Agriculture
4000 Reedy Creek Road
1070 Mail Service Center
Raleigh, North Carolina 27699-1070

Dear Ms. Mhorsson,

Thank you for the letter dated July 14, 2008 regarding our Pretzelmaker/Great American Cookies located at 5959 Triangle Town Blvd. AU2016, Raleigh, North Carolina. Please note the responses to the eight items listed.

1) Terminex is our pest control and provide monthly (or more if needed) service at this location. They were called after you left and serviced on June 5th
2) Each nozzle and diffuser were taken off and cleaned with a toothbrush. The crew has been re-trained to do this nightly.
3) Our official logoed hats and visors were ordered on July 21st from Masterlogo in Salt Lake City, Utah.
4) The mini refrigerator was not used so we have removed it and have cleaned the area it sat in thoroughly.
5) Coca-Cola came out on June 7th and fixed a leak around the drain pan ?? area.
6) All the old silicone was removed and has been replaced with new silicone at the three-compartment sink.
7) The entire floor was power washed on June 6th and we are trying to make sure the closing crews clean as well as they should nightly.
8) Was cleaned thoroughly June 6th.

Thank you again for your attention. I am faxing this to you and hope that is Ok. Please email me hallicyp@aol.com and let me know that you received this and that this meets your requests.

Sincerely,

Larry Wilburn

Steve Troxler
Commissioner

# North Carolina Department of Agriculture and Consumer Services

*Food and Drug Protection Division*

Joseph W. Reardon
Director

July 14, 2008

Larry Wilburn, Vice President
Hallie Cookie Company, Inc.
PO Box 2434
Kennesaw, Georgia 30144

Dear Mr. Wilburn:

A reinspection of Pretzelmaker/Great American Cookies located at 5959 Triangle Town Blvd. AU 2016, Raleigh, North Carolina was conducted on June 3, 2008 by Food Regulatory Specialist Janna Spruill of this Department. This inspection revealed the continued presence of objectionable and insanitary food processing and storage conditions.

We specifically direct to your attention the following inspection observations:

1. Three (3) live suspect cockroaches on the floor adjacent to the cookie display case.
2. Heavy suspect mold and product residues on the fountain drink nozzles.
3. Employees without hair restraints.
4. The mini refrigerator beneath the pretzel oven with a surface temperature of 80 F.
5. Sticky residues from the fountain drink dispenser on the dispenser frame and on the exterior surface of the ice storage bin.
6. Suspect mold along the top of the 3-compartment sink/wall juncture in the stock room.
7. Accumulations of loose and sticky old-appearing product residues on the floor, equipment, perimeter and in cabinets in the retail area and on the walk-in cooler.
8. Suspect mold and organic residues on the floor and in the floor drain beneath the 3-compartment sink in the stock room.

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Review of our records indicate that similar objectionable and insanitary conditions were observed during a previous inspection of Pretzelmaker/Great American Cookie Company conducted on April 8, 2008 by Food Regulatory Specialist Janna Spruill of this Department.

We have directed this matter to your attention as the Vice President of Hallie Cookie Company, Inc. so that immediate steps may be taken to ensure that the violative conditions are completely corrected and do not recur. Your written response outlining the actions you have taken or intend to take, to ensure that this facility operates in a sanitary condition at all times is anticipated within fifteen (15) days of receipt of this letter.

Sincerely,

Melanie Mhorsson
Food Compliance Officer

cc: Pamela Whistler, Food Regulatory Specialist
Mike Hargis, General Manager
Charles Parker, Manager

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coverage you can count on

Kennesaw, Ga. 30156

October 13, 2008

Melanie Mhorsson
Food Compliance Officer
North Carolina Dept. of Agriculture
4000 Reedy Creek Road
1070 Mail Service Center
Raleigh, North Carolina 27699-1070

Dear Ms. Mhorsson,

Thank you for the letter dated September 23, 2008 regarding our Pretzelmaker/Great American Cookies located at 5959 Triangle Town Blvd. AU2016, Raleigh, North Carolina. I am writing this response after our conversation this morning and appreciate the time you gave me.

I have been involved by phone, with our store manager Charles Parker, throughout our inspection processes. We like you, care about cleanliness and sanitary conditions. We also care about being in compliance with all state and local municipalities.

We were re-inspected after the visit referenced in your letter. I understand that all concerns have been addressed in a satisfactory manner with the exception of replacing countertops, floor tiles and repairing the wall. I am attaching the quote we have received to do these things. We are comparing quotes to make sure we get the best price for this work. As I explained to you, in 23 years in this business we have not been asked to replace countertops prior to lease renewal and remodel. I wish we were making lots of money and could do all the things we'd like but we have never made any money in this mall since the mall opened and have lost between $500,000 and a million dollars since the mall opened.

We have regular pest control treatment and pay more in Triangle than any other location. We have had them do additional services and at the time things are good. We have told them that if we continue to have problems, we will change companies. Please be aware that there are many vendors that we buy from for the three brands in this location and that sometimes these come in with the boxes. We of course do not want any. I would appreciate whoever inspects us that they realize these things and understand that we want the same things as you. I would also appreciate if there is a problem, that they would identify the issue in a positive way and ask that the manager get the pest service back out.

Thank you again for your attention. I am faxing this to you and hope that is Ok. Please email me hallievp@aol.com and let me know that you received this and that this meets your requests.

Sincerely,

Larry Wilburn