

DISPOSITION: 9-8-58. Sea Pak Corporation, having appeared and denied that the article was prepared and packed under insanitary conditions, but having admitted all other allegations of the libel, and the court having found that the article was adulterated when it was introduced into interstate commerce, in that it consisted in part of a filthy substance, judgment of condemnation was entered and the article was ordered to be destroyed.

25495. Frozen sole fillets. (F.D.C. No. 42980. S. No. 10-501 P.)

QUANTITY: 14 ctns., 10 boxes each, at Buffalo, N.Y.

SHIPPED: 2-17-59, from Detroit, Mich., by F. W. Bryce, Inc.

LABEL IN PART: (Box) "Sea-Seald Quick Frozen Sole Fillets Maritime-National Fish Division of National Sea Products Limited Halifax Nova Scotia 5 lbs. When Packed."

LIBELED: 4-9-59, W. Dist. N.Y.

CHARGE: 402(a)(2)—when shipped, the article contained an added poisonous and deleterious substance, sodium nitrite, which is unsafe within the meaning of 406 since it is a substance not required in the production of this article and can be avoided by good manufacturing practice.

DISPOSITION: 5-4-59. Consent—claimed by Theodore Kotok, t/a N. Kotok Fish Co., Buffalo, N.Y., and returned to the original shipper in Canada.

25496. Oysters. (F.D.C. No. 42650. S. No. 33-122 P.)

QUANTITY: 13 bbls., 200 12-oz. cans each, at Daytona Beach, Fla.

SHIPPED: 12-12-58, from Saxis, Va., by H. V. Drewer & Sons.

LABEL IN PART: (Can) "Delicious B & L Oysters-Bivalve Oyster Packing Co., Bivalve, Md."

LIBELED: 12-17-58, S. Dist. Fla.

CHARGE: 402(b)(2)—when shipped, water had been substituted in part for oysters; 402(b)(4)—water had been added to oysters and had been mixed and packed with them so as to increase their bulk and reduce their quality; and 403(g)(1)—the oysters failed to conform to the definition and standard of identity for oysters since the total volume of the oysters, plus the liquid when emptied from the vessel into which shucked, was more than four times the volume of the water or salt water in the vessel into which shucked, and since the total time of contact of the oysters with water, or salt water of less than 0.75 percent salt, after leaving the shucker was more than 30 minutes.

DISPOSITION: 12-23-58. H. V. Drewer & Sons, claimant, consented to the entry of a decree and judgment of condemnation was entered. The product was ordered released under bond for reprocessing and was subsequently found to be spoiled and was destroyed.

25497. Oysters. (F.D.C. No. 42573. S. No. 35-250 P.)

QUANTITY: 144 cans at Yeadon, Pa.

SHIPPED: 12-9-58, from Baltimore, Md., by Bay Food Products.

LABEL IN PART: "Capt. John's Fresh Oysters 1/2 U.S. Liquid Pint The Great A & P Tea Co., New York, New York, Distributors."

LIBELED: 12-12-58, E. Dist. Pa.