

FISH AND SHELLFISH

15369. Adulteration of frozen fish. U. S. v. 2,197 Pounds * * *. (F. D. C. No. 27804. Sample No. 56387-K.)

LIBEL FILED: On or about September 2, 1949, Southern District of New York.

ALLEGED SHIPMENT: On or about July 16, 1949, by Selkirk Fisheries, Ltd., from Winnipeg, Canada.

PRODUCT: 2,197 pounds of frozen fish in 13 boxes at New York, N. Y.

LABEL, IN PART: (Box) "Dr. White."

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

DISPOSITION: September 21, 1949. Default decree of condemnation and destruction.

15370. Adulteration of haddock fillets. U. S. v. 4 Cans * * *. (F. D. C. No. 27720. Sample No. 11311-K.)

LIBEL FILED: August 26, 1949, Northern District of New York.

ALLEGED SHIPMENT: On or about August 9, 1949, from New Bedford, Mass.

PRODUCT: 4 cans, each containing 20 pounds, of haddock fillets at Binghamton, N. Y.

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

DISPOSITION: October 11, 1949. Default decree of condemnation and destruction.

15371. Adulteration of frozen mullet. U. S. v. 23 Boxes * * *. (F. D. C. No. 27796. Sample Nos. 63702-K, 63704-K.)

LIBEL FILED: On or about September 20, 1949, Northern District of Georgia.

ALLEGED SHIPMENT: On or about May 10, 1949, by Earl Campbell, from Jacksonville, Fla.

PRODUCT: 23 100-pound boxes of frozen mullet at Atlanta, Ga.

LABEL, IN PART: (Box) "Frozen Fish Mullet."

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

DISPOSITION: October 28, 1949. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as fertilizer.

15372. Adulteration of lobster meat. U. S. v. 189 Boxes * * *. (F. D. C. No. 27837. Sample Nos. 11312-K, 11313-K.)

LIBEL FILED: On September 13, 1949, Southern District of New York.

ALLEGED SHIPMENT: On or about August 16, 1949, by Edmond P. Melanson, St. Thomas, Kent County, New Brunswick, Canada.

PRODUCT: 189 boxes, each containing 48 14-ounce cans, of lobster meat at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: October 13, 1949. Edmond P. Melanson, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Federal Security Agency. An attempt to segregate the product proved unsuccessful, and, accordingly, the entire lot was destroyed.

15373. Misbranding of oysters. U. S. v. 568 Cans * * *. (F. D. C. No. 27979. Sample Nos. 2378-K, 2379-K.)

LIBEL FILED: November 9, 1949, Southern District of Ohio.

ALLEGED SHIPMENT: On or about November 4, 1949, by T. W. Hamilton & Co., from Lecato, Va.

PRODUCT: 568 cans of oysters at Portsmouth, Ohio.

LABEL, IN PART: "Oysters One Pint Net."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The cans contained less than the declared volume of 1 pint.)

DISPOSITION: December 9, 1949. The consignee having consented, an order for the immediate destruction of the product was issued since the product had spoiled.

FRUITS AND VEGETABLES*

CANNED FRUIT

15374. Misbranding of canned apricots. U. S. v. 249 Cases * * *. (F. D. C. No. 27806. Sample No. 32656-K.)

LIBEL FILED: September 14, 1949, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about August 8, 1949, by the Tri-Valley Packing Assn., from Stockton, Calif.

PRODUCT: 249 cases, each containing 48 8¾-ounce cans, of apricots at Philadelphia, Pa.

LABEL, IN PART: (Can) "Food Club Halves Unpeeled Apricots in Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the article purported to be, and was represented as, canned apricots, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear, as such definition and standard specifies, the name of the optional packing medium present in the article. The label of the article bore the statement "in Heavy Syrup," whereas the article was packed in sirup designated as "light sirup" in such standard.

DISPOSITION: October 5, 1949. The Penn Fruit Co., Philadelphia, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.

*See also Nos. 15351, 15352.