

# **Fishing Company Convicted of Dumping Oil Waste**

FREDERIC J. FROMMER, Associated Press

WASHINGTON (AP) — A federal jury Wednesday convicted a New Zealand fishing company of dumping oil waste into U.S. waters outside American Samoa and of falsifying records.

The jury also convicted one of the company's employees of falsifying records.

Sanford Ltd. of Auckland faces fines of up to \$3 million. Sentencing is scheduled for Nov. 16.

Prosecutors said Sanford violated U.S. law by dumping oil waste off its fishing vessel into the water without using pollution prevention equipment. They also said the company covered this up by falsely claiming such equipment had been used.

The oil waste, known as bilge waste, can be contaminated with oil, lubrication fluids and other liquids that leak from the ship's engines or pipes and hoses.

The jury convicted Sanford on six of seven counts, acquitting the company only on an obstruction-of-justice charge.

The jury convicted James Pogue, a chief engineer on the fishing vessel, on two of three charges. He was convicted of one count of falsification of records for stating that required pollution control prevention equipment had been used when it had not and of failure to maintain an accurate oil record book as required by an U.S. anti-pollution law. He was acquitted on a conspiracy charge.

Prosecutors said that Pogue and Sanford falsified the records "with the intent to impede, obstruct and influence the investigation and proper administration of a matter within the jurisdiction of the United States Coast Guard."

Pogue, who lives in Idaho, will remain free until the November sentencing. Had he been convicted on all three counts, he likely faced 14 to 20 months in prison under sentencing guidelines.

"These verdicts hold a company and one of its chief engineers accountable for polluting the waters off American Samoa with oily waste, and then trying to cover up their acts," U.S. Attorney Ronald C. Machen Jr. said in a statement. "The prosecution demonstrates our commitment to enforcing environmental laws and protecting our precious natural resources."

Pogue's lawyer declined to comment.

In a company news release, Sanford Managing Director Eric Barratt said that while the verdict was disappointing, it highlighted the need to properly maintain required

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logs and records for managing oily waste on vessels.

The company calls itself "The Home of Sustainable Seafood" on its website.

Another person charged in the case, Rolando Ong Vano, who had also worked as the boat's chief engineer, reached a plea bargain with prosecutors in April in which some of the charges against him were dismissed. Vano, who lives in the Philippines, is scheduled to be sentenced on Sept. 7.

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