

Market Enforcement Branch

Hot News

December 2011

LICENSE DENIALS

Jesus Barajas Wholesale Flowers

755 Wall Street #29
Los Angeles, CA 90014
License denied November 16, 2011

Green Valley Flowers Wholesale

PO Box 625
San Marcos, CA 92079
License denied December 5, 2011

Sabino Flores Jara

8500 Laird Road
Grayson, CA 95363
License denied November 17, 2011

Produce Specialties

PO Box 21492
Los Angeles, CA 90021
License denied December 6, 2011

Spring Produce

PO Box 168
Coachella, CA 92236
License denied November 23, 2011

Barrel Stop Winery LLC

620 Trancas Street
Napa, CA 94558
License denied December 22, 2011

San Jose Green Growers LLC

PO Box 86151
Los Angeles, CA 90086
License denied November 28, 2011

MJE Produce Co

PO Box 514215
Los Angeles, CA 90051
License denied December 27, 2011

J Paul Rosilez Winery LLC

179 Niblick PMB 403
Paso Robles, CA 93446
License denied December 5, 2011

ADMINISTRATIVE PROCEEDINGS / LICENSE REVOCATIONS

None

PROSECUTION UPDATES

Martin Nonini – Madera, CA

The Madera County District Attorney filed a misdemeanor complaint against Mr. Nonini for operating without a license under the Food and Agricultural Code. Mr. Nonini is alleged to have purchased and sold pomegranates without having a dealer's license in his possession.

On December 28, 2011, Mr. Nonini was scheduled to be arraigned in the Madera County Superior Court, but failed to appear. A \$10,000 bench warrant was issued and held until the next arraignment scheduled for January 11, 2012.

Carl Edward Sutton dba Sutton Cellars – Mendocino, CA

The Mendocino County District Attorney filed a misdemeanor complaint against Mr. Sutton for felony grand theft under the Penal Code (Section 487) and for operating without a license under the Food and Agricultural Code (Section 55521).

On October 7, 2011, Mr. Sutton plead guilty to operating without a license. He was sentenced to pay restitution to the victim, pay fines and investigative costs and perform community service.

Jonathan M. Barber & Lorraine Shmulik dba Barber Cellars – Petaluma, CA

The Sonoma County District Attorney filed a misdemeanor complaint against Mr. Barber and Ms. Shmulik for operating without a license under the Food and Agricultural Code. Mr. Barber and Ms. Shmulik are alleged to have purchased wine grapes from producers in Sonoma County for the purpose of processing.

On October 24, 2011, Mr. Barber's attorney presented to the District Attorney a restitution update of payments totaling \$5,440.83. The settlement agreement was extended in order for restitution to be completed.

On December 12, 2011, Mr. Barber provided the final payment to growers and investigative costs to The Market Enforcement Branch. As per the terms of the settlement, case was dismissed on December 16, 2011 as final payments had been made.

Robert Lynch dba Irish Monkey Cellars – Oakland, CA

The Alameda County District Attorney filed a misdemeanor complaint against Mr. Lynch for operating without a license under the Food and Agricultural Code. Mr. Lynch is alleged to have purchased California Farm product for the purpose of processing.

Mr. Lynch appeared in court on September 16th and pled not guilty. Mr. Lynch appeared for a motion's hearing on February 2, 2011, and the case was continued until May 4, 2011, to monitor the status of restitution. On May 4, 2011, Mr. Lynch's attorney requested a continuance and the hearing was rescheduled until December 14, 2011, at which time the case was dismissed.

Ignazio Robert Ugenti (Quality First Distribution, Inc.) – San Jose, CA

The Merced County District Attorney accepted a complaint against Mr. Ugenti for operating without a license under the Produce Dealers Act. Mr. Ugenti is alleged to have purchased California farm products for resale without having a dealer's license in his possession. Mr. Ugenti failed to appear at his arraignment on October 20, 2009 at the Merced County Superior Court. The judge issued a bench warrant in the amount of \$25,000. The case is pending.

John Bowersox dba High Point Raisin and Nor Cal Raisin – Chowchilla, CA

A criminal complaint was filed against John Bowersox with the Madera County District Attorney's office alleging Grand Theft under the Penal Code and operating without a license under the Food and Agricultural Code. On September 29, 2009, an arrest warrant was issued against Mr. Bowersox for Grand Theft (PC 487 (b) (1) (A)), a felony; and operating without a license under the Food and Agricultural Code (56632), a misdemeanor. Mr. Bowersox was arrested on October 20, 2009 and posted bail.

On April 1, 2011, a preliminary hearing was scheduled in the Madera Superior Court. On July 28, 2011, the preliminary hearing was re-scheduled for November 10, 2011. The hearing has been re-scheduled for December 9, 2011.

On December 9, 2011, Mr. Bowersox stipulated into a no contest plea for operating without a license and the judge found cause for grand theft. A discovery hearing has been scheduled for January 6, 2012.