



# Department of Justice

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## **STORE OWNERS CHARGED WITH BUYING AND SHIPPING STOLEN INFANT FORMULA AND OTHER GOODS FOR RE-SALE IN NEW YORK**

Atlanta, GA - DANNY FERNANDEZ, 33, RAMON FERNANDEZ, 28, JUAN GARCIA, 38, RICARDO MARTINEZ, 40, JOSE ADOLFO TAVAREZ, 51, and FABIO TAVAREZ, a/k/a "Eduardo," 52, all of Douglasville, Georgia, have been charged in two indictments for shipping stolen merchandise in interstate commerce knowing that the merchandise had been stolen. The indictments were handed down by a federal grand jury on Tuesday of this week, and unsealed today after the arrest of the defendants. The defendants are expected to appear before United States Magistrate Judge Gerrilyn Brill later today.

United States Attorney David E. Nahmias said, "These defendants purchased several million dollars worth of infant formula, razors and other merchandise which professional shoplifters had stolen from local merchants. They then shipped the stolen merchandise to New York where it was resold to retailers there. The defendants' conduct encouraged shoplifters by providing them with a market for their stolen merchandise. The losses suffered by the merchants here are passed on to local consumers. Federal law enforcement will continue to investigate and prosecute major fencing operations of this sort."

According to United States Attorney Nahmias, the charges and other information presented in court: DANNY and RAMON FERNANDEZ operated "M & M Grocery" located at 911 Simpson Road, Atlanta, Georgia. At M & M the FERNANDEZ brothers and JUAN GARCIA allegedly purchased from professional shoplifters, known as "boosters," stolen merchandise consisting primarily of infant formula and razors. The stolen merchandise was taken to various locations in the Atlanta area where it was loaded onto rental trucks. RICARDO MARTINEZ allegedly drove the rental trucks loaded with the stolen goods to New York state, where the goods were sold.

JOSE ADOLFO TAVAREZ and FABIO "Eduardo" TAVAREZ operated "Primo Food Market" located at 533 Griffin Street, Atlanta, Georgia. The TAVAREZ brothers also allegedly purchased stolen merchandise consisting primarily of infant formula and razors from "boosters." The TAVAREZ brothers allegedly moved the stolen

merchandise to different locations in the Atlanta area where it was loaded onto rental trucks. RICARDO MARTINEZ drove the rental trucks loaded with the stolen goods to New York state where the goods were sold.

The FERNANDEZ indictment charges one conspiracy count and eight substantive counts of interstate transportation of stolen property. The conspiracy count carries a maximum sentence of up to 5 years in prison, the substantive counts each carry a maximum sentence of up to 10 years in prison, and a fine of up to \$250,000 on each count.

The TAVAREZ indictment charges one conspiracy count and nine substantive counts of interstate transportation of stolen property. The conspiracy count carries a maximum sentence of up to 5 years in prison, the substantive counts each carry a maximum sentence of up to 10 years in prison, and a fine of up to \$250,000 on each count.

This case is being investigated by Special Agents of the United States Department of Agriculture, Office of the Inspector General, and the United States Food and Drug Administration, Office of Investigations, and detectives with the City of Atlanta Police Department, with the assistance of the Cobb County Police Department and the Douglas County Sheriff's Office.

Assistant United States Attorneys Elizabeth McBath and William L. McKinnon, Jr. are prosecuting the case.

Members of the public are reminded that the indictment contains only allegations. A defendant is presumed innocent of the charges and it will be the government's burden to prove a defendant's guilt beyond a reasonable doubt at trial.

For further information please contact David E. Nahmias (pronounced NAH-me-us), United States Attorney, or Charysse L. Alexander, Executive Assistant United States Attorney, through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is [www.usdoj.gov/usao/gan](http://www.usdoj.gov/usao/gan).