



# San Diego City Attorney Jan I. Goldsmith

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## NEWS RELEASE

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Contact: [Gerry Braun](mailto:gbraun@sandiego.gov), Director of Communications: [gbraun@sandiego.gov](mailto:gbraun@sandiego.gov) (619) 533-4782

## **Sushi Investigation Nets 8 Criminal Convictions** *Local restaurants promised lobster, served cheaper seafood*

‘Tis the season for California Spiny Lobster catch, but an investigation by the City Attorney’s Office found lobsters don’t always make their way into the “lobster rolls” at local sushi restaurants.

The “truth-in-menu” investigation was launched last year to see if San Diego consumers were the victims of seafood fraud. It resulted in criminal convictions against sushi restaurants in Carmel Mountain Ranch, El Cerrito, Hillcrest, North Park, Ocean Beach, Point Loma, Rancho Penasquitos and Tierrasanta.

Investigators with the Consumer and Environmental Protection Unit of the Office of the City Attorney purchased advertised “lobster rolls” from various sushi restaurants throughout San Diego, then sent them to a laboratory where DNA testing confirmed that no lobster was in fact in any of the rolls.

Instead of lobster, the testing revealed the substitution of various types of less expensive seafood such as crawfish or pollack. Follow-up restaurant inspections by the California Department of Fish and Wildlife and the City’s investigator found no lobster in any of the businesses.

City Attorney Jan Goldsmith was disappointed with the food fraud findings.

**“The public should be able to count on truthful advertising from anyone doing business in San Diego. Honest customer service is not only required by law, it is good business,”** Goldsmith said. **“Our office will continue to prosecute businesses that lie to their consumers.”**

The undisclosed substitution of the cheaper seafood is a criminal violation of California law that prohibits the adulteration of food and the false advertising or misbranding of food items. Along with fines, California law also requires the offending businesses to reimburse all of the investigation costs. The eight sushi restaurants paid a combined \$14,000 in fines and more than \$5,000 to reimburse investigative costs.

Each convicted business changed its menu and other advertising to reflect the true content of the seafood rolls.

The list of individuals and businesses prosecuted and the location of the businesses is found below.

A seafood fraud report by Oceana <http://oceana.org/reports/oceana-study-reveals-seafood-fraud-nationwide> found that Los Angeles and Orange County had the highest national seafood substitution rates at 52%. It is not always clear if the substitution happens at the restaurant level, the seafood distribution level or elsewhere. The City Attorney's investigation found the San Diego substitution occurred at the restaurant level.

The Consumer and Environmental Protection Unit of the San Diego City Attorney's Office prosecutes violations of law that arise from consumer transactions within the City of San Diego and has a Consumer Help Line at (619) 533-5600. A complaint form may also be found on-line. <http://www.sandiego.gov/cityattorney/pdf/cepucomplaintform.pdf>

For more consumer tips and information on scams, check out the Consumer News on the City Attorney's webpage, <http://www.sandiego.gov/cityattorney/media/newsletters>.

<b>DEFENDANT</b>	<b>LOCATION</b>	<b>DISPOSITION</b>
BUSHI JAPAN, INC. dba Little Tokyo M196803CF	Little Tokyo 11640 Carmel Mountain Road #122 San Diego, CA 92128	Plead Guilty 6/18/15
EDA MAMI, INC. dba Edamami Sushi & Roll M196815CF	Edamami Sushi & Roll 5950 Santo Road, #G San Diego, CA 92124	Plead Guilty 8/6/15
G.P. FAMILY INVESTMENT, INC. dba Wonderful Sushi M196800CF	Wonderful Sushi 13185-3 Black Mountain Road San Diego, CA 92129	Plead Guilty 6/11/15
KIM, SUN YOUNG dba Ikiru Sushi M196830CF	Kim, Sun Young 2850 Womble Road, #105 San Diego, CA 92106	Plead Guilty 4/23/15
WU, HOWARD dba OB Sushi Sushi M196831CF	OB Sushi 4967 Newport Avenue San Diego, CA 92107	Plead Guilty 5/14/15
Riki Sushi M196825CF	Riki Sushi 3930 30 <sup>th</sup> Street San Diego, CA 92104	Plead Guilty 4/23/15
HJ & KY INVESTMENT, INC. dba Wonderful Sushi M197504CF	Wonderful Sushi 1288 University Avenue San Diego, CA 92103	Plead Guilty 7/2/15
RB SUSHI 2 M203790CF	RB Sushi 2 5973 El Cajon Blvd. San Diego, CA 92115	Plead Guilty 10/28/15

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