

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.

DISPOSITION: 6-27-63. Consent—claimed by Henderson's Portion Pak, Inc., Coral Gables, Fla., and relabeled.

28949. Frozen cod filets. (F.D.C. No. 48960. S. No. 56-022 V.)

QUANTITY: 30 cases, each containing 10 5-lb. ctns., at Gloucester, Mass.

SHIPPED: The cod filets were from fish caught by the fishing vessel "Pilgrim" in the waters of the Atlantic Ocean outside the territorial limits of the State of Massachusetts.

LIBELED: 5-13-63, Dist. Mass.

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

DISPOSITION: 6-24-63. Default—ordered destroyed or given to a public or charitable institution for use as animal feed.

28950. Salted codfish. (F.D.C. No. 48537. S. Nos. 7-975 T, 7-999 T, 62-135 T.)

INFORMATION FILED: 5-24-63, Dist. Mass., against Collins-Lee Co., a corporation, Chelsea, Mass.

ALLEGED VIOLATIONS: On 4-11-62 and 8-6-62, the defendant shipped quantities of adulterated salt codfish from Chelsea, Mass., to Providence, R.I., and Hartford, Conn.

In addition, on 2-3-59, the defendant caused to be given to a firm a guaranty to the effect that products shipped by the defendant to such firm under the guaranty would not be adulterated. On 8-2-62, the defendant caused to be delivered to the holder of the guarantee at Boston, Mass., quantities of salt codfish which were adulterated.

CHARGE: 402(a)(3)—contained insect parts; and 402(a)(4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 6-24-63. \$1,000 fine.

28951. Canned shrimp. (F.D.C. No. 48687. S. No. 38-513 V.)

QUANTITY: 409 cases, each containing 24 unlabeled 5-oz. cans, at Biloxi, Miss.

SHIPPED: 10-18-62, from Houma, La., by Grand Caillou Packing Co., Inc.

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

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

DISPOSITION: 2-18-63. Consent—claimed by Grand Caillou Packing Co., Inc.; segregated and reconditioned—237 lbs. of shrimp destroyed.

28952. Frozen shrimp. (F.D.C. No. 48240. S. No. 40-043 V.)

QUANTITY: 394 ctns., each containing 10 5-lb. boxes, at New York, N.Y.

SHIPPED: Prior to 8-2-62, the article was imported from Panama by El Morro Distributors and shipped on 8-2-62, to Jackson, Ohio. On 9-17-62, the article was shipped back to New York.

LABEL IN PART: (Box) "Balboa Brand Fresh Frozen Panama Shrimp * * * Packed by Industria Nacional Oceanica, S.A."

LIBELED: On or about 10-25-62, S. Dist. N.Y.

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

DISPOSITION: 11-20-62. Default—destruction.