

# Market Enforcement Branch

Hot News  
October 2010

## IMPORTANT CHANGES COMING

With the passage of AB 2240, effective January 1, 2011, there will be fee increases as follows:

- The principal license fee of those entities purchasing and/or handling an annual dollar volume of less than \$20,000 of California farm product, will be paying \$136 versus the previous \$100 application fee.
- An agent application fee will be increased to \$55.
- The complaint filing fee will be increased to \$100.

## LICENSE DENIALS

### **Bacocas Enterprises Inc**

PO Box 32370  
Los Angeles, CA 90032  
License denied on September 14, 2010

### **Pacifico Distributor Inc**

PO Box 5668  
El Monte, CA 91734  
License denied on October 5, 2010

### **Carol Ladean Fleming dba CL Fleming Produce**

22380 Adobe Road  
Cottonwood, CA 96022  
License denied on October 1, 2010

### **Ana Preciado**

1563 Langston Drive  
Newman, CA 95360  
License denied on October 25, 2010

### **Luna Produce**

640 Dallas Avenue  
Salinas, CA 93905  
License denied on October 1, 2010

### **Ashori Produce**

10515 Ohio Avenue  
Los Angeles, CA 90024  
License denied on October 25, 2010

## ADMINISTRATIVE PROCEEDINGS / LICENSE REVOCATIONS

### **Kaleidos**

1990 Township Road  
Paso Robles, CA 93446

On April 29, 2010, Kaleidos was served with a Statement of Issues. Kaleidos filed a Notice of Defense within the time specified. During the scheduling

process, the applicant filed Chapter 12 Bankruptcy and was then required to post a surety bond. Kaledios decided not to continue with the application process.

Respondent's license application under the Processors Law was therefore denied effective October 8, 2010.

**Robert Arranaga & Co Inc**  
**216 S. Alameda Street**  
**Los Angeles, CA 90021**

On June 21, 2010, Robert Arranaga & Co Inc (RACI) was served with an Accusation, Statement to Respondent, Request for Discovery, and A blank Notice of Defense. RACI failed to file a Notice of Defense within the time specified and therefore waived its right to a hearing. As a result, RACI was in default.

Respondent's license under the Produce Dealers Act was therefore revoked effective October 8, 2010.

**International Onions Inc**  
**2602 East Florence Avenue PMB 739**  
**Huntington Park, CA 90255**

International Onions Inc, in lieu of an administrative hearing, stipulated that its license be placed on probation for a period of four years and subject to the compliance of the terms and conditions set forth in the Stipulation.

The Stipulation was adopted as the Decision and Order effective as of October 8, 2010.

**La Czar Vineyard LLC**  
**7870 Giusti Road**  
**Forestville, CA 95436**

La Czar Vineyard LLC, in lieu of an administrative hearing, stipulated that its license be placed on probation for a period of six months and subject to the compliance of the terms and conditions set forth in the Stipulation.

The Stipulation was adopted as the Decision and Order effective as of October 8, 2010.

**Camellia Cellars LLC**  
**57 Front Street**  
**Healdsburg, CA 95448**

Camellia Cellars LLC, in lieu of an administrative hearing, stipulated that its license be placed on probation for a period of six months and subject to the compliance of the terms and conditions set forth in the Stipulation.

The Stipulation was adopted as the Decision and Order effective as of October 8, 2010.

## **PROSECUTION UPDATES**

### **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. The arraignment was scheduled for September 7, 2010 at the Sonoma County Superior Court.

On September 7<sup>th</sup> the defendants appeared for arraignment, but no plea was made. The next court date was scheduled for September 20<sup>th</sup> to allow them additional time to obtain an attorney.

On September 20<sup>th</sup> the defendants appeared with their attorney, but no plea was made. The next court date is scheduled for October 18, 2010.

### **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. His court date has been scheduled for September 8, 2010 at the Alameda County Superior Court.

Mr. Lynch failed to appear for the arraignment on September 8<sup>th</sup> and a bench warrant was issued. Mr. Lynch appeared in court on September 16<sup>th</sup> and pled not guilty. The next court appearance is set for November 3, 2010 at 9:00 a.m.

### **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.

At his pre-trial hearing on May 24, 2010, a preliminary hearing was set for September 24, 2010.

On September 24, 2010, the preliminary hearing was rescheduled for October 19, 2010. A trial date of December 3, 2010 has been set.