PRODUCT: 1 box of frozen ciscoes at Cleveland, Ohio.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of parasites.

DISPOSITION: July 15, 1947. Default decree of condemnation and destruction.

13280. Adulteration of frozen haddock. U. S. v. 560 Cartons * * *. (F. D. C. No. 21969. Sample No. 76024–H.)

LIBEL FILED: December 16, 1946, Southern District of New York.

ALLEGED SHIPMENT: On or about November 12, 1946, by Booth Fisheries, from Denver, Colo.

PRODUCT: 560 cartons, each containing 8 5-pound boxes, of frozen haddock at New York, N. Y.

LABEL, IN PART: "FZX Hadd Fillet * * * Packed By J. Walsh Fillet Co New York."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a putrid substance. (Examination showed the presence of putrid fish.)

DISPOSITION: January 9, 1947. Default decree of condemnation and destruction.

13281. Misbranding of canned salmon. U. S. v. Ralph S. Fleming. Plea of guilty. Fine, $1,000 and costs. (F. D. C. No. 24047. Sample Nos. 59976–H to 59978–H, incl., 59981–H.)

INFORMATION FILED: January 15, 1948, Western District of Washington, against Ralph S. Fleming, Seattle, Wash.

ALLEGED SHIPMENT: On or about November 6, 1946, from the State of Washington into the State of Pennsylvania.

LABEL, IN PART: "West Haven Brand Troll Caught Fancy Salmon Net Wt. 7½ Oz. Packed For Dungeness Crab, Inc., Seattle, Washington," "Open Sea Brand Fancy Chinook Salmon Distributed by Seashore Packing Co., Hoquiam, Washington," "Southern Pride Brand Medium Red Salmon Net Contents 7¾ Oz. When Packed * * * Distributed by Elmer W. Smith, Inc. Seattle, Wash.," or "Fancy Pacific Salmon Troll Caught * * * Packed by Aberdeen Sea Foods Inc. Aberdeen, Wash."

NATURE OF CHARGE: Misbranding, Section 403 (a), (West Haven Brand) the label designation "Fancy Salmon" was false and misleading since the product was low quality salmon; (Fancy Pacific Salmon) the label designation "Fancy Pacific Salmon" was false and misleading since the product consisted of average and low quality salmon; (Open Sea Brand) the label designation "Fancy Chinook Salmon" and the statement "Distributed by Seashore Packing Co., Hoquiam, Washington" were false and misleading since the product consisted in part of Chinook salmon of low quality and in part of Coho salmon of low quality, and the product was not distributed by the Seashore Packing Co. of Hoquiam, Washington; and (Southern Pride Brand) the label designation "Medium Red Salmon" and the statement "Distributed by Elmer W. Smith Inc., Seattle, Wash." were false and misleading since the product consisted of salmon of other species, i. e., Chinook and Chum salmon, and it was not distributed by Elmer W. Smith, Inc., Seattle, Wash.

Further misbranding, Section 403 (d), (West Haven Brand and Southern Pride Medium Red Salmon), the containers were so filled as to be misleading (the cans were not filled to capacity); and, Section 403 (e) (2), (Southern Pride Brand) the article failed to bear a label containing an accurate statement of the quantity of the contents since the label bore the statement "Net Contents 7¾ Oz. When Packed," and the cans contained less than 7¾ ounces.

DISPOSITION: April 20, 1948. A plea of guilty having been entered, the defendant was fined $1,000, plus costs.

13282. Action to enjoin and restrain the interstate shipment of fresh crab meat. U. S. v. Charles W. Howeth, Robert W. Howeth, and Charles W. Howeth & Bro., a partnership. Consent decree granting injunction. (Inj. No. 173.)

COMPLAINT FILED: September 11, 1947, District of Maryland, against Charles W. Howeth and Robert W. Howeth, copartners trading under the firm name of Charles W. Howeth & Bro., Crisfield, Md.