

BLUSAL MEATS, INC., Plaintiff-Counterclaim Defendant,

v.

**UNITED STATES of America and United States Department of
Agriculture, Defendants-Counterclaim Plaintiffs.**

UNITED STATES of America, Plaintiff,

v.

Shelton BLUMHOF and Howard Saltiel, Defendants.

UNITED STATES of America, Plaintiff,

v.

BLUSAL MEATS, INC., Defendant.

[Nos. 84 Civ. 0497\(LLS\), 84 Civ. 9067\(LLS\) and 85 Civ. 0238\(LLS\).](#)

United States District Court, S.D. New York.

June 24, 1986.

Since the government's counterclaim does not relate back, Blusal is entitled to partial summary judgment in Action I. The six-year limitations period under the FCA begins to run on the date the claim is made or, if the claim is paid, on the date of the payment. [Jankowitz v. United States](#), 533 F.2d 538, 545, 209 Ct.Cl. 489 (1976); [Cripps](#), 451 F.Supp. at 600; [Klein](#), 230 F.Supp. at 441. Accordingly, the government's counterclaim is dismissed with respect to those claims based upon food stamp redemption payments made to Blusal before February 17, 1978, and, if payment was not made, food stamp redemption claims presented by Blusal before February 17, 1978.