



Monthly

Bulletin

Environmental Crimes Section

June 2021

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Wildlife items seized from defendants in *U.S. Arrigona, et al.*
See [inside](#), for more information on this case.

District/Circuit	Case Name	Case Type/Statutes
District of Arizona	<u>United States v. Dennis R. McPherron</u>	Feather Sales/Smuggling
Eastern District of California	<u>United States v. Eleno Fernandez-Garcia</u> <u>United States v. Juan Agustin Santiago Bentanzos et al.</u>	Marijuana Cultivation/ Depredation, Drugs
Southern District of California	<u>United States v. Seline Elizabeth Barraza</u> <u>United States v. Manuel Efen Vidal-Sales</u> <u>United States v. Cesar Alberto Garcia</u> <u>United States v. Beatriz Adriana Sanchez</u> <u>United States v. Jose Maxines et al.</u> <u>United States v. Jose Jesus Guillen</u> <u>United States v. EcoShield et al.</u>	Pesticide Smuggling/Conspiracy, Smuggling Unregistered Pesticide Sales/ FIFRA, Illegal Entry of Goods, Sending Non-Mailable Injurious Articles
Southern District of Florida	<u>United States v. Henry J. Danzig</u>	Reef Fish Harvesting/Lacey Act
District of Idaho	<u>United States v. Loren K. Jacobson</u>	Cargo Tanker Explosion/False Statement, HMTA, OSHA
District of Kansas	<u>United States v. David Schleif</u>	Municipal Employee/CWA
District of Massachusetts	<u>United States v. Jiule Lin</u>	Unregistered Pesticide Sales/ FIFRA
Western District of Missouri	<u>United States v. Jamie Edmondson</u>	Illegal Logging/Depredation to Government Property
Eastern District of Michigan	<u>United States v. Robert J. Massey</u>	Leachate Discharges/CWA
District of Nebraska	<u>United States v. Brandon Weber</u>	Unregistered Pesticide Sales/ FIFRA

District/Circuit	Case Name	Case Type/Statutes
District of New Jersey	<u>United States v. Kang Juntao</u>	Turtle Smuggling/Money Laundering
Northern District of New York	<u>United States v. Roger Osterhoudt et al.</u>	Asbestos Abatement/CAA
Southern District of New York	<u>United States v. James R. Petro, Jr., et al.</u>	Demolition Project/CAA
Western District of New York	<u>United States v. Vanessa Rondeau</u>	Wildlife Sales/Lacey Act, Smuggling
Southern District of Ohio	<u>United States v. Joseph Schigur et al.</u>	Paddlefish Harvesting/Lacey Act
District of Puerto Rico	<u>United States v. Luis Joel Vargas-Martell</u>	Marine Wildlife Sales/Lacey Act, Smuggling
District of Utah	<u>United States v. Jean-Michel Arrigona et al.</u>	Wildlife Sales/Lacey Act
Eastern District of Virginia	<u>United States v. Diana Wilhelmsen Management Limited, et al.</u>	Vessel/ APPS, False Statement
	<u>United States v. Emmanuel A. Powe, Sr., et al.</u>	Dog Fighting/ Animal Welfare Act, Conspiracy

Trials

***United States v. Seline Elizabeth Barraza*, No. 3:20-CR-01442 (S.D. Calif.), ECS Trial Attorney Stephen DaPonte and AUSA Melanie Pierson.**

On May 26, 2021, a jury convicted Selene Barraza of smuggling illegal pesticides into the United States from Mexico (18 U.S.C. § 545). Barraza is scheduled for sentencing on August 20, 2021.

The jury found that Barraza concealed 25 containers of pesticides and fertilizer under the seats of her vehicle as she drove through the San Ysidro Port of Entry on February 26, 2020. The pesticides included 12 bottles of Metaldane and six bottles of Furadan, which may not be legally imported, sold, distributed or applied in the United States.

According to witnesses, a clerk informed Barraza she could not legally bring the pesticides she purchased at a store in Tijuana into the United States. When stopped by authorities, Barraza claimed she intended to use the pesticides to grow tomatoes. Investigators confirmed she had no crops on her property (or elsewhere) and had a 200-300 year supply of Metaldane, if she actually used it on her property at the rates suggested on the label.

The Homeland Security Investigations and the U.S. Environmental Protection Agency Criminal Investigation Division conducted the investigation.



Metaldane

Indictments/Informations

***United States v. Vanessa Rondeau*, No. 1:21-mj-05127 (W.D.N.Y.), AUSA Aaron Mango.**

On May 26, 2021, prosecutors filed a complaint charging Vanessa Rondeau with violating the Lacey Act and illegally importing merchandise (16 U.S.C. §§ 3372(a)(1), (d)(2), 3373(d)(1)(B),(d)(3)(A)(ii); 18 U.S.C. § 545). Rondeau falsely labelled and trafficked polar bear skulls she sold through her business, the Old Cavern Boutique, to an undercover wildlife agent (UA).

Rondau, a Canadian national, resides in Montreal, Quebec, Canada. In December 2019, she posted an advertisement on her business website offering to sell a polar bear skull for \$750. The UA purchased the skull in January 2020, and Rondau mailed it to him from a post office located in the United States near the Canadian border.

In January 2021, Rondau posted another advertisement on her business website offering to sell a polar bear skull for \$699. The UA purchased this polar bear skull from the defendant, who mailed it directly from Canada to the UA in the United States. During their conversations, Rondau acknowledged the illegality of shipping the skull from Canada to the United States, marking the package as a “gift” rather than a “sale”.

Agents arrested Rondau in May 2021 as she attempted to cross the border from Vermont into Canada. She possessed numerous undeclared wildlife items, including crocodilian skulls and feet, a three-toed sloth, shark jaws, and a human skull.

The U.S. Fish and Wildlife Service and Homeland Services Investigations conducted the investigation.



Polar bear skull

Guilty Pleas

***United States v. Jean-Michel Arrigona et al.*, No. 2:20-CR-00384 (D. Utah), ECS Trial Attorney Ryan Connors and AUSA Melina Shiraldi.**

On May 26, 2021, Jean-Michel Arrigona and Natur, Inc., pleaded guilty to a Lacey Act trafficking violation (16 U.S.C. §§ 3372(a)(1), 3373(d)(1)(B)). They are scheduled for sentencing on August 4, 2021.

Arrigona owns Natur, a store that sells wildlife art, taxidermy mounts, bones, and skeletons. Between 2015 and 2020, Arrigona imported approximately 1,500 wildlife items from Indonesia, but only declared three of the packages to wildlife or customs officials.

The wildlife Arrigona sold from the store included bats, insects, geckos, starfish, scorpions, and frogs, as well as protected species such as flying foxes and monitor lizards.



Wildlife items sold by Natur, Inc.

Arrigona later resold the items through Natur to domestic customers and several international buyers. In 2015 and 2016, they sold illegally imported wildlife to undercover agents. Wildlife inspectors warned Arrigona of the illegal nature of this actions, but Arrigona and his business continued to import wildlife as recently as November 2020.

The U.S. Fish and Wildlife Service conducted the investigation as part of Operation Global Reach. The operation focused on the trafficking of wildlife from Indonesia to the United States.

***United States v. Joseph Schigur et al.*, Nos. 1:21-CR-00030, 1:20-CR-00097 (S.D. Ohio), ECS Trial Attorney Rich Powers, AUSA Laura Clemmens, and ECS Paralegal Samantha Goins.**

On May 25, 2021, commercial fisherman Joseph R Schigur pleaded guilty to three felony Lacey Act violations for illegally harvesting paddlefish from the Ohio River (16 U.S.C. §§ 3372(a)(2)(A), 3373(d)(1)).

Between November 2012 and April 2019, Schigur employed Gary Nale as a deckhand. Schigur made a living by catching American paddlefish from the Ohio River and selling the harvested roe. On at least three occasions, Schigur and Nale used gill nets to unlawfully take paddlefish from waters of the Ohio River that were within the Ohio state boundary. Ohio state authorities have prohibited the use of commercial gill fishing nets within its waters since 1983.

A court sentenced Nale in February 2021 to pay a \$2,500 fine and complete a three-year term of probation, after pleading guilty to a Lacey Act trafficking violation (16.U.S.C. §§ 3372(a)(2)(A), 3373(d)(2)).

The U.S. Fish and Wildlife Service, the Indiana Department of Natural Resources, and the Ohio Department of Natural Resources conducted the investigation. "Operation Charlie" targeted commercial fishermen illegally harvesting paddlefish from the Ohio River.

Guilty Pleas

***United States v. EcoShield et al.*, No. 21-CR-001463 (S.D. Calif.), ECS Trial Attorney Stephen DaPonte and AUSA Melanie Pierson.**

On May 25, 2021, a San Diego firm and its owner pleaded guilty to charges relating to the unlawful importation, sale, and mailing of an unregistered pesticide product from Japan marketed as a killer of airborne viruses, including COVID-19. Sentencing is scheduled for August 13, 2021.

Samir Haj, and his company EcoShield, LLC, claimed that EcoAirDoctor (shaped in the form of a small badge) emitted a virus-killing gas. The U.S. Environmental Protection Agency requires the registration of pesticide-containing products such as this. The defendants failed to register their product.

The defendants falsely described the product as an air purifier rather than a pesticide. They shipped it to individuals who purchased it from their website via U.S. Mail, including a shipment to an undercover mailbox in Arizona in May of 2020. The product, as noted on the label, contains sodium chlorite, which is an item declared to be unmailable under U.S. Postal rules and regulations. Sodium chlorite tends to ignite or explode.

Haj negotiated an agreement on behalf of the company with a foreign exporter that allowed him to import the product at a cost of \$6.25 per unit. After importing 125,000 units into the United States in June 2019, Haj falsely declared the value as approximately \$2.07 per unit, resulting in a Customs duty underpayment of close to \$34,000.

Both defendants pleaded guilty to Entry of Goods Falsely Classified (18 U.S.C. § 541). Haj also pleaded guilty to violating the Federal Insecticide, Fungicide, and Rodenticide Act and sending non-mailable injurious articles (18 U.S.C. § 1716(j)(1); 7 U.S.C. §§ 136j(a)(1)(A), 136l(b)(1)(B)).

The U.S. Environmental Protection Agency Criminal Investigations Division, Homeland Security Investigations, and the U.S. Postal Inspection Service conducted the investigation.

***United States v. Diana Wilhelmsen Management Limited, et al.*, Nos. 2:20-CR-00105, 2:21-CR-00006 (E.D. Va.), ECS Senior Trial Attorney Kenneth Nelson, AUSA Joseph Kosky, and ECS Paralegal Chloe Harris.**

On May 24, 2021, vessel owner Diana Wilhelmsen Management Limited pleaded guilty to violating the Act to Prevent Pollution from Ships for actions taken by the crew of the *M/V Protefs* (33 U.S.C. § 1908). Sentencing is scheduled for September 23, 2021.

The Coast Guard inspected the ship on June 10, 2020, in Newport News, Virginia. Prior to the inspection, four engineering crewmembers provided a letter and photographs to the inspectors regarding illegal oil and bilge water discharges from the vessel.

Crewmembers failed to maintain an accurate oil record book by not recording overboard discharges of untreated oily bilge waste between April and June 2020.

A court previously sentenced chief engineer Vener Dailisan to pay a \$3,000 fine and complete a two-year term of probation. Dailisan pleaded guilty to making a false statement regarding the improper maintenance of the vessel's sounding log (18 U.S.C. §1001.)

The U.S. Coast Guard conducted the investigation.

Guilty Pleas

***United States v. Loren K. Jacobson*, No. 4:21-CR-00149 (D. Idaho), ECS Trial Attorney Cassie Barnum and AUSA Joshua Hurwit.**

On May 20, 2021, Loren K. Jacobson pleaded guilty to lying to the Occupational Safety and Health Administration (OSHA) and to making an illegal repair to a cargo tanker in violation of the Hazardous Materials Transportation Act (HMTA) (18 U.S.C. § 1001; 49 U.S.C. § 5124(a)). Sentencing is scheduled for August 25, 2021.

Jacobson, the owner of KCCS Inc., a tanker testing and repair company, violated the HMTA by making an illegal repair to a cargo tanker and lied to OSHA during an investigation. The case arose from an explosion that occurred at KCCS during a cargo tanker repair in August 2018 that severely injured a KCCS employee.



Cargo tanker following explosion

On August 14, 2018, the employee's welder flame pierced the skin of the tanker, which contained residual flammable material, causing the tanker to explode. After the explosion, an OSHA investigator interviewed Jacobson about the circumstances surrounding the accident to determine whether Jacobson violated OSHA safety standards for cargo tanker repair work. Jacobson told the investigator that his employee was merely an "observer," not an employee, and that KCCS did not employ anyone, which was untrue. This was an important point because OSHA requirements only apply to "employers."

Under the HMTA, all repairs to the skin of a cargo tanker require that the worker hold an "R-stamp" certification, obtained only after meeting extensive training requirements. This ensures the adequate training of those conducting repairs on cargo tankers (which often haul flammable materials.) Despite not possessing "R-stamp" certification, Jacobson regularly required employees to conduct tanker repairs. He sent them into tankers to weld interior patches to conceal evidence of illegal repairs, putting his workers at risk.

The U.S. Environmental Protection Agency Criminal Investigation Division and the Department of Transportation conducted the investigation.

***United States v. Roger Osterhoudt et al.*, Nos. 1:21-CR-00067, 00072, 00122 (N.D.N.Y.), ECS Senior Trial Attorney Todd Gleason, ECS Trial Attorney Gary Donner, and ECS Paralegal Chloe Harris.**

On May 20, 2021, Roger Osterhoudt pleaded guilty to a Clean Air Act negligent endangerment charge for his role in a large illegal demolition project (42 U.S.C. § 7413(c)(4)). Stephanie Laskin and Gunay Yakup also admitted to their involvement in the scheme (18 U.S.C. § 371, 42 U.S.C. 7413(c)(4)).

Between May and August 2016, a number of individuals participated in a large demolition project, involving numerous buildings located on a 258-acre industrial property.

(Continued on page 9)

Guilty Pleas

(Continued from page 8)

The buildings contained substantial amounts of regulated asbestos-containing material (RACM).

During the project, Laskin, Yakup and others (all of whom possessed specialized asbestos abatement supervisor training) violated multiple safety and environmental standards including: failing to operate functioning decontamination units; conducting asbestos removal operations without access to sufficient water; failing to provide handlers with adequate personal protective equipment; failing to wet RACM; dropping RACM from substantial heights causing visible emissions when the material hit the floor; and spraying water into bagged and dry RACM to mislead inspectors.

One individual used his air and project monitoring company to create "final air clearances," notwithstanding the presence of ongoing violations. He also took the lead in concealing the illegal asbestos abatement activities by fabricating paperwork, altering existing paperwork, and running interference when inspectors arrived at the site.

Osterhoudt (the vice president of the entity that owned the site), repeatedly pressed the abatement workers to accelerate their work pace despite knowing that the New York State Department of Labor previously issued notices of violation.

The U.S. Environmental Protection Agency Criminal Investigation Division, and the New York Departments of Labor and Environmental Conservation conducted the investigation.

***United States v. Kang Juntao*, No. 1:19-CR-00107 (D.N.J.), ECS Trial Attorneys Ryan Connors and Lauren Steele, and ECS Paralegal Chloe Harris.**

On May 17, 2021, Kang Juntao pleaded guilty to money laundering, following his extradition from Malaysia in December 2020 (18 U.S.C. §§ 1956(a)(2)(A)). Sentencing is scheduled for August 18, 2021.

While in his native China, Kang organized a network of suppliers and shippers in at least eight states to smuggle approximately 1,500 box turtles, wood turtles, and spotted turtles (protected species) worth \$2,250,000 from the United States to Hong Kong. Kang sent a series of financial transactions into the United States to pay for the turtles for resale in the Asian pet trade black market.

The U.S. Fish and Wildlife Service conducted the investigation.



Spotted turtle rescued by investigators

Guilty Pleas

***United States v. Eleno Fernandez-Garcia*, No. 1:20-CR-00138 (E.D. Calif.), AUSA Karen Escobar.**

On May 13, 2021, Eleno Fernandez-Garcia pleaded guilty to conspiring to manufacture, distribute, and possess with intent to distribute marijuana (21 U.S.C. §§ 841). Sentencing is scheduled for August 6, 2021.

Between March and August 2020, Fernandez-Garcia helped cultivate a marijuana grow consisting of close to 10,000 plants, located in the Stanislaus National Forest. Authorities found the defendant with pruning shears and two cellphones covered with marijuana debris at the site.

The cultivation site (located near a natural spring used for bottled water) caused significant damage to natural resources. Investigators recovered restricted-use chemicals (aluminum phosphide) and fertilizer on site, in addition to large amounts of trash and irrigation tubing.

The U.S. Forest Service, the California Department of Fish and Wildlife, and the Campaign Against Marijuana Planting of the California Department of Justice conducted the investigation, with assistance from the Integral Ecology Research Center.



"Weevil-cide"

***United States v. Manuel Efren Vidal-Sales*, No. 3:20-CR-03109 (S.D. Calif.), ECS Trial Attorney Stephen DaPonte and AUSA Melanie Pierson.**

On May 13, 2021, Manuel Efren Vidal-Sales pleaded guilty to conspiring to violate the Federal Insecticide, Fungicide, and Rodenticide Act (18 U.S.C. § 371). Authorities apprehended Vidal-Sales in September 2020, as he entered the United States from Mexico with 17 bottles and 3 bags of undeclared pesticides.

Those involved in clandestine marijuana grows use illegal pesticides to cultivate unregulated marijuana on both public and private land in the United States.

The U.S. Environmental Protection Agency Criminal Investigation Division and Homeland Security Investigations conducted the investigation.

Guilty Pleas

***United States v. Cesar Alberto Garcia*, No. 3:20-CR-01380 (S.D. Calif.), ECS Trial Attorney Stephen DaPonte and AUSA Melanie Pierson.**

On May 12, 2021, Cesar Alberto Garcia pleaded guilty to smuggling (18 U.S.C. § 545.) Sentencing is scheduled for August 13, 2021.

Authorities apprehended Garcia in January 2020, as he attempted to enter the United States from Mexico with 12 950-liter bottles of Tramofos 600, three 950-liter bottles of Malithion 1000, and three one-kilogram bags of Granelit 200 (a granular form of Malithion.)

Those involved in clandestine marijuana grows use illegal pesticides to cultivate unregulated marijuana on both public and private land in the United States.

The U.S. Environmental Protection Agency Criminal Investigation Division and Homeland Security Investigations conducted the investigation.

***United States v. Emmanuel A. Powe, Sr.*, No. 3:21-CR-00025; *Odell S. Anderson, Sr.*, No. 3:21-CR-00026; *United States v. Chester A. Moody, Jr.*, No. 3:21-CR-00024; and *United States v. Carlos L. Harvey*, No. 3:21-CR-00023 (E.D. Va.); ECS Trial Attorney Shennie Patel, AUSA Olivia L. Norman, and ECS Paralegals Samantha Goins and John Jones.**

On May 10, 2021, Emmanuel A. Powe, Sr., pleaded guilty to conspiring to violate the Animal Welfare Act. Chester A. Moody and Carlos L. Harvey entered similar pleas on April 28, 2021. Moody is scheduled for sentencing on August 27, 2021. Harvey and Powe are set for September 1, 2021.

The government charged the three, along with Odell S. Anderson, Sr., for their roles in a dog fighting conspiracy extending across the District of Columbia, Maryland, Virginia, and New Jersey (7 U.S.C. § 2156; 18 U.S.C. §§ 49 and 371). The government also charged Anderson with taking a minor to a dog fight (7 U.S.C. § 2156(a)(2)(B)).

Beginning in 2013 through July 2018, the defendants and others participated in animal fighting ventures, involving training, transporting, breeding, and dog fighting setups, including at least one specific "two-card" dog fighting event on April 2, 2016. Authorities executed multiple search warrants leading them to discover the conspiracy.

This case is part of Operation Grand Champion. The U.S. Department of Agriculture Office of the Inspector General conducted the investigation, with assistance from the Federal Bureau of Investigation

Guilty Pleas

***United States v. David Schleif*, No. 5:20-CR-40069 (D. Kans.), AUSA Stephen McAllister.**

On May 4, 2021, David Schleif pleaded guilty to making false statements under the Clean Water Act (33 U.S.C. § 1319(c)(4)). Sentencing is scheduled for August 3, 2021.

Schleif worked as a wastewater operator with the Wamego Wastewater Treatment Facility (WWTF). Part of his responsibilities included submitting lab results from samples taken at the facility to the Kansas Department of Health and Environment.

Between May 2017 and August 2019, Schleif submitted discharge monitoring reports (DMRs) containing data falsified to conceal illegal discharges of raw or inadequately treated sewage from the facility to the Kansas River. Approximately 19 months of DMRs contained falsified data.

The U.S. Environmental Protection Agency Criminal Investigation Division conducted the investigation.

***United States v. Jamie Edmondson*, No. 3:20-CR-05033 (W.D. Mo.), AUSA Casey Clark.**

On May 4, 2021, Jamie Edmondson pleaded guilty to depredation of government property for damaging and removing more than two dozen trees from a national forest (18 U.S.C. § 1361).

Between June 2019 and January 2020, Edmondson illegally cut and removed 27 walnut and white oak trees in the Mark Twain National Forest. He sold the timber to various sawmills in the area.

Federal agents installed surveillance cameras near areas where someone had removed numerous trees in the forest. The cameras captured images of a truck that investigators determined Edmondson had used.

Authorities valued the timber at approximately \$20,269, with remediation costs to the forest from the damage estimated at \$44,414.

The U.S. Forest Service and the Barry County, Missouri, Sheriff's Department conducted the investigation.



White Oak tree

Sentencings

United States v. James R. Petro, Jr., et al., Nos. 7:21-CR-00103, 00104 (S.D.N.Y.), AUSAs Margery Feinzig and James McMahon.

On May 27, 2021, a court sentenced James R. Petro to pay a \$30,000 fine and Richard McGoeys to pay a \$7,000 fine. Both pleaded guilty to violating the Clean Air Act for causing the release of asbestos during a demolition project (42 U.S.C. § 7413(c)(4)).

In 1999, the Town of New Windsor, New York, purchased 250 acres from the Department of the Army. The property contained dozens of military barracks and other buildings built in the 1940's. Following the purchase, the Town contracted with a Developer to lease and develop the land. The Town formerly employed Petro as a Planning and Zoning Coordinator and McGoeys as an engineer. Between 2006 and 2009, New Windsor officials applied for a number of grants to abate asbestos in some of the buildings and completely demolish other buildings. Petro and McGoeys participated in preparing and submitting the grant applications.

In May 2008, the Developer obtained a report from an asbestos inspector that confirmed ten buildings contained asbestos. In June 2012, the defendants and others reviewed abatement bids. Between May and June 2015, the group drafted a request for proposals to demolish the ten buildings, without mentioning the presence of asbestos. After the Town published this request, it awarded a \$262,000 demolition contract to the lowest bidder, a contractor not qualified to properly handle and remove asbestos.

During the week of August 11, 2015, the contractor and his crew demolished the buildings using a backhoe, releasing asbestos to the open air. After concerned citizens notified local officials, they suspended the operation.

The U.S. Environmental Protection Agency Criminal Investigation Division conducted the investigation.



Building under demolition

Sentencings

***United States v. Brandon Weber*, No. 4:21-CR-03041(D. Neb.), AUSA Sean Lynch.**

On May 20, 2021, a court sentenced Brandon Weber to pay a \$300 fine and complete a one-year term of probation. Weber pleaded guilty to violating the Federal Insecticide, Fungicide, and Rodenticide Act for selling an unregistered pesticide (7 U.S.C. §§ 136j(a)(1)(A) and 136l(b)(1)(A)).

In April 2020, Weber posted advertisements on Craigslist for a product he called "Ionic Colloidal Silver." Weber claimed the product worked as a disinfectant and antibacterial agent. The U.S. Environmental Protection Agency (EPA) initiated an undercover criminal investigation after notification from EPA Civil and the Nebraska Department of Agriculture.

An agent subsequently met with Weber and purchased five one-gallon bottles of the Ionic Colloidal Silver product for \$40 per gallon, or a total of \$200. Weber gave the undercover agent documentation and a list of reference materials, including a study, entitled "Antibacterial activity of silver-killed bacteria: the 'zombies' effect." Following the execution of a search warrant at Weber's residence a few weeks later, agents seized a machine used to make the product and other items associated with its manufacture.

The U.S. Environmental Protection Agency Criminal Investigative Division conducted the investigation.

***United States v. Beatriz Adriana Sanchez*, No. 3:20-CR-02747 (S.D. Calif.), ECS Trial Attorney Stephen DaPonte and AUSA Melanie Pierson.**

On May 19, 2021, a court sentenced Beatriz Adriana Sanchez to pay a \$1,000 fine and complete a two-year term of probation. Sanchez previously pleaded guilty to smuggling (18 U.S.C. § 545).

In July 2020, authorities apprehended Sanchez as she attempted to smuggle pesticides from Mexico into the United States. Sanchez possessed six one-liter bottles of "Metaldane 600," five one-liter bottles of "Qufuran," two one-liter bottles of "Coragen," and seven boxes containing approximately 120 assorted articles of clothing.

Those involved in clandestine marijuana grows use illegal pesticides to cultivate unregulated marijuana on both public and private land in the United States.

The U.S. Environmental Protection Agency Criminal Investigation Division and Homeland Security Investigations conducted the investigation.

Sentencings

United States v. Juan Agustin Santiago Bentanzos et al., No. 1:18-CR-00197 (E.D. Calif.), AUSA Laurel Montoya.

On May 18, 2021, a court sentenced Juan Agustin Santiago Bentanzos to six months' incarceration, followed by four-years' supervised release, and to pay \$10,122 restitution to the U.S. Forest Service. Bentanzos pleaded guilty to conspiracy to manufacture marijuana (21 U.S.C. §§ 841 (a)(1), 846). Bentanzos is one of four defendants prosecuted in this case for cultivating marijuana on public lands, causing extensive damage to natural resources.

Epifanio Raymundo Hernandez-Reyes, Alvarez-Valle, Santiago-Tapia, and Bentanzos cultivated an illegal marijuana operation in the Sequoia National Forest. Between March and August 2018, law enforcement officers observed them on the trail to and from the site and at a supply drop point. Officers found numerous plants, along with irrigation equipment, a large water impoundment, and interconnected trails causing extensive damage to public lands and natural resources.

A court sentenced Alvarez-Valle and Santiago-Tapia to time served, followed by three years' supervised release in February 2020. Hernandez-Reyes is a fugitive.

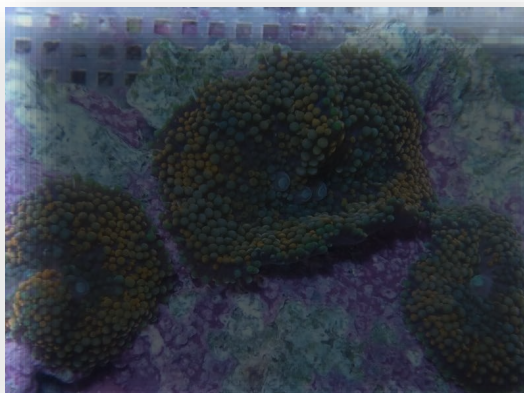
The U.S. Forest Service, the Fresno County Sheriff's Office, and the Madera County Sheriff's Office conducted the investigation.

United States v. Luis Joel Vargas-Martell, No. 3:20-CR-00383 (D.P.R.), ECS Trial Attorney Christopher Hale.

On May 17, 2021, a court sentenced Luis Joel Vargas-Martell (Vargas) for illegally collecting, purchasing, falsely labeling, and shipping protected marine invertebrate species from Puerto Rican waters. Vargas will serve two months' incarceration, followed by three years' supervised release. He will pay a \$10,000 fine, \$15,000 in restitution, and perform 300 hours of community service. The court also banned Vargas from collecting or procuring marine life, shipping marine life off-island and scuba diving and snorkeling in Puerto Rico. Vargas also surrendered his fishing permits.

After retiring from the Puerto Rico Police Department, Vargas opened an online aquarium business from his home that focused on selling native Puerto Rican marine species. During 2014 through 2016, Vargas co-owned the saltwater aquarium business, Caribbean Reefers (spelling error intentional) and also operated an online EBay store.

Organisms belonging to the genus *Ricordea* (known as "rics," "polyps," or "mushrooms" in the aquarium industry) are quite popular in the saltwater aquarium trade. They form part of the reef structure and spend their adult lives fastened in place to the reef. These colorful animals "glow" under the ultraviolet lights typically used in high-end saltwater aquariums.



Ricordea

(Continued on page 16)

Sentencings

(Continued from page 15)

It is illegal to collect Ricordea, zoanthids, and anemones in Puerto Rico for commercial purposes. In order to conceal the nature of his shipments and to avoid detection from inspectors, the scheme included falsely labelling many of the live shipments as inanimate objects. From January 2014 to March 2016, Vargas sent or directed at least 40 shipments of marine species illegally harvested in the waters of Puerto Rico. While there is some variation in the price of Ricordea depending on coloration, size, and other factors, the aggregate retail value of illegal Ricordea shipped by Vargas was worth at least \$90,000.

Vargas pleaded guilty to smuggling and violating the Lacey Act (18 U.S.C. § 554; 16 U.S.C. §§ 3372(a)(2)(A), (d)(2), 3373(d)(1)(B), (d)(3)(A)).

The U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration conducted the investigation.

***United States v. Robert J. Massey*, No. 20-CR-20615 (E.D. Mich.), ECS Senior Counsel Kris Dighe and AUSAs Anne Nee and Jules DePorre.**

On May 14, 2021, a court sentenced Robert J. Massey to 12 month's incarceration, followed by one year of supervised release. The court further ordered Massey to pay a \$5,000 fine.

Massey pleaded guilty to violating the Clean Water Act for illegally discharging landfill leachate (totaling more than 47 million gallons) into the Flint, Michigan, publically owned treatment works (POTW) for more than eight years (33 U.S.C. § 1319(c)(2)(A)).

Massey owns Oil Chem Inc., a company that reclaims and blends petroleum wastes into usable product. In 2008, Oil Chem received a pretreatment permit allowing it to discharge its liquid waste stream to the POTW. The pretreatment permit prohibited the discharge of organic waste, including landfill leachate.

With this knowledge, starting in 2007, Massey contracted for Oil Chem to receive leachate from a number of Michigan landfills. Workers offloaded the leachate from incoming tanker trucks to a tank onsite (number 103). On a daily basis, Oil Chem employees connected a hose to tank 103, discharging untreated landfill leachate overnight directly into the sanitary sewer. That practice continued until the City of Flint intervened in 2015. Officials with one of the landfills contacted the POTW directly about discharging to the sanitary sewer (to bypass Oil Chem) and disclosed that their leachate contained PCBs. Oil Chem received an estimated \$1.2 million from illegally discharging close to 48 million gallons of leachate into the sewer.

The U.S. Environmental Protection Agency Criminal Investigation Division and the Michigan Department of Natural Resources Law Enforcement Division conducted the investigation.

Sentencings

***United States v. Jose Maxines et al.*, No. 3:21-CR-00330 (S.D. Calif.), ECS Trial Attorney Stephen DaPonte and AUSA Melanie Pierson.**

On May 12, 2021, a court sentenced Heather Ramirez to one day time-served, followed by one year of supervised release. Ramirez also will perform 20 hours of community service. Ramirez pleaded guilty to violating the Federal Insecticide, Fungicide, and Rodenticide Act for attempting to smuggle illegal Mexican pesticides into the United States. Co-defendant Jose Maxines is scheduled for sentencing on July 6, 2021, after pleading guilty to conspiracy (18 U.S.C. § 371; 7 U.S.C §§ 136a (1)(A), 136(b)(2)). Authorities apprehended the defendants in January 2021 as they crossed the border with 72 bottles of Metaldane in their vehicle.

Those involved in clandestine marijuana grows use illegal pesticides to cultivate unregulated marijuana on both public and private land in the United States.

The U.S. Environmental Protection Agency Criminal Investigation Division and Homeland Security Investigations conducted the investigation.

***United States v. Dennis R. McPherron*, No. 4:17-CR-00242 (D. Ariz.), AUSA Michael Jette.**

On May 11, 2021, a court sentenced Dennis R. McPherron to complete a one-year term of probation, following his smuggling conviction in a bench trial in June 2020 (18 U.S.C. § 545).

Authorities apprehended McPherron in February 2017, as he attempted to smuggle protected wildlife items into the United States at the Mariposa Port of Entry in Nogales, Arizona. McPherron possessed 220 feathers from protected species forensically determined to include: eight Northern Flickers, four Military Macaws, one Bald Eagle, one Golden Eagle, one Crested Caracara, one Greater Roadrunner, one Blue-and-Yellow Macaw, and one Scarlet Macaw. The court convicted McPherron of smuggling and ordered him to forfeit the feathers.

The U.S. Fish and Wildlife Service conducted the investigation.

***United States v. Jose Jesus Guillen*, No. 3:20-CR-03169 (S.D. Calif.), ECS Trial Attorney Stephen DaPonte and AUSA Melanie Pierson.**

On May 7, 2021, a court sentenced Jose Jesus Guillen to complete a two-year term of probation and pay \$1,085 in restitution to the U.S. Environmental Protection Agency. Guillen pleaded guilty to conspiracy to smuggle pesticides (18 U.S.C. § 371).

Authorities apprehended Guillen in September 2020, as he attempted to enter the United States from Mexico with 24 bottles of "Metaldane 600," a Mexican pesticide.

Those involved in clandestine marijuana grows use illegal pesticides to cultivate unregulated marijuana on both public and private land in the United States.

The U.S. Environmental Protection Agency Criminal Investigation Division and Homeland Security Investigations conducted the investigation.

Sentencings

***United States v. Henry J. Danzig*, No. 4:20-CR-10011 (S.D. Fla.), AUSA Tom Watts-FitzGerald.**

On May 6, 2021, a court sentenced Henry J. Danzig for illegally harvesting fish in the Bahamas, in violation of the Lacey Act (16 U.S.C. §§ 3372(a)(2)(A), 3373(d)(2)).

Danzig will complete a one-year term of probation, and make restitution to the Commonwealth of the Bahamas by forfeiting a newly constructed and outfitted 30-foot Contender Tournament boat. The Royal Bahamas Defense Force will utilize the craft to prevent, deter, and eliminate illegal and unreported fishing within the archipelagic waters of the Bahamas.

In May 2020, the U.S. Coast Guard intercepted Danzig and four others in the Atlantic Ocean outside of Tavernier, in the Florida Keys, as they returned from Bahamian waters. Upon boarding the vessel, the Coast Guard found and seized 167 reef fish, totaling approximately 529 pounds. At the time, authorities closed Bahamian waters due to the pandemic. Neither Danzig nor his associates possessed a license allowing them to take or sell any fishery product or resource fish from Bahamian waters.

Additional investigation revealed that Danzig previously sold illegally sourced Bahamian fish through the establishment he co-owned in Tavernier called the City Hall Café.

This case is a result of Operation Bahamarama, a joint enforcement effort by National Oceanic and Atmospheric Administration National Marine Fisheries Service Office for Law Enforcement, the U.S. Coast Guard, and the Florida Fish and Wildlife Conservation Commission. The Operation specifically targets Illegal, Unreported, and Unregulated (IUU) fishing to and from the waters of the U.S. Exclusive Economic Zone and in conformity with the Port States Measure Agreement (PSMA), an international agreement designed to target IUU fishing. The Commonwealth of the Bahamas and the Bahamas Defense Force intelligence gathering efforts played a pivotal role in this successful prosecution.



Illegally harvested reef fish

Sentencings

***United States v. Jiule Lin*, No. 20-CR-10210 (D. Mass.), AUSA Adam Dietch.**

On April 27, 2021, a court sentenced Jiule Lin to pay a \$1,500 fine and to complete a one-year term of probation. Lin pleaded guilty to violating the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) for selling lanyards he claimed offered protection against viruses (7 U.S.C. §§ 136(j)(a)(1)(a), 136l(b)(1)(B)).

In March 2020, Lin offered “Toamit Virus Shut Out,” (an unregistered pesticide) for sale on eBay for purchase in the United States. Lin devised the product as a card-shaped device to be worn with a lanyard around the user’s neck. The product claimed to remove germs and viruses within a certain radius of the wearer.

Under the FIFRA, the Environmental Protection Agency regulates the production, sale, distribution and use of pesticides in the United States. A pesticide is any substance intended for preventing, destroying, repelling, or mitigating any pest, including viruses, and must be registered with the EPA. Toamit Virus Shut Out was not registered.

The U.S. Environmental Protection Agency Criminal Investigation Division, the U.S. Postal Inspection Service, Homeland Security Investigations, the U.S. Food and Drug Administration Office of Criminal Investigation, and the Quincy Police Department conducted the investigation.

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