NATURE OF CHARGE: Adulteration, Section 402 (b) (2), hake fillets had been substituted for haddock fillets.

Misbranding, Section 403 (a), the label designation "Haddock" was false and misleading as applied to hake fillets; and, Section 403 (k), the article contained benzoic acid, a chemical preservative, and it failed to bear labeling stating that fact.

DISPOSITION: July 15, 1947. Default decree of condemnation. Product ordered delivered to a charitable institution.

12315. Adulteration of herring in brine. U. S. v. 65 Barrels * * * (and 1 other seizure action). (F. D. C. Nos. 23051, 23148. Sample Nos. 69948-H, 87701-H.)

LIBELS FILED: May 26 and 28, 1947, Southern District of New York and Northern District of Illinois.

ALLEGED SHIPMENT: On or about April 19, 1947, by Harris Cove Packing Co., from Eastport, Maine.

PRODUCT: Herring in brine. 65 400-pound barrels at Chicago, Ill., and 2 300-pound barrels, 41 400-pound barrels, and 73 220-pound barrels at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal.

DISPOSITION: June 14 and September 12, 1947. Default decrees of condemnation and destruction.

12316. Adulteration of canned sardines. U. S. v. 399 Cases * * * (and 5 other seizure actions). (F. D. C. Nos. 22940 to 22942, incl., 23009, 23129, 23130. Sample Nos. 1998-H, 50569-H, 55026-H.)

LIBELS FILED: April 21 and 29 and May 21, 1947, Eastern District of South Carolina and Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about March 5 and 15, 1947, by the Stinson Canning Co., from Waukeag, Maine.

PRODUCT: 849 cases of sardines at Charleston, S. C., and 21 cases of sardines at Baton Rouge, La. Each case contained 100 3¼-ounce cans.

LABEL, IN PART: (Can) "Beach Cliff Brand * * * Maine Sardines."

NATURE OF CHARGE: Adulteration, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal.

DISPOSITION: October 11 and 30, 1947. The Stinson Canning Co., claimant, having admitted the allegations of the libel, judgments of condemnation were entered and the product was ordered released under bond for segregation and destruction of the unfit portion under the supervision of the Food and Drug Administration.

12317. Adulteration of canned sardines. U. S. v. 20 Cases, etc. (F. D. C. No. 23108. Sample No. 54389-H.)

LIBEL FILED: May 13, 1947, Middle District of North Carolina.

ALLEGED SHIPMENT: On or about March 25, 1947, by Charles R. Allen, Inc., from Charleston, S. C.

PRODUCT: 27 cases, each containing 100 3¼-ounce cans, of sardines at Lexington, N. C.

LABEL, IN PART: "Billow Brand American Sardines * * * Packed by Addison Packing Co. Southwest Harbor, Maine" and "Beach Cliff Brand Maine Sardines * * * Packed by Stinson Canning Company Prospect Harbor, Maine."

NATURE OF CHARGE: Adulteration, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal.

DISPOSITION: September 2, 1947. The Addison Packing Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.