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

DISPOSITION: September 14, 1948. Default decree of condemnation and destruction.

13794. Adulteration and misbranding of canned mackerel. U. S. v. 100 Cases * * *. (F. D. C. No. 25274. Sample No. 23543-K.)

LIBEL FILED: August 13, 1948, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about December 17, 1947, by the French Sardine Co., from Terminal Island, Calif.

PRODUCT: 100 cases, each containing 48 15-ounce cans, of mackerel at New Orleans, La.

LABEL, IN PART: "Eatwell Brand California Mackerel."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), horse (Jack) mackerel had been substituted for Pacific (California) mackerel.

Misbranding, Section 403 (a), the label statement "California Mackerel" was false and misleading.

DISPOSITION: September 2, 1948. Bernard Oppenheimer, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, to be relabeled under the supervision of the Food and Drug Administration.

13795. Adulteration of canned salmon. U. S. v. 158 Cases * * *. (F. D. C. No. 25194. Sample No. 93640-H.)

LIBEL FILED: July 23, 1948, District of Colorado; amended libel filed August 10, 1948.

ALLEGED SHIPMENT: On or about December 15, 1947, by McGovern & McGovern, from Seattle, Wash.

PRODUCT: Salmon. 158 cases, each containing 48 cans, and 85 cases, each containing 24 cans, at Denver, Colo.

LABEL, IN PART: "Sea Beauty Brand Reprocessed Alaska Red Salmon."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: August 31, 1948. Alexander Gow, Inc., Trustee, Seattle, Wash., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation, reprocessing, repacking, and relabeling, under the supervision of the Food and Drug Administration. Of the 225 cases and 22 cans seized, 178 cases and 25 cans were segregated as passable and the remainder were destroyed.

13796. Adulteration of whitefish. U. S. v. 4 Boxes * * *. (F. D. C. No. 25398. Sample No. 24629-K.)

LIBEL FILED: August 18, 1948, Southern District of California.

ALLEGED SHIPMENT: On or about August 13, 1948, by D. J. McCarthy, from Ranier, Minn.

PRODUCT: Whitefish. 4 boxes containing a total of 231 pounds at Los Angeles, Calif.

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 parasitic worms.

DISPOSITION: September 14, 1948. Default decree of condemnation. The product was ordered delivered to a State agency, for use as fish food.

13797. Adulteration of crab meat. U. S. v. Sound Packing Co. and Wilson F. Whorton. Pleas of nolo contendere. Each defendant fined $50. (F. D. C. No. 25301. Sample No. 3678–K.)

INFORMATION FILED: On or about September 16, 1948. Eastern District of North Carolina, against the Sound Packing Co., a partnership, Whortonsville, N. C., and Wilson F. Whorton, a partner.

ALLEGED SHIPMENT: On or about June 24, 1948, from the State of North Carolina into the State of Maryland.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance, as evidenced by the presence of fecal *Escherichia coli;* and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 11, 1948. Pleas of nolo contendere having been entered, each defendant was fined $50.

13798. Adulteration of crab meat. U. S. v. 1 Barrel, etc. (F. D. C. No. 24934. Sample No. 3674–K.)

LIBEL FILED: June 28, 1948, District of Maryland.

ALLEGED SHIPMENT: On or about June 23, 1948, by the Garland F. Fulcher Seafood Co., from Oriental, N. C.

PRODUCT: 2 barrels containing a total of 178 1-pound cans of crab meat at Baltimore, Md.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy animal substance (examination showed the product was contaminated with *E. coli* of fecal origin); and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 30, 1948. Default decree of condemnation and destruction.

13799. Adulteration of frozen crab meat. U. S. v. 133 Cans * * *. (F. D. C. No. 25488. Sample No. 8732–K.)

LIBEL FILED: August 24, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about June 20 and 22, 1948, from Seaford, Va.

PRODUCT: 133 1-pound cans of crab meat at New York.

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

DISPOSITION: September 14, 1948. Default decree of condemnation and destruction.