

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 5, 1951. Default decree of condemnation and destruction.

17922. Misbranding of canned tuna. U. S. v. 56 Cases * * *. (F. D. C. No. 31803. Sample Nos. 4366-L, 4367-L.)

LIBEL FILED: On or about October 17, 1951, District of Maryland.

ALLEGED SHIPMENT: On or about September 10, 1951, by Cape King Fisheries, Inc., from New Bedford, Mass.

PRODUCT: 56 cases, each containing 48 cans, of tuna at Baltimore, Md.

LABEL, IN PART: (Can) "Cape King light meat Tuna Contents 13½ Oz. Avd."

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 since the label statement "Contents 13½ Oz. Avd." was inaccurate. (The cans contained less than the declared weight of 13½ ounces.)

DISPOSITION: October 19, 1951. Cape King Fisheries, Inc., claimant, having admitted the allegations contained in the libel, 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.

17923. Adulteration of frozen whiting. U. S. v. 550 Cases * * *. (F. D. C. No. 31447. Sample Nos. 30859-L, 31586-L.)

LIBEL FILED: July 24, 1951, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about July 7, 1951, by the General Freezer & Cold Storage Co., from New Bedford, Mass.

PRODUCT: 550 cases, each containing 5 10-pound cartons, of frozen whiting at St. Louis, Mo.

LABEL IN PART: "H & D Whiting."

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 fish.

DISPOSITION: October 30, 1951. Default decree of condemnation. The court ordered that the product be sold, conditioned that it be denatured so that it could be used solely for nonhuman consumption.

17924. Adulteration and misbranding of oysters. U. S. v. Harry I. Meltzer (Summit Fish Co.). Plea of guilty. Fine, \$200. - (F. D. C. No. 31263. Sample No. 11606-L.)

INFORMATION FILED: October 26, 1951, Northern District of Ohio, against Harry I. Meltzer, trading as the Summit Fish Co., Akron, Ohio.

INTERSTATE SHIPMENT: From the State of Maryland into the State of Ohio, of a number of large cans of oysters.

ALLEGED VIOLATION: Within the period from on or about March 21 to on or about March 28, 1951, while the product was being held for sale after shipment in interstate commerce, various quantities of the oysters were removed from the large cans and water was added to these oysters, which were then re-