

and Drug Administration. 346 cans were released to the claimant, and the unfit portion, consisting of 50 cans, was denatured and disposed of for industrial use.

### FISH AND SHELLFISH

**16364. Adulteration of frozen fish. U. S. v. 210 Pounds \* \* \*. (F. D. C. No. 29250. Sample No. 77331-K.)**

**LIBEL FILED:** May 31, 1950, Southern District of Illinois.

**ALLEGED SHIPMENT:** On or about August 23, 1947, from Lakeland, Fla.

**PRODUCT:** 210 pounds of frozen fish at Peoria, Ill.

**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 fish. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** June 26, 1950. Default decree of condemnation and destruction.

**16365. Adulteration of frozen mackerel. U. S. v. 922 Pounds \* \* \*. (F. D. C. No. 28694. Sample No. 10350-K.)**

**LIBEL FILED:** January 31, 1950, Southern District of New York.

**ALLEGED SHIPMENT:** On or about September 18, 1949, by the Bridget Fish Co., from Plymouth, Mass.

**PRODUCT:** 922 pounds of frozen mackerel 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 fish.

**DISPOSITION:** May 3, 1950. Default decree of condemnation and destruction.

**16366. Adulteration of frozen perch fillets. U. S. v. 9 Cartons \* \* \*. (F. D. C. No. 29264. Sample No. 74441-K.)**

**LIBEL FILED:** June 27, 1950, Northern District of New York.

**ALLEGED SHIPMENT:** On or about May 4, 1950, by New England Fillet Co., Inc., from Boston, Mass.

**PRODUCT:** 9 cartons, each containing 5 10-pound packages, of frozen perch fillets at Syracuse, N. Y.

**LABEL, IN PART:** "Seacrest Brand Frozen Perch Fillets."

**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 parasites.

**DISPOSITION:** August 11, 1950. Default decree of forfeiture and destruction.

**16367. Adulteration of frozen whiting. U. S. v. 1,800 Boxes \* \* \*. (F. D. C. No. 28931. Sample No. 75201-K.)**

**LIBEL FILED:** March 30, 1950, District of Colorado.

**ALLEGED SHIPMENT:** On or about March 16, 1950, by the Pond Village Cold Storage Co., from North Truro, Mass.

**PRODUCT:** 1,800 15-pound boxes of frozen whiting at Denver, Colo.

**LABEL, IN PART:** "H & G Whiting Booth Fisheries Corp., Boston, Mass."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a putrid substance by reason of the presence of putrid fish.

**DISPOSITION:** On May 15, 1950, the Booth Fisheries Corp. having appeared as claimant, the court ordered that 20 boxes of the product be released under bond to the claimant for the purpose of testing and sampling; and, in addition, that 20 boxes of the fish be released to the Government. On June 26, 1950, the claimant having admitted the allegations of the libel, the court ordered that 918 boxes of the product which had been determined by the Food and Drug Administration to be unfit for human consumption be confiscated and disposed of by the United States marshal as fertilizer, under the supervision of the Food and Drug Administration, and that 803 boxes of the product which had been found to be fit for human consumption be released to the claimant.

**16368. Adulteration of frozen whiting. U. S. v. 1,400 Boxes \* \* \*. (F. D. C. No. 29213. Sample No. 72901-K.)**

**LIBEL FILED:** May 3, 1950, Western District of Kentucky.

**ALLEGED SHIPMENT:** On or about April 25, 1950, by the Maine Fillet Co., from Portland, Maine.

**PRODUCT:** 1,400 10-pound boxes of frozen whiting at Louisville, Ky.

**LABEL, IN PART:** "Scaled H & G Whiting Casco."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a putrid substance by reason of the presence of putrid fish.

**DISPOSITION:** June 29, 1950. Default decree of condemnation and destruction.

**16369. Adulteration of frozen whiting. U. S. v. 398 Boxes \* \* \* (and 1 other seizure action). (F. D. C. Nos. 29243, 29257. Sample Nos. 72911-K, 76134-K.)**

**LIBELS FILED:** May 31 and June 1, 1950, Northern District of Iowa and Western District of Kentucky.

**ALLEGED SHIPMENT:** On or about April 28 and 29, 1950, by the Booth Fisheries Corp., from North Truro, Mass.

**PRODUCT:** Frozen whiting. 398 15-pound boxes at Louisville, Ky., and 420 15-pound boxes at Sioux City, Iowa.

**LABEL, IN PART:** "H & G Scaled Whiting" or "H & G Whiting."

**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 fish.

**DISPOSITION:** June 29 and July 1, 1950. Default decrees of condemnation. The court ordered that the Louisville lot be destroyed and that the Sioux City lot be sold on condition that it be denatured and used as animal feed. In addition, the court provided that the latter lot of fish be destroyed in the event it is not sold.