

2882. Adulteration of frozen codfish and frozen perch. U. S. v. 496 Boxes of Cod Fillets and 19 Boxes of Perch Fillets. Default decrees of condemnation and destruction; codfish subsequently ordered released under bond. (F. D. C. Nos. 5432, 5584. Sample Nos. 44000-E, 66033-E.)

Examination of samples of these products showed that the codfish was in part decomposed and that the perch was infested with parasites.

On August 22 and 30, 1941, the United States attorneys for the District of Nebraska and the Northern District of Illinois filed libels against 496 15-pound boxes of cod fillets at Omaha, Nebr., and 19 10-pound boxes of perch at Chicago, Ill., alleging that the articles had been shipped in interstate commerce on or about August 5 and 12, 1941, by Slade Gorton Co. from Gloucester and Boston, Mass.; and charging that they were adulterated in that the perch consisted in whole or in part of a filthy substance, and in that the codfish consisted in whole or in part of a decomposed substance. The articles were labeled in part: "Cod Frosted Tastycuts Fillets"; or "T. & J. Busalacchi, Inc. * * * Red Perch Fillets."

On October 28 and 30, 1941, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed. On December 15, 1941, the Eastern Seafood Co., Boston, Mass., having subsequently appeared as claimant for the codfish, the court ordered it delivered to the claimant under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration.

2883. Adulteration of frozen fish. U. S. v. 131 Boxes and 334 Boxes of Haddock Fillets. Consent decree of condemnation. Product released under bond for reconditioning. (F. D. C. No. 5593. Sample Nos. 50860-E, 50862-E.)

On August 30, 1941, the United States attorney for the District of Maryland filed a libel against 465 boxes of haddock fillets at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about August 19, 1941, by J. J. Scoggins & Co. from Chelsea, Mass.; charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Small Haddock Fillets * * * Packed by Collins-Lee Co. Chelsea, Mass."

On November 11, 1941, the Collins-Lee Co., Chelsea, Mass., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it should not be disposed of until made to conform to the requirements of the law under the supervision of the Food and Drug Administration. It was sorted and the unfit portion destroyed.

2884. Adulteration of frozen haddock. U. S. v. 348 Boxes of Haddock Fillets (and 2 other seizures of haddock fillets). Consent decrees of condemnation. Product ordered released under bond for salvaging good portion. (F. D. C. Nos. 5594, 5659, 7347. Sample Nos. 62084-E, 62091-E, 62281-E, 87557-E.)

On August 30 and September 15, 1941, and April 15, 1942, the United States attorneys for the Northern District of Illinois and the District of Maryland filed libels against 650 boxes of haddock fillets at Chicago, Ill., and 93 boxes at Baltimore, Md. (libel filed August 30, 1941, subsequently amended), alleging that the article had been shipped in interstate commerce within the period from on or about August 12, 1941, to on or about April 7, 1942, by Standard Fish Co. from Boston, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Haddock Fillets * * * Standard Brand."

On October 22, 1941, and May 11, 1942, the Standard Fish Co., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond conditioned that it be sorted and the good portion salvaged under the supervision of the Food and Drug Administration.

2885. Adulteration of frozen haddock fillets. U. S. v. 1,070 Boxes of Fillets. Consent decree of condemnation. Portion of product ordered released unconditionally; remainder ordered released under bond to be salvaged. (F. D. C. No. 5585. Sample Nos. 42967-E, 42969-E, 42970-E.)

On August 28, 1941, the United States attorney for the Western District of Pennsylvania filed a libel against 1,070 boxes of haddock fillets at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about August 7, 1941, by Frank Ellsworth Co. from Boston, Mass.; and charging

that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: "Sm. Hadd Fillets, F. J. O'Hara & Sons Inc."

On September 11, 1941, F. J. O'Hara & Sons, Inc., claimant, having appeared and averred that a portion of the product was not bad and having admitted all other allegations of the libel, judgment of condemnation was entered and it was ordered that 367 boxes be released immediately as not bad and that the remainder be released under bond for segregation and salvaging of the good portion.

2886. Adulteration of frozen perch and frozen haddock. U. S. v. 190 Boxes of Frozen Perch (and 2 other seizure actions against frozen fish). Default decrees of condemnation and destruction. (F. D. C. Nos. 5617, 6079, 7322. Samples Nos. 29639-E, 64556-E, 79109-E.)

Examination of samples of these products showed that the haddock and a portion of the perch were in whole or in part decomposed, and that the remainder of the perch was infested with parasites.

On September 5 and October 24, 1941, and April 10, 1942, the United States attorneys for the Southern and Northern Districts of Ohio and the Western District of New York filed libels against 190 10-pound boxes of frozen perch at Cincinnati and 30 10-pound boxes of frozen haddock at Akron, Ohio, and 37 10-pound boxes of frozen perch at Buffalo, N. Y., alleging that the articles had been shipped in interstate commerce on or about August 21 and September 22, 1941, and April 2, 1942, by New England Fillet Co., Inc., from Boston, Mass.; and charging that they were adulterated in that a portion of the perch consisted in whole or in part of a filthy substance, and in that the haddock and the remainder of the perch consisted in whole or in part of decomposed substances. The articles were labeled in part: "Ocean Perch * * * Gloucester Seafoods Corp."; "Small Haddock * * * Sea Crest Brand"; or "Sea Crest Brand Fish Frosted Fillets [rubber stamped "Ocean Perch"]".

On October 1 and November 26, 1941, and May 11, 1942, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

2887. Adulteration of frozen perch. U. S. v. 90 Boxes of Frozen Perch. Default decree of condemnation and destruction. (F. D. C. No. 5459. Sample No. 37085-E.)

Examination of this product disclosed the presence of parasites as well as of decomposition.

On August 30, 1941, the United States attorney for the Western District of North Carolina filed a libel against 90 10-pound boxes of frozen perch at Charlotte, N. C., alleging that the article had been shipped in interstate commerce on or about August 9, 1941, by Baxter & Kerr, Inc., from Gloucester, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance.

On December 4, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2888. Adulteration of pollack fillets. U. S. v. 1,000 Boxes of Fillets. Consent decree of condemnation. Product released under bond for separation and salvage of fit portion. (F. D. C. No. 4993. Sample No. 42573-E.)

On June 25, 1941, the United States attorney for the Western District of Pennsylvania filed a libel against 1,000 boxes of pollack fillets at Johnstown, Pa., alleging that the article had been shipped in interstate commerce on or about June 2, 1941, by Portland Fish Co. from Portland, Maine; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance.

On August 14, 1941, Portland Fish Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be salvaged under the supervision of the Food and Drug Administration by salting the good portion and disposing of the remainder for animal food.

2889. Adulteration of frozen whiting. U. S. v. 194 Boxes of Frozen Fish. Default decree of condemnation and destruction. (F. D. C. No. 5588. Sample No. 49717-E.)

On August 29, 1941, the United States attorney for the Eastern District of Louisiana filed a libel against 194 boxes of frozen whiting at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about July 22, 1941, by Atlantic Coast Fisheries from Gloucester, Mass.; and charging