



U.S. Department of Justice

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PRESS RELEASE

FOR IMMEDIATE RELEASE

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[TWO INDICTED FOR ILLEGAL DEALINGS IN CHILEAN SEABASS](#)

R. Alexander Acosta, United States Attorney for the Southern District of Florida, Kelly A. Johnson, Acting Assistant Attorney General of the Justice Department's Environment & Natural Resources Division, Hal Robbins, Special Agent in Charge, National Oceanic and Atmospheric Administration (NOAA), Office of Fisheries Law Enforcement, and Jesus Torres, Special Agent in Charge, Immigration and Customs Enforcement, announced today that on September 27, 2005, a federal grand jury in Miami, Florida, returned an Indictment charging defendants, **Antonio Vidal Pego**, a Spanish national, and **Fadilur, S.A.**, a Uruguayan corporation, with importing and conspiring to sell illegally possessed toothfish, commonly known as Chilean seabass. Each defendant was also charged with false labeling and obstructing justice.

According to the Indictment, in May 2004, Antonio Vidal Pego and Fadilur, S.A. knowingly attempted to import approximately 53,000 pounds of toothfish from Singapore into Miami, for sale in the United State, knowing that the fish was taken and transported in violation of and in a manner unlawful under the Antarctic Marine Living Resources Convention and provisions of U.S. law enacted to implement the Conservation measures adopted by the Treaty parties. The Indictment further charges that the defendants made and submitted a false record and account

for fish intended to be imported into the United States from Singapore. Finally, the Indictment charges that in July 2004, the defendants knowingly altered, falsified, and made a false entry in a Survey Report purporting to reflect a toothfish cargo off-loaded at Singapore from the F/V CARRAN with the intent to impede, obstruct, and influence the investigation and proper administration of a matter within the jurisdiction of the NOAA. The grand jury also approved a criminal forfeiture count, seeking to forfeit the 53,000+ pounds of toothfish, or \$314,397.30 in U. S. currency, representing the proceeds of the sale of the fish. This is the first case in the United States bringing criminal charges for activities involving illegal importation and sale of toothfish.

Antonio Vidal Pego faces a maximum penalty of twenty years in prison for the charge of obstruction of justice, and up to five years in prison on each of the three remaining charges. He is also subject to a fine of the greater of \$250,000 on each of the four counts of the Indictment, or twice the gain derived from the criminal conduct. Fadilur, S.A. faces a maximum criminal fine, on each of the four counts naming the company, of up to \$500,000 per charge or twice the gain derived from the criminal conduct.

Patagonian toothfish (*Dissostichus eleginoides*) and Antarctic toothfish (*Dissostichus mawsonii*) aka Chilean seabass, are slow-growing, deep sea species of fish found throughout large areas of the sub-Antarctic oceans. They can live approximately 40 years and breed relatively late in life. The Antarctic toothfish is found only in very southern latitudes and alongside the Antarctica icepack and reaches a smaller maximum length than the Patagonian toothfish. Chilean seabass has been the subject of international conservation efforts in the face of increased fishing pressure from both legal and "pirate" fishing.

The harvest and trade of Chilean seabass is regulated under the international Convention on the Conservation of Antarctic Marine Living Resources, implemented in the United States through the Antarctic Marine Living Resources Act. The treaty and implementing laws, set forth in detail in the Indictment, require specific documentation to follow legally harvested toothfish from the point of harvest to the point of final import for consumption.

Mr. Acosta commended the investigative efforts of the Special Agents of the National Oceanic and Atmospheric Administration Fisheries, Office of Law Enforcement, with assistance from the Department of Homeland Security, Customs and Border Protection Service. The case is being prosecuted by the U.S. Attorney's Office, Southern District of Florida and the Environmental Crimes Section of the U.S. Department of Justice.

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 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 www.flsd.uscourts.gov or on <http://pacer.flsd.uscourts.gov>.

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