

Misbranding, Section 403 (a), the name "Sardines" on the labels of both lots and the picture of a pilchard on the label of one lot were false and misleading as applied to a product consisting of large sea herring.

DISPOSITION: October 28, 1948. Default decree of condemnation and destruction.

14013. Misbranding of fibered codfish. U. S. v. 72 Cartons * * *. (F. D. C. No. 25787. Sample No. 10102-K.)

LIBEL FILED: September 30, 1948, Eastern District of New York.

ALLEGED SHIPMENT: On or about September 17, 1948, by J. W. Beardsley's Sons, from Newark, N. J.

PRODUCT: 72 5-pound cartons of fibered codfish at Woodside, L. I., N. Y. Examination showed that the product consisted of shredded codfish containing numerous small bones.

LABEL, IN PART: "Matchless Fibered Codfish."

NATURE OF CHARGE: Misbranding, Section 403 (a), the name "Fibered Codfish" was false and misleading and applied to a product from which little or none of the bones had been removed.

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

14014. Adulteration of crab meat. U. S. v. Earl H. Holton (Pamlico Packing Co.). Plea of nolo contendere. Fine, \$250. (F. D. C. No. 25302. Sample Nos. 2053-K, 2056-K to 2058-K, incl., 40132-K.)

INFORMATION FILED: September 27, 1948, Eastern District of North Carolina, against Earl H. Holton, trading as the Pamlico Packing Co., Vandemere, N. C.

ALLEGED SHIPMENT: On or about June 22, 23, 29, and 30, 1948, from the State of North Carolina into the States of Maryland and New York.

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: October 11, 1948. A plea of nolo contendere having been entered, the defendant was fined \$250.

14015. Adulteration of crab meat. U. S. v. 4 Barrels, etc. (F. D. C. No. 25559. Sample No. 3722-K.)

LIBEL FILED: September 3, 1948, District of Columbia.

ALLEGED SHIPMENT: On or about August 31, 1948, by M. F. Quinn, from Hampton, Va.

PRODUCT: 4 Barrels, each containing 100 1-pound cans, of crab meat at Washington, D. C.

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 *E. coli*; and, Section 402 (a) (4), the product had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 1, 1948. Default decree of condemnation. The product was ordered delivered to the zoo, to be used for animal feed.

14016. Adulteration of crab meat. U. S. v. 17 Cans * * *. (F. D. C. No. 25547. Sample No. 3705-K.)

LIBEL FILED: August 31, 1948, District of Columbia.

ALLEGED SHIPMENT: On or about August 25, 1948, by V. S. Lankford & Co., from Hampton, Va.

PRODUCT: 17 1-pound cans of crab meat at Washington, D. C.

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 *E. coli*; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 10, 1948. The shipper having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered delivered to the zoo, to be fed to the animals.

14017. Adulteration of canned crab meat. U. S. v. 44 Cases * * *. (F. D. C. No. 25692. Sample No. 34256-K.)

LIBEL FILED: October 4, 1948, Northern District of California.

ALLEGED SHIPMENT: On or about August 16 and 30, 1948, by Hallmark Fisheries, from Charleston, Oreg.

PRODUCT: 44 cases, each containing 48 7-ounce cans, of crab meat at Oakland, Calif.

LABEL, IN PART: "Wave King Dungeness Fancy Crabmeat."

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

DISPOSITION: November 5, 1948. Default decree of condemnation and destruction.

14018. Adulteration of frozen crab meat. U. S. v. 120 Cans * * *. (F. D. C. No. 25490. Sample No. 8733-K.)

LIBEL FILED: On or about August 25, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about July 11, 1948, from Fernandina, Fla., and Wenona, Md.

PRODUCT: 120 1-pound cans of crab meat at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed crab meat. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 14, 1948. Default decree of condemnation and destruction.

14019. Misbranding of oysters. U. S. v. Irvington Fish & Oyster Co., Inc. Plea of guilty. Fine of \$600 on count 1, imposition of sentence suspended on count 2, and defendant placed on probation for 1 year. (F. D. C. No. 25565. Sample Nos. 15027-K, 15028-K.)

INFORMATION FILED: December 17, 1948, Eastern District of Virginia, against Irvington Fish & Oyster Co., Inc., Irvington, Va.

ALLEGED SHIPMENT: On or about December 17, 1947, from the State of Virginia into the State of Illinois.

LABEL, IN PART: "Morris Brand * * * Oysters * * * Packed by Irvington Fish & Oyster Co., Inc. For Morris Fisheries, Inc. Chicago."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for oysters "standards" and oysters "selects." The standard provides that the total time that oysters "selects" and "standards" are in contact with water after leaving the shucker