

fillets, and in that it was in whole or in part the product of a diseased animal.

One portion of the article was alleged to be misbranded in that it was in package form and failed to bear a label which contained the name and place of business of the packer or distributor; in that it was in package form and failed to bear a label which contained an accurate statement of the quantity of the contents; and in that its label failed to bear the common or usual name of the food.

On June 23 and 26, 1944, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

5692. Adulteration of frozen ocean pout. U. S. v. 492 Boxes of Pout Fillets. Default decree of condemnation and destruction. (F. D. C. No. 9963. Sample No. 38290-F.)

On May 19, 1943, the United States attorney for the Northern District of Illinois filed a libel against 492 boxes of pout fillets at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 4, 1943, by the Slade Gorton Co., from Boston, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed substance, parasitized and diseased and decomposed fish, and in that it was in whole or in part the product of a diseased animal. The article was labeled in part: "Pout Fillet * * * Seakist Brand Fish Busalacchi Bros. Inc. Boston, Mass."

On June 14, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5693. Adulteration of frozen mullets. U. S. v. 294 Cases of Frozen Mulletts. Default decree of condemnation and destruction. (F. D. C. No. 10251. Sample No. 10858-F.)

On July 15, 1943, the United States attorney for the Northern District of California filed a libel against 294 cases, each containing approximately 130 pounds, of frozen mullets at San Francisco, Calif., alleging that the article had been shipped in interstate commerce from Winnipeg, Canada, on or about June 15, 1943, by the Atlantic Fish and Oyster Co.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On January 8, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5694. Adulteration of frozen fish. U. S. v. 192 Boxes and 193 Boxes of Croakers. Consent decree of condemnation. Product ordered released under bond for segregation and sale of unfit portion for use other than human consumption. (F. D. C. Nos. 11215, 11245. Sample Nos. 34589-F, 34593-F.)

On or about December 6 and 11, 1943, the United States attorney for the Southern District of Florida filed libels against 385 boxes, each containing 100 pounds, of croakers at Jacksonville, Fla., alleging that the article had been shipped on or about May 6 and 13, 1943, from Crisfield, Md., by John T. Handy Co., Inc.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

The Florence Fish & Oyster Co., Florence, S. C., having appeared as claimant, and the libels having been consolidated, the case came on for trial before the court on January 17, 1944. The trial continued through January 18, but before its completion the claimant and the Government agreed upon the terms of a final decree. On January 19, 1944, the court entered its finding that the product was adulterated and ordered that it be condemned, but provided that it might be released under bond, conditioned that the unfit portion be segregated for sale as crab bait or disposition other than human consumption.

5695. Adulteration of frozen ocean perch fillets. U. S. v. 765 Boxes of Frozen Fish Fillets. Default decree of condemnation and destruction. (F. D. C. No. 10818. Sample No. 20038-F.)

On September 24, 1943, the United States attorney for the District of Massachusetts filed a libel against 765 10-pound boxes of frozen fish fillets at Boston, Mass., alleging that the article had been shipped on or about September 8, 1943, by Feyler's, Inc., from Rockland, Maine; 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: (Shipping carton) "Seafresh Trade Mark Quick Frozen Fish Packed By General Seafoods Corporation, Boston, Mass. * * * Ocean Perch."

On November 22, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.