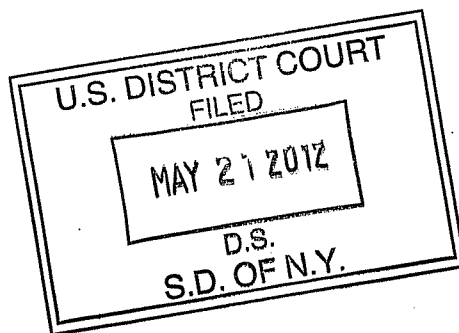


PREET BHARARA  
United States Attorney for the  
Southern District of New York  
By: AMY A. BARCELO  
Assistant United States Attorney  
86 Chambers Street, 3rd Floor  
New York, New York 10007  
Telephone: (212) 637-6559  
Fax: (212) 637-2730  
amy.barcelo@usdoj.gov



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NATURAL RESOURCES DEFENSE  
COUNCIL, INC.; CENTER FOR SCIENCE  
IN THE PUBLIC INTEREST; FOOD  
ANIMAL CONCERNS TRUST; PUBLIC  
CITIZEN, INC.; and UNION OF  
CONCERNED SCIENTISTS, INC.,

Plaintiffs,

v.

UNITED STATES FOOD AND DRUG  
ADMINISTRATION; MARGARET  
HAMBURG, in her official capacity as  
Commissioner, United States Food and Drug  
Administration; CENTER FOR  
VETERINARY MEDICINE;  
BERNADETTE DUNHAM, in her official  
capacity as Director, Center for Veterinary  
Medicine; UNITED STATES  
DEPARTMENT OF HEALTH AND  
HUMAN SERVICES; and KATHLEEN  
SEBELIUS, in her official capacity as  
Secretary, United States Department of  
Health and Human Services,

Defendants.

11 Civ. 3562 (THK)  
ECF Case

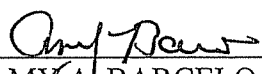
NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that defendants the United States Food and Drug Administration; Margaret Hamburg, in her official capacity as Commissioner of Food and Drugs; Center for Veterinary Medicine; Bernadette Dunham, in her official capacity as Director,

Center for Veterinary Medicine; United States Department of Health and Human Services; and Kathleen Sebelius, in her official capacity as Secretary, United States Department of Health and Human Services, hereby appeal to the United States Court of Appeals for the Second Circuit from the Memorandum Opinion and Order, dated March 22, 2012, and entered in this action on March 22, 2012.

Dated: New York, New York  
May 21, 2012

PREET BHARARA  
United States Attorney for the  
Southern District of New York  
Attorney for Defendants

By:   
AMY A. BARCELO  
ELLEN LONDON  
Assistant United States Attorneys  
86 Chambers Street, 3rd Floor  
New York, New York 10007  
Tel. No.: (212) 637-6559

TO: CLERK  
UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT  
United States Court of Appeals for the Second Circuit  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Room 370  
New York, New York 10007

Mitchell S. Bernard, Esq.  
Jen Sorenson, Esq.  
Natural Resources Defense Council, Inc.  
40 West 20th St.  
New York, NY 10011  
*Attorneys for Plaintiffs*