

FEEDS AND GRAINS

30348. Dried sugar beet pulp. (F.D.C. No. 51466. S. No. 108-362 B.)

QUANTITY: 750 50-lb. bags, at Madison, Wis.

SHIPPED: 5-26-65, from Minneapolis, Minn., by I. S. Joseph Co., Inc.

LABEL IN PART: (Bag) "Dried Beet Pulp with Beet molasses * * * Manufactured by American Crystal Sugar Co. East Grand Forks, Minnesota."

LIBELED: 8-2-65, W. Dist. Wis.

CHARGE: 402(a)(2)(C)—when shipped, the article contained dieldrin, a food additive which was unsafe within the meaning of 409, since it and its use and intended use were not in conformity with a regulation or exemption.

DISPOSITION: 9-1-65. Default—destruction.

30349. Dried sugar beet pulp. (F.D.C. No. 51441. S. No. 26-044 B.)

QUANTITY: 799 50-lb. bags at Peoria, Ill.

SHIPPED: 4-21-65, from Minneapolis, Minn., by I. S. Joseph Co., Inc.

LABEL IN PART: (Bag) "Dried Beet Pulp with Beet Molasses * * * Manufactured by American Crystal Sugar Co. East Grand Forks, Minnesota."

LIBELED: 6-24-65, S. Dist. Ill.

CHARGE: 402(a)(2)(C)—when shipped, the article contained dieldrin, a food additive which was unsafe within the meaning of 409, since its use and intended use were not in conformity with a regulation or exemption.

DISPOSITION: 10-28-65. Default—destruction.

FISH AND SHELLFISH

30350. Canned tuna. (F.D.C. No. 50799. S. Nos. 73-872 T, 76-617 T, 77-948 T, 84-805 T, 4-394 V.)

INFORMATION FILED: 4-21-65, W. Dist. Wash., against Pacific Reefer Fisheries, Inc., and Robert J. Breskovich, vice president, Seattle, Wash., and West Coast Fish Co., Inc., and Leo B. Kite, president, Aberdeen, Wash.

SHIPPED: Between 3-27-62 and 10-5-62, from Aberdeen and Seattle, Wash., to Denver, Colo., Somerville, Mass., San Francisco, Calif., Baltimore, Md., and New York, N.Y.

LABEL IN PART: (Can) "Monarch Dietetic Chunk Style Light Tuna in Water [or "Solid Pack White Tuna In Water"] Net Weight 6½ oz. Avoir. Consolidated Foods Corporation Distributors—Chicago, Ill., U.S.A.," and "Moisha's Fancy All White Solid Pack Albacore Tuna Net Contents 7 oz. Avd. Packed for Moisha's New York, N.Y."

CHARGE: 403(h)(2)—when shipped, portions of the article fell below the standard of fill of container for canned tuna since such standard requires for canned tuna where the form of tuna ingredient is chunks, a fill such that the average weight of the pressed cake from 24 cans in a container designated as 307 x 113 is not less than 3.92 ounces, and for canned tuna where the form of tuna ingredient is solid, a fill such that the average weight of the pressed cake from 24 cans in a container designated as 307 x 113 is not less than 4.47 ounces, whereas the article was in containers designated as 307 x 113 and the average weight of pressed cake from 24 cans of the article (chunks) and from 24 cans of the article (solid) was less than that required by the standard, and the label failed to bear a statement that the article fell below such standard.

403(e)(2)—a portion of the article failed to bear a label containing an accurate statement of the quantity of contents, since the label statement (can) "Net Contents 7 oz. Avd." was inaccurate.

PLEA: Guilty by West Coast Fish Co., Inc., to 5 counts, nolo contendere by Leo B. Kite to 1 count, by Pacific Reefer Fisheries, Inc., to 5 counts, and by Robert Breskovich to 1 count.

DISPOSITION: 7-26-65. West Coast Fish Co., Inc.—\$1,000 fine; Kite—\$100 fine. 9-16-65. Pacific Reefer Fisheries, Inc.—\$1,000 fine; Breskovich—\$200 fine.

30351. Frozen red snapper. (F.D.C. No. 51529. S. No. 120-977 B.)

QUANTITY: 724 lbs. at Monmouth Beach, N.J.

SHIPPED: 5-10-65, from New York, N.Y.

LIBELED: On or about 8-11-65, Dist. N.J.

CHARGE: 402(a)(3)—contained decomposed fish while held for sale.

DISPOSITION: 9-14-65. Default—destruction.

30352. Frozen ocean perch fillets. (F.D.C. No. 50584. S. No. 15-744 A.)

QUANTITY: 46 cases, each containing 5 10-lb. ctns. of individually wrapped frozen fish fillets, at Gloucester, Mass.

SHIPPED: These fillets were from fish caught by the fishing vessel "Salvatore & Grace" in the waters of the Atlantic Ocean outside the territorial waters of Massachusetts and landed and unloaded on 8-31-64.

LIBELED: 9-17-64, Dist. Mass.

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

DISPOSITION: 10-29-64. Consent—claimed by New England Fillet Co., Inc., Boston, Mass. Reconditioned; 120 lbs. destroyed.

30353. Frozen ocean perch fillets. (F.D.C. No. 51543. S. No. 45-592 B.)

QUANTITY: 226 ctns., each containing 12 1-lb. pkgs., at Gloucester, Mass.

SHIPPED: These fillets were prepared and packed by Imperial Seafoods Co., Inc., from fish caught in the waters of the Atlantic Ocean outside the territorial limits of the State of Massachusetts, by fishing vessel "Atlantic" which landed and unloaded on or about 7-14-65, and sold its load of fish, which was subsequently resold to Imperial Seafoods Co., Inc.

LABEL IN PART: (Pkg.) "Seven Seas Ready To Cook Quick Frozen Ocean Perch Fillets Progressive Fish Wharf Inc., Gloucester, Massachusetts."

LIBELED: 8-2-65, Dist. Mass.

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

DISPOSITION: 10-18-65. Default—destruction.

30354. Frozen flounder fillets. (F.D.C. No. 50775. S. No. 93-359 A.)

QUANTITY: 502 cases, each containing 10 individually cellophane wrapped 5-lb. ctns., at St. Louis, Mo.

SHIPPED: 6-19-64, from Portland, Maine, by Mid Central Fish Co.

LABEL IN PART: (Case) "Wes-Stan Frozen Fld Fillets."