

demnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law. The article was examined with the result that 141 30-lb. cans were found unfit and were denatured for tannery use.

## FEEDS AND GRAINS

**26480. Apple pomace silage.** (F.D.C. No. 44250. S. No. 84-355 P.)

**QUANTITY:** 275 tons at Charles Town, W. Va.

**SHIPPED:** 10-1-59 and 11-15-59, from Winchester, Va., by National Fruit Product Co., Inc.

**LIBELED:** 2-26-60, N. Dist. W. Va.

**CHARGE:** 402(a)(2)—when shipped, the article contained an added poisonous and deleterious substance, DDT, which is unsafe within the meaning of 408 since the quantity of DDT contained on the article was greater than the tolerance fixed by the Secretary for such pesticide chemical on apples.

**DISPOSITION:** 3-31-60. Consent—claimed by John P. Burns, Jr., Charles Town, W. Va., and destroyed by spreading the article upon the owner's land in such a manner as to be kept inaccessible to livestock.

**26481. Meat scraps.** (F.D.C. No. 44064. S. No. 56-143 P.)

**QUANTITY:** 140 100-lb. bags at Tampa, Kans.

**SHIPPED:** 11-6-59, from Lincoln, Nebr., by Weeks Sales & Service, Inc.

**LABEL IN PART:** (Tag) "Black Hills Packing Co. Rapid City, South Dakota, Rushmore Meat Scraps \* \* \* Crude Protein 50%."

**RESULTS OF INVESTIGATION:** Examination showed that the article contained approximately 47 percent protein.

**LIBELED:** 2-17-60, Dist. Kans.

**CHARGE:** 402(b)(2)—when shipped, a mixture of hair, bristle, stomach content, horn, hoof, and sand, had been substituted in part for meat scraps; and 403(a)—the label statement "Crude Protein 50%" was false and misleading.

**DISPOSITION:** 4-4-60. Default—destruction.

## FISH AND SHELLFISH

**26482. Frozen halibut.** (F.D.C. No. 43904. S. No. 85-237 P.)

**QUANTITY:** 108 halibut fish, weighing a total of approximately 1,646 lbs., at New York, N.Y.

**SHIPPED:** From Nova Scotia.

**RESULTS OF INVESTIGATION:** The article was shipped unfrozen and subsequently frozen at New York, N.Y.

**LIBELED:** 11-20-59, S. Dist. N.Y.

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

**DISPOSITION:** 12-16-59. Default—destruction.

**26483. Frozen haddock fillets.** (F.D.C. No. 43644. S. No. 90-141 P.)

**QUANTITY:** 551 boxes, each containing 5 1-lb. cello-wrapped pkgs., at Boston, Mass.

**SHIPPED:** These fillets were from fish caught by the fishing vessel "Rosa B" in the waters of the Atlantic Ocean outside the territorial limits of Massachusetts, on October 16, 1959.

**LIBELED:** 11-5-59, Dist. Mass.

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

**DISPOSITION:** 3-3-60. Consent—claimed by Baker, Boies & Watson Co., Boston, Mass. Segregated; 615 lbs. destroyed.

**26484. Frozen haddock fillets.** (F.D.C. No. 43342. S. No. 64-004 P.)

**QUANTITY:** 8 50-lb. cases, 5 10-lb. ctns. each, at Boston, Mass.

**SHIPPED:** These fillets were from fish caught by the fishing vessels "Swallow," "Atlantic," and "J. B. Junior," in the waters of the Atlantic Ocean outside the limits of Massachusetts, on or about 7-21-59.

**LIBELED:** 8-11-59, Dist. Mass.

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

**DISPOSITION:** 9-14-59. Default—destruction.

**26485. Frozen pollock fillets.** (F.D.C. No. 44087. S. No. 86-711 P.)

**QUANTITY:** 17 cases, 5 10-lb. unlabeled ctns. each, at Utica, N.Y.

**SHIPPED:** 2-3-60, from Boston, Mass., by Slade-Gorton Co.

**LABELED IN PART:** (Case) "Slade-Gorton \* \* \* Poll Fill 60348."

**LIBELED:** 3-15-60, N. Dist. N.Y.

**CHARGE:** 403(e)(1)—when shipped, the article failed to bear a label containing the name and place of business of the manufacturer, packer or distributor; 403(i)(1)—it failed to bear a label containing the common or usual name of the food; and 403(e)(2)—the 10-lb. carton failed to bear a label containing an accurate statement of the quantity of contents.

**DISPOSITION:** 5-12-60. Default—delivered to a charitable institution.

**26486. Frozen dressed whitefish.** (F.D.C. No. 43974. S. Nos. 74-866/7 P, 74-870 P.)

**QUANTITY:** 86 boxes and 278 boxes at Chicago, Ill.

**SHIPPED:** 10-21-59, from Winnipeg, Canada, by Canadian Fish Producers, Ltd.

**LABEL IN PART:** (86 boxes) "Canadian Fish Prod. Ltd. Winnipeg Man. 50 Med. Dr. Whites Kalliecahoolie Lake Manitoba Medium."

**LIBELED:** 12-18-59, N. Dist. Ill.

**CHARGE:** 402(a)(3)—the 86-box lot contained parasitic cysts when shipped, and all lots contained decomposed fish while held for sale.

**DISPOSITION:** 5-3-60. Default—destruction.

**26487. Frozen whitefish fillets.** (F.D.C. No. 43191. S. Nos. 61-127/30 P.)

**QUANTITY:** 13 cases, 10 5-lb. ctns. each, at Detroit, Mich.

**SHIPPED:** 6-3-58, from Chicago, Ill.

**LIBELED:** 6-19-59, E. Dist. Mich.

**CHARGE:** 402(a)(2)—while held for sale, 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 food and can be avoided by good manufacturing practice.