

that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: "Sm. Hadd Fillets, F. J. O'Hara & Sons Inc."

On September 11, 1941, F. J. O'Hara & Sons, Inc., claimant, having appeared and averred that a portion of the product was not bad and having admitted all other allegations of the libel, judgment of condemnation was entered and it was ordered that 367 boxes be released immediately as not bad and that the remainder be released under bond for segregation and salvaging of the good portion.

2886. Adulteration of frozen perch and frozen haddock. U. S. v. 190 Boxes of Frozen Perch (and 2 other seizure actions against frozen fish). Default decree of condemnation and destruction. (F. D. C. Nos. 5617, 6079, 7322. Samples Nos. 29639-E, 64556-E, 79109-E.)

Examination of samples of these products showed that the haddock and a portion of the perch were in whole or in part decomposed, and that the remainder of the perch was infested with parasites.

On September 5 and October 24, 1941, and April 10, 1942, the United States attorneys for the Southern and Northern Districts of Ohio and the Western District of New York filed libels against 190 10-pound boxes of frozen perch at Cincinnati and 30 10-pound boxes of frozen haddock at Akron, Ohio, and 37 10-pound boxes of frozen perch at Buffalo, N. Y., alleging that the articles had been shipped in interstate commerce on or about August 21 and September 22, 1941, and April 2, 1942, by New England Fillet Co., Inc., from Boston, Mass.; and charging that they were adulterated in that a portion of the perch consisted in whole or in part of a filthy substance, and in that the haddock and the remainder of the perch consisted in whole or in part of decomposed substances. The articles were labeled in part: "Ocean Perch * * * Gloucester Seafoods Corp."; "Small Haddock * * * Sea Crest Brand"; or "Sea Crest Brand Fish Frosted Fillets [rubber stamped "Ocean Perch"]."

On October 1 and November 26, 1941, and May 11, 1942, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

2887. Adulteration of frozen perch. U. S. v. 90 Boxes of Frozen Perch. Default decree of condemnation and destruction. (F. D. C. No. 5459. Sample No. 37085-E.)

Examination of this product disclosed the presence of parasites as well as of decomposition.

On August 30, 1941, the United States attorney for the Western District of North Carolina filed a libel against 90 10-pound boxes of frozen perch at Charlotte, N. C., alleging that the article had been shipped in interstate commerce on or about August 9, 1941, by Baxter & Kerr, Inc., from Gloucester, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance.

On December 4, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2888. Adulteration of pollack fillets. U. S. v. 1,000 Boxes of Fillets. Consent decree of condemnation. Product released under bond for separation and salvage of fit portion. (F. D. C. No. 4993. Sample No. 42573-E.)

On June 25, 1941, the United States attorney for the Western District of Pennsylvania filed a libel against 1,000 boxes of pollack fillets at Johnstown, Pa., alleging that the article had been shipped in interstate commerce on or about June 2, 1941, by Portland Fish Co. from Portland, Maine; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance.

On August 14, 1941, Portland Fish Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be salvaged under the supervision of the Food and Drug Administration by salting the good portion and disposing of the remainder for animal food.

2889. Adulteration of frozen whiting. U. S. v. 194 Boxes of Frozen Fish. Default decree of condemnation and destruction. (F. D. C. No. 5588. Sample No. 49717-E.)

On August 29, 1941, the United States attorney for the Eastern District of Louisiana filed a libel against 194 boxes of frozen whiting at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about July 22, 1941, by Atlantic Coast Fisheries from Gloucester, Mass.; and charging

that it was adulterated in that it consisted wholly or in part of a decomposed substance.

On October 27, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2890. Adulteration of frozen fish. U. S. v. 132 Boxes of Red Perch Fillets (and 2 other seizures of frozen fish). Default decrees of condemnation and destruction. (F. D. C. Nos. 5431, 5926, 6030. Sample Nos. 29629-E, 43998-E, 74923-E.)

On August 22, September 30, and November 17, 1941, the United States attorneys for the District of Nebraska, Northern District of Ohio, and Northern District of New York filed libels against 132 10-pound boxes of red perch fillets at Omaha, Nebr., 29 10-pound boxes of frozen haddock at Utica, N. Y., and 1,304 boxes of frozen whiting at Cleveland, Ohio, alleging that the articles had been shipped in interstate commerce on or about August 6, September 18, and October 6, 1941, by Booth Fisheries Corporation or Booth Fisheries, Inc., from Boston and Provincetown, Mass.; and charging that they were adulterated in that they consisted in whole or in part of decomposed substances.

On October 30 and November 27, 1941, and January 13, 1942, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

2891. Adulteration of frozen perch. U. S. v. 200 Boxes of Ocean Perch Fillets. Default decree of condemnation and destruction. (F. D. C. No. 5621. Sample No. 59606-E.)

On September 5, 1941, the United States attorney for the Southern District of West Virginia filed a libel against 200 10-pound boxes of frozen perch at Huntington, W. Va., alleging that the article had been shipped in interstate commerce on or about August 18, 1941, by the Great A. & P. Tea Co. from Boston, Mass.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. It was labeled in part: "Fresh Ocean Perch Frosted Packed by Gorton-Pew Fisheries Co. Ltd. Gloucester, Mass."

On October 2, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On October 15, 1941, the decree of October 2 was amended to provide for delivery of the product to a local hospital for use as fertilizer.

OYSTERS

Nos. 2892 to 2895 report the seizure and disposition of oysters that contained added water.

2892. Adulteration of oysters. U. S. v. 85 Pints of Oysters. Default decree of condemnation and destruction. (F. D. C. No. 6297. Sample No. 42798-E.)

On November 26, 1941, the United States attorney for the Western District of Pennsylvania filed a libel against 85 pints of oysters at Du Bois, Pa., alleging that the article had been shipped on or about November 18, 1941, by Miles Oyster Co. from Crisfield, Md.; and charging that it was adulterated. It was labeled in part: "Quality Brand Oysters."

The article was alleged to be adulterated in that water had been substituted in part for it; and in that water had been added thereto or mixed or packed therewith so as to increase its bulk or weight and reduce its quality.

On December 11, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2893. Adulteration of oysters. U. S. v. 103 Pints, 212 Pints, 290 Pints, 140 Pints, and 165 Pints of Oysters. Default decrees of condemnation and destruction. (F. D. C. Nos. 6267, 6585. Sample Nos. 64391-E to 64393-E, incl., 87240-E to 87243-E, incl.)

On November 21 and December 23, 1941, the United States attorneys for the Southern District of West Virginia and the Northern District of Ohio filed libels against 745 pints of oysters at Charleston, W. Va., and 165 pints of oysters at Youngstown, Ohio, alleging that the article had been shipped on or about November 15 and 16 and December 15 and 17, 1941, by W. E. Riggin & Co. from Crisfield and Princess Anne, Md.; and charging that it was adulterated.

The article was alleged to be adulterated in that water had been substituted wholly or in part therefor; and in that water had been added thereto or mixed