LIBELED: 11–19–58, Dist. N.J.

CHARGE: 402(a)(3)—contained decomposed fish when shipped.

DISPOSITION: 1–16–59. Default—destruction.

25597. Frozen red snappers (fish). (F.D.C. No. 42280. S. Nos. 32–710 P.)

QUANTITY: 3 ctns., 296-lb. total, at Monmouth Beach, N.J.

SHIPPED: 9–5–58, from New York, N.Y., by Blue Ribbon Fish Co.

LIBELED: On or about 11–21–58, Dist. N.J.

CHARGE: 402(a)(3)—contained decomposed fish when shipped.

DISPOSITION: 1–16–59. Default—destruction.

25598. Frozen ocean perch fillets (2 seizure actions). (F.D.C. Nos. 42512, 42513. S. Nos. 47–423 P, 7–840 P.)

QUANTITY: 109 10-lb. ctns. at Boston, Mass.

SHIPPED: The fillets were from fish caught by the fishing vessels "The Four" and "M. C. Ballard" in the Atlantic Ocean outside the limits of Massachusetts, and unloaded at Boston, Mass., on 11–6–58.

LIBELED: 11–24–58, Dist. Mass.

CHARGE: 402(a)(3)—contained parasitic copepods and pus pockets when shipped.

DISPOSITION: 1–14–59. Consent—claimed by Port Fisheries, Boston, Mass. Segregated; 20 lbs. destroyed.

25599. Canned sardines. (F.D.C. No. 42816. S. No. 47–742 P.)

QUANTITY: 39 cases, 110 cans each, at Roxbury, Mass.

SHIPPED: 12–17–58, from Biddeford, Maine, by Joseph Sneider & Sons.

LABEL IN PART: (Rubber stamped on can) "Maine Sardines In Mustard Sauce packed For Joseph Sneider and Sons, Biddeford, Maine."

RESULTS OF INVESTIGATION: Examination showed that the label on most of the cans was smeared and indistinct, and that the name and place of business of the manufacturer, packer, or distributor was incomplete. A statement of the quantity of contents was also absent.

LIBELED: 2–2–59, Dist. Mass.

CHARGE: 403(e)—when shipped, the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; and 403(f)—certain information required to appear on the label was not prominently placed thereon with such conspicuousness (as compared with other statements on the label) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use, since the label of most of the cans was smeared and indistinct, the name and place of business of the packer was incomplete, and the label did not contain a statement of the quantity of contents.

DISPOSITION: 3–23–59 Default—delivered to a charitable institution for its use and not for sale.