

For Immediate Release
October 6, 2011

**ALBUQUERQUE MAN PLEADS GUILTY TO
ADULTERATING YOGURT WITH SEMEN**

ALBUQUERQUE – U.S. Attorney Kenneth J. Gonzales announced that, this morning, **Anthony Garcia**, 32, of Albuquerque, entered a guilty plea to a two-count indictment charging him with adulterating food with semen, and making false statements to federal investigators during a criminal investigation. Under the terms of his plea agreement, at sentencing, Garcia faces up to three years of imprisonment to be followed by three years of supervised release. Garcia has been in federal custody since his arrest on July 13, 2011, and remains detained pending his sentencing hearing, which has yet to be scheduled.

In entering his guilty plea to Count 1 of the indictment, Garcia admitted that, on January 25, 2011, when he was employed in the dairy department of an Albuquerque grocery store, he adulterated a sample of yogurt by putting some of his semen into it. He also admitted putting some of his semen on a plastic spoon that he placed with the yogurt. Garcia then approached a female customer and offered her a sample of the yogurt. According to the plea agreement, the customer accepted the sample from Garcia, tasted it, immediately spat it, and asked to speak to the store's manager. Garcia threw the yogurt sample into the store's trash compactor after the customer spoke with the manager.

In pleading guilty to Count 2, Garcia admitted that he knowingly made false statements to a special agent of the U.S. Food and Drug Administration when he was interviewed about the adulterated yogurt on March 8, 2011 by "falsely stat[ing] that I did not know what the spoon contained, when in truth and fact I knew that the spoon had contained my semen." Garcia also lied to an Albuquerque Police Department detective on January 25, 2011 when asked if he put

semen into the yogurt.

In announcing the guilty plea, U.S. Attorney Gonzales said, “The criminal conduct to which Anthony Garcia pleaded guilty today is completely outrageous. No one should have to endure this type of experience simply because she or he accepts a food sample while shopping for groceries. My Office will continue to work with its law enforcement partners to vigorously pursue those who deliberately adulterate foods for the purpose of causing harm to innocent consumers, or as malicious pranks, or deviant sexual gratification.”

“Consumers must have confidence that food products are safe and fit for consumption, ” said Special Agent in Charge Patrick J. Holland of the U.S. Food and Drug Administration's Office of Criminal Investigations, Kansas City Field Office. “The FDA will aggressively pursue those who cause food to become adulterated at any point during its processing, manufacturing, distribution, or holding for sale, and the agency will strive to ensure that they are prosecuted to the full extent of the law.”

The case was investigated by the U.S. Food and Drug Administration and the Albuquerque Police Department, and is being prosecuted by Supervisory Assistant United States Attorney Fred J. Federici.

#