

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)
)
) No.
) Violations: Title 21, United States Code,
) Sections 331, 333, 342, and 343
PATRICK A. BRUNO)

The UNITED STATES ATTORNEY charges:

1. At times material to this Information:
 - a. Gourmet Express Marketing, Inc. was a company located in Addison, Illinois, in the business of buying seafood from various entities outside of Illinois and selling seafood for retail and wholesale inside and outside of Illinois.
 - b. Defendant PATRICK A. BRUNO was the president and sole owner of Gourmet Express Marketing.
 - c. Beginning no later than in or about 2007, defendant BRUNO caused Gourmet Express Marketing to purchase and receive from entities outside of Illinois different quantities of seafood, including seafood commonly known as swai, perch, and shrimp. During calendar year 2007, and continuing through the fall of 2010, defendant BRUNO caused Gourmet Express Marketing to store the swai, perch, and shrimp in its facilities in Illinois until the seafood product was sold and shipped to Gourmet Express Marketing's customers.
 - d. On numerous occasions in 2007, and continuing through the fall of 2010, defendant BRUNO caused Gourmet Express Marketing to pack six-pack variety cases of seafood for sale and shipment to its customers, with each case containing six boxes of

seafood, and each of the six boxes containing one variety of seafood, for example, swai or perch.

e. On numerous occasions in 2007, and continuing through the fall of 2010, defendant BRUNO caused Gourmet Express Marketing to pack some of the boxes with swai, and to place a label on these boxes of swai identifying the contents as “catfish,” when defendant BRUNO knew that the contents of these boxes were not catfish but, in fact, contained swai. Defendant BRUNO also caused Gourmet Express Marketing to place labeling on the cases that contained these boxes, identifying the contents of each case as including “catfish,” when defendant BRUNO knew that these cases did not include any catfish but, in fact, contained swai.

f. On numerous occasions in 2007, and continuing through the fall of 2010, defendant BRUNO caused Gourmet Express Marketing to pack some of the boxes with perch, and to place a label on these boxes of perch identifying the contents as “red snapper,” “pacific snapper,” or “snapper,” when defendant BRUNO knew that the contents of these boxes were not red snapper, pacific snapper, or snapper but, in fact, contained perch. Defendant BRUNO also caused Gourmet Express Marketing to place labeling on the cases that contained these boxes, identifying the contents of each case as including “red snapper,” “pacific snapper,” or “snapper,” when defendant BRUNO knew that these cases did not include any red snapper, pacific snapper, or snapper but, in fact, contained perch.

g. On numerous occasions in 2007, and continuing through the fall of 2010, defendant BRUNO caused Gourmet Express Marketing to glaze shrimp product,

meaning that defendant BRUNO directed that the shrimp be removed from its packaging at Gourmet Express Marketing, dipped into cold water, drained to remove excess water and placed in a freezer to harden the ice glaze. Defendant BRUNO subsequently caused the glazed shrimp to be removed from the holding freezer, placed in a bag, weighed, and labeled with a pre-printed label that identified the contents as two pounds of shrimp. Defendant BRUNO knew that the weight of this shrimp included the weight of the ice glaze, and the bags did not, in fact, contain two pounds of shrimp but, instead, contained shrimp that weighed a total of less than two pounds.

h. Defendant BRUNO caused Gourmet Express Marketing (i) to falsely label seafood and to substitute cheaper swai and perch for more expensive catfish and snapper, respectively, in order to sell customers more six-pack variety cases; and (ii) to misstate the weight of shrimp in order to charge customers more money for a lesser quantity of shrimp.

2. On or about March 19, 2010, at Addison, in the Northern District of Illinois, Eastern Division, and elsewhere,

PATRICK A. BRUNO,

defendant herein, caused the introduction and delivery for introduction into interstate commerce of a food that was adulterated and misbranded; specifically, defendant BRUNO caused the packaging and shipment of approximately twenty cases of seafood from Addison, Illinois, to Gourmet Express Marketing's customer in Burnsville, Minnesota, each case

containing a box of seafood with a label identifying the contents as catfish when defendant BRUNO knew that the contents of these boxes were not catfish but, in fact, were swai;

In violation of Title 21, United States Code, Sections 331(a), 333(a)(1), 342(b)(2), 343(a)(1), 343(b), and 343(t).

UNITED STATES ATTORNEY