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 United States of America

10 UNITED STATES DISTRICT COURT  
 11 CENTRAL DISTRICT OF CALIFORNIA  
 12 WESTERN DIVISION

13 UNITED STATES OF AMERICA	)	
	)	
14 Plaintiff,	)	Case No. CV-11-5980-SJO (SSx)
	)	
15 v.	)	
	)	<b>DEFAULT JUDGMENT AND</b>
	)	<b>DECREE OF CONDEMNATION,</b>
16 452 plastic crates, more or	)	<b>FORFEITURE, AND</b>
17 less, of various sizes of-	)	<b>DESTRUCTION</b>
vacuum-packaged, ready-to-eat,	)	
18 fried and cooked seafood, fish	)	
paste, and tempura, labeled in	)	DATE: April 2, 2012
19 part:	)	TIME: 10:00 a.m.
	)	Before the Honorable
20 (package)	)	S. James Otero, United
	)	States District Judge
21 "*** MEIKO *** COOKED CUTTLE	)	
FISH BALLS, (or "COOKED	)	
22 FISH BALLS," or "COOKED MILK	)	
FISH BALLS," or "COOKED POLLOCK	)	
23 FISH BALLS," or "COOKED SCALLOP	)	
BALLS," or "COOKED SEAFOOD	)	
24 BALLS," or "COOKED SHRIMP	)	
BALLS," or "FRIED CUTTLE FISH	)	
25 BALLS," or "FRIED FISH CAKE,"	)	
or "FRIED SCALLOP BALLS," or	)	
26 "FRIED SHRIMP BALLS," or "FRIED	)	
SHRIMP CAKE," or "FRIED SQUID	)	
27 NUGGETS," or "TEMPURA," or	)	
"FISH PATTY," or "FISH PASTE")	)	
28 *** MADE IN U.S.A. *** MEIKO	)	
FOOD CO, INC., S. EL MONTE,	)	
CA ***, "	)	

1 )  
2 and )  
3 )  
4 all other vacuum-packaged, )  
5 ready-to-eat seafood products, )  
6 that are similarly labeled or )  
7 unlabeled, that has been )  
8 processed and packed by Meiko )  
9 Food, and are located anywhere )  
10 on the premises of Meiko Food )  
11 Company, Inc., 2526 Chico Ave., )  
12 South El Monte, CA, )  
13 )  
14 Defendants. )  
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9 On July 20, 2011, a Verified Complaint for Forfeiture  
10 against the above-captioned articles ("Defendant Articles") was  
11 lodged in this Court, and filed on August 2, 2011. The Verified  
12 Complaint for Forfeiture alleges that the Defendant Articles of  
13 food are adulterated while held for sale after shipment of one or  
14 more of their ingredients in interstate commerce within the  
15 meaning of the Act, 21 U.S.C. § 342(a)(4), in that they have been  
16 prepared, packed, and held under insanitary conditions whereby  
17 they may have been rendered injurious to health. Thus, the  
18 Defendant Articles are subject to seizure, condemnation, and  
19 forfeiture to the United States under 21 U.S.C. § 334.

20 Pursuant to a Warrant for Arrest issued by this Court, the  
21 United States Marshal for this district seized the Defendant  
22 Articles on August 24, 2011.

23 It appearing that process was duly issued in this action and  
24 returned according to law; that public notice of the arrest and  
25 seizure of the Defendant Articles was given according to law; and  
26 that no person or entity has appeared to claim the Defendant  
27 Articles within the time specified by the Warrant for Arrest and  
28

1 Rule G(5)(a)(ii) of the Supplemental Rules for Admiralty or  
2 Maritime Claims and Asset Forfeiture Actions, it is on motion of  
3 the United States for a Default Judgment and Decree of  
4 Condemnation, Forfeiture, and Destruction, hereby:

5 **ORDERED, ADJUDGED, AND DECREED**, pursuant to Rule 55(b)(2) of  
6 the Federal Rules of Civil Procedure, that the default of all  
7 persons and entities having any right, title, or interest in the  
8 Defendant Articles under seizure, including Meiko Food Company,  
9 Inc., be and is hereby entered; and it is further

10 **ORDERED, ADJUDGED, AND DECREED**, that the Defendant Articles  
11 are adulterated while held for sale after shipment of one or more  
12 of their ingredients in interstate commerce within the meaning of  
13 the Act, 21 U.S.C. § 342(a)(4), in that they have been prepared,  
14 packed, and held under insanitary conditions whereby they may  
15 have been rendered injurious to health; and it is further

16 **ORDERED, ADJUDGED, AND DECREED**, pursuant to 21 U.S.C. § 334,  
17 that the United States Marshal for this district shall forthwith  
18 destroy the forfeited and condemned Defendant Articles and make  
19 due return to this Court. Destruction shall be in a manner that  
20 complies with the National Environmental Policy Act of 1969 and  
21 in the presence of a representative from the United States Food  
22 and Drug Administration.

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24 DATED: April 3, 2012

25 THE HONORABLE S. JAMES OTERO  
26 UNITED STATES DISTRICT JUDGE  
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PRESENTED BY:

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