

**FISH AND SHELLFISH**

**17117. Adulteration of frozen ocean perch filets. U. S. v. Vinalhaven Fisheries, Inc., Anthony P. Mantia, and Jacob M. Rosengard.** Plea of guilty for corporation; pleas of nolo contendere for individuals. Fine of \$500 against corporation and \$250 against each individual. (F. D. C. No. 29637. Sample Nos. 79325-K, 79456-K, 79457-K, 79607-K to 79609-K, incl.)

**INFORMATION FILED:** October 24, 1950, District of Maine, against Vinalhaven Fisheries, Inc., Vinalhaven, Maine, and against Anthony P. Mantia, president, and Jacob M. Rosengard, treasurer, of the corporation.

**ALLEGED SHIPMENT:** On or about April 23 and May 4 and 7, 1950, from the State of Maine into the State of Massachusetts.

**LABEL, IN PART:** "Bonnie Brand Fillets Frosted Ocean Perch \* \* \* Genoa Fisheries, Inc., Gloucester and Boston, Mass." and "Silver Sea Frosted Fillets Perch \* \* \* Jarrell & Rea—Boston."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of parasites, namely, copepods.

**DISPOSITION:** January 15, 1951. A plea of guilty having been entered on behalf of the corporation and pleas of nolo contendere having been entered on behalf of the individuals, the court imposed a fine of \$500 against the corporation and a fine of \$250 against each individual.

**17118. Misbranding of canned salmon. U. S. v. 499 Cases \* \* \*. (F. D. C. No. 30348. Sample No. 80400-K.)**

**LIBEL FILED:** December 21, 1950, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about August 25 and September 8, 1950, by Hamlin-Halferty Seafoods, Inc., from Seattle, Wash.

**PRODUCT:** 499 cases, each containing 48 7 $\frac{3}{4}$ -ounce cans, of salmon at Boston, Mass.

**LABEL, IN PART:** (Can) "Sportsman's Pride Fancy Quinault Blueback Salmon Net Wt. 7 $\frac{3}{4}$  Oz. Packed By Mohawk Packing Co., Moclips, Wash."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement "Fancy Quinault Blueback Salmon" was false and misleading as applied to salmon other than blueback salmon caught in the Quinault River. Further misbranding, Section 403 (a), the label statement "Packed By Mohawk Packing Co., Moclips, Wash." was false and misleading since a portion of the product was packed by the American Packing Co., Anacortes, Wash.

**DISPOSITION:** January 25, 1951. Morrison & Schiff, Inc., Boston, Mass., claimant, having contested to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled in compliance with the law, under the supervision of the Food and Drug Administration.

**17119. Adulteration of oysters. U. S. v. 75 pints, etc. (and 2 other seizure actions). (F. D. C. Nos. 30350, 30352, 30353. Sample Nos. 67035-K to 67037-K, incl.)**

**LIBELS FILED:** January 2, 1951, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about December 15, 1950, by the Gloucester Seafood Packing Co., Bena, Va.

**PRODUCT:** Oysters. 100 pints at Pinellas Park, Fla.; 300 pints at Tampa, Fla.; and 88 pints at St. Petersburg, Fla.

**LABEL, IN PART:** "Duke of Gloucester Brand" Oysters Standards [or "Selects"]" or "King O' Sea Brand Oysters Selects."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), water had been substituted in whole or in part for oysters; and, Section 402 (b) (4), water had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

**DISPOSITION:** January 27, 1951. Default decrees of condemnation and destruction.

**17120. Misbranding of canned shrimp in cocktail sauce. U. S. v. 28 Cases**  
\* \* \* (F. D. C. No. 29042. Sample No. 80942-K.)

**LABEL FILED:** April 4, 1950, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about January 30 and March 7, 1950, by Delca Fish Preservators, Inc., from Brooklyn, N. Y.

**PRODUCT:** 28 cases, each containing 24 jars, of shrimp in cocktail sauce at Philadelphia, Pa.

**LABEL, IN PART:** (Jar) "Delca Brand Shrimp Net Contents 5 Oz. Avd. In Cocktail Sauce."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the word "Shrimp," which appeared on the label in heavy type, was false and misleading as applied to an article which consisted of a small amount of shrimp and a large proportion of cocktail sauce; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents (the article was short of the declared weight).

Further misbranding, Section 403 (k), the article contained a chemical preservative, namely, benzoic acid, and it failed to bear labeling stating that fact.

**DISPOSITION:** April 5, 1951. Delca Fish Preservators, Inc., claimant, having failed to file an answer, judgment of condemnation was entered and the court ordered that the product be destroyed.

## FRUITS AND VEGETABLES

### CANNED FRUIT

**17121. Adulteration of canned apricots. U. S. v. 64 Cases** \* \* \* (F. D. C. No. 29987. Sample No. 58828-K.)

**LABEL FILED:** November 9, 1950, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about July 17, 1950, by the Manteca Canning Co., Inc., from Manteca, Calif.

**PRODUCT:** 64 cases, each containing 24 1-pound, 14-ounce cans, of apricots at Chicago, Ill.

**LABEL, IN PART:** (Can) "Sultana Whole Peeled Apricots In Heavy Syrup."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article was unfit for food by reason of the presence of a phenolic substance.

**DISPOSITION:** February 8, 1951. Default decree of condemnation and destruction.