

On April 2, 1942, the United States attorney for the District of Massachusetts filed a libel against 14 crates, each containing 30 dozen eggs at Revere, Mass., alleging that the article had been shipped in interstate commerce on or about March 27, 1942, by G. M. Shone from Brentwood, N. H.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance, or was otherwise unfit for food. The article was unlabeled.

On May 25, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FISHERIES PRODUCTS

CRAB MEAT

3513. Action to enjoin and restrain distribution in interstate commerce of adulterated crab meat. U. S. v. H. Wallace and Harold M. Wallace (Gulf Crabmeat Co.). Consent decree granting permanent injunction. (Inj. No. 13.)

On July 29, 1941, the United States attorney for the Southern District of Alabama filed a complaint against H. Wallace and Harold M. Wallace, Mobile, Ala., individually, and doing business as the Gulf Crabmeat Co., alleging that from on or about May 1, 1940, to the date of filing the complaint, the defendants had been preparing and packing crab meat under insanitary conditions whereby it might have become contaminated by filth and might have been rendered injurious to health; that the food so prepared and packed consisted in whole or in part of a filthy animal substance that was unfit for food and was adulterated in violation of the law; and that the crab meat so prepared and packed was being offered for interstate shipment. The complaint alleged further that the defendants had failed to remedy the defects existing in their plant and in their method of operation and were continually preparing and packing adulterated crab meat; that they would continue to ship such adulterated crab meat in interstate commerce unless enjoined from doing so; and prayed that a preliminary injunction issue and that after due proceedings the preliminary injunction be made permanent.

On July 31, 1941, the court entered a temporary restraining order; and on February 5, 1942, the defendants having admitted the allegations of the complaint and having consented to the entry of a decree, judgment was entered permanently enjoining and restraining the defendants and anyone acting on their behalf from shipping in interstate commerce crab meat which they had manufactured or processed and that was adulterated within the meaning of the law.

3514. Adulteration of crab meat. U. S. v. Augustus L. Lyons. Plea of guilty. Fine, \$25; fine remitted. (F. D. C. No. 2925. Sample No. 9777-E.)

On March 8, 1941, the United States attorney for the Southern District of Alabama filed an information against Augustus L. Lyons, Heron Bay, Ala., alleging that on or about June 12, 1940, the defendant gave to Star Fish & Oyster Co., Inc., Mobile, Ala., a guaranty that all crab meat furnished by the defendant to said company would be neither misbranded nor adulterated within the meaning of the Federal Food, Drug, and Cosmetic Act; that on or about June 20, 1940, the defendant sold and delivered to the Star Fish & Oyster Co., Inc., a quantity of crab meat; and that said crab meat was delivered by the purchaser for introduction in interstate commerce from the State of Alabama into the State of Maryland.

The information charged further that the defendant, in violation of said act, gave a guaranty which was false since the crab meat so sold and delivered 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 February 9, 1942, the defendant having entered a plea of guilty, the court imposed a fine of \$25, which was remitted.

3515. Adulteration of crab meat U. S. v. John J. Illich (John's Fish Market). Plea of guilty. Fine, \$50 on each of 6 counts. Sentence suspended as to 5 of the 6 counts. Defendant placed on probation for 6 months. (F. D. C. No. 6434. Sample Nos. 50327-E to 50330-E, incl., 50849-E, 50850-E.)

Inspection of the plant where this product was packed showed insanitary conditions. On May 27, 1942, the United States attorney for the Southern District of Mississippi filed an information against John J. Illich, trading as John's Fish Market, Biloxi, Miss., alleging shipment on or about July 10 and August 14 and 15, 1941, from the State of Mississippi into the State of Maryland c

quantities of crab meat which was adulterated in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On June 1, 1942, the defendant having entered a plea of guilty, the court imposed a fine of \$50 upon each of the 6 counts, suspending the fine on 5 counts and placing the defendant on probation for 6 months.

3516. Adulteration of crab meat. U. S. v. 1 Barrel and 1 Barrel of Crab Meat. Default decrees of condemnation and destruction. (F. D. C. Nos. 7556, 7600. Sample Nos. 59898-E, 87620-E.)

On May 15 and 21, 1942, the United States attorney for the District of Maryland filed libels against 1 barrel containing 50 1-pound cans of white and 13 1-pound cans of claw crab meat, and 1 barrel containing 75 1-pound cans of white and 25 1-pound cans of claw crab meat at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about May 12 and 18, 1942, by Biloxi Seafood Co. from Biloxi, Miss.; and charging that it was adulterated in that it had been prepared, packed, or held under insanitary conditions whereby it might have become contaminated with filth.

On June 17 and 24, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

3517. Adulteration of crab meat. U. S. v. 1 Barrel, 1 Barrel, 1 Barrel, and 1 Box of Crab Meat. Default decrees of condemnation and destruction. (F. D. C. Nos. 7598, 7599, 7601. Sample Nos. 59896-E, 59897-E, 59899-E.)

On May 21 and 22, 1942, the United States attorney for the District of Maryland filed libels against 2 barrels each containing 100 pounds, 1 barrel containing 101 pounds, and 1 box containing 64 pounds of crab meat at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about May 18 and 19, 1942, by C. F. Gollott Seafood Co. from Biloxi, Miss.; and charging that it was adulterated in that it had been prepared, packed, or held under insanitary conditions whereby it might have become contaminated with filth.

On June 24 and 25, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

3518. Adulteration of crab meat. U. S. v. 244 Cans of Crab Meat. Default decree of condemnation and destruction. (F. D. C. No. 7554. Sample No. 70571-E.)

Examination of this product showed that it contained fecal *B. coli*.

On May 14, 1942, the United States attorney for the Southern District of New York filed a libel against 244 pound cans of crab meat at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 12, 1942, by J. A. & C. Q. Goodrich from Oak Hill, Fla.; and charging that it was adulterated in that it consisted in whole or in part of a filthy animal substance. The article was labeled in part: (Cans) "Lagoon Quality Deluxe * * * Crabmeat."

On June 12, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FROZEN FISH AND SHELLFISH

3519. Adulteration of frozen shrimp. U. S. v. 16 Boxes of Frozen Shrimp. Default decree of condemnation and destruction. (F. D. C. Nos. 6263, 6264. Sample Nos. 54420-E, 54421-E.)

Examination of this product showed the presence of decomposed shrimp.

On November 21, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 16 boxes of frozen shrimp at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about September 25 and 29 and October 6, 1941, by the Union Fish Co. from Baltimore, Md.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On January 5, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3520. Adulteration of frozen fish. U. S. v. 107 Boxes of Fish Fillets and 245 Boxes of Red Perch Fillets. Default decrees of condemnation and destruction. (F. D. C. Nos. 7337, 7390. Sample Nos. 80801-E, 86548-E.)

Examination showed that this product was infested with parasites.

On April 23 and 24, 1942, the United States attorneys for the Northern District of Illinois and the Northern District of Ohio filed libels against 107 10-