

FISH AND SHELLFISH

20514. Adulteration and misbranding of canned jack mackerel. U. S. v. 54 Cases * * *. (F. D. C. No. 35274. Sample No. 59441-L.)

LIBEL FILED: June 4, 1953, Western District of South Carolina.

ALLEGED SHIPMENT: On or about October 15, 21, and 23, and December 2, 1952, by the French Sardine Co., from Terminal Island, Calif.

PRODUCT: 54 cases, each containing 48 15-ounce cans, of jack mackerel at Belton, S. C.

LABEL, IN PART: (Can) "Eatwell Brand California Mackerel Water and Salt Added."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), 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 jack mackerel; and, Section 403 (i) (1), the label of the article failed to bear the common or usual name of the food.

DISPOSITION: July 8, 1953. The French Sardine Co., having appeared as claimant, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

20515. Adulteration and misbranding of canned jack mackerel. U. S. v. 34 Cartons * * *. (F. D. C. Nos. 35085, 35086. Sample Nos. 18048-L, 18050-L.)

LIBEL FILED: June 8, 1953, District of Hawaii.

ALLEGED SHIPMENT: On or about May 22, 1953, by Collins Bros., from Wilmington, Calif.

PRODUCT: 34 cartons, each containing 48 cans, of jack mackerel at Wailuku, T. H.

LABEL, IN PART: (Can) "Arch Rock California Mackerel Net Weight 15 Oz. Distributed By Oxnard Cannery Inc Monterey Calif."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), another variety of fish, jack mackerel, had been substituted for California mackerel, which the article was represented to be.

Misbranding, Section 403 (a), the label statement "California Mackerel" was false and misleading as applied to the article, which consisted of a variety of fish other than California mackerel.

DISPOSITION: On or about July 21, 1953. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

20516. Adulteration of frozen red snappers. U. S. v. 1,482 Pounds * * *. (F. D. C. No. 34638. Sample No. 50050-L.)

LIBEL FILED: February 2, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about December 31, 1952, from New York, N. Y.

PRODUCT: 1,482 pounds of frozen red snappers in 12 boxes at Monmouth Beach, N. J.

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: September 3, 1953. T. J. Bodiford, Panama City, Fla., claimant, having withdrawn his claim and consented to a decree, judgment of condemnation was entered and the court ordered that the product be destroyed.

20517. Adulteration of frozen red snappers. U. S. v. 1,223 Pounds * * *.
(F. D. C. No. 34637. Sample No. 50051-L.)

LABEL FILED: February 3, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about January 2, 1953, from New York, N. Y.

PRODUCT: 1,223 pounds of frozen red snappers in 13 boxes at Monmouth Beach, N. J.

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: September 3, 1953. T. J. Bodiford, Panama City, Fla., claimant, having withdrawn his claim and consented to a decree, judgment of condemnation was entered and the court ordered that the product be destroyed.

20518. Adulteration of frozen shrimp. U. S. v. 211 Boxes * * *. (F. D. C. No. 35364. Sample No. 2577-L.)

LABEL FILED: July 23, 1953, Southern District of Florida.

ALLEGED SHIPMENT: On or about June 9, 1953, from New York, N. Y. This was a return shipment.

PRODUCT: 211 boxes of frozen shrimp at Jacksonville, Fla.

LABEL, IN PART: (Box) "Quick Frozen and Packed by Public Quick Freezing & Cold Storage Co. 'A Quality Service' Jacksonville, Fla. Net Wt. 5 Lbs."

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 shrimp.

DISPOSITION: August 31, 1953. Default decree of condemnation and destruction.

20519. Misbranding of frozen shrimp. U. S. v. 51 Cartons * * *. (F. D. C. No. 35336. Sample No. 57590-L.)

LABEL FILED: June 29, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about June 9, 1953, by the Fulton Fish Co., from Jacksonville, Fla., to Washington, D. C., from where it was reshipped to New York, N. Y.

PRODUCT: 51 cartons, each containing 10 packages, of frozen shrimp at New York, N. Y.

LABEL, IN PART: (Package) "Quick Frozen and Packed by Public Quick Freezing & Cold Storage Co. 'A Quality Service' Jacksonville, Fla. Net Wt. 5 Lbs."

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. (Examination showed that the article was short weight.)