

about August 14, 1941, by the Progressive Fillet Co. from Gloucester, Mass.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: "Frosted \* \* \* H & G Whiting Frosted Fish."

On October 3, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2429. Adulteration of frozen whiting. U. S. v. 1,376 Boxes of Frozen Fish. Default decree of condemnation and destruction. (F. D. C. No. 5424. Sample Nos. 65506-E, 65593-E.)**

On August 23, 1941, the United States attorney for the District of Colorado filed a libel against 1,376 boxes of frozen fish at Denver, Colo., which had been consigned by Progressive Fish Co., alleging that the article had been shipped in interstate commerce on or about August 6, 1941, from Gloucester, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "H & G Whiting Frosted Fish."

On October 17, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MISCELLANEOUS

**2430. Adulteration of tullibeas. U. S. v. Sivert A. Selvog (Selvog Fish Co.). Tried to the court. Judgment of guilty. Fine, \$500. (F. D. C. No. 2961. Sample No. 4388-E.)**

Examination showed that this product was infested with parasites.

On May 27, 1941, the United States attorney for the District of Minnesota filed an information against Sivert A. Selvog, trading as Selvog Fish Co. at Warroad, Minn., alleging shipment by said defendant on or about June 8, 1940, from the State of Minnesota into the State of Illinois, of a quantity of tullibeas that were adulterated. The article was labeled in part: "Morris Fisheries Chicago, Illinois 1440."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance, namely, tullibeas infested with parasites.

On July 2, 1941, the defendant having withdrawn his plea of guilty theretofore entered and having waived a jury, the case was tried to the court on the question of the defendant's liability and responsibility for the interstate shipment, all other allegations of the information having been admitted. After hearing the evidence and arguments of counsel, the court took the case under advisement, and on July 15 entered judgment of guilty and sentenced the defendant to pay a fine of \$500.

**2431. Adulteration of salt codfish. U. S. v. 24 and 6 Cases of Codfish. Default decree of condemnation and destruction. (F. D. C. No. 4719. Sample Nos. 69046-E, 69047-E.)**

This product contained rodent hairs.

On May 9, 1941, the United States attorney for the Northern District of New York filed a libel against 30 cases of codfish at Utica, N. Y., alleging that the article had been shipped in interstate commerce on or about April 2 and 8, 1941, by the Collins-Lee Co. from Chelsea, Mass.; and charging that it was adulterated. The article was labeled in part: (Boxes) "Lily White Salt Cod Fish" or "Stillman's Boneless Salt Cod Fish."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On June 17, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2432. Adulteration of finnan haddie. U. S. v. 24 Boxes of Finnan Haddie. Default decree of condemnation and destruction. (F. D. C. No. 4724. Sample No. 50966-E.)**

This product contained rodent hairs.

On May 8, 1941, the United States attorney for the District of Maryland filed a libel against 24 boxes of finnan haddie at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about April 25, 1941, by the Collins-Lee Co. from Chelsea, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On June 11, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2433. Adulteration of canned fried frog legs. U. S. v. 2 Cases of Canned Fried Frog Legs. Default decree of condemnation and destruction. (F. D. C. No. 5429. Sample No. 54056-E.)**

Examination showed this product to be underprocessed and undergoing progressive decomposition.

On August 22, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 2 cases of canned fried frog legs at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about April 6, 1941, by the Nomis Corporation from Jacksonville, Fla.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Penguin Brand \* \* \* Fried Frog Legs."

On September 29, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2434. Adulteration and misbranding of canned mackerel. U. S. v. 125 Cases of Canned Mackerel. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 4633. Sample No. 56304-E.)**

Examination of this product showed that it contained excessive packing medium.

On May 6, 1941, the United States attorney for the Southern District of New York filed a libel against 125 cases, each containing 48 cans, of mackerel at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about April 10, 1941, by Sea Pride Packing Corporation from Terminal Island (San Diego), Calif.; and charging that it was adulterated and misbranded. It was labeled in part: (Cans) "Sultana Mackerel Water and Salt Added Net Weight 15 Ozs."

The article was alleged to be adulterated in that packing medium had been substituted wholly or in part for mackerel. It was alleged to be misbranded in that its container was so made, formed, or filled as to be misleading.

On July 1, 1941, the California Marine Curing & Packing Co., Terminal Island, Calif., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be properly relabeled.

**2435. Adulteration of canned salmon. U. S. v. 457 Cases and 16 Cases of Canned Salmon. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 4507. Sample Nos. 60747-E, 60749-E.)**

Samples of this product were found to be decomposed.

On April 28, 1941, the United States attorney for the Western District of Washington filed a libel against 457 cases each containing 48 1-pound cans, and 16 cases each containing 48 ½-pound cans, of salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about March 31, 1941, by the Alaska Packers Association from Alameda, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The cases were labeled in part: "Red Slack" or "Red Slacks Halves."

On July 8, 1941, Morris Muskatell, Seattle, Wash., having appeared as claimant, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration.

**2436. Adulteration and misbranding of canned sardines. U. S. v. 861 Cases of Sardines. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 5803. Sample No. 74504-E.)**

These sardines were not packed in pure olive oil as represented, but were packed in oil which consisted largely of an oil or a mixture of oils other than olive oil, containing little or no olive oil.

On September 23, 1941, the United States attorney for the Southern District of New York filed a libel against 861 cases of sardines at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 15, 1941, by the Addison Packing Co. from Ellsworth, Maine; and charging that it was adulterated and misbranded. It was labeled in part: (Tins) "Buoy Brand Sardines in Pure Olive Oil Seeman Brothers, Inc., Wholesale Distributors, New York, N. Y."