

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** May 31, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8389. Adulteration of frozen lobster meat. U. S. v. 24 Boxes of Frozen Lobster Meat. Default decree of condemnation and destruction.** (F. D. C. No. 14660. Sample Nos. 82023-F, 82026-F, 93629-F.)

**LIBEL FILED:** On or about December 22, 1944, District of New Jersey.

**ALLEGED SHIPMENT:** On or about November 9, 1944, by E. Frank Hopkins, from Philadelphia, Pa.

**PRODUCT:** 24 boxes, each containing 120 pounds, of frozen lobster meat, in 14-ounce cans, at Jersey City, N. J.

**LABEL, IN PART:** (Cans) "Fresh Lobster Meat \* \* \* Product of Canada E. Paturel Shediack, N. B. [or "J. R. Allen, Pugwash, N. S."]."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** March 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8390. Adulteration of canned mackerel. U. S. v. 1,100 Cases and 99 Cases of Canned Mackerel. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. Nos. 15023, 15260. Sample Nos. 15075-F, 9402-H, 9523-H.)

**LIBELS FILED:** January 10 and February 13, 1945, Southern and Western Districts of New York; amended libel filed in Southern District of New York on January 18, 1945.

**ALLEGED SHIPMENT:** On or about November 28 and December 12, 1944, by Parrott & Co., from Wilmington and Los Angeles, Calif.

**PRODUCT:** 1,100 cases and 99 cases, each containing 48 15-ounce cans, of mackerel at Buffalo and New York, N. Y., respectively.

**LABEL, IN PART:** "Top Wave Brand California Mackerel \* \* \* Packed for Sardamack Fisheries Wilmington, Calif."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

**DISPOSITION:** June 19, 1945. The Sardamack Fisheries Co., claimant, having admitted the allegations of the libels, and the cases having been consolidated for trial in the Southern District of New York, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

**8391. Adulteration of canned oysters. U. S. v. Joe Jaha (Lighthouse Oysters Co.). Plea of not guilty. Tried to the court. Judgment of guilty. Fine, \$150.** (F. D. C. No. 14276. Sample No. 60604-F.)

**INFORMATION FILED:** February 14, 1945, District of Oregon, against Joe Jaha, trading as the Lighthouse Oysters Co., Portland, Oreg.

**ALLEGED SHIPMENT:** On or about April 1, 1944, from the State of Oregon into the State of California.

**LABEL, IN PART:** "Lighthouse Brand The Beacon of Quality Oysters."

**VIOLATION CHARGED:** Adulteration, Section 402 (b) (2), water had been substituted, in part, for oysters, which the product was represented to be.

**DISPOSITION:** A plea of not guilty having been entered, the case was set for trial before the court, and was argued on March 24, 1945. The court, after consideration of the evidence and briefs of the parties, found the defendant guilty and, on May 22, 1945, imposed a fine of \$150.

**8392. Adulteration of raw oysters. U. S. v. 67 Pints of Raw Oysters. Default decree ordering product delivered to local hospitals.** (F. D. C. No. 14513. Sample Nos. 92126-F, 92127-F.)

**LIBEL FILED:** November 27, 1944, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about November 18, 1944, by the McNaney Oyster Co., Baltimore, Md.

**PRODUCT:** 67 pints of raw oysters at Steubenville, Ohio.

**LABEL, IN PART:** "McNaney's Superior Raw Oysters."