

FPF OFFICE
2350 N.SAM HOUSTON PWY E,
#1030
HOUSTON, TX 77032



**U.S. Customs and
Border Protection**

**NOTICE OF SEIZURE AND INFORMATION TO CLAIMANTS
CAFRA FORM**

March 05, 2025

CERTIFIED - RETURN RECEIPT REQUESTED USPS - 70180360000151389464

BIBI Foods, LLC.
15654 East Kenyon Avenue
Aurora, CO 80013

Re: Case Number: 2025530100021201

Dear Sir/Madam:

This is to notify you that U.S. Customs and Border Protection (CBP) seized the property described below at HOUSTON on February 27, 2025:

- 2 EA Automatic Sloping- Horizontal Ovens
- 1 EA Circulating oven
- 1 EA Mixing bowl
- 4 EA Bakery Trumpet Burners
- 1 EA Rectangle/Square Dough Sheeter
- 1 EA Circle/Oval Dough Sheeter
- 2 EA Robot rectangular/circular
- 1 EA Automated packing machine
- 1 EA Packaging machine - Conveyor line
- 1 EA Dough mixer
- 1 EA Mixer 360 lbs
- 2 EA Dough containers
- 3 EA Multi-purpose polyurethane cutting blade
- 1 EA PVC roller cutting blade
- 8 EA Rectangular pillows for bread making
- 10 EA Round pillows for bread making
- 50 EA Printed cellophane wrap with stencils
- 2 EA Gas Burners
- 4 EA Ignition Transformers
- 1 EA Blower 100

1 EA Direct Flame Gas Burner

The appraised domestic value of the property is \$358,853.94.

The property was seized and is subject to forfeiture under the provisions of:

19 USC 1595a(c)(2)(B), 50 USC 1702, 31 CFR 560.201 - Iranian Import Transactions

18 USC 545, 19 USC 1595a(c)(2)(B) - Importing Merchandise Contrary to Law

18 USC 981(a)(1)(A), 18 USC 981(a)(1)(C), 18 USC 1956(c)(7)(D), 18 USC 542 - Entry of Goods By Means of False Statements

18 USC 981(a)(1)(D), 18 USC 1031 - Major Fraud Against the United States

18 USC 981(a)(1)(A), 18 USC 1956(c)(7)(D), 50 USC 4315 - Felonious Violation of Any License, Rule or Regulation

The facts available to CBP indicate that you have an interest in the seized property. The purpose of this letter is to advise you of the options available to you concerning this seizure. Two important documents are enclosed with this letter: an "Election of Proceedings" form and a "Seized Asset Claim" form. You must choose **ONE** of the four options outlined below, indicate your choice on the "Election of Proceedings" form by checking the appropriate box, and return that form, along with any other necessary documents, to CBP within the allotted time frame. Should you choose to abandon the property, please still complete the "Election of Proceedings" form and return it to CBP. A Notice of Seizure and Intent to Forfeit has also been published on www.forfeiture.gov and, if appropriate, in a conspicuous place accessible to the public at the customhouse or Border Patrol sector office nearest the place of seizure on approximately the date of this letter.

Your options are as follows:

1. **PETITION (BOX 1):** You may file a petition with this office within 30 days from the date of letter in accordance with Title 19, United States Code (U.S.C.), Section 1618 and Title 19, Code of Federal Regulations (C.F.R.), Sections 171.1 and 171.2 (19 C.F.R. §§ 171.1, 171.2), seeking the remission or mitigation of the forfeiture, in other words, the return of some or all of your property. The petition does not need to be in any specific form, but it must describe the property involved, identify the date and place of the seizure, include all the facts and circumstances which you believe warrant the return of your property and must include proof of your interest in or claim to the property. The petition and any attachments may be submitted in paper at the address of the Fines, Penalties, and Forfeitures Office appearing on this form or it may be submitted electronically (including any attachments) through the following url: <https://epet.cbp.dhs.gov/>. Examples of proof of interest include, but are not limited to, a car title, loan agreement, or documentation of the source of funds. If you choose this option, you must check **BOX 1** on the "Election of Proceedings" form.

By completing **BOX 1** on the "Election of Proceedings" form, you are requesting that CBP review your petition and decide whether to accept your petition, in full or in part, or deny your petition altogether. You are also requesting that CBP halt any forfeiture proceedings after publication of the notice of seizure, if they have already commenced.

At any point prior to CBP issuing its decision on your petition, you may request a referral to the U. S. Attorney's Office for judicial action. *Please see option 4 of this letter for more information on*

how to request judicial action. If you request judicial action after filing a petition for relief, CBP will not take further action on your petition and will treat it as withdrawn. If upon receipt of your petition, CBP has already referred the matter to the U.S. Attorney's Office for judicial action, your petition will be forwarded to that U.S. Attorney's Office for consideration.

If you choose to file an administrative petition and are dissatisfied with CBP's decision regarding your petition (initial or supplemental), you will have an additional 60 days from the date of the initial petition decision, or 60 days from the date of the supplemental petition decision, or such other time as specified by the Fines, Penalties and Forfeitures Officer to file a claim to the property requesting a referral to the U.S. Attorney for judicial action. *Please see option 4 of this letter for information on how to request judicial action.* If you do not act within these time frames, CBP may forfeit the property to the United States, as authorized by law.

2. **OFFER IN COMPROMISE (BOX 2):** Within 30 days, you may file an offer in compromise in accordance with 19 U.S.C. § 1617 and 19 C.F.R. §§ 161.5, 171.31. The offer must specifically state that you are making it under the provisions of 19 U.S.C. § 1617. If you are offering money in settlement of the case, you must include payment (bank draft, cashier's check or certified check, drawn on a U.S. financial institution, and made payable to CBP) in the amount of your offer. Any money submitted will be returned to you if your offer is rejected. *This option may serve to delay the case.* If you choose this option, you must check **BOX 2** on the "Election of Proceedings" form.

If you choose to submit an offer in compromise and are dissatisfied with CBP's decision, you will have an additional 30 days from the date of that decision to file a claim requesting a referral to the U.S. Attorney for judicial action. *Please see option 4 of this letter for information on how to request judicial action.* If you do not act within the 30 days, CBP may forfeit the property to the United States, as authorized by law.

At any point prior to the issuance of CBP's decision on your offer, you may also request that CBP refer the matter to the U.S. Attorney's Office for judicial action. If you take such action, CBP will consider your offer to be withdrawn.

If CBP has already referred the matter to the U.S. Attorney's Office for judicial action and subsequently receives your offer, CBP will forward your offer to that U.S. Attorney's Office for consideration as appropriate.

3. **ABANDON (BOX 3):** You may choose to abandon the property or state that you have no claim to or interest in it. If you choose this option, please check **BOX 3** on the "Election of Proceedings" form. The Government may proceed with forfeiture proceedings or address claims from other parties concerning the property, without further involving you.
4. **JUDICIAL ACTION (BOX 4):** You may request that CBP refer this matter to the U.S. Attorney's Office, for the commencement of a judicial forfeiture proceeding against the property in federal court pursuant to 18 U.S.C. § 983(a)(3). If you choose this option, you should check **BOX 4** on the "Election of Proceedings" form, and fully complete the enclosed "Seized Asset Claim" form or otherwise submit a complete judicial claim as required by 18 U.S.C. § 983(a)(2)(C). Your claim must be received by the Fines, Penalties and Forfeitures Officer listed below by April 09, 2025.

If anyone asserting an interest in the property requests judicial action, the matter will be referred to the U.S. Attorney's Office pursuant to Title 18, U.S.C., Section 983(a)(3) (18 U.S.C. § 983(a)(3)), even if a petition is pending.

Take No Action: If you choose to do nothing, CBP may seek to forfeit the property. The first notice will be posted on approximately the date of this letter in the following manner:

For property appraised in excess of \$5,000, CBP will post notice of seizure and intent to forfeit on the internet at www.forfeiture.gov for 30 consecutive days.

For property appraised at \$5,000 or less, CBP will post a notice of seizure and intent to forfeit in a conspicuous place accessible to the public at the customhouse or Border Patrol sector office (where appropriate) nearest the place of seizure as well as on the internet at www.forfeiture.gov for 30 consecutive days.

Release on Payment: If the seized merchandise is not prohibited by law from entry into the United States, you may, within 30 days of this letter, request the immediate return of this merchandise. This request must be accompanied by a bank draft, cashier's check or certified check, drawn on a U.S. financial institution, and made payable to CBP or an irrevocable letter of credit equal to the full or appraised value of the seized merchandise in accordance with 19 U.S.C. § 1614 and 19 C.F.R. § 162.44.

If CBP accepts your offer to substitute release of the seized property on payment, the property will be immediately released, and the payment or letter of credit will be substituted for the seized property. You may still submit a petition, offer in compromise, or request that the matter be referred to the U. S. Attorney's Office for judicial action and you must still check the appropriate box on the "Election of Proceedings" form. The decision letter on your offer to substitute payment for the seized property will provide you with the deadlines for those options.

If CBP has already referred the matter to the U.S. Attorney's Office for judicial action and CBP subsequently receives your offer to substitute, CBP will forward your offer to that U.S. Attorney's Office for consideration.

Holder of a Lien or Security Interest: If you are a holder of a lien or security interest, you may choose any of the above enumerated options. If you are seeking administrative relief through the filing of a petition or offer, please consider submitting (1) an agreement to hold the United States, its officers and employees harmless; and (2) a release from the registered owner and/or from whom the property was seized.

All accompanying documents must be in the English language or accompanied by an English language translation and submitted in duplicate.

No matter which box you check on the "Election of Proceedings" form, you should sign, date and return the form, along with any petition, offer in compromise, or request for judicial action, if those documents are necessary to support the option you choose. *A "Seized Asset Claim" form should only be completed, signed, and returned if you choose option 4 and make a claim and ask for the case to be referred for judicial action (see option 4 above for more information) .* **Important:** If the "Election of Proceedings" and "Seized Asset Claim" forms are not enclosed with this letter, please promptly call the telephone number below.

All correspondence should be addressed to U.S. Customs and Border Protection, FPF OFFICE, 2350 N. SAM HOUSTON PWY E, #1030, HOUSTON, TX 77032. If further information is required, contact MATTHEW DILLON at Fines, Penalties and Forfeitures Office at (281) 441-2628 or FPFHOUSTON@cbp.dhs.gov. All inquiries should reference the case number.

Sincerely,

Signed in SEACATS by MATTHEW DILLON on behalf of CECILIA
E. RODRIGUEZ, FPFO on 03/05/2025 14:34:49 EST

MATTHEW DILLON

CECILIA E. RODRIGUEZ
Fines, Penalties and Forfeitures Officer

Enclosures: CAFRA Election of Proceedings
CAFRA Seized Asset Claim Form
Petition Form (Form CBP_4609)

A FALSE STATEMENT OR CLAIM MAY SUBJECT A PERSON TO
PROSECUTION UNDER 18 U.S.C. § 1001 AND/OR 18 U.S.C. § 1621, AND MAY BE
PUNISHABLE BY A FINE AND IMPRISONMENT

ELECTION OF PROCEEDINGS - CAFRA FORM

NOTE: READ THE ATTACHED NOTICE OF SEIZURE AND INFORMATION FOR CLAIMANTS BEFORE YOU FILL OUT THIS FORM. THIS FORM SHOULD BE COMPLETED AND RETURNED TO U.S. CUSTOMS AND BORDER PROTECTION (CBP) at FPF OFFICE, 2350 N. SAM HOUSTON PWY E, #1030, HOUSTON, TX 77032.

I understand that property in which I have an interest has been seized by CBP/U.S. Immigration and Customs Enforcement (ICE) under case number 2025530100021201.

Check ONLY ONE (1) of the following choices:

- ☐ 1. **I REQUEST THAT CBP CONSIDER MY PETITION ADMINISTRATIVELY.** My petition is attached, and I understand that it needs to be filed within **30 days from the date the Notice of Seizure**. By making this request, I understand that I can request, in writing, that my case be referred to the U.S. Attorney's Office for judicial action at any time prior to the completion of the CBP administrative forfeiture proceedings or as set forth in the Notice of Seizure. If I file a complete "Seized Asset Claim" form or other claim consistent with the requirements of 18 U.S.C. § 983(a)(2)(C), at any time, CBP will consider my petition withdrawn and CBP will refer the matter to the U.S. Attorney's Office for judicial action.
- ☐ 2. **I REQUEST THAT CBP CONSIDER MY OFFER IN COMPROMISE ADMINISTRATIVELY.** My offer is attached. By making this request, I understand that I can request, in writing, that my case be referred to the U.S. Attorney's Office for judicial action at any time prior to the completion of the CBP administrative forfeiture proceedings or as set forth in the Notice of Seizure. If I choose to wait for a decision from CBP on my offer, my deadline for filing a claim is **30 days from the date of the decision letter**. If I file a complete "Seized Asset Claim" form or other claim consistent with the requirements of 18 U.S.C. § 983(a)(2)(C), CBP will consider my offer withdrawn and CBP will refer the matter to the U.S. Attorney for judicial action.
- ☐ 3. **I ABANDON ANY CLAIM OR INTEREST I MAY HAVE IN THE PROPERTY.** I understand that no additional notice about future proceedings concerning the property will be provided to me.
- ☐ 4. **I AM FILING A CLAIM AND REQUESTING THAT CBP REFER THE CASE FOR JUDICIAL ACTION.** Please send the case to the U.S. Attorney's Office for judicial forfeiture proceedings. I have fully completed, signed and attached a "Seized Asset Claim" form. I understand that if I have not fully completed this form, or otherwise made a proper claim and request for judicial forfeiture pursuant to 18 U.S.C. § 983(a)(2)(C) within **35 days after the date the notice of seizure**, CBP will treat any submission as a petition for relief without the ability to seek future judicial forfeiture proceedings.

Name (Print)

Date

Signature

**U.S. CUSTOMS AND BORDER PROTECTION
CAFRA SEIZED ASSET CLAIM FORM**

Name: _____ Case Number: 2025530100021201
Address: _____ Telephone No: (____) _____

**IMPORTANT: BE SURE TO COMPLETE ALL PARTS BELOW.
THIS CLAIM FORM MUST BE SIGNED BY THE CLAIMANT HIS OR HER
SELF, NOT BY THE ATTORNEY OR OTHER REPRESENTATIVE ACTING
ON BEHALF OF THE CLAIMANT.**

As authorized by 18 U.S.C. § 983(a)(2)(A), I request that the Government file a complaint for forfeiture on the seized property described below:

PART I

List all the items in which you claim an interest. Include sufficient information to identify the items, such as serial numbers, make and model numbers, aircraft tail numbers, photographs, and so forth. Attach additional sheets of paper if more space is needed.

PART II

State your interest in each item of property listed above. Attach additional sheets of paper if more space is needed.

PART III (ATTESTATION AND OATH)

I attest and declare *under penalty of perjury* that the information provided in support of my claim is true and correct to the best of my knowledge and belief.

Name (Print)

Date

Signature

A FALSE STATEMENT OR CLAIM MAY SUBJECT A PERSON TO
PROSECUTION UNDER 18 U.S.C. § 1001 AND/OR 1621 AND IS PUNISHABLE
BY A FINE AND UP TO FIVE YEARS IMPRISONMENT.



DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

OMB No. 1651-0100
Exp. 02/28/2020

PETITION FOR REMISSION OR MITIGATION OF FORFEITURES AND PENALTIES INCURRED

Notice: Use this form if you want U.S. Customs and Border Protection to decide your request for the release of property and/or relief from liability incurred of the following mitigating circumstances.

Instructions: This form (Parts I - III) *must* be completed in English and signed.

In accordance with Title 19 U.S.C. 1618; CFR 171.1. I request U.S. Customs and Border Protection consider my petition for remission or mitigation from forfeiture administratively in order to obtain the release of my property.

PART I

Seizure or Penalty Number

Date of Seizure

Place of Seizure

Full Name (First, Middle, Last)

Address

Telephone Number

PART II

Instructions: Provide certified copies (or originals) of all bills of sale, purchase contracts, receipts, or any other documentary evidence to establish your interest in the seized property. Failure to do so may result in denial of your petition.

Note: Use separate piece of paper when necessary.

A. Describe the property that was seized (i.e., 1999 Ford Truck VIN # 123A456B789C0)

B. State your interest in the seized property listed above. Are you the owner, lien holder, or otherwise?

C. State the facts and circumstances relied upon to justify relief from forfeiture. If the property was in someone else's possession at the time of seizure, please provide an explanation how it came into their possession.

PART III

A false statement contained in a petition may subject the petitioner to prosecution under the provision of 18 U.S.C. 1001.

Signature

Date

Paperwork Reduction Act Statement: An agency may not conduct or sponsor an information collection and a person is not required to respond to this information unless it displays a current valid OMB control number and an expiration date. The control number for this collection is 1651-0100. The estimated average time to complete this application is 14 minutes. If you have any comments regarding the burden estimate you can write to U.S. Customs and Border Protection, Office of Regulations and Rulings, 90 K Street, NE, Washington DC 20229.