

December 10, 2020

Submitted via email

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Dear Mr. Pack and Mr. Muetter,

On behalf of Animal Outlook (“AO”), I write to inform you of the ongoing manufacture, sale, and distribution of adulterated pet food products by Bravo Packing, Inc. (“Bravo”) in violation of numerous federal and state laws. Accordingly, we respectfully request the Food and Drug Administration (“FDA”) and the New Jersey Department of Health (“NJDH”) to investigate and enforce both federal and state food safety laws to the fullest extent allowable.

Bravo is located at 59 Golfwood Avenue, Carney’s Point, New Jersey 08069, and is operated by its president, Amanda Lloyd, and its secretary, Joseph Merola. The company produces and distributes dog food called Performance Dog Diet (“PDD”) through its subsidiary, Tefco, located in Brooklyn, New York.¹ In addition, although not directly implicated here, Bravo also produces food for exotic animals from the same facility.²

As discussed in detail below, Bravo has a long and sordid past of filthy conditions and contaminated products. In recent years, the company has been the subject of repeated complaints, inspections, recalls, and investigations by both the FDA and the NJDH. The current violations described herein represent only the latest in a tortured history of non-compliance with federal

¹ TEFCO RAW DOG FOOD, *Performance Dog Diet*, <http://www.rawdogfoodwholesale.com/performance-dog-diet/> (last visited Nov. 23, 2020).

² BRAVO PACKING, INC., *Home Page*, <http://www.bravopacking.com/index.html> (last visited Nov. 23, 2020).

and state laws that continue to threaten the health and welfare of thousands of persons and animals exposed to Bravo’s adulterated products. Despite prior federal actions and repeated opportunities to comply with the law, Bravo continues to proliferate dangerously tainted products across the country. The FDA and the NJDH must enforce the law to the fullest extent possible, including but not limited to shuttering the company’s operations and severe monetary penalties.

I. Bravo Packing has a long, sordid history of unsanitary manufacturing conditions and dangerously contaminated products.

An examination of Bravo’s recent history reveals a troubling portrait of a company producing pet food in utter filth while flagrantly refusing to obey the most rudimentary protocol for sanitation despite repeated warnings and opportunities. Although this correspondence centers on Bravo’s Performance Dog Diet dog food (“PDD”), it is contextually important to note that the company’s *other* product—exotic animal food produced from the carcasses of horses allegedly “emaciated,” “starving,” and “too weak to stand”³—has likewise been plagued with issues. On August 4, 2016, following the collection of samples during a previous inspection, the FDA issued an untitled letter (“UTL”) stating that Bravo had sold horse meat for exotic animal food that was dangerously “contaminated with Pentobarbital and Phenytoin.”⁴

Less than two years later, on June 22, 2018, the FDA received a consumer complaint alleging that Bravo’s products are produced “from dead, dying, and disabled livestock.”⁵ The complaint further alleged that Bravo’s products include the meat of horses euthanized using sodium pentobarbital and also that the company’s marketing allegations that their products are “made using pure beef obtained from only USDA inspected plants” were fraudulent as the products were actually produced using animals “rejected for slaughter.”⁶

In response to the consumer complaint, the FDA inspected Bravo on July 18, 2018.⁷ On September 18, 2018, following testing conducted pursuant to that inspection, Bravo announced a recall of “all Performance Dog products” because of their “potential to be contaminated with *Salmonella*.”⁸

The following summer, on July 22, July 24, and August 6, 2019, the FDA conducted inspections at Bravo to follow up on compliance issues stemming from the September 18, 2018 recall.⁹

³ POISONED PETS, *From Stable to Table: Horses Turned into Pet Food & Their Bones Sold as Dog Chews. In America. Right Now.*, <https://www.poisonedpets.com/from-stable-to-table-horses-turned-into-pet-food-their-bones-sold-as-dog-chews-in-america-right-now/> (last visited Dec. 7, 2020).

⁴ FOOD AND DRUG ADMINISTRATION, Consumer Complaint/Injury Report, Complaint #153962, June 22, 2018.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ FOOD AND DRUG ADMINISTRATION, Establishment Inspection Report, FEI # 1000121624, July 18, 2018.

⁸ FOOD AND DRUG ADMINISTRATION, *Bravo Packing, Inc. Recalls Performance Dog Raw Pet Food Because of Possible Salmonella Health Risk to Humans and Animals*, <https://www.fda.gov/safety/recalls-market-withdrawals-safety-alerts/bravo-packing-inc-recalls-performance-dog-raw-pet-food-because-possible-salmonella-health-risk> (last visited Nov. 23, 2020).

⁹ FOOD AND DRUG ADMINISTRATION, CMS #592718 Warning Letter, Mar. 16, 2020.

During these inspections, the FDA collected a sample of PDD that subsequently tested positive for *Salmonella* and *L. mono*.¹⁰

The FDA later issued a Warning Letter¹¹ summarizing the findings of its inspection and noting that the agency had found “significant violations of the Current Good Manufacturing Practice Hazard Analysis and Risk-Based Preventative Controls for Food for Animals.”¹² The Warning Letter paints a graphic, troubling picture of a decrepit facility where management and employees recklessly disregard the most basic elements of sanitation. Observations in the Warning Letter and accompanying inspection report include:

- Pallets of cardboard boxes with “avian droppings on the top, sides, and along the bottom”
- “[H]eavy buildup of dried, dark, crusty meat-like material” on an auger
- “[B]lack residue on the inside surface” of an item used to hold cut meat
- “[D]ried food residue . . . left on equipment used to manufacture raw, frozen, ready-to-eat dog food, despite the equipment being identified as ‘clean’ by an employee”
- Failure to “use detergent, manual scrubbing, or other appropriate procedures to remove meat and fat residue from food-contact surfaces”
- “[C]ondensate drip, pools of water on the floor, and ice buildup on several boxes of finished raw dog food products”
- “[T]he elbow portion of the feeder pipe from the mixer . . . had a buildup of dried, dark, crusty meat-like material”
- “[T]he buckets that are used to hold cut meat exhibited a black residue on the inside surface”
- “[A] greasy buildup of animal fat” on the grinder¹³

The Warning Letter confirms that the conditions of the facility violated federal food safety regulations as codified in 21 C.F.R. § 507.¹⁴ Accordingly, the FDA declared the raw pet foods manufactured at Bravo to be “adulterated.”¹⁵

Despite the severity of these violations and the attendant risk to consumers and pets alike, Bravo defied the FDA’s request for cooperation. Despite assurances that they would voluntarily recall the product and “repeated requests” that they do so, Bravo failed to provide the FDA with the necessary materials to advise on a recall.¹⁶ Bravo claimed that they “did not know where the affected product was distributed.”¹⁷

¹⁰ FOOD AND DRUG ADMINISTRATION, *FDA Cautions Pet Owners Not to Feed Performance Dog Raw Pet Food Due to Salmonella, Listeria monocytogenes*, <https://www.fda.gov/animal-veterinary/outbreaks-and-advisories/fda-cautions-pet-owners-not-feed-performance-dog-raw-pet-food-due-salmonella-listeria-monocytogenes#:~:text=The%20U.S.%20Food%20and%20Drug%20Administration%20is%20cautioning%20pet%20owners,manufactured%20by%20Bravo%20Packing%2C%20Inc.> (last visited Nov. 23, 2020).

¹¹ The March 16, 2020 FDA Warning Letter copied the New Jersey Department of Health, Public Health and Food Protection Program Manager, Loel Muetter.

¹² FOOD AND DRUG ADMINISTRATION, CMS #592718 Warning Letter, Mar. 16, 2020.

¹³ FOOD AND DRUG ADMINISTRATION, CMS #592718 Warning Letter, Mar. 16, 2020; Food and Drug Administration, Inspection Report, FEI Number 1000121624, Aug. 6, 2019.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ *Ibid.*

Based on Bravo’s failure to cooperate, the FDA was forced to act unilaterally to protect consumers and pets. Noting that this is “the second time Bravo Packing, Inc. product has tested positive for pathogen contamination,” the FDA publicly cautioned pet owners on September 26, 2019 not to feed their pets any PDD and to throw the product away “in a secure container where other animals, including wildlife, cannot access it.”¹⁸

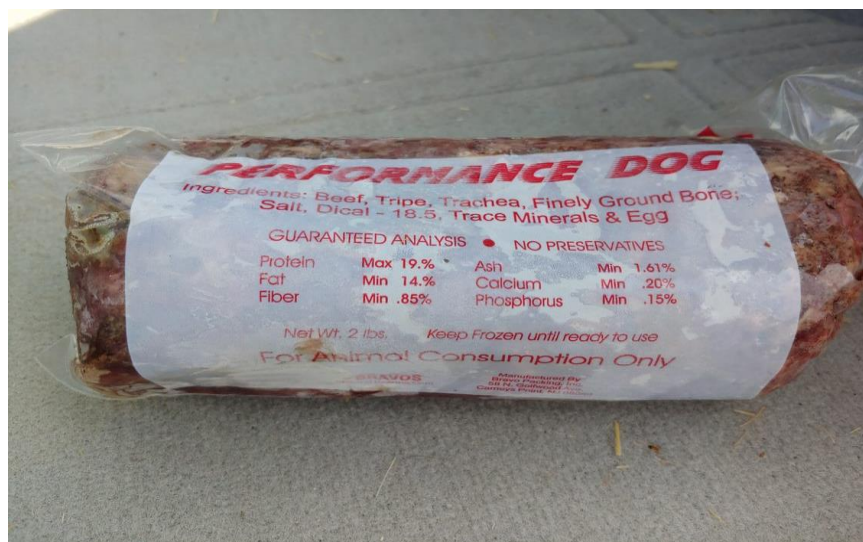
II. Recent laboratory testing reveals that Bravo continues to recklessly distribute contaminated products around the country, jeopardizing the health and safety of consumers and their pets.

It is against the repugnant backdrop of Bravo’s previous violations that AO brings forth the present concern. On October 1, 2020, an agent of AO obtained a single 40-pound case of PDD from one of Bravo’s distributors, Pamela Ridley of Movable Feast, LLC, in Santa Monica, California.¹⁹ Pictures of the product including the outer packaging and a sample sleeve of PDD are included below:



¹⁸ FOOD AND DRUG ADMINISTRATION, *FDA Cautions Pet Owners Not to Feed Performance Dog Raw Pet Food Due to Salmonella, Listeria monocytogenes*, <https://www.fda.gov/animal-veterinary/outbreaks-and-advisories/fda-cautions-pet-owners-not-feed-performance-dog-raw-pet-food-due-salmonella-listeria-monocytogenes#:~:text=The%20U.S.%20Food%20and%20Drug%20Administration%20is%20cautioning%20pet%20owners,manufactured%20by%20Bravo%20Packing%2C%20Inc.> (last visited Nov. 23, 2020).

¹⁹ Appendix A - Movable Feast Invoice, Oct. 2020; see also Tefco RAW DOG FOOD, *Tefco Distributors*, <http://www.rawdogfoodwholesale.com/distributor-directory/> (last visited Nov. 23, 2020).



On October 5, 2020, a two-pound sleeve from this package was shipped via UPS for laboratory testing at IEH Laboratories and Consulting Group (“IEH”) in Lake Forest Park, Washington.²⁰ IEH subsequently tested the PDD sample using methods approved by the Association of Official Analytical Chemists International (“AOAC”) and provided results to AO on October 15, 2020.

These laboratory results indicate conclusively that the sample of PDD purchased from Movable Feast, LLC—one of Bravo’s acknowledged distributors²¹—tested positive for *Salmonella spp.* through both molecular and cultural testing methods. The IEH Certificate of Analysis is presented below and also included herein as Appendix C.²²

WO: 1164029		Rec. Date: 10/6/2020 11:12		Report Date: 10/15/2020	Report No: LFP-236738
Lab Sample No	Customer Sample ID	Sample Desc	Customer Comments	Salmonella spp.	Salmonella spp. Cultural Confirmation
1164029-001	1	Dog food (meat)	Performance Dog Diet Dog Food	Molecularly Confirmed Positive	Positive
Test Method: Salmonella spp. = Salmonella spp. MB217.01 (AOAC-RI # 100701), Salmonella spp. Cultural Confirmation = Salmonella spp. MB316.01 (AOAC-RI #021201)(Cultural Confirmation)					

Troublingly, this test marks the fourth time in as many years that Bravo products were found to contain dangerous contamination and the third time in just over two years that PDD specifically has tested positive for *Salmonella*:

- August 2016 – Exotic animal food contaminated with Pentobarbital and Phenytoin
- July 2018 – PDD contaminated with *Salmonella*
- July-August 2019 – PDD contaminated with *Salmonella* and *L. mono*
- October 2020 – PDD contaminated with *Salmonella*

²⁰ Appendix B –Shipping receipt to IEH, Oct. 5, 2020.

²¹ TEFCO RAW DOG FOOD, *Tefco Distributors*, <http://www.rawdogfoodwholesale.com/distributor-directory/> (last visited Dec. 9, 2020).

²² Appendix C – IEH Laboratories and Consulting Group Certificate of Analysis, Oct. 16, 2020.

In light of Bravo’s flagrant and ongoing violations, its refusal to comply with federal and state law, and the accompanying public health concerns, the FDA and the NJDH must act swiftly and decisively to protect consumers and their pets, including imposing monetary penalties and permanently shuttering Bravo’s facility in Carney’s Point, New Jersey.

III. Bravo’s manufacturing, sale, and distribution of contaminated PDD violates both federal and state law and should be punished to the full extent of the law, including criminal charges, monetary fines, and permanent suspension of operations.

A. Bravo’s manufacturing, sale, and distribution in interstate commerce of contaminated PDD violates the federal Food, Drug, and Cosmetic Act.

The Federal Food, Drug, and Cosmetic Act (“FDCA” or “the Act”) prohibits “[t]he introduction or delivery for introduction into interstate commerce of any food, drug, device, tobacco product, or cosmetic that is adulterated or misbranded.”²³ The Act also prohibits “[t]he adulteration or misbranding of any food, drug, device, tobacco product, or cosmetic in interstate commerce.”²⁴

Under the Act, a food shall be deemed adulterated “[i]f it bears or contains any poisonous or deleterious substance which may render it injurious to health.”²⁵ Importantly, the term “food” includes both human and animal food, expressly including “articles used for food or drink for man or other animals.”²⁶

The FDA Compliance Policy Guide states that the “FDA considers an animal feed or pet food that may be injurious to health because it is contaminated with *Salmonella* to be adulterated” under the FDCA.²⁷ This conclusion that food contaminated with *Salmonella* is “adulterated” has been upheld by federal courts as recently as January 2020.²⁸

Bravo’s distribution of PDD contaminated with *Salmonella* undeniably constitutes a violation of the FDCA. PDD is produced, marketed, and sold as pet food and therefore fits squarely under the FDCA’s definition of “food.” For example, the Tefco website that sells PDD depicts a large picture of a dog beneath the words “Naturally Designed to Eat Raw.”²⁹

Moreover, as Bravo is located in New Jersey, Tefco is located in New York, and the PDD tested by AO was obtained across the country in California, the product has clearly been distributed via

²³ 21 U.S.C. § 331(a).

²⁴ 21 U.S.C. § 331(b).

²⁵ 21 U.S.C. § 342(a).

²⁶ 21 U.S.C. § 321(f).

²⁷ FOOD AND DRUG ADMINISTRATION, Compliance Policy Guide, p. 5,

[https://www.fda.gov/media/86240/download#:~:text=FDA%20considers%20an%20animal%20feed,the%20FD%26C%20Act%20\(21%20U.S.C.&text=FDA%20believes%20the%20likelihood%20of,lower%20than%20for%20pet%20foods](https://www.fda.gov/media/86240/download#:~:text=FDA%20considers%20an%20animal%20feed,the%20FD%26C%20Act%20(21%20U.S.C.&text=FDA%20believes%20the%20likelihood%20of,lower%20than%20for%20pet%20foods). (last visited Nov. 30, 2020).

²⁸ See *Lystn, LLC v. FDA*, 2020 U.S. Dist. LEXIS 7469 (D. Colo. 2020).

²⁹ TEFCO RAW DOG FOOD, *Home Page*, <http://www.rawdogfoodwholesale.com/> (last visited Nov. 30, 2020).

interstate commerce. Accordingly, the product falls under the purview of the FDCA’s prohibitions on adulteration as codified in 21 U.S.C. § 331(a).

Finally, the laboratory test results confirming that Bravo’s product contains *Salmonella* are—as explicitly stated in the FDA Compliance Policy Guide and confirmed by federal case law—conclusive evidence of adulteration. Accordingly, we respectfully ask the FDA to enforce the penalty provisions of the FDCA—both criminal and injunctive—to the fullest extent possible.

1. *The FDA should suspend Bravo’s operations as expressly authorized by the FDCA.*

Under the FDCA, the FDA is empowered to shutter operations at Bravo indefinitely. Under 21 U.S.C. § 350d(a)(1), “any facility engaged in manufacturing, processing, packing, or holding food for consumption in the United States” shall be registered with the FDA. This registration is subject to indefinite suspension. According to the FDA’s compliance and enforcement documents:

When a food product presents a reasonable probability of serious adverse health consequences or death to humans or animals, FDA can suspend a facility’s registration to prevent it from introducing into interstate commerce food from the facility until FDA determines that adequate grounds do not exist to continue the suspension actions required by the order.³⁰

Accordingly, the FDA is fully empowered to suspend Bravo’s federal registration to produce food products. As discussed above, the PDD Bravo manufactures and distributes is indisputably “adulterated” under the FDCA based on its contamination with *Salmonella*. Moreover, the “serious adverse health consequences” from *Salmonella* to humans and animals are widely known and not in dispute. The FDA acknowledges that *Salmonella* can cause fever, diarrhea, and vomiting in both humans and animals.³¹ Similarly, the Centers for Disease Control states that risks from *Salmonella* are both “serious” and “dangerous.”³² Accordingly, the FDA should suspend the company’s federal registration. Further, as Bravo has repeatedly failed to demonstrate “adequate grounds” to believe their practices are anything but unlawful and unsanitary, the FDA should impose this suspension indefinitely.

2. *The FDA should pursue criminal charges against Bravo as also authorized by the FDCA.*

In addition to suspending Bravo’s registration, the FDA is authorized to—and should—levy criminal charges as afforded by the FDCA’s robust criminal provisions. Under 21 U.S.C. § 333, “[a]ny person who violates a provision of (the section) shall be imprisoned for not more than one year or fined not more than \$1,000, or both.”

³⁰ FOOD AND DRUG ADMINISTRATION, Compliance and Enforcement, <https://www.fda.gov/animal-veterinary/compliance-enforcement> (last visited Nov. 30, 2020); *see also* 21 U.S.C. § 350d(b)(1).

³¹ FOOD AND DRUG ADMINISTRATION, *Think Food Safety and Be Salmonella Safe*, <https://www.fda.gov/animal-veterinary/animal-health-literacy/think-food-safety-and-be-salmonella-safe> (last visited Dec. 1, 2020).

³² CENTERS FOR DISEASE CONTROL AND PREVENTION, *Salmonella and Food*, <https://www.cdc.gov/foodsafety/communication/salmonella-food.html> (last visited Dec. 1, 2020).

Notably, although the penalty provisions of the FDCA include an exemption where delivery of an adulterated product “was made in good faith,”³³ that exemption cannot reasonably be entertained here. As demonstrated in Section II, above, despite repeated complaints, inspections, recalls, and warnings, Bravo has refused to remedy the squalid conditions of its facility in a manner that prevents the distribution of adulterated products via interstate commerce. Moreover, as explained in the FDA’s March 2020 Warning Letter, Bravo failed to cooperate with FDA investigators to protect the public and their pets from the health hazards of its adulterated product.³⁴ Any argument that Bravo has acted in “good faith” by repeatedly distributing adulterated PDD via interstate commerce is without merit. Thus, in addition to suspending operations, the FDA should seek criminal enforcement against Bravo Packing and its owners/operators to include imprisonment and fines.

For the past four years, Bravo has peddled contaminated products across the United States, endangering the health of countless humans and animals. The FDA has repeatedly called these issues to the attention of Bravo’s operators, Amanda Lloyd and Joseph Merola, yet despite numerous warnings, inspections, complaints, and recalls, their distribution of hazardous products has continued unabated. The continued operation of Bravo represents an unacceptable risk for the health and safety of consumers and their pets. Accordingly, the FDA should bring to bear the full weight of the FDCA against Bravo’s operators by suspending operations of the facility for good and levying criminal charges and fines against both Lloyd and Merola as well as the corporate entity itself.

B. Bravo’s manufacturing, sale, and distribution of contaminated PDD and failure to maintain sanitary food production facilities violate New Jersey law.

New Jersey’s statewide scheme for regulating the safety of food products is largely analogous to federal law. Accordingly, Bravo’s production and distribution of contaminated PDD violates numerous state statutes and is punishable by fines and other forms of injunctive relief.

Like the FDCA, New Jersey law defines “food” broadly, explicitly including in the definition “articles used for food or drink for man *or other animals*.”³⁵ Also mirroring the FDCA, New Jersey considers food “adulterated” if “it bears or contains any poisonous or deleterious substance which may render it injurious to health.”³⁶ Food contaminated by *Salmonella* is also recognized as “adulterated” under New Jersey case law.³⁷

Under N.J.S.A. § 24:5-1, “[n]o person shall distribute or sell, or manufacture for distribution or sale, or have in his possession with intent to distribute or sell, any food . . . which under any of the provisions of this subtitle is adulterated or misbranded.”³⁸ In addition to prohibiting the sale, manufacturing, and distribution of adulterated food, New Jersey law imposes strict sanitation requirements on food manufacturing facilities. N.J.S.A. § 24:15-2 states:

³³ 21 U.S.C. § 333(c).

³⁴ FOOD AND DRUG ADMINISTRATION, CMS #592718 Warning Letter, Mar. 16, 2020.

³⁵ N.J.S.A. § 24:4-1(d) (emphasis added).

³⁶ N.J.S.A. § 24:5-8(A)(1).

³⁷ See *Koster v. Scotch Assocs.*, 273 N.J. Super. 102 (N.J. Super Ct. 1993) (Framing the key question as “whether a restaurant is strictly liable for serving adulterated food” in a case involving *Salmonella*-contaminated salad.).

³⁸ N.J.S.A. § 24:5-1.

Every room in the building of a food, drug or cosmetic establishment shall be properly lighted, drained, plumbed and ventilated and the operations carried on therein shall be conducted in such a manner that the purity, quality and wholesomeness of the food, drug or cosmetic therein produced, manufactured, prepared, packed, stored, sold or distributed shall not be impaired.³⁹

Similarly, N.J.S.A. § 24:15-5 provides that:

All food, drugs or cosmetics intended for distribution or sale in the process of production, manufacture, preparation, packing, storing or transportation shall be securely protected from flies, vermin, dust, dirt and so far as possible, by the use of all reasonable means, from all other foreign or injurious contamination.⁴⁰

Violations of these provisions carry a host of consequences enforceable by the NJDH.⁴¹ First, the law allows for monetary penalties of “not less than \$100.00 nor more than \$1,000.00” for first violations and “not less than \$200.00 nor more than \$2,000.00” for the second and succeeding violations.⁴² In addition, “[w]here the violation is of a continuing nature, each day during which it continues, after the date given by which the violation must be eliminated in the order by the commissioner, shall constitute an additional, separate and distinct offense.”⁴³

Second, the law imbues the NJDH with the authority to abate the violations:

Whenever a person shall violate any provision of this chapter the state department or local board may, in its discretion, instead of prosecuting such person for the recovery of any prescribed penalty, cause an order to be served on such person commanding him to discontinue or abate the violation or to make such improvements as may be necessary to abate the violation within a reasonable time to be fixed in the order by the state department or local board.⁴⁴

Finally, the law grants the NJDH the ability to pursue a judicial remedy by allowing the agency to “institute an action in the Superior Court in the name of the State at the relation of the department to restrain such violation and for such other or further relief as the court shall deem proper.”⁴⁵

Bravo’s manufacture, sale, and distribution of contaminated PDD violate New Jersey’s food safety laws and are punishable by fines and suspension of operations, as they are under federal law (see Section III(A) above). The presence of *Salmonella* in AO’s laboratory test proves conclusively that: (1) the PDD manufactured, sold, and distributed by Bravo is “adulterated,”⁴⁶

³⁹ N.J.S.A. § 24:15-2.

⁴⁰ N.J.S.A. § 24:15-5.

⁴¹ N.J.S.A. § 24:1-1.

⁴² N.J.S.A. § 24:5A-8(c).

⁴³ N.J.S.A. § 24:5A-8(c).

⁴⁴ N.J.S.A. § 24:15-11.

⁴⁵ N.J.S.A. § 24:5A-9.

⁴⁶ N.J.S.A. § 24:5-8(A)(1).

(2) Bravo has failed to conduct its operations in a manner which prevents “foreign or injurious contamination,”⁴⁷ and (3) Bravo has impaired the “purity, quality and wholesomeness of the food.”⁴⁸

Bravo’s most recent violations of New Jersey law are far from an anomaly and warrant significant punishment to abate the ongoing threat to consumers and their pets. For years, Bravo has been producing pet food in filthy, squalid conditions with utter disregard for the safety of humans and animals alike. Despite a litany of complaints, inspections, recalls, and warnings, Bravo has continued producing and distributing dangerous products with the capacity to cause grave sickness and suffering.

The NJDH must act to protect consumers and animals and should impose monetary penalties to the maximum extent allowable, permanently suspend the company’s operations, and petition the Salem County Superior Court to impose additional penalties including criminal charges and fines against Bravo’s operators and the corporate entity.

IV. The FDA and the NJDH must act to protect consumers and their pets from Bravo’s ongoing illicit practices.

The vast majority of Americans consider their pets to be members of their family, allowing them to sleep in their beds and purchasing holiday gifts for them just as they would a human companion.⁴⁹ Those consumers spend significantly on pet food; in 2019, consumers spent nearly 37 billion dollars on pet food and treats.⁵⁰ Unsurprisingly, those consumers care immensely what their companions eat and place tremendous value on high-quality pet food.⁵¹

For years, Bravo has preyed on these sentiments, endangering both pets and consumers by recklessly producing dangerously contaminated food and sending it out across the country to its network of distributors. And for years, the federal and state governments have offered Bravo ample opportunities to remedy those issues through inspections, warnings, and recalls. It is evident that Bravo is not listening and has no intentions to change the unsafe manner in which it makes its products. Accordingly, it is incumbent on the FDA and the NJDH to act decisively by enforcing federal and state food safety laws to suspend operations at Bravo and pursue all available civil and criminal penalties.

⁴⁷ N.J.S.A. § 24:15-5.

⁴⁸ N.J.S.A. § 24:15-2.

⁴⁹ J. Ballard, YOUgov, *How American pet owners feel about their furry friends*, <https://today.yougov.com/topics/lifestyle/articles-reports/2019/12/13/how-americas-pet-owners-feel-about-their-furry-fri> (last visited Dec. 7, 2020) (88% of survey respondents consider pets to be members of their family).

⁵⁰ T. Mosheimer, PET AGE, *Consumers Seek Safe Pet Food Packaging*, <https://www.petage.com/consumers-seek-safe-pet-food-packaging/> (last visited Dec. 7, 2020).

⁵¹ D. Phillips-Donaldson, PETFOODINDUSTRY.COM, *Adventures in Pet Food*, <https://www.petfoodindustry.com/blogs/7-adventures-in-pet-food/post/9391-trends-guiding-pet-food-through-2020-and-beyond> (last visited Dec. 7, 2020).

If you have any questions regarding this request, please contact me at (804) 307-4102 or wlowrey@animaloutlook.org. We appreciate your attention to this matter and look forward to your response.

Sincerely,

A handwritten signature in black ink on a light yellow background. The signature reads "Will Lowrey" in a cursive script.

Will Lowrey
Counsel
Animal Outlook