

13624. Adulteration of canned sardines. U. S. v. 999 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 24622, 24654. Sample Nos. 6358-K, 18792-K.)

LIBELS FILED: May 10 and 28, 1948, Western District of Pennsylvania and Southern District of Ohio.

ALLEGED SHIPMENT: On or about March 23 and April 23, 1948, by the R. J. Peacock Canning Co., Lubec and Eastport, Maine.

PRODUCT: Canned sardines. 999 cases at Pittsburgh, Pa., and 382 cases at Columbus, Ohio. Each case contained 100 3¼-ounce cans.

LABEL, IN PART: "Admiral Brand American Sardines."

NATURE OF CHARGE: Adulteration, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal. (Examination showed the presence of diseased fish.)

DISPOSITION: June 7 and July 8, 1948. Default decrees of destruction.

13625. Adulteration of canned sardines. U. S. v. 385 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 20231, 22946, 22999. Sample Nos. 1999-H, 50140-H, 63704-H.)

LIBELS FILED: June 11, 1946, and April 30 and June 11, 1947, Southern District of New York and Southern District of Texas.

ALLEGED SHIPMENT: On or about March 22, 1946, and March 10 and April 17, 1947, from Eastport, Maine, and Charleston, S. C., by the Riviera Packing Co.

PRODUCT: Sardines. 385 cases and 182 cases at New York, N. Y., and 3½ cases at Houston, Tex. Each case contained 100 3¼-ounce cans.

LABEL, IN PART: "Sunny Harbor Smoked Sardines" or "Custom House Brand Maine Sardines."

NATURE OF CHARGE: Adulteration, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal.

DISPOSITION: August 19 and September 17, 1947, and June 7, 1948. The Riviera Packing Co., claimant for the 182-case lot, having admitted the allegations of the libel and no claimant having appeared for the other lots, judgments of condemnation were entered. The 182-case lot was ordered released under bond for segregation and destruction of the unfit portion. The segregation operation on this lot resulted in the destruction of 56 cases, and the other lots of the product were ordered destroyed.

13626. Adulteration of frozen tullibeets. U. S. v. 155 Boxes * * *. (F. D. C. No. 24379. Sample No. 8878-K.)

LIBEL FILED: March 12, 1948, Eastern District of New York.

ALLEGED SHIPMENT: On or about February 19, 1948, by Howard L. Elzig, from Warren, Minn.

PRODUCT: 155 125-pound boxes of frozen tullibeets at Brooklyn, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of parasitic worms.

DISPOSITION: November 10, 1948. Default decree of condemnation and destruction.

13627. Adulteration of frozen tullibeets. U. S. v. 110 Boxes * * *. (F. D. C. No. 24376. Sample No. 12508-K.)

LIBEL FILED: March 10, 1948, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 19, 1948, by Harold Elzig, from Warren, Minn.

PRODUCT: 110 boxes of frozen tullibeets at Philadelphia, Pa.

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: July 14, 1948. Default decree of condemnation and destruction.

13628. Adulteration of frozen whiting. U. S. v. 641 Boxes * * *. (F. D. C. No. 23356. Sample Nos. 54165-H, 54168-H.)

LIBEL FILED: August 6, 1947, Southern District of Indiana.

ALLEGED SHIPMENT: On or about October 16, 1945, by the Atlantic Coast Fisheries Co., from Cleveland, Ohio.

PRODUCT: 141 15-pound boxes of frozen whiting at Indianapolis, Ind.

LABEL, IN PART: "Fresh Frozen Genuine Cape Cod Whiting."

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

DISPOSITION: September 11, 1947. Default decree of forfeiture and destruction.

13629. Adulteration of frozen halibut and frozen lobster tails. U. S. v. Golden M & M, Inc., Jack Mandelbaum, Nathan Golden, and Morris Miller. Pleas of guilty. Corporation fined \$150; sentence against individuals suspended. (F. D. C. No. 23327. Sample Nos. 63236-H, 63237-H, 63937-H, 65035-H.)

INFORMATION FILED: April 12, 1948, District of New Jersey, against Golden M & M, Inc., Newark, N. J., and Jack Mandelbaum, president, Nathan Golden, vice-president, and Morris Miller, secretary-treasurer.

ALLEGED SHIPMENT: On or about May 23 and July 19 and 24, 1946, from the State of New Jersey into the States of New York and Pennsylvania.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in part of decomposed substances, i. e., decomposed lobster tails and halibut.

DISPOSITION: May 28, 1948. Pleas of guilty having been entered on behalf of the defendants, the corporation was fined \$150; suspended sentences were given the individual defendants.

13630. Adulteration of canned crab meat. U. S. v. Fred Whorton, Jr. (Whorton Bros. Fish & Oyster House). Plea of nolo contendere. Fine, \$200. (F. D. C. No. 24060. Sample Nos. 90370-H, 90371-H.)

INFORMATION FILED: December 30, 1947, Eastern District of North Carolina, against Fred Whorton, Jr., trading as Whorton Bros. Fish & Oyster House, Oriental, N. C.

ALLEGED SHIPMENT: On or about August 26 and 27, 1947, from the State of North Carolina into the States of Pennsylvania and New York.

LABEL, IN PART: "Whorton Brothers * * * Claw Crab Meat."

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: February 13, 1948. A plea of nolo contendere having been entered, the defendant was fined \$200.

13631. Adulteration of canned crab meat. U. S. v. 300 Cases, etc. (F. D. C. No. 23454. Sample Nos. 85217-H, 85218-H.)

LABEL FILED: June 24, 1947, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about February 10, 1947, by the Orleans Seafood Co., from New Orleans, La.

PRODUCT: Canned crab meat. 300 cases, each containing 24 7 $\frac{1}{2}$ -ounce cans, and 299 cases, each containing 24 6 $\frac{1}{2}$ -ounce cans, at Richmond, Va.

LABEL, IN PART: "Orleans Brand Claw Meat * * * Orleans Seafood Co. * * * Distributors" or "Southland Brand Claw Meat * * * Southland Canning & Packing Co. Inc. Distributors New Orleans, La."

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

DISPOSITION: November 6, 1947. Default decree of condemnation and destruction.

FRUITS AND VEGETABLES

CANNED FRUIT*

13632. Misbranding of canned blackberries. U. S. v. 349 Cases * * *
(F. D. C. No. 23022. Sample No. 49500-H.)

LABEL FILED: May 9, 1947, Eastern District of Texas.

*See also No. 13673.