

DISPOSITION: May 9, 1952. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as fertilizer.

18569. Adulteration of frozen ocean perch fillets. U. S. v. 285 Cases * * *
(and 1 other seizure action). (F. D. C. Nos. 32276, 32277. Sample Nos. 30357-L, 30365-L.)

LIBELS FILED: December 13, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about October 8, 1951, by the Yaquina Bay Fish Co., from Newport, Oreg.

PRODUCT: 783 cases, each containing 12 1-pound packages, of frozen ocean perch fillets at Seattle, Wash.

LABEL, IN PART: (Package) "Ocean Beauty Brand Ocean Perch Fillets."

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: December 21, 1951. The Yaquina Bay Fish Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the product be released under bond for segregation of the unfit portion, under the supervision of the Federal Security Agency. 579 cases of the product were found unfit and were denatured for use as fish meal.

18570. Adulteration of canned salmon. U. S. v. 22 Cases * * *. (F. D. C. No. 32291. Sample Nos. 28845-L, 28847-L.)

LIBEL FILED: December 20, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about August 24, 1951, by S. Einstoss, from Ketchikan, Alaska.

PRODUCT: 22 cases, each containing 48 cans, of pink salmon at Seattle, Wash.

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: March 24, 1952. Default decree of condemnation and destruction.

18571. Misbranding of canned sardines. U. S. v. 199 Cases * * *. (F. D. C. No. 31830. Sample No. 19122-L.)

LIBEL FILED: September 21, 1951, Northern District of Iowa.

ALLEGED SHIPMENT: On or about February 21, 1951, by the Santa Cruz Canning Co., from Moss Landing, Calif.

PRODUCT: 199 cases, each containing 48 cans, of sardines at Sioux City, Iowa.

LABEL, IN PART: "Fortune Brand California Sardines in Tomato Sauce. Contents 15 Oz. Avoir."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (Examination disclosed that the product was short of the declared weight.)

DISPOSITION: October 18, 1951. The Santa Cruz Canning Co., 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.

18572. Adulteration and misbranding of oysters. U. S. v. 784 Cans * * * (F. D. C. No. 32323. Sample No. 3819-L.)

LABEL FILED: December 26, 1951, Southern District of Illinois.

ALLEGED SHIPMENT: On or about December 17, 1951, by Irvington Fish & Oyster Co., Inc., from Irvington, Va.

PRODUCT: 784 1-pint cans of oysters at Springfield, Ill.

LABEL, IN PART: "Oysters Standards * * * King Carter Brand."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

Misbranding, Section 403 (g) (1), the article was represented as oysters standards, and it failed to conform to the definition and standard of identity for oysters standards since it was not thoroughly drained; and in preparation of the article, the total time of contact with water or salt water after leaving the shucker, computed as directed by the definition and standard, was more than 30 minutes.

DISPOSITION: January 19, 1952. Default decree of condemnation and destruction.

18573. Adulteration and misbranding of oysters. U. S. v. 54 Cans, etc. (and 2 other seizure actions). (F. D. C. Nos. 31995, 31996, 31998. Sample Nos. 3409-L to 3411-L, incl., 3583-L, 4204-L.)

LABELS FILED: On or about November 5, 6, and 21, 1951, Eastern District of North Carolina and District of Maryland.

ALLEGED SHIPMENT: On or about October 31 and November 1, 1951, by the York River Seafood Co., from Seaford, Phoebus, and Yorktown, Va.

PRODUCT: 198 1-pint cans of oysters standards and 362 1-pint cans of oysters selects in various quantities at Roanoke Rapids, N. C., and Baltimore, Md.

LABEL, IN PART: (Cans) "Oysters Standards" and "Oysters Selects"; (portions) "Bay Brand Oysters."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been mixed and packed with the oysters so as to increase their bulk or weight and reduce their quality.

Misbranding, Section 403 (g) (1), the oysters failed to conform to the definitions and standards of identity for oysters standards and oysters selects since in their preparation, the total time of contact with water after leaving the shucker was more than 30 minutes; and portions of the oysters