as applied to a product consisting of pollock fish; and 403(b)—the article was pollock fish which was offered for sale under the name of another food, namely, haddock.

DISPOSITION: 2–7–63. Default—destruction.

28850. Frozen pollock portions and frozen pollock sticks (2 seizure actions). (F.D.C. No. 48474. S. Nos. 24–111/13 V.)

QUANTITY: 650 lbs. of frozen 4-oz. pollock portions at Michigan City, Ind.; 130 lbs. of frozen 4-oz. pollock portions, and 525 lbs. of frozen pollock sticks, at Fort Wayne, Ind.

SHIPPED: 10–9–62 and 10–16–62, from Chicago, Ill., by Pick-Shapiro Fisheries, Inc.

LABEL IN PART: (Cases of pollock portions) "Haddock 4 oz. Raw Portions"; and "Cod 4 oz. portions 9/5's"; and (cases of pollock sticks) "Cod Sticks 16 to Lb. 9/5's Breaded Lot."

LIBELED: 12–4–62, 12–7–62, N. Dist. Ind.; amended libel 1–9–63.

CHARGE: 403(a)—when shipped, the names of the articles, namely, "Haddock" and "Cod" were false and misleading as applied to a product consisting of pollock; 403(b)—the articles were pollock fish which were offered for sale under the names of other foods, namely, haddock and cod; and, pursuant to the amended libel, 402(b)(2), (650-lb. lot only) pollock fish had been substituted for haddock fish which the article purported and was represented to be.

DISPOSITION: 2–7–63; 1–30–63. Default—destruction.

28851. Frozen breaded fish sticks. (F.D.C. No. 48497. S. No. 24–830 V.)

QUANTITY: 665 lbs. in cases, at Logansport, Ind.

SHIPPED: 10–16–62, from Chicago, Ill., by Pick-Shapiro Fisheries, Inc.

LABEL IN PART: (Case) "COD STICKS 16 TO LB 9/5's BREADED."

RESULTS OF INVESTIGATION: Examination showed that the article consisted of pollock fish.

LIBELED: 1–8–63, N. Dist. Ind.

CHARGE: 402(b)(2)—when shipped, pollock fish had been substituted in whole or in part for codfish; 403(a)—the name of the article, namely, "COD" was false and misleading as applied to a product consisting of pollock fish; and 403(b)—the article was pollock fish which was offered for sale under the name of another food, namely, codfish.

DISPOSITION: 3–11–63. Default—destruction.

28852. Frozen breaded shrimp, breaded soft shell crabs, breaded frog legs, breaded scallops, and fried chicken. (Inj. No. 393.)

COMPLAINT FOR INJUNCTION FILED: 2–8–61, S. Dist. N.Y., against Redi Food Co., Inc., Bronx, N.Y., Bernard Nichols, president, and Harold Nichols, secretary, treasurer and manager of the corporation.

CHARGE: The complaint alleged that the defendants were engaged in preparing, packing, holding and distributing various types of food products including frozen breaded shrimp, breaded soft shell crabs, breaded frog legs, breaded scallops, and fried chicken, and in causing to be introduced and delivered for introduction into interstate commerce such foods which were adulterated under 402(a)(3) because of the presence in the foods of rodent hairs, rodent filth, insect parts, insect filth, cigarette ashes, pieces of plastic materials and