

Exhibit 6-3
FORM OF DEFAULT DECREE OF CONDEMNATION

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

United States of America,)	No. _____
)	
Plaintiff,)	
)	
v.)	
)	
So many cartons, more or less,)	
of an article of food labeled in part:)	
)	
" _____,")	
)	
Defendant.)	

On _____, 20____, a Complaint for Forfeiture against the above described article was filed on behalf of the United States of America. The Complaint alleges that the article proceeded against is a food which was adulterated when introduced into and while in interstate commerce and is adulterated while held for sale after shipment in interstate commerce within the meaning of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 342(a)(3), in that it consisted in part of a filthy substance by reason of the presence therein of insects. Pursuant to warrant for arrest in rem issued by this Court, the United States Marshal for this district seized the article on _____, 20_____.

It appearing that process was duly issued herein and returned according to law; that notice of the seizure of the above described article was given according to law; and that no persons have appeared or interposed a claim before the return day named in the process;

Now, therefore, on motion of _____, United States Attorney for the District of Maryland, by _____, Assistant United States Attorney, for a Default Decree of Condemnation and Destruction, the Court being fully advised of the premises, it is

ORDERED, ADJUDGED AND DECREED that the default of all persons be and the same are entered herein; and it is further:

ORDERED, ADJUDGED AND DECREED that the seized article is a food (or: device, drug, etc.) which was adulterated (or misbranded) when introduced into interstate commerce (or: while in interstate commerce, or: is adulterated while held for sale after shipment in interstate commerce) within the meaning of 21 U.S.C. 342(a)(3), (or appropriate charge) in that it consists in part of a filthy substance by reason of the presence therein of insects, (or enter appropriate statement) and is therefore hereby condemned and forfeited to the United States pursuant to 21 U.S.C. 334(a); and it is further:

ORDERED, ADJUDGED AND DECREED, pursuant to 21 U.S.C. 334(d), that the United States Marshal in and for the District of Maryland destroy the condemned article and make return to this Court. Destruction shall be in a manner that complies with the requirements of the National Environmental Policy Act.

Dated this _____ day of _____, 20__.

United States District Judge

NOTE:

EXHIBITS: Where exhibits of the seized article are desired for use in displays, to illustrate public speeches, or in subsequent prosecution proceedings, the last paragraph of the above decree should be worded:

(for the entire lot) "*** that the United States Marshal in and for the District of Maryland do forthwith deliver same to a representative of the Food and Drug Administration for official use or uses***."

(for a portion of the lot) "*** do forthwith deliver a portion of same to a representative of the Food and Drug Administration for official use or uses and destroy the remainder of same***."