

30847. Adulteration of frozen fish. U. S. v. 590 Boxes of Ocean Perch Fillets (and 8 other seizure actions against similar products). Two lots condemned and released under bond for segregation and destruction of unfit portions. Remaining lots ordered destroyed. (F. & D. Nos. 45089, 45259, 45260, 45493, 45494, 45495. Sample Nos. 55332-D, 55333-D, 55350-D, 55351-D, 55352-D, 58867-D.)

These products had been shipped in interstate commerce and remained unsold and in the original unbroken packages. At the time of examination, certain lots were found to be in part decomposed and others were infested with parasitic worms.

Between March 24 and June 15, 1939, the United States attorneys for the Middle District of Tennessee and the Western District of Michigan, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 590 boxes of frozen fish at Nashville, Tenn., and 802 boxes of frozen fish at Kalamazoo, Mich.; alleging that the articles had been shipped by the Commonwealth Ice & Cold Storage Co. from Boston, Mass., within the period from on or about February 24, 1939, to on or about May 20, 1939; and charging adulteration in violation of the Food and Drugs Act. The articles were labeled in part variously: "Ocean Perch Layers"; "Taste of Sea Tenderloins O'Donnell-Usen Fisheries Corp"; "Red Fish Fillets"; "O'Donnell-Usen Fisheries Small Haddock."

Adulteration was alleged with respect to two of the lots seized at Kalamazoo, in that they consisted wholly or in part of decomposed and putrid animal substances. Adulteration was alleged with respect to the remaining lots in that they consisted wholly or in part of filthy animal substances.

On May 13, 1939, no claim having been entered for the lot seized at Nashville, Tenn., judgment of condemnation was entered and the said lot was ordered destroyed. On May 19, 1939, the consignee of 2 lots involving 202 boxes seized at Kalamazoo, Mich., having petitioned the destruction of the said lots, judgments of condemnation and destruction were entered accordingly.

On July 6, 1939, the O'Donnell-Usen Fisheries, Inc., Boston, Mass., having filed a claim for 2 of the remaining 3 lots at Kalamazoo, Mich., and having admitted the allegations of the libel with respect to said lots, judgment was entered condemning them and ordering that they be released under bond conditioned that the fish be sorted and the unfit portion destroyed. On July 15, 1939, no claim having been entered for the remaining lot at Kalamazoo, Mich., it was condemned and ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30848. Adulteration of frozen fillet of cod. U. S. v. 160 Pounds of Frozen Fillet of Cod. Default decree of condemnation and destruction. (F. & D. No. 45206. Sample No. 19900-D.)

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination it was found to be in whole or in part decomposed.

On April 20, 1939, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 160 pounds of frozen fillet of cod at Sioux City, Iowa; alleging that the article had been shipped on or about March 26, 1939, by O'Donnell-Usen Fisheries Corporation from Boston, Mass.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Taste O'Sea Tenderloins."

It was alleged to be adulterated in that it consisted wholly or in part of a decomposed and putrid animal substance.

On May 26, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30849. Adulteration of frozen fish. U. S. v. 54 Boxes of Red Perch Fillets (and 13 other seizure actions against similar products). Default decrees of condemnation. Product ordered destroyed or converted into fertilizer. (F. & D. Nos. 44936, 44949, 44961, 45012, 45022, 45098, 45143, 45144, 45201, 45264, 45265, 45272, 45292, 45306, 45307, 45352. Sample Nos. 30735-D, 30811-D, 30814-D, 41215-D, 41216-D, 42877-D, 43518-D, 54407-D, 54625-D, 62660-D, 62695-D, 62697-D, 62698-D, 62804-D, 62805-D, 65510-D.)

These products had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination certain lots were