

26144. Fresh dressed whiting. (F.D.C. No. 43556. S. No. 64-011 P.)

QUANTITY: 695 cases, 12 1½-lb. ctns. each, at Gloucester, Mass.

SHIPPED: The fish consisted of a commingled lot which had been caught in the waters of the Atlantic Ocean by the fishing vessel "Little Flower" outside the territorial limits of Massachusetts, and by the fishing vessel "Serafina II" within 4 or 5 miles of the Massachusetts coastline, and unloaded at Gloucester, Mass., on 8-17-59.

LIBELED: 9-24-59, Dist. Mass.

CHARGE: 402(a) (3)—contained decomposed fish when shipped.

DISPOSITION: 10-26-59. Default—destruction.

26145. Frozen whiting fillets. (F.D.C. No. 43555. S. No. 64-056 P.)

QUANTITY: 117 cases, 10 5-lb. ctns. each, at Boston, Mass.

SHIPPED: These fillets were from fish caught in the waters of the Atlantic Ocean outside the limits of the State of Massachusetts by the fishing vessel "Little Flower," and within 4 or 5 miles of the Massachusetts coastline by the fishing vessel "Serafina II," on August 17, 1959.

LIBELED: 9-24-59, Dist. Mass.

CHARGE: 402(a) (3)—contained decomposed fish when shipped.

DISPOSITION: 11-9-59. Default—delivered to a public institution for use as animal feed.

26146. Frozen whiting. (F.D.C. No. 43455. S. Nos. 73-855 P, 73-862 P.)

QUANTITY: 95 cases, 20 3-lb. pkgs. each, at Hattiesburg, Miss.

SHIPPED: 8-18-59, from Gloucester, Mass., by Progressive Fish Wharf, Inc.

LABEL IN PART: (Pkg.) "Seven Seas Fresh Frozen Dressed Whiting"
* * * Packed by Progressive Fish Wharf, Inc., Gloucester, Mass."

LIBELED: 10-7-59, S. Dist. Miss.

CHARGE: 402(b) (2)—when shipped, partly eviscerated whiting had been substituted for dressed whiting which the article was represented to be; 402(b) (4)—partially eviscerated whiting had been packed with the article so as to make it appear to be dressed whiting which is better and of greater quality than the article; and 403(a)—the label statement "Dressed Whiting" was false and misleading as applied to fish which was only partly eviscerated.

DISPOSITION: 11-12-59. Default—destruction.

26147. Frozen carp. (F.D.C. No. 43614. S. No. 85-226 P.)

QUANTITY: 2,764 lbs. at New York, N.Y.

SHIPPED: 7-15-59, from Iowa, Michigan, and Wisconsin.

LIBELED: 10-30-59, S. Dist. N.Y.

CHARGE: 402(a) (3)—contained decomposed carp while held for sale.

DISPOSITION: 11-20-59. Default—destruction.

26148. Frozen halibut. (F.D.C. No. 43643. S. No. 85-229 P.)

QUANTITY: 24 fish, 525 lbs. total, at New York, N.Y.

SHIPPED: 9-11-59, from Nova Scotia, Canada.

RESULTS OF INVESTIGATION: The article was shipped unfrozen, and after arrival at New York, N.Y., was frozen and stored in bulk bins.