



***United States Attorney
Southern District of New York***

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**MANHATTAN MARKET AGREES TO PERMANENT INJUNCTION
BARRING IT FROM SELLING UNINSPECTED MEAT
AND POULTRY PRODUCTS TO RETAILERS**

MICHAEL J. GARCIA, the United States Attorney for the Southern District of New York, announced today that the United States (the "Government") has settled a civil lawsuit against a Manhattan market, Deluxe Food Market, Inc., and its president, KA CHE (collectively "DELUXE"), for violations of the Federal Meat Inspection Act and the Poultry Products Inspection Act. The Consent Decree and Judgment (the "Decree"), entered Monday by United States District Judge LORETTA A. PRESKA, permanently enjoins DELUXE from selling meat and poultry products that have not passed federal inspection to other retailers. The Decree further requires DELUXE to implement various screening measures to prevent retailers from purchasing uninspected meat and poultry products from DELUXE.

In its Complaint, filed on November 28, 2007, the United States charged that from April 2004 through 2006, DELUXE repeatedly sold uninspected meat and/or poultry products to other retailers for purposes of resale. According to federal meat and poultry inspection laws, retail establishments cannot prepare and sell meat or poultry for purposes of resale unless the product has passed inspection by the United States Department of Agriculture.

The decree concludes an investigation initiated by the Food Safety Inspection Service to protect public health and ensure that meat and poultry products sold into commerce are safe and wholesome. Under the settlement, DELUXE is permanently enjoined from selling or offering for sale any meat or poultry products for purposes of resale. DELUXE will also be required to display notices advising customers that meat and poultry products

may not be purchased for purposes of resale. In addition, DELUXE may not sell more than thirty-five pounds of meat or poultry products to any customer unless the customer completes a written questionnaire. The questionnaire requires the customer to provide contact information and represent that he or she does not intend to sell the purchased goods. DELUXE must maintain any responses to the questionnaires in a secure location for a period of three years and provide copies of the responses to the Government for purposes of enforcing the Decree.

Under the Decree, DELUXE must provide the Government access to its facilities, records and inventory for purposes of inspection. If any violations of the Decree are discovered, DELUXE must pay the Government civil penalties.

DELUXE further agreed to pay the Government \$11,000 to cover administrative investigation costs incurred by the Government in this matter.

Mr. GARCIA praised the investigative work and assistance provided in the case by the United States Department of Agriculture's Food Safety and Inspection Service.

Assistant United States Attorney PIERRE G. ARMAND is in charge of the case.

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