

- 28942. Frozen fish (2 seizure actions).** (F.D.C. No. 48502. S. Nos. 17-521/2 V.)
QUANTITY: 1,000 lbs. at Madison, Ind.
SHIPPED: 10-16-62 and 10-22-62, from Chicago, Ill., by Pick-Shapiro Fisheries, Inc.
LABEL IN PART: (Shipping case) "Perch 4 oz. portions," and "Haddock 4 oz. portions."
RESULTS OF INVESTIGATION: Examination showed that all of the fish was pollock.
LIBELED: 1-8-63, S. Dist. Ind.
CHARGE: 403(a)—when shipped, the name of the articles "Perch" and "Haddock" were false and misleading; and 403(b)—the article was pollock fish which was offered for sale under the name of other foods, namely, perch and haddock fish.
DISPOSITION: 2-28-63. Default—released to a public institution for its use.
- 28943. Frozen haddock fillets.** (F.D.C. No. 48601. S. No. 7-534 V.)
QUANTITY: 40 ctns., each containing 5 10-lb. pkgs., at Boston, Mass.
SHIPPED: The fillets were from fish caught by the fishing vessel "Terra Nova" in the waters of the Atlantic Ocean outside the territorial limits of the State of Massachusetts.
LIBELED: 1-14-63, Dist. Mass.
CHARGE: 402(a) (3)—contained decomposed fish fillets when shipped.
DISPOSITION: 6-27-63. Default—ordered destroyed or given to a public or charitable institution for use as animal feed.
- 28944. Frozen pollock fillets.** (F.D.C. No. 48978. S. Nos. 56-272/3 V.)
QUANTITY: 249 ctns., each containing 5 10-lb. ctns., at Gloucester, Mass.
SHIPPED: The fillets were prepared and packed on 4-26-63, from fish caught by the fishing vessel "Rose L. Silva" in the waters of the Atlantic Ocean outside the territorial limits of the State of Massachusetts.
LIBELED: 5-20-63, Dist. Mass.
CHARGE: 402(a) (3)—consisted of decomposed fish fillets when shipped.
DISPOSITION: 6-24-63. Default—ordered destroyed or delivered to a public or charitable institution for use as animal feed.
- 28945. Frozen perch fillets.** (F.D.C. No. 48852. S. Nos. 56-381/82 V.)
QUANTITY: 68 cases, each containing 5 10-lb. ctns., at Gloucester, Mass.
SHIPPED: The fillets were prepared and packed on 3-27-63, from a commingled lot of fish caught by fishing vessels "Lady Of The Rosary" and "Olympia" in the waters of the Atlantic Ocean outside the territorial limits of the State of Massachusetts.
LIBELED: 4-17-63, Dist. Mass.
CHARGE: 402(a) (3)—contained parasitic copepods when shipped.
DISPOSITION: 5-9-63. Consent—claimed by Fabet Div., Booth Fisheries Corp., Gloucester, Mass., and reconditioned.
- 28946. Frozen fish fillets.** (F.D.C. No. 48679. S. Nos. 17-523/4 V.)
QUANTITY: 726 lbs., at Madison, Ind.
SHIPPED: 8-14-62 and 9-11-62, from Lowell, Mass., by Commodore Foods, Inc.

LABEL IN PART: (Ctn.) "Quick Frozen Breaded Fish Portions 18 4-Oz. Portions Packed in U.S.A. for Acadia Fisheries, Ltd., Mulgrave, Nova Scotia * * * Ingredients: Choice Skinless Haddock Fillets," and "Sea Pass Brand * * * Breaded Fish Quick Ready to Cook 24 4-oz. portions Net Weight 6 pounds * * * Ingredients: Ocean Perch * * * Distributed by Meletio Sea Co., Inc., St. Louis, Missouri."

RESULTS OF INVESTIGATION: Examination showed the article to be breaded fillets from fish other than haddock or perch.

LIBELED: 1-28-63, S. Dist. Ind.

CHARGE: 402(b) (2)—when shipped, fillets from fish other than haddock or perch had been substituted in whole or in part for the article; 403(a)—the label statements "Haddock" and "Ocean Perch" were false and misleading as applied to a product consisting of fish fillets from fish other than haddock or perch; and 403(b)—fillets from fish other than those claimed on the labels had been offered for sale under the name of another food, namely, haddock or perch.

DISPOSITION: 4-9-63. Consent—claimed by Commodore Foods, Inc., and ordered released for relabeling.

28947. Frozen fish fillets. (F.D.C. No. 48680. S. Nos. 17-581/2 V.)

QUANTITY: 756 lbs. at Richmond, Ind.

SHIPPED: 7-27-62 and 8-14-62, from Lowell, Mass., by Commodore Foods, Inc.

LABEL IN PART: (Ctn.) "Sea Pass Brand Breaded Fish 24 4-ounce portions Net Weight 6 Pounds Ingredients: * * * Cod [or "Haddock"] * * * Distributed by Meletio Sea Co., Inc., St. Louis, Missouri."

RESULTS OF INVESTIGATION: Examination showed the articles to be breaded fish fillets prepared from fish other than cod or haddock.

LIBELED: 1-29-63, S. Dist. Ind.

CHARGE: 402(b) (2)—when shipped, fish fillets other than cod or haddock had been substituted in whole or in part for the article; 403(a)—the label statements "Cod" and "Haddock" were false and misleading as applied to products consisting of fish fillets from fish other than cod or haddock; and 403(b)—fillets from fish other than those claimed on the labels had been offered for sale under the name of another food, namely, cod or haddock.

DISPOSITION: 4-9-63. Consent—claimed by Commodore Foods, Inc., and ordered released for relabeling.

28948. Frozen fish fillets. (F.D.C. No. 48948. S. Nos. 59-861/2 V, 86-106/7 V.)

QUANTITY: 588 cases, each containing 10 5-lb. boxes, at Miami, Fla.

SHIPPED: On an unknown date, from Merida, Yuc., Mexico, by Fernando Gamboa Gamboa.

LABEL IN PART: (Box) "Marca Atlantida Brand Fresh Frozen Fish Fillets Snapper * * * Fernando Gamboa Gamboa, * * * Merida, Yuc. Mexico."

RESULTS OF INVESTIGATION: Examination showed the article to be fillets from grouper fish.

LIBELED: 5-21-63, S. Dist. Fla.

CHARGE: 403(a)—when shipped, the name of the article "snapper" was false and misleading as applied to a product consisting of grouper fish fillets; and 403(b)—the article was grouper fish fillets and was offered for sale under the name of another food, namely, snapper fish fillets.