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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRAVO PACKING, INC., a corporation, and
JOSEPH MEROLA and AMANDA LLOYD,
individuals,

Defendants.

Case No. 22-cv-1380

COMPLAINT FOR INJUNCTION

Plaintiff, the United States of America, on behalf of the United States Food and Drug Administration (“FDA”), by and through its undersigned attorney at the United States Department of Justice’s Consumer Protection Branch, alleges:

1. This statutory injunction proceeding is brought under the Federal Food, Drug, and Cosmetic Act (the “Act”), 21 U.S.C. § 332(a), to halt the manufacture and distribution of adulterated raw animal food products. FDA laboratory testing has revealed that Defendants’ raw animal food is contaminated with the pathogen *Salmonella*, a health risk to animals and humans, and FDA inspections have shown that Defendants’ manufacture their raw animal food under grossly insanitary conditions. Plaintiff seeks an injunction to restrain and enjoin Defendants from directly or indirectly doing or causing the following acts:

A. Violating 21 U.S.C. § 331(a), by introducing or delivering for introduction into interstate commerce articles of animal food that are adulterated: (1) within the meaning of 21 U.S.C. § 342(a)(1) in that they bear or contain a poisonous or deleterious substance, namely *Salmonella*, which may render them injurious to health, and (2) within the meaning of 21 U.S.C. § 342(a)(4), because they have been prepared, packed, or held under insanitary conditions whereby they may have become contaminated with filth, or whereby they may have been rendered injurious to health;

B. Violating 21 U.S.C. § 331(k), by causing articles of animal food that are held for sale after shipment of one or more of their components in interstate commerce to become adulterated within the meaning of 21 U.S.C. §§ 342(a)(1) and (a)(4).

JURISDICTION AND VENUE

2. This Court has jurisdiction over the subject matter and all parties to this action pursuant to 28 U.S.C. §§ 1331, 1337, and 1345, and 21 U.S.C. § 332(a).

3. Venue in this district is proper under 28 U.S.C. § 1391.

THE PARTIES

4. Plaintiff, the United States of America, brings this action on behalf of FDA, the agency mandated to protect the public health.

5. Defendant Bravo Packing, Inc. (“Bravo”) is a corporation located at 59 N. Golfwood Ave., Carneys Point, New Jersey 08069, within the jurisdiction of this Court.

6. Defendant Joseph Merola is the Owner and Secretary of Bravo. He has the duty, power, and authority to prevent, detect, and correct violations and hire and fire employees. He is responsible for recipe adjustments and maintains financial oversight over all purchases and equipment repair. Joseph Merola performs his duties at the Bravo facility, within the jurisdiction of this Court.

7. Defendant Amanda Lloyd is the President of Bravo. Her primary responsibilities include managing product orders, ordering supplies, and overseeing accounting duties. She maintains Bravo’s receiving and shipping records. Ms. Lloyd performs her duties at the Bravo facility, within the jurisdiction of this Court.

DEFENDANTS’ PRODUCTS

8. Defendants manufacture, process, prepare, pack, hold, and distribute articles of food within the meaning of 21 U.S.C. § 321(f), namely raw animal food products.

9. Bravo manufactures raw animal food products at its Carneys Point facility. Bravo’s animal food products include raw dog food and raw food for large exotic cats such as lions, tigers, and panthers.

10. For their raw animal food products, Defendants grind their own beef, tripe, and trachea from cows that they slaughter on site. The ground beef, tripe, and trachea are then extruded into a mixer, where they are combined with other ingredients, including dehydrated egg

powder and salted blood. The food is packaged in plastic bags, which are frozen before distribution.

11. Defendants distribute their raw animal food products in interstate commerce to customers located in New York.

12. Defendants receive a mineral mix used in their raw animal food products in interstate commerce from a supplier in Pennsylvania.

HEALTH RISKS ASSOCIATED WITH DEFENDANTS' PRODUCTS

13. Defendants' raw animal food products have continuously been found to contain the pathogen *Salmonella*, which is a health risk to humans and animals. Because Defendants' products are not intended to be cooked or subject to another type of preparation that would destroy any pathogens before being served to animals, the *Salmonella* in the raw animal food presents a significant public health risk to both animals and humans who handle the food and care for the animals. *Salmonella* can cause illness, called salmonellosis, in both humans and animals, and it is easily transferred from animal food to humans through handling, or from infected animals to humans.

14. Salmonellosis in humans is typically associated with diarrhea, fever, and abdominal cramps that lasts 4 to 7 days. Although the symptoms usually resolve without treatment in healthy adults, salmonellosis can cause severe dehydration and lead to death without prompt treatment in certain populations, including infants, young children, the elderly, transplant recipients, pregnant women, and individuals with weakened immune systems. A small number of individuals with *Salmonella* infections develop reactive arthritis (i.e., arthritis from an immune reaction to the infection), which can lead to chronic arthritis. The Centers for Disease

Control and Prevention (“CDC”) estimate that annually there are 1.35 million human cases of salmonellosis in the United States, with 26,500 hospitalizations and 420 deaths.

15. Humans can become infected with *Salmonella* if they touch contaminated animal food and do not thoroughly wash their hands afterward. In addition, *Salmonella* in animal food can cross-contaminate human food if the animal food is stored or handled in common areas with human food, a regular practice among consumers.

16. Dogs infected with *Salmonella* from contaminated animal food can exhibit symptoms such as vomiting, diarrhea, fever, loss of appetite, and/or decreased activity level. In some cases, the *Salmonella* infection may spread from the animal’s intestines to the blood stream, leading to death if not treated. However, infected dogs often do not appear to be sick after consuming food contaminated with *Salmonella*, but can still be carriers of *Salmonella* and spread the pathogen to their human owners.

17. Any infected animal will shed *Salmonella* in its feces, and *Salmonella* can be transmitted to humans if they do not thoroughly wash their hands after cleaning up animal feces. Additionally, many animals groom themselves after they eat or defecate, and *Salmonella* can be transmitted from their mouths to surfaces that they subsequently lick, including a person’s face or hands. For example, if a pet plays with a toy immediately after eating food containing *Salmonella*, the pathogen could easily transfer to people who touch the toy and then their mouths; this scenario is very common with young children.

REGULATORY FRAMEWORK

18. Defendants’ raw animal food products are animal food within the meaning of the Act, 21 U.S.C. § 321(f).

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