

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

**DISPOSITION:** February 6, 1945. The Eastern Seafood Co., Philadelphia, Pa., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned upon the segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

**7794. Adulteration of frozen ocean perch. U. S. v. 1,067 Boxes and 77 Boxes of Frozen Ocean Perch. Default decree of condemnation and destruction.** (F. D. C. Nos. 14921, 14922. Sample Nos. 96449-F, 96451-F, 96456-F.)

**LIBEL FILED:** On or about January 8, 1945, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about December 27, 1944, by the Massachusetts Ice and Cold Storage Co., from Boston, Mass.

**PRODUCT:** 1,144 10-pound boxes of frozen ocean perch at Chicago, Ill.

**LABEL, IN PART:** "Frozen Ocean Perch Packed by Cape Ann Fisheries Inc. Gloucester, Mass."

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

**DISPOSITION:** March 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**7795. Adulteration of frozen rosefish fillets and kippered herring. U. S. v. 309 Cartons of Frozen Rosefish Fillets (and 2 other seizure actions against frozen rosefish fillets and kippered herring). Default decrees of condemnation and destruction.** (F. D. C. Nos. 14972, 14973, 14977. Sample Nos. 92373-F to 92375-F, incl.)

**LIBEL FILED:** January 9, 1945, Western District of New York.

**ALLEGED SHIPMENT:** On or about July 17 and August 21, 1944, by J. Adams and Co., from Boston, Mass.

**PRODUCT:** 454 10-pound boxes and 309 10-pound cartons of frozen rosefish fillets, and 178 10-pound boxes of kippered herring at Rochester, N. Y.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the products consisted in whole or in part of decomposed substances by reason of the presence of decomposed rosefish fillets and moldy herring.

**DISPOSITION:** March 12, 1945. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

**7796. Misbranding of canned sardine fillets. U. S. v. 198 Cases of Canned Sardine Fillets. Consent decree of condemnation. Product ordered released under bond to be relabeled.** (F. D. C. No. 14986. Sample No. 84542-F.)

**LIBEL FILED:** On or about January 26, 1945, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about December 22, 1944, by the Sea Pride Packing Corporation, Ltd., from Oakland, Calif.

**PRODUCT:** 198 cases, each containing 48 cans, of sardine fillets at Chicago, Ill. Examination showed that the article was short-weight.

**LABEL, IN PART:** "Calistar Sardine Fillets Boneless Salt Added Contents 8 Oz. Avoir."

**VIOLATION CHARGED:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the label statement, "Contents 8 Oz. Avoir," was inaccurate.

**DISPOSITION:** March 12, 1945. The Sea Pride Packing Corporation, Ltd., claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

**7797. Adulteration of canned tuna fish. U. S. v. 24 Cases of Canned Tuna Fish. Default decree of condemnation and destruction.** (F. D. C. No. 14963. Sample No. 74341-F.)

**LIBEL FILED:** January 6, 1945, Southern District of Texas.

**ALLEGED SHIPMENT:** On or about October 11, 1944, by Francis H. Leggett, from Los Angeles, Calif.

**PRODUCT:** 24 cases, each containing 48 cans, of tuna fish, at Houston, Tex.

**LABEL, IN PART:** "Premier White Meat Tuna Fish."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (4), the product had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** February 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**7798. Adulteration of frozen whiting. U. S. v. 786 Boxes of Butterfly Whiting. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 14938. Sample Nos. 96453-F, 96459-F.)

**LIBEL FILED:** On or about January 8, 1945, Northern District of Illinois.

**ALLEGED SHIPMENT:** On August 8, 1944, by the Booth Fisheries Corporation, from Gloucester, Mass.

**PRODUCT:** 786 10-pound boxes of frozen whiting at Chicago, Ill.

**LABEL, IN PART:** "Fresh Butterfly Whiting Frozen Packed by North Shore Fillet Company Gloucester, Mass."

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

**DISPOSITION:** January 12, 1945. The Booth Fisheries Corporation, claimant, having admitted the facts set forth in the libel, judgment of condemnation was entered and the product was ordered released under bond to be salvaged and brought into compliance with the law, under the supervision of the Food and Drug Administration.

**7799. Adulteration of frozen clams. U. S. v. 619 Cartons and 19 Boxes of Frozen Clams. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 14988. Sample No. 13788-F.)

**LIBEL FILED:** January 13, 1945, Southern District of California.

**ALLEGED SHIPMENT:** On or about September 9, 1944, by the Washington Fish and Oyster Co., from Seattle, Wash.

**PRODUCT:** 619 cartons and 19 boxes, totaling 30,000 pounds, of frozen clams at San Diego, Calif.

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

**DISPOSITION:** February 17, 1945. J. J. Camillo and the Washington Fish and Oyster Co., claimants, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Food and Drug Administration.

**7800. Adulteration of crab meat. U. S. v. W. D. Gale and Hyatt B. Gale (Gale Packing Co.). Pleas of nolo contendere. Each individual fined \$100.** (F. D. C. No. 14243. Sample Nos. 28876-F, 35090-F.)

**INFORMATION FILED:** February 26, 1945, Southern District of Florida, against W. D. Gale and Hyatt B. Gale, trading as the Gale Packing Co., a partnership, Palatka, Fla.

**ALLEGED SHIPMENT:** On or about June 6 and 7, 1944, from the State of Florida into the District of Columbia.

**LABEL, IN PART:** "Lake George Brand \* \* \* Crab Meat."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance as evidenced by the presence of fecal *Escherichia coli*; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** March 26, 1945. The defendants' motion to quash, on the grounds that the information did not charge the crab meat to have been rendered injurious to health or unfit for food, or that *Escherichia coli* was not per se adulteration, having been denied, the defendants entered pleas of nolo contendere, and each partner was fined \$50 on each of 2 counts.

**7801. Adulteration of oysters. U. S. v. 500 Pints and 2,200 Pints of Oysters. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 15237. Sample Nos. 10018-H, 10215-H.)

**LIBEL FILED:** February 9, 1945, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about February 4, 1945, by John H. Leonard, from Baltimore, Md.