

3933. Adulteration of crab meat. U. S. v. 347 Cans of Crab Meat. Default decree of condemnation and destruction. (F. D. C. No. 7802. Sample No. 54754-E.)

Examination of this product showed the presence of decomposed crab meat.

On June 24, 1942, the United States attorney for the Eastern District of Pennsylvania filed a libel against 347 cans of crab meat at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about June 19, 1942, by the Sunbeam Seafoods Co. from Apalachicola, Fla.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On July 10, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3934. Adulteration of crab meat. U. S. v. 1 Barrel of Crab meat. Default decree of condemnation and destruction. (F. D. C. No. 7823. Sample No. 70893-E.)

This product contained evidence of the presence of filth.

On June 20, 1942, the United States attorney for the District of Maryland filed a libel against 1 barrel of crab meat at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about June 17, 1942, by A. M. Barbee's Son, from Savannah, Ga.; and charging that it was adulterated in that it consisted in whole or in part of a filthy animal substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On July 23, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3935. Misbranding of crab meat. U. S. v. 1 Barrel and 1 Barrel of Crab Meat. Default decree of condemnation and destruction. (F. D. C. No. 7856. Sample No. 78413-E.)

This product contained a chemical preservative, sodium benzoate, the presence of which was not declared on the label, and it was short of the declared weight.

On July 2, 1942, the United States attorney for the District of Maryland filed a libel against 2 barrels, each containing 108 pound cans, of crab meat at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about June 25, 1942, by Gale & Co. from Palatka, Fla.; and charging that it was misbranded. The article was labeled in part: (Cans) "Lake George Brand Fla. * * * DeLuxe Crabmeat."

The article was alleged to be misbranded (1) in that the statement in the labeling "1 Lb. Net" was false and misleading as applied to an article that was short weight; (2) in that it was in package form and it did not bear a label containing an accurate statement of the quantity of the contents; and (3) in that it contained a chemical preservative and did not bear labeling stating that fact.

On August 5, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FROZEN FISH AND SHELLFISH

3936. Adulteration of frozen ocean perch filets. U. S. v. Emil Cefalo and Frank Cefalo (North Atlantic Fish Co.). Pleas of guilty. Fine, \$25 against each defendant. (F. D. C. No. 7272. Sample Nos. 86704-E, 86563-E.)

This product contained parasites, i. e. copepods.

On September 17, 1942, the United States attorney for the District of Massachusetts filed an information against Emil Cefalo and Frank Cefalo, copartners trading as North Atlantic Fish Co., Boston, Mass., alleging shipment on or about January 17 and May 9, 1942, from the State of Massachusetts into the State of Illinois of quantities of fish that was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "North Atlantic Brand Ocean Perch Filets."

On September 29, 1942, pleas of guilty having been entered on behalf of the defendants, the court imposed a fine of \$25 against each defendant.

3937. Adulteration of frozen red perch filets. U. S. v. 96 Boxes and 244 Boxes of Frozen Filets. Default decree of condemnation and destruction. (F. D. C. No. 7618. Sample No. 77138-E.)

This product was infested with parasites.

On June 6, 1942, the United States attorney for the Middle District of Pennsylvania filed a libel against 96 10-pound and 244 5-pound boxes of frozen filets

at Steelton, Pa., alleging that the article had been shipped in interstate commerce on or about May 20 and May 26, 1942, by John Burns Co., from Boston, Mass.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: "Supreme Brand Net Frosted Fillets Red Perch."

On August 26, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3938. Adulteration of frozen rose fish fillets. U. S. v. 3,500 Boxes of Fillets. Consent decree of condemnation. Product ordered released under bond for salvaging good portion. (F. D. C. No. 7810. Sample No. 91620-E.)

On June 29, 1942, the United States attorney for the Northern District of Illinois filed a libel against 3,500 boxes of frozen fillets at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about June 16, 1942, by F. J. O'Hara & Sons, Inc., from Portland, Maine; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On August 3, 1942, F. J. O'Hara & Sons, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that the fit portion be salvaged under the supervision of the Food and Drug Administration.

3939. Adulteration of frozen haddock fillets. U. S. v. 69 Boxes of Frozen Haddock Fillets. Default decree of condemnation and destruction. (F. D. C. No. 7615. Sample No. 87199-E.)

On June 5, 1942, the United States attorney for the District of Columbia filed a libel against 69 boxes of frozen haddock fillets at Washington, D. C., alleging that the article had been shipped in interstate commerce on or about May 26, 1942, by L. B. Goodspeed, Inc., from Boston, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: (Wrappers) "O-So-Good Fillets Haddock."

On July 16, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3940. Adulteration of frozen shrimp. U. S. v. 23 Bags of Frozen Shrimp. Default decree of condemnation and destruction. (F. D. C. No. 7049. Sample No. 69716-E.)

On March 19, 1942, the United States attorney for the Southern District of New York filed a libel against 23 bags of frozen shrimp at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about July 16, 1941, by Florida Shrimp Co. from Fernandina, Fla.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On April 10, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

CANNED FISH

3941. Adulteration and misbranding of canned sardines. U. S. v. 65, 45, 146, and 52 Cases of Sardines. Consent decrees of condemnation. Product ordered released under bond for relabeling. (F. D. C. Nos. 6105, 6265, 6276. Sample Nos. 54508-E, 64442-E, 75539-E, 75934-E.)

The packing medium of this product consisted in large part of oils other than olive oil.

On October 29 and November 21 and 24, 1941, the United States attorneys for the District of Massachusetts, the District of New Jersey, and the Western District of Pennsylvania filed libels against 109 cases of canned sardines at Boston, Mass., 146 cases at Pittsburgh, Pa., and 52 cases at Camden, N. J., alleging that the article had been shipped in interstate commerce on or about May 24 and 26 and June 28, 1941, by the Brawn Co. from Portland, Maine; and charging that it was adulterated and misbranded. The article was labeled in part: "Red Feather Brand Sardines in Olive Oil Contents 3¼ Oz. Avoir. Francis H. Leggett & Co. Distributors, New York, N. Y."

It was alleged to be adulterated in that a valuable constituent, olive oil, had been in whole or in part omitted therefrom. Portions were alleged to be adulterated further in that sardines in an oil other than olive oil had been substituted for sardines in olive oil. The remainder was alleged to be adulterated further in that sardines in a mixture of cottonseed and olive oils had been substituted for sardines in olive oil.