

DISPOSITION: 11-14-62. Default—destruction.

28748. Shelled corn. (F.D.C. No. 43110. S. No. 55-059 M.)

INFORMATION FILED: 7-1-59, S. Dist. Ind., against Altsheler & Payne, a partnership, t/a Trenton Grain Co., Trenton, Ky.

SHIPPED: 8-27-57, from Indiana to Tennessee.

CHARGE: 402(a)(2)(B)—the article was a raw agricultural commodity and, when shipped, it bore and contained a pesticide chemical, namely, thiram, which was unsafe within the meaning of 408(a) since no tolerance or exemption from a tolerance for such chemical on shelled corn has been prescribed.

PLEA: Nolo contendere.

DISPOSITION: 9-28-59. \$500 fine, plus costs.

## FISH AND SHELLFISH

28749. Perch fillets (2 seizure actions). (F.D.C. Nos. 47704/5. S. Nos. 8-590 T, 62-210 T.)

QUANTITY: 316 ctns., 5 10-lb. boxes each, at Gloucester, Mass.

SHIPPED: These fillets were from fish caught by the fishing vessel "Malolo" in the waters of the Atlantic Ocean outside the territorial limits of Massachusetts, and landed at Gloucester, Mass., on or about 6-16-62.

LIBELED: 7-5-62, Dist. Mass.

CHARGE: 402(a)(3)—contained parasitic copepods when shipped.

DISPOSITION: 7-26-62. Consent—claimed by North Atlantic Fish Co., Inc., Gloucester, Mass. The two actions were consolidated upon motion of claimant. The article was reconditioned by cutting out the parasitic portions.

28750. Frozen grouper fillets. (F.D.C. No. 47807. S. No. 38-907 T.)

QUANTITY: 145 cases, 10 2¼-lb. boxes each, at Omaha, Nebr.

SHIPPED: 6-29-62, from Chalmette, La., by Gourmet Seafoods, Inc.

LABEL IN PART: (Box) "Ocoma Gourmet Seafood Products Frozen Stuffed Red Snapper Fillets—Ingredients: Red Snapper Fillet—Distributed by Ocoma Foods Company, Omaha, Nebraska."

RESULTS OF INVESTIGATION: Establishment inspection of shipper disclosed that grouper fish fillets were used in the preparation of the article and that oleomargarine was used in the coating of the product.

LIBELED: 7-19-62, Dist. Nebr.

CHARGE: 403(a)—when shipped, the name "Stuffed Red Snapper Fillets" and the label statement "Ingredients: Red Snapper Fillet" were false and misleading as applied to a product prepared from grouper fish fillets; 403(b)—the article was offered under the name of another food, namely, stuffed red snapper fillets; and 403(i)(2)—in that the article contained oleomargarine and that ingredient was not listed in its label.

DISPOSITION: 11-1-62. Consent—claimed by Gourmet Seafoods, Inc., and ordered released for relabeling.

28751. Frozen fish sticks. (F.D.C. No. 48486. S. No. 35-807 V.)

QUANTITY: 267 cases, each containing 12 14-oz. pkgs., at Minneapolis, Minn.

SHIPPED: 10-19-62, from Boston, Mass., by Fulham Bros., Inc.