



## U.S. Department of Justice

*United States Attorney  
Southern District of Florida*

---

99 N.E. 4 Street,  
Miami, FL 33132  
(305)961-9001

January 20, 2011

### **NEWS RELEASE:**

#### **FLORIDA SEAFOOD COMPANY PLEADS GUILTY TO VIOLATING THE LACEY ACT FOR MISLABELING OF HADDOCK**

Wifredo A. Ferrer, United States Attorney for the Southern District of Florida, Hal Robbins, Special Agent in Charge, National Oceanic and Atmospheric Administration (NOAA), and Adam Putnam, Commissioner, Florida Department of Agriculture and Consumer Services (FDACS), announced today that defendant **MKG Provisions, Inc. (MKG)**, located in Miami, Florida, pled guilty and was sentenced in connection a one-count Information. More specifically, the Information charged MKG with violating the Lacey Act by mislabeling imported haddock, in violation of Title 16, United States Code, Sections 3372(d)(1) and 3373(d)(3)(A).

The mislabeling of fish, and other wildlife, is prohibited under the Lacey Act, 16 U.S.C. § 3372(d)(1). The Lacey Act, in pertinent part, makes it unlawful for a person to falsely identify any fish that has been, or is intended to be, imported, sold, purchased, or received from any foreign country or transported in interstate or foreign commerce.

MKG's guilty plea was entered before U.S. District Court Judge Adalberto Jordan. Immediately following the guilty plea, MKG was sentenced to one year of probation and ordered to pay a \$20,000 criminal fine. Judge Jordan specifically advised the Vice President of MKG, who appeared as the representative of the defendant, that the probationary period was intended to provide oversight of the company's implementation of a plan to prevent recurrence of the offense. In addition, Judge Jordan ordered that the criminal fine be paid to the benefit of Magnuson-Stevens Fishery Conservation & Management Act Fund, administered by NOAA, Department of Commerce, where it may be used, among other things, in support of criminal enforcement proceedings. Finally, the Court ordered the forfeiture to the United States of the 74 cases of Haddock found to be falsely labeled on September 16, 2010.

According to Court documents, and statements made during the hearing today, in approximately June 2010, MKG purchased 10,600 pounds of haddock from a Boston-area supplier that had imported the haddock from China. An inspection conducted in mid-September by FDACS revealed that employees at MKG were falsely re-boxing and relabeling some of the fish as "Product of USA," and selling it to a South Florida customer. The Inspectors warned the company, which then claimed through its employees that the relabeling was a clerical error. Later the same day, a NOAA Special Agent and FDACS personnel again warned the employees that the haddock must be properly labeled as the product of China.

The following day, at MKG's customer's business premises, FDACS inspectors found the same 54, ten pound cases, of the haddock observed on September 15, again bearing false "Product of the USA" labels. An additional 20 cases of haddock were located in the customer's place of business, also falsely labeled by MKG to conceal the origin of the product being China.

Mr. Ferrer commended the investigative efforts of NOAA and the Florida Department of Agriculture and Consumer Services for their coordinated efforts. This case was prosecuted by Assistant U.S. Attorney Thomas Watts-FitzGerald.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at <http://www.usdoj.gov/usao/fls>. Related court documents and information may be found on the website of the District Court for the Southern District of Florida at <http://www.flsd.uscourts.gov> or on <http://pacer.flsd.uscourts.gov>.

Technical comments about this website can be e-mailed to the [Webmaster](#). PLEASE NOTE: The United States Attorney's Office does not respond to non-technical inquiries made to this website. If you wish to make a request for information, you may contact our office at 305-961-9001, or you may send a written inquiry to the United States Attorney's Office, Southern District of Florida, 99 NE 4th Street, Miami, Fl. 33132.