

UNITED STATES DEPARTMENT OF
COMMERCE



WASHINGTON, D.C. 20230

NATIONAL
OCEANIC AND
ATMOSPHERIC
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FIRST FEDERAL ARRESTS AND CONVICTIONS FOR SHARK FINNING
Two Men Plead Guilty to Shark Finning Prohibition Act and Lacey Act Violations

On September 7, Cresento Bacaling and Conchito Cagas, Jr., plead guilty to federal violations of the federal natural resource anti-trafficking law, the Lacey Act and the Shark Finning Prohibition Act. This is the first United States arrest, charge and conviction for federal criminal violations of the Lacey Act with underlying violations of the Shark Finning Prohibition Act since the shark finning ban was implemented in 2002.

The National Oceanic and Atmospheric Administration's Office for Law Enforcement Special Agent Al Samuels worked with Assistant U.S. Attorney Karon Johnson and the U.S. District Court in Guam to obtain federal arrest warrants for the two men arrested on July 16, 2004. NOAA is an agency of the U.S. Department of Commerce.

The Shark Finning Prohibition Act makes it illegal for a foreign vessel to offload any shark fins into a U.S. port, unless they offload the rest of the shark carcass with the fins. This rule is aimed at drastically reducing the number of sharks finned and carcasses discarded at sea. The Lacey Act makes it illegal to traffic in illegal natural resources. In this case, transporting or exporting fins were off loaded illegally in the U.S.

Cresento Bacaling and Conchito Cagas, Jr., crew members of a Japanese-flagged fishing vessel, illegally offloaded approximately 520 pieces of shark fins from their fishing vessel while in Apra Harbor, Guam on July 13, 2004. With their guilty pleas, Bacaling and Cagas admitted that they attempted to smuggle the shark fins out of the port in Guam in an attempt to transport the shark fins to the Philippines where they would be sold. The Port Authority of Guam Police Department discovered the shark fins inside a pickup truck and refused clearance for the driver to leave the port. In some markets shark fins are considered a delicacy and are sold for high prices to restaurants.

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Judith L. Fogarty, Special Agent in Charge, Pacific Islands Division said, "These arrests and convictions were the result of a significant investigation conducted by the NOAA Fisheries - Office for Law Enforcement, Office of the U.S. Attorney, Guam Customs and Quarantine Agency - Maritime Interdiction Task Force and Port Authority of Guam Police. The investigation of Shark Finning Prohibition Act violations is a priority and will continue to be so for NOAA Fisheries Office for Law Enforcement."

Considered flight risks by U.S. District Court, Bacaling and Cagas have been in federal custody since their arrests on July 16, 2004. A sentencing hearing has been set for December 8, 2004.

NOAA Fisheries is dedicated to protecting and preserving our nation's living marine resources through scientific research, management, enforcement and the conservation of marine mammals and other protected marine species and their habitat.

NOAA is dedicated to enhancing economic security and national safety through the prediction and research of weather and climate-related events and providing environmental stewardship of our nation's coastal and marine resources.

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