

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

DJK
C/M

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
CHRISTIAN BROS. CONTRACTING)
CORP., a corporation, and)
JASON VALE, an individual,)
)
Defendants.)

Civil Action No.99CV7683

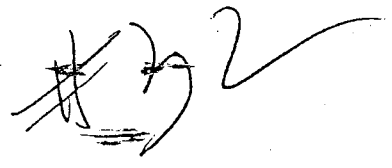
CONSENT DECREE OF
PERMANENT INJUNCTION

FILED
IN CLERKS OFFICE
U.S. DISTRICT COURT
N.Y.
★ NOV 17 2000 ★
P.M. _____
TIME A.M. _____

The United States of America, plaintiff, having filed a Complaint for Permanent Injunction against defendants Christian Bros. Contracting Corp., a corporation, and Jason Vale, an individual, and the defendants having appeared and having consented to the entry of this Decree, without admitting or denying any liability, and before any testimony has been taken, and the United States of America having consented to this Decree:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. This Court has jurisdiction over the subject matter of this action, and has personal jurisdiction over all parties to this action.
2. The Complaint for Injunction states a cause of action against the defendants under the Federal Food, Drug, and Cosmetic Act (FDC Act), 21 U.S.C. §§ 301-97.
3. Defendants and each and all of their agents, representatives, employees, successors and assigns, and any and

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all persons in active concert or participation with any of them, who have received actual notice of this Decree by personal service or otherwise, are hereby permanently restrained and enjoined pursuant to 21 U.S.C. § 332(a), from directly or indirectly doing or causing to be done any of the following acts:

A. Introducing or delivering for introduction into interstate commerce, holding for sale after shipment in interstate commerce, manufacturing, processing, packing, labeling, promoting in violation of the FDC Act, or distributing amygdalin, laetrile, "Vitamin B-17", apricot seeds, any similar product containing or purporting to contain amygdalin, laetrile, "Vitamin B-17," or apricot seeds, or any drug product that is a new drug, as defined in 21 U.S.C. § 321(p), unless and until:

(1) an approved new drug application filed pursuant to 21 U.S.C. § 355 is in effect for such drug product; or

(2) an investigational new drug application filed pursuant to 21 U.S.C. § 355(i) and 21 C.F.R. Part 312 is in effect for such drug product and the drug product is distributed and used solely for the purpose of conducting clinical investigations in accordance with the investigational new drug application.

B. Introducing or delivering for introduction into interstate commerce any drug that is misbranded within the meaning of 21 U.S.C. §§ 352(c), 352(f)(1), or 353(b)(1).

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