

**5705. Adulteration of canned mackerel and canned fillets of salt mackerel. U. S. v. 184 Cases of Canned Mackerel (and 6 other seizure actions involving canned mackerel and canned fillets of salt mackerel). Decrees of condemnation. Product ordered released under bond for segregation and destruction of unfit portion.** (F. D. C. Nos. 10886, 10887, 11089 to 11095, incl., 11123, 11124, 11251, 11252. Sample Nos. 11154-F, 11898-F to 11900-F, incl., 29712-F, 29713-F, 29781-F, 55432-F, 55903-F, 57350-F, 57351-F, 57359-F, 57360-F.)

Between October 7 and December 8, 1943, the United States attorneys for the Western District of Washington, the Northern District of California, and the Southern and Eastern Districts of New York filed libels against the following lots of canned mackerel and canned salt mackerel fillets: 184 cases at Seattle, Wash., and 34 cases at Tacoma, Wash. (each case containing 24 15-ounce cans of mackerel), 1,677 cases at San Francisco, Calif., 307 cases at Oakland, Calif., 69 cases at New York, N. Y. (each case containing 12 cartons, each containing 1 12-ounce can of fillets of salt mackerel), and 548 cartons at New York, N. Y., and 203 cartons at Bronx, N. Y. (each containing a 12-ounce can of fillets of salt mackerel), alleging that the articles had been shipped on or about July 10 and September 18 and 20, 1943, by the Tupman-Thurlow Sales Co., Inc., from Gloucester, Mass.; and charging that they were adulterated in that they consisted wholly or in part of a decomposed substance. The articles were labeled in part: (Can) "Atlantic Ocean Mackerel Packed By Davis Bros. Fisheries Co., Inc. Gloucester, Mass." or (carton) "Fillets of Salt Mackerel \* \* \* Davis Bros. Fisheries Co., Inc. Gloucester, Mass."

On November 2 and 24, 1943, and February 9 and 14, 1944, the libels at Seattle and Tacoma having been consolidated, and the Tupman-Thurlow Sales Co., Inc., having appeared as claimant in said actions and also in the action against the lots located at San Francisco and Oakland; and Neuman & Schwiers Co., Inc., Gimbel Brothers, Inc., and Manhattan Grocery Co., Inc., New York, N. Y., and Thomas Roulston, Inc., Brooklyn, N. Y., having appeared as claimants respectively in the remaining actions, judgments of condemnation were entered and the products were ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration. The products were reconditioned by sorting out the unfit portion and destroying it.

**5706. Adulteration of canned mackerel. U. S. v. 54 Cases, 87 Cases, and 93 Cases of Mackerel. Default decrees of condemnation and destruction.** (F. D. C. Nos. 10724 to 10726, incl. Sample Nos. 47201-F to 47203-F, incl.)

On September 10, 1943, the United States attorney for the Western District of Tennessee filed libels against 234 cases, each containing 24 cans, of mackerel at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about June 18, 1943, by the B. A. Griffin Co., Inc., from Barnstable, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance which rendered it unfit for food. The article was labeled in part: (Cans) "Griffin's Atlantic Ocean Mackerel \* \* \* Packed For B. A. Griffin Co. Inc., Milwaukee, Wis."

On November 19, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**5707. Adulteration of tuna fish spread and salmon salad. U. S. v. 5 Cases of Tuna Fish Spread and 26 Cases of Salmon Salad. Default decree of condemnation and destruction.** (F. D. C. No. 10390. Sample Nos. 42953-F, 42954-F.)

On August 19, 1943, the United States attorney for the Western District of Washington filed a libel against 5 cases and 26 cases, each containing 24 jars, of tuna fish spread and salmon salad, respectively, at Seattle, Wash., alleging that the articles had been shipped in interstate commerce on or about May 28, 1943, from Brooklyn, N. Y., by the Delca Fish Preservators, Inc.; and charging that they were adulterated in that they consisted in whole or in part of decomposed substances. The articles were labeled in part: (Jar) "Delca Brand."

On January 27, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.