

Cape Ann Fisheries, Inc., from Gloucester, Mass.; and charging that they were adulterated in that they consisted in whole or in part of decomposed substances. The articles were labeled in part: "Cape Ann Brand Pollack Fillets [or "Red Perch"]."

On December 16, 1940, and January 28, 1941, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

**1277. Adulteration of pollack fillets. U. S. v. 108 Boxes of Pollack Fillets. Default decree of condemnation and destruction.** (F. D. C. No. 3313. Sample No. 27486-E.)

On October 30, 1940, the United States attorney for the Southern District of Ohio filed a libel against 108 boxes of pollack fillets at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about October 8, 1940, by the Gloucester Fish Pier Fillet Co. from Gloucester, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On December 10, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1278. Adulteration of frozen fillets of sole. U. S. v. 234 Cartons of Frozen Fillet of Sole. Default decree of condemnation and destruction.** (F. D. C. No. 3244. Sample No. 44050-E.)

On October 19, 1940, the United States attorney for the District of Colorado filed a libel against 234 cartons of frozen fresh fillet of sole at Denver, Colo. (consigned by the Atlantic Quick Freeze Co.), alleging that the article had been shipped in interstate commerce on or about October 2, 1940, from Boston, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Packages) "Four Winds Frozen Fresh Fillet of Sole \* \* \* United Frosted Foods Inc."

On December 5, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1279. Adulteration of frozen whiting. U. S. v. 60 Boxes of Whiting. Default decree of condemnation and destruction.** (F. D. C. No. 3352. Sample No. 27488-E.)

On November 8, 1940, the United States attorney for the Southern District of Ohio filed a libel against 60 boxes of whiting at Norwood, Ohio (consigned September 23, 1940), alleging that the article had been shipped in interstate commerce by Gloucester Sea Foods, Inc., from Gloucester, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part "Butterfly Whiting."

On December 10, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### CANNED FISH AND SHELLFISH

**1280. Adulteration and misbranding of canned clams. U. S. v. 38 Cases of Clams. Default decree of condemnation. Product ordered delivered to a public institution.** (F. D. C. No. 3287. Sample No. 36444-E.)

This product contained excessive free liquid, and the drained weight was less than that declared on the label.

On October 31, 1940, the United States attorney for the District of New Hampshire filed a libel against 38 cases of clams at Berlin, N. H., alleging that the article had been shipped in interstate commerce on or about September 12, 1940, by R. B. and C. G. Stevens, from Columbia Falls, Maine; and charging that it was adulterated and misbranded. It was labeled in part: (Cans) "Jonesport Brand Fancy Clams Contents 5 Ozs. [or "Contents 10½ Ozs. Avoir.]."

The article was alleged to be adulterated in that diluted clam juice had been substituted in whole or in part for clams.

It was alleged to be misbranded in that the statements "Contents 5 Ozs." or "Contents 10½ Ozs." were false and misleading since they were not true either with respect to the drained weight or total net weight. It was alleged to be misbranded further in that its containers were so made, formed, or filled as to be misleading.

On December 17, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution.