



Jury convicts D.C. seafood wholesaler and two employees for buying illegal striped bass

SEAFOOD.COM NEWS [seafoodnews.com] - July 2, 2010 - Following a five-week trial, a D.C. fish wholesaler and two employees were found guilty of purchasing illegally caught striped bass from the Potomac River from 1995 through 2007.

According to the Department of Justice, to date, including these convictions, this illegal striped bass prosecution has resulted in 22 felony convictions: fourteen fishermen from Maryland and Virginia, five individuals who operated seafood wholesale companies, and three seafood wholesale companies in Maryland, Virginia, and the District of Columbia.

This week, Ocean Pro Ltd. d/b/a Profish, one of the largest District of Columbia seafood wholesalers, its vice-president Timothy Lydon of Bethesda, Md., and its fish buyer, Benjamin Clough of Graysonville, Md., were all convicted of a felony conspiracy to violate the Lacey Act.

Ocean Pro and Lydon were also convicted of three felony Lacey Act violations, and Clough was convicted of three Lacey Act violations and a felony false statement charge. The Lacey Act is a federal law that prohibits individuals or corporations from transporting, selling or buying fish and wildlife harvested illegally.

According to the Department of Justice, Profish and Lydon began buying striped bass from Virginia fishermen fishing on the Potomac River in 1995. Lydon and Profish agreed to buy striped bass that they knew was illegally harvested by seven fishermen between 1995 and 2007.

Clough joined Profish in 2001, and he continued to knowingly purchase the illegally harvested striped bass through 2007.

In total, the defendants purchased over 270,000 pounds of striped bass illegally harvested from Maryland and Virginia waters, with a fair market retail value over \$1.6 million.

Evidence was also introduced at trial that they altered records regarding their striped bass purchases, and changed records indicating the harvest date on shellfish to make it appear that they were harvested more recently than they were.

Commercial striped bass fishermen are given a quota that they are allowed to catch each year. The fishermen are issued a set number of plastic tags that they are required to affix to every striped bass harvested.

In addition, during certain times of the spring, commercial striped bass fishing is prohibited, or, if allowed, a maximum striped bass size limit is imposed that prohibits the harvest of striped bass over that size.

The quota restrictions and tagging requirements are designed to prevent the over-harvest of striped bass, and the seasonal closing and size restrictions are designed to protect striped bass while they are spawning and to protect the larger, sexually mature and more productive spawning fish. These restrictions were implemented in the early 1990s following the crash of the striped bass fishery in the 1980s, which resulted in a moratorium on commercial striped bass harvest from 1985 to 1990.