

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

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LORETTA G. WILSON
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FELONY

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**BILL OF INFORMATION FOR CONSPIRACY TO COMMIT
FELONY VIOLATION OF THE LACEY ACT**

UNITED STATES OF AMERICA

*

CRIMINAL NO.

12-196

v.

*

SECTION:

SECT. A MAG. 5

WORLDWIDE SHRIMP COMPANY

*

VIOLATION: 18 U.S.C. § 371

16 U.S.C. § 3372(d)(2)

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The United States Attorney charges that:

COUNT I

A. AT ALL TIMES MATERIAL HEREIN:

1. **WORLDWIDE SHRIMP COMPANY** ("WORLDWIDE") was a corporation, incorporated in the State of Illinois, with its principle place of business located at 513 Central Avenue, Highland Park, Illinois 60035. **WORLDWIDE** was a food distributor based in Highland Park, Illinois, engaged in various aspects of distributing shrimp to supermarkets, retail stores, and other wholesale seafood providers throughout the United States. Company A distributed its shrimp under one of four brand names: "Shrimp King," "Texas Supreme," "Black Diamond," and "Campeche Queen."

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2. DORAN SEA-PAK, LLC (“DORAN”) was a seafood company incorporated in the State of Louisiana, with its principle place of business located in Independence, Louisiana, within Tangipahoa Parish. DORAN was engaged in various aspects of purchasing, importing, processing, packing, labeling, and selling, seafood products, including shrimp.

3. “Company A,” “Company B,” and “Company C” were food wholesalers engaged in various aspects of distributing food, including shrimp, to supermarkets, retail stores, and restaurants across the United States.

The Lacey Act

4 The Lacey Act makes it unlawful, in part, for a person to make or submit any false record, account, or label for, or any false identification of, any fish or wildlife which has been, or is intended to be, imported, exported, transported, sold, purchased, or received from any foreign country or transported in interstate or foreign commerce. 16 U.S.C. §§ 3372(d)(1) and (d)(2).

5. Pursuant to the Lacey Act, the term “fish or wildlife” means any wild animal, specifically to include fish, whether dead or alive, whether or not bred, hatched, or born in captivity, and includes any part, product, egg, or offspring thereof. 16 U.S.C. § 3371(a).

B. THE CONSPIRACY:

6. Beginning at a time unknown, but not later than November 15, 2007, and continuing until on or about December 4, 2008, in the Eastern District of Louisiana and elsewhere, the defendant, **WORLDWIDE SHRIMP COMPANY**, and others known and unknown, knowingly and willfully combined, conspired, and agreed with each other to knowingly make and submit any false record, account, and label for, and any false identification of shrimp,

specifically, shrimp having a market value greater than \$350, which shrimp had been, and was intended to be transported in interstate and foreign commerce, and said conduct knowingly involved the sale and purchase, offer of sale and purchase, and the intent to sell and purchase of shrimp, in violation of title 16, United States Code, Sections 3372(d)(2) and 3373(d)(3)(A)(ii)

C. OBJECT OF THE CONSPIRACY:

7. It was the purpose of the conspiracy for the defendant, **WORLDWIDE**, and its co-conspirators to unlawfully enrich themselves by introducing a less marketable substituted seafood product, "Shrimp, Product of Mexico," into the United States seafood market, which was misbranded, marketed, and intended to be marketed as "Shrimp, Product of U.S.A.," a more readily marketable and valuable seafood product.

D. OVERT ACTS:

In furtherance of the conspiracy, and to achieve the objects thereof, **WORLDWIDE**, and others known and unknown, committed at least one of the following overt acts, among others, in the Eastern District of Louisiana and elsewhere:

8. Between in or about November 2007 and December 31, 2008, **WORLDWIDE** entered into a business agreement with DORAN whereby **WORLDWIDE** would send, or cause to be sent, a portion of the Mexican shrimp **WORLDWIDE** had purchased to DORAN. Both **WORLDWIDE** and DORAN were aware that the shrimp was, in fact, of Mexican origin. As part of the agreement, DORAN agreed, at **WORLDWIDE'S** request, to process and package the shrimp, including affixing labels depicting the country of origin of the shrimp, prior to causing the shrimp to be sent either directly to **WORLDWIDE** or to

other entities to which **WORLDWIDE** had arranged to sell the shrimp.

9. **WORLDWIDE** instructed representatives of DORAN that **WORLDWIDE** wished the labels on the shrimp to reflect that the shrimp was actually a product of the United States of America, even though both **WORLDWIDE** and DORAN were aware that the product was, in fact, a product of Mexico.

10. Representatives of DORAN agreed to mislabel the Mexican-caught shrimp as shrimp that was a "Product of U.S.A."

11. On three occasions, namely on or about November 15, 2007, November 21, 2007, and January 14, 2008, DORAN, acting on instructions and requests from **WORLDWIDE**, processed and packaged shrimp from Mexico into boxes labeled "Product of U.S.A." The shrimp was ultimately sold, and delivered, in interstate commerce to Company A, Company B, and Company C, respectively.

12. In about December 2008, as part of the sales agreement, DORAN, acting on instructions and requests from **WORLDWIDE**, agreed to process and package Mexican-caught shrimp into boxes labeled "Product of U.S.A." and cause the shrimp to be delivered, in interstate commerce, to **WORLDWIDE**.

All in violation of Title 18, United States Codes, Section 371.

NOTICE OF FORFEITURE

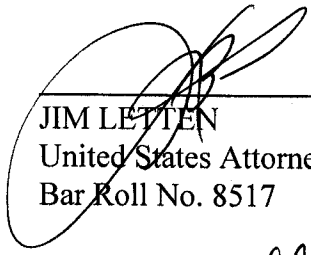
1. The allegations of Count 1 of this Bill of Information are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 16, United States Code, Section 3374, made applicable through Title 28, United States Code, Section

2461(c).


2. As a result of the offense alleged in Count 1, defendant, **WORLDWIDE SHRIMP COMPANY**, shall forfeit to the United States pursuant to Title 16, United States Code, Section 3374(a)(1), made applicable through Title 28, United States Code, Section 2461(c), any and all fish or wildlife involved in the violations.

3. Additionally, as a result of the offense alleged in Count 1, the defendant **WORLDWIDE SHRIMP COMPANY**, shall forfeit pursuant to Title 16, United States Code, Section 3374(a)(2), all vessels, vehicles, aircraft, and other equipment used to facilitate the violations.

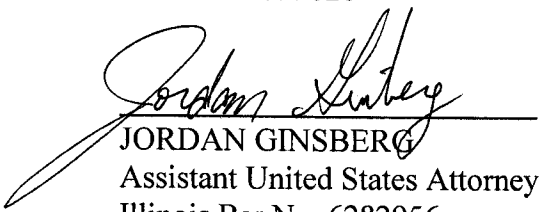
All in violation of Title 16, United States Code, Section 3374, made applicable through Title 28, United States Code, Section 2461(c).



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New Orleans, Louisiana
May 21, 2012

No. _____

United States District Court

FOR THE

EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

vs.

WORLDWIDE SHRIMP COMPANY

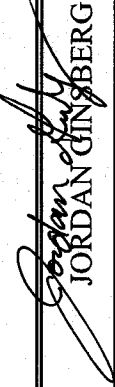
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Violation(s): 18 U.S.C. § 371
16 U.S.C. § 3372(d)(2)

Filed _____, 20 12

_____, Clerk.

By _____, Deputy


JORDAN GINSBERG

Assistant United States Attorney