

LIBELED: 2-5-65, Dist. N.J.

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

DISPOSITION: 3-23-65. Default—destruction.

30157. Frozen ocean perch fillets. (F.D.C. No. 51380. S. No. 43-679 B.)

QUANTITY: 112 cases, each containing 10 5-lb. ctns., at Portland, Maine, in possession of Portland Fish Co., Inc.

SHIPPED: These fillets were from fish caught by the fishing vessel "Alice M. Daughy II" in the waters of the Atlantic Ocean outside the territorial limits of Maine on or about 4-26-65.

LABEL IN PART: (Ctn.) "State-O-Maine Brand Ocean Perch Fillets * * * Portland Fish Company, Inc., Portland, Maine."

LIBELED: 5-17-65, Dist. Maine.

CHARGE: 402(a)(3)—contained parasitic copepods while held for sale and when shipped.

DISPOSITION: 5-18-65. Consent—claimed by Portland Fish Co., Inc., Portland, Maine and reconditioned.

30158. Frozen ocean perch fillets. (F.D.C. No. 51113. S. No. 43-313 B.)

QUANTITY: 171 cases, each containing 5 10-lb. individually wrapped ctns., at Portland, Maine.

SHIPPED: The fillets were from fish caught by the fishing vessel "Vandal" in the waters of the Atlantic Ocean outside the territorial waters of the State of Maine between 2-12-65 and 2-15-65, and were prepared and packed by Central Wharf Fisheries, Inc., Portland, Maine.

LABEL IN PART: (Insert label) "Silver Bay Brand Ocean Perch Fillets To be weighed at time of sale—Product of U.S.A. Packed by Central Wharf Fisheries, Inc. Portland, Maine."

LIBELED: 3-12-65, Dist. Maine.

CHARGE: 402(a)(3)—contained parasitic copepods when shipped and while held for sale.

DISPOSITION: 3-22-65. Consent—claimed by Central Wharf Fisheries, Inc. Reconditioned; 1,255 lbs. destroyed.

30159. Frozen shrimp. (F.D.C. No. 51409. S. No. 38-776 B.)

QUANTITY: 9 unlabeled ctns., each containing 10 pkgs., at Brooklyn, N.Y.

SHIPPED: 3-2-65, from Boston, Mass., by Independent Crab.

LABEL IN PART: (Pkg.) "Small cooked 150/250 or Larger" and "4 Lb."

RESULTS OF INVESTIGATION: Examination showed that the article was 31.6 per cent short weight.

LIBELED: 6-18-65, E. Dist. N.Y.

CHARGE: 403(e)—when shipped, the article failed to bear a label containing (1) the name and address of the manufacturer, packer, or distributor; (2) an accurate statement of the quantity of the contents; and 403(i)(1)—the article's label failed to bear the common or usual name of the food.

DISPOSITION: 7-26-65. Default—destruction.

30160. Frozen shrimp. (F.D.C. No. 51411. S. Nos. 121-464/5 B.)

QUANTITY: 18 cases, each containing 10 5-lb. pkgs., at New York, N.Y.

SHIPPED: 11-19-64, from New York, N.Y., to Baton Rouge, La., by Danny Katz, and thereafter returned to New York, N.Y.

LABEL IN PART: (Pkg.) "Fresh Frozen Shrimp Headless Arrow Brand Product of Pakistan * * * Reyza-O-Khalid Fisheries Limited Karachi, Pakistan."

LIBELED: 6-7-65, S. Dist. N.Y.

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

DISPOSITION: 7-29-65. Default—destruction.

30161. Frozen squid. (F.D.C. No. 51009. S. No. 38-035 B.)

QUANTITY: 1,064 lbs. at Monmouth Beach, N. J.

SHIPPED: 8-20-64, from New York, N.Y., by J. Favaloro & Son, Inc.

LIBELED: 2-5-65, Dist. N.J.

CHARGE: 403(a)(3)—contained decomposed squid when shipped.

DISPOSITION: 3-23-65. Default—destruction.

FRUITS AND VEGETABLES

CANNED FRUIT

30162. Canned pears. (F.D.C. No. 51107. S. No. 56-842 B.)

QUANTITY: 23 cases, each containing 6 6-lb. 10-oz. cans, at Baltimore, Md.

SHIPPED: 10-15-64, from Fennville, Mich., by Michigan Fruit Cannery, Inc.

LABEL IN PART: (Can) "Rustic 35-40 Count Whole Spiced Kieffer Pears * * * In Extra Heavy Sirup * * * Packed by Michigan Fruit Cannery, Inc. * * * Benton Harbor, Mich."

RESULTS OF INVESTIGATION: Examination showed that the cans had holes.

LIBELED: On or about 3-10-65, Dist. Md.

CHARGE: 403(g)(1)—when shipped, the article failed to conform to the definition and standard of identity for canned pears since it was not sealed in a container and so processed by heat as to prevent spoilage.

DISPOSITION: 4-7-65. Default—destruction.

DRIED FRUIT

30163. Dried apricots and dried peaches. (F.D.C. No. 50481. S. Nos. 12-386/7 A.)

INFORMATION FILED: 12-15-64, Dist. Mass., against J. Sklar & Co., Inc., a corporation, Boston, Mass., and Alan Sklar.

ALLEGED VIOLATION: Between 4-8-63 and 1-28-64, while quantities of dried apricots and dried peaches were being held for sale after shipment in interstate commerce, the defendants caused the articles to be held in a building that was accessible to insects and to be exposed to contamination by insects, which acts resulted in the articles being adulterated.

CHARGE: 402(a)(3)—contained insects; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 6-28-65. Corporation—\$500 fine; individual—\$200 fine, with 3 years' probation.