

that it was adulterated in that it consisted wholly or in part of a decomposed substance.

On October 27, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2890. Adulteration of frozen fish. U. S. v. 132 Boxes of Red Perch Fillets (and 2 other seizures of frozen fish). Default decrees of condemnation and destruction.** (F. D. C. Nos. 5431, 5926, 6030. Sample Nos. 29629-E, 43998-E, 74923-E.)

On August 22, September 30, and November 17, 1941, the United States attorneys for the District of Nebraska, Northern District of Ohio, and Northern District of New York filed libels against 132 10-pound boxes of red perch fillets at Omaha, Nebr., 29 10-pound boxes of frozen haddock at Utica, N. Y., and 1,304 boxes of frozen whiting at Cleveland, Ohio, alleging that the articles had been shipped in interstate commerce on or about August 6, September 18, and October 6, 1941, by Booth Fisheries Corporation or Booth Fisheries, Inc., from Boston and Provincetown, Mass.; and charging that they were adulterated in that they consisted in whole or in part of decomposed substances.

On October 30 and November 27, 1941, and January 13, 1942, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

**2891. Adulteration of frozen perch. U. S. v. 200 Boxes of Ocean Perch Fillets. Default decree of condemnation and destruction.** (F. D. C. No. 5621. Sample No. 59606-E.)

On September 5, 1941, the United States attorney for the Southern District of West Virginia filed a libel against 200 10-pound boxes of frozen perch at Huntington, W. Va., alleging that the article had been shipped in interstate commerce on or about August 18, 1941, by the Great A. & P. Tea Co. from Boston, Mass.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. It was labeled in part: "Fresh Ocean Perch Frosted Packed by Gorton-Pew Fisheries Co. Ltd. Gloucester, Mass."

On October 2, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On October 15, 1941, the decree of October 2 was amended to provide for delivery of the product to a local hospital for use as fertilizer.

#### OYSTERS

Nos. 2892 to 2895 report the seizure and disposition of oysters that contained added water.

**2892. Adulteration of oysters. U. S. v. 85 Pints of Oysters. Default decree of condemnation and destruction.** (F. D. C. No. 6297. Sample No. 42798-E.)

On November 26, 1941, the United States attorney for the Western District of Pennsylvania filed a libel against 85 pints of oysters at Du Bois, Pa., alleging that the article had been shipped on or about November 18, 1941, by Miles Oyster Co. from Crisfield, Md.; and charging that it was adulterated. It was labeled in part: "Quality Brand Oysters."

The article was alleged to be adulterated in that water had been substituted in part for it; and in that water had been added thereto or mixed or packed therewith so as to increase its bulk or weight and reduce its quality.

On December 11, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2893. Adulteration of oysters. U. S. v. 103 Pints, 212 Pints, 290 Pints, 140 Pints, and 165 Pints of Oysters. Default decrees of condemnation and destruction.** (F. D. C. Nos. 6267, 6585. Sample Nos. 64391-E to 64393-E, incl., 87240-E to 87243-E, incl.)

On November 21 and December 23, 1941, the United States attorneys for the Southern District of West Virginia and the Northern District of Ohio filed libels against 745 pints of oysters at Charleston, W. Va., and 165 pints of oysters at Youngstown, Ohio, alleging that the article had been shipped on or about November 15 and 16 and December 15 and 17, 1941, by W. E. Riggin & Co. from Crisfield and Princess Anne, Md.; and charging that it was adulterated.

The article was alleged to be adulterated in that water had been substituted wholly or in part therefor; and in that water had been added thereto or mixed

or packed therewith so as to increase its bulk or weight, reduce its quality or strength, or make it appear better or of greater value than it was.

On November 29, 1941, and January 21, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**2894. Adulteration of oysters. U. S. v. 84 Pints of Oysters. Default decree of condemnation and destruction.** (F. D. C. No. 6266. Sample No. 87238-E.)

On November 21, 1941, the United States attorney for the Southern District of West Virginia filed a libel against 84 pints of oysters at Charleston, W. Va., alleging that the article had been shipped in interstate commerce on or about November 15, 1941, by W. E. Ward Oyster Co. from Crisfield, Md.; and charging that it was adulterated.

The article was alleged to be adulterated in that water had been substituted wholly or in part for it; and in that water had been added thereto or mixed or packed therewith so as to increase its bulk or weight, reduce its quality or strength, or make it appear better or of greater value than it was.

On November 29, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2895. Adulteration of oysters. U. S. v. 296 Pints of Oysters. Default decree of condemnation and destruction.** (F. D. C. No. 6270. Sample No. 64736-E.)

On November 21, 1941, the United States attorney for the Western District of Pennsylvania filed a libel against 296 pints of oysters at Erie, Pa., alleging that the article had been shipped in interstate commerce on or about November 17, 1941, by the J. H. White Co. from Baltimore, Md.; and charging that it was adulterated. The article was labeled in part: "De Luxe Brand Salt Water Oysters."

It was alleged to be adulterated in that water had been substituted wholly or in part therefor; and in that water had been added thereto or mixed or packed therewith so as to increase its bulk or weight, reduce its quality or strength, or make it appear better or of greater value than it was.

On December 16, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**MISCELLANEOUS**

**2896. Adulteration of canned fish balls. U. S. v. 100 Cases of Canned Fish Balls. Default decree of condemnation and destruction.** (F. D. C. No. 5995. Sample No. 58930-E.)

This product was decomposed.

On October 8, 1941, the United States attorney for the District of Minnesota filed a libel against 100 cases of canned fish balls at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about May 31, 1941, by Olaf Hertzwig Trading Co., Inc., from New York, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: (Cans) "Iceland Brand Fish-Balls in Bouillon Packed by Union of Icelandic Fish Producers. Reykjavik, Iceland."

On December 3, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2897. Adulteration of salt cod bits. U. S. v. 30 Cases and 19 Cartons of Cod Bits. Default decrees of condemnation and destruction.** (F. D. C. Nos. 4718, 4722. Sample Nos. 31329-E, 42722-E.)

This product was contaminated with rodent hairs and nondescript dirt.

On May 7 and 8, 1941, the United States attorneys for the Western Districts of New York and of Michigan filed libels against 30 20-pound cases of salt cod bits at Buffalo, N. Y., and 19 10-pound cartons of salt cod bits at Grand Rapids, Mich., alleging that the article had been shipped in interstate commerce within the period from on or about March 22 to on or about April 19, 1941, by the Great Atlantic & Pacific Tea Co. from Boston, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. It was labeled in part: "Cod Bits Packed by Collins-Lee Co."

On June 13 and 16, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.