

FISH AND SHELLFISH

14832. Adulteration of frozen rosefish fillets. U. S. v. 295 Cartons * * *.
(F. D. C. No. 26473. Sample No. 25918-K.)

LIBEL FILED: January 25, 1949, District of Minnesota.

ALLEGED SHIPMENT: On or about January 11, 1949, by the Booth Fisheries Corp., from Boston, Mass.

PRODUCT: 295 10-pound cartons of frozen rosefish at St. Paul, Minn.

LABEL, IN PART: "Booth Tasty Loins."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of parasites.

DISPOSITION: February 23, 1949. The Booth Fisheries Corp., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. Of the 2,950 pounds seized, 320 pounds were segregated and destroyed, and the remaining 2,630 pounds were passed as fit.

14833. Adulteration and misbranding of canned sardines. U. S. v. 235 Cases * * * (and 4 other seizure actions). (F. D. C. Nos. 24674 to 24677, incl., 24731. Sample Nos. 36-K, 22994-K, 22996-K.)

LIBELS FILED: Between the approximate dates of April 19 and June 23, 1948, Southern and Northern Districts of Mississippi and Eastern District of South Carolina.

ALLEGED SHIPMENT: On or about February 18, 1948, by Hampshire Food Co., Inc., from Portsmouth, N. H.

PRODUCT: Canned sardines. 235 cases at Yazoo City, Miss., 192 cases at Greenville, Miss., 375 cases at Greenwood, Miss., 332 cases at Cleveland, Miss., and 894 cases at Charleston, S. C. Each case contained 100 3¼-ounce cans.

LABEL, IN PART: "Northeastern's Tidal Brand Sardines" or "Count Osti Brand Sardines."

NATURE OF CHARGE: Adulteration, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal.

Misbranding, Section 403 (d), (Count Osti Brand, 894 cases) the containers were so filled as to be misleading since the sardines occupied only 71 percent of the volume of the cans.

DISPOSITION: On July 27, 1948, Hampshire Food Co., Inc., having appeared as claimant, the cases were consolidated for trial and removed to the District Court for the District of Massachusetts. On February 23, 1949, the claimant filed a motion for the entry of an order permitting relabeling of the product as animal feed. This motion was opposed by the Government, and after hearing, it was denied on May 2, 1949. On June 22, 1949, the product was ordered condemned and destroyed.

14834. Adulteration of canned sardines. U. S. v. 50 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 24678, 24679. Sample Nos. 6903-K, 6904-K.)

LIBEL FILED: June 10, 1948., Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 13, 1948, by the Independent Food Products Co. from Portsmouth, N. H.

PRODUCT: Canned cardines. 50 cases at Johnstown, Pa., and 31 cases at Portage, Pa. Each case contained 100 3¼-ounce cans.

LABEL, IN PART: "Northeastern's Tidal Brand Sardines."

NATURE OF CHARGE: Adulteration, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal.

DISPOSITION: On July 27, 1948, Hampshire Food Co., Inc., having appeared as claimant, the cases were consolidated for trial with other seizure actions and removed to the District Court for the District of Massachusetts. On February 23, 1949, the claimant filed a motion for the entry of an order permitting relabeling of the product as animal feed. This motion was opposed by the Government, and after hearing, it was denied on May 2, 1949. On June 22, 1949, the product was ordered condemned and destroyed.

14835. Adulteration of crab meat. U. S. v. Kelly Watson (Kelly Watson & Co.).
Plea of nolo contendere. Fine, \$100. (F. D. C. No. 25304. Sample Nos. 2045-K, 2046-K, 2054-K, 40131-K.)

INFORMATION FILED: September 22, 1948, Eastern District of North Carolina, against Kelly Watson, trading as Kelly Watson & Co., Lowland, N. C.

ALLEGED SHIPMENT: On or about June 16, 22, and 29, 1948, from the State of North Carolina into the State of Maryland.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance, as evidenced by the presence of fecal *Escherichia coli*; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 18, 1949. A plea of nolo contendere having been entered, the defendant was fined \$100.

14836. Adulteration of canned rock lobster. U. S. v. 21 Cases * * *. (F. D. C. No. 25916. Sample No. 34015-K.)

LIBEL FILED: November 10, 1948, Western District of Washington.

ALLEGED SHIPMENT: On or about October 27, 1948, from San Francisco, Calif.

PRODUCT: 21 cases, each containing 48 cans, of rock lobster at Tacoma, Wash.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of decomposed lobster meat. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 2, 1949. Default decree of condemnation and destruction.

14837. Adulteration of frozen shrimp. U. S. v. 600 Cases * * *. (F. D. C. No. 26283. Sample No. 20589-K.)

LIBEL FILED: January 14, 1949, District of Nebraska.

ALLEGED SHIPMENT: On or about December 7, 1948, by Rubenstein & Son Produce, Inc., from Nogales, Ariz.

PRODUCT: 600 cases, each containing 10 5-pound packages, of frozen shrimp at Omaha, Nebr.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed shrimp.