FISH AND SHELLFISH

19667. Adulteration and misbranding of canned mackerel. U. S. v. 39 Cases * * *. (F. D. C. No. 34454. Sample No. 40307-L.)

LIBEL FILED: December 22, 1952, District of Maine.

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

PRODUCT: 39 cases, each containing 48 cans, of mackerel at Portland, Maine.

LABEL, IN PART: (Can) "Sultana Brand Mackerel water and salt added Net Wt. 15 oz."

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 failed to bear the common or usual name of the article.

DISPOSITION: February 18, 1953. Franco-Italian Packing Co., Inc., 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.

19668. Misbranding of salmon snacks (smoked salmon). U. S. v. 4 Cases * * *. (F. D. C. No. 34525. Sample No. 29369-L.)

LIBEL FILED: January 5, 1953, District of Colorado.

ALLEGED SHIPMENT: On or about December 13, 1952, by the O & B Packing Co., from Edmonds, Wash.

PRODUCT: 4 cases, each containing 12 jars, of salmon snacks (smoked salmon) at Colorado Springs, Colo.

LABEL, IN PART: "Ocean Queen Salmon Snacks Rich in Vitamins 15 Cents."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents; and, Section 403 (i) (2) the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient since salt was not declared.

DISPOSITION: March 4, 1953. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for consumption by the inmates.

19669. Adulteration of rock lobster tails. U. S. v. 46 Boxes * * *. (F. D. C. No. 32397. Sample No. 23235-L.)

LIBEL FILED: January 3, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about November 15, 1951, by the Duane Import & Export Corp., from Philadelphia, Pa.

PRODUCT: 46 boxes, each containing 20 pounds, of rock lobster tails at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (c), the article contained a coal-tar color other than one from a batch that had been certified in accordance with regulations.