

19566. Adulteration and misbranding of canned mackerel. U. S. v. 248 Cases * * *. (F. D. C. No. 34395. Sample No. 40307-L.)

LIBEL FILED: December 3, 1952, District of Connecticut.

ALLEGED SHIPMENT: On or about October 30, 1952, by the Franco Italian Packing Co., from Fish Harbor Wharf, Terminal Island, Calif.

PRODUCT: 248 cases, each containing 48 15-ounce cans, of mackerel at East Hartford, Conn.

LABEL, IN PART: (Can) "Sultana Brand Mackerel."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), horse mackerel (jack mackerel) had been substituted in whole or in part for Pacific mackerel, which the article was represented to be.

Misbranding, Section 403 (a), the label statement "Mackerel" and the vignette depicting Pacific mackerel were false and misleading as applied to the article, which was horse mackerel (jack mackerel); and, Section 403 (i) (1), the label of the article failed to bear the common or usual name of the food.

DISPOSITION: January 26, 1953. The Franco Italian Packing Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.

19567. Adulteration of frozen pollack fillets. U. S. v. 56 Cartons * * *. (F. D. C. No. 34591. Sample No. 50037-L.)

LIBEL FILED: January 8, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about September 1, 2, and 3, 1952, from Gloucester, Mass.

PRODUCT: 56 10-pound cartons of frozen pollack fillets at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed fish. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 7, 1953. Default decree of condemnation and destruction.

19568. Adulteration and misbranding of canned sardines. U. S. v. 900 Cartons * * *. (F. D. C. No. 34511. Sample No. 18022-L.)

LIBEL FILED: December 19, 1952, Southern District of California.

ALLEGED SHIPMENT: On or about December 10, 1952, by the Carmel Canning Co., from Monterey, Calif., to Wilmington, Calif., for shipment to Manila, P. I.

PRODUCT: 900 cartons, each containing 48 15-ounce cans, of sardines at Wilmington, Calif. Examination showed that the product was anchovies.

LABEL, IN PART: "Velera Brand Highest Quality California Sardines Packed By San Carlos Canning Co. Monterey Cal."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), anchovies had been substituted in whole or in part for sardines, which the article was represented to be.

Misbranding, Section 403 (b), the article was offered for sale under the name of another food, namely, sardines.