DISPOSITION: March 17, 1944. The Gorton-Pew Fisheries Co., Ltd., having appeared as claimant, and the court having found, in accordance with the representations in the claimant's answer, that the allegations of the libel were true with respect to a portion but not true with respect to the remainder of the product, judgment was entered ordering the release of the good portion and further ordering the marshal to deliver the remainder to the claimant, under bond, to be brought into compliance with the law under the supervision of the Food and Drug Administration. The unfit fish were segregated and destroyed.

SHELLFISH

6499. Adulteration of canned oysters. U. S. v. 129 Cases and 44 Cases of Oysters. Decrees of condemnation. One lot ordered released under bond for segregation of the fit portion; portion of other lot ordered released, and remainder of that lot ordered destroyed. (F. D. C. Nos. 10958, 11122. Sample Nos. 12570–F, 36463–F.)

LIBELS FILED: On or about October 20, 1943, Western District of Washington; and on November 15, 1943, District of Colorado..

ALLEGED SHIPMENT: On or about March 29 and May 24, 1943, by the Pelican Lake Oyster & Packing Co., Ltd., from Houma, La.

PRODUCT: 44 cases, at Tacoma, Wash. and 129 cases at Denver, Colo., each case containing 48 cans of oysters.

LABEL, IN PART: "Pel-La-Co Brand Oysters."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: May 27, 1944. The Pelican Lake Oyster & Packing Co., Ltd., having appeared as claimant for the lot at Tacoma, and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for segregation of the fit portion, under the supervision of the Food and Drug Administration.

On January 18, 1944, no claimant having appeared for the lot at Denver, judgment of condemnation was entered and that lot was ordered destroyed. An amended decree was entered on January 20, 1944, ordering the segregation and destruction of the unfit portion of such lot, and sale of the fit portion to the highest bidder. On March 7, 1944, the Pelican Lake Oyster & Packing Co. having appeared as claimant for that lot, an amended decree was entered which rescinded the previous decrees and ordered the release of the unadulterated portion to the claimant upon payment of costs, and which condemned the remaining portion and ordered its destruction.

6500. Adulteration of frozen oysters. U. S. v. 663 Cans and 28 Cans of Frozen Oysters. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 11704. Sample No. 60366–F.)

LIBEL FILED: January 24, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about December 9, 1943, by Atlas Foods, from Weehawken, N. J.

PRODUCT: 691 1-gallon cans of frozen oysters at San Francisco, Calif.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of the presence of flakes of paint.

DISPOSITION: April 5, 1944. A Paladini, Inc., San Francisco, Calif., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration.

6501. Adulteration of frozen shrimp. U. S. v. 66 Bags of Fresh Frozen Shrimp. Default decree of condemnation and destruction. (F. D. C. No. 11776. Sample No. 65951–F.)

LIBEL FILED: February 14, 1944, Southern District of New York.

ALLEGED SHIPMENT: On or about August 9, 1943, by the Independent Shrimp Co., Mayport, Fla.

PRODUCT: 66 10-pound bags of frozen shrimp at New York, N. Y.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: March 4, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.