

LABEL, IN PART: "Val Vita Brand California Mackerel * * * Packed by California Sea Food Co., Long Beach, California."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance; and, Section 402 (b) (2), another variety of fish, commonly called horse mackerel, had been substituted for mackerel, which the product was represented to be.

Misbranding, Section 403 (a), the label statement, "California Mackerel," was false and misleading as applied to a product consisting in part of a variety of fish other than mackerel.

DISPOSITION: April 9, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8914. Adulteration and misbranding of canned mackerel. U. S. v. 49 Cases of Canned Mackerel. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15742. Sample No. 29821-H.)

LABEL FILED: March 28, 1945, Southern District of Florida.

ALLEGED SHIPMENT: On or about March 1, 1945, by the A. M. Beebe Co., Inc., from Oakland, Calif.

PRODUCT: 49 cases, each containing 48 15-ounce cans, of mackerel at Tampa, Fla.

LABEL, IN PART: "Val Vita Brand California Mackerel * * * packed by California Sea Food Co., Long Beach, California."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), another variety of fish, commonly called horse mackerel, had been substituted for mackerel, which the article was represented to be.

Misbranding, Section 403 (a), the label statement, "California Mackerel," was false and misleading as applied to an article consisting in part of a variety of fish other than mackerel.

DISPOSITION: June 15, 1945. The Lakeland Grocery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

8915. Adulteration of canned sardines. U. S. v. 12 Cases of Sardines. Default decree of condemnation and destruction. (F. D. C. No. 15625. Sample No. 27429-H.)

LABEL FILED: March 14, 1945, District of Oregon.

ALLEGED SHIPMENT: On or about September 25, 1944, by the F. E. Booth Co., from Pittsburg, Calif.

PRODUCT: 12 cases, each containing 48 15-ounce cans, of sardines at Portland, Oreg.

LABEL, IN PART: "Booths' Crescent Brand Broiled California Sardines in Tomato Sauce."

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

DISPOSITION: June 11, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8916. Misbranding of tuna fish. U. S. v. Irving Dickman (I. Dickman & Sons). Plea of guilty. Fine, \$25. (F. D. C. No. 6497. Sample Nos. 74614-E to 74616-E, incl.)

INFORMATION FILED: July 21, 1942, Eastern District of New York, against Irving Dickman, trading as I. Dickman & Sons, Brooklyn, N. Y.; charging that the defendant relabeled a quantity of bonita as "Light Meat Tuna" while the product was being held for sale after shipment in interstate commerce.

ALLEGED SHIPMENT: On or about August 18, 1941, from Wilmington, Calif., to Brooklyn, N. Y.

LABEL, IN PART: (When shipped) "Treasure Bonita"; (as relabeled) "Light Meat Tuna * * * Golden King Brand."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement, "Light Meat Tuna," was false and misleading since the article did not consist of light meat tuna but consisted of bonita; Section 403 (b), it was offered for