

**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 eggs.

**DISPOSITION:** August 13, 1951. Manhattan Egg Co., Inc., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for the segregation and denaturing of the unfit portion, under the supervision of the Food and Drug Administration. 324 cans of eggs were released and the remainder were denatured.

**17864. Adulteration of frozen eggs. U. S. v. 200 Cans \* \* \* (F. D. C. No. 31233. Sample No. 8785-L.)**

**LIBEL FILED:** July 6, 1951, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about May 26, 1951, by the Cudahy Packing Co., from Bedford, Iowa.

**PRODUCT:** 200 30-pound cans of frozen eggs at Chicago, Ill.

**LABEL, IN PART:** "Cudahy's Sunlight Whole Eggs."

**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 eggs.

**DISPOSITION:** August 6, 1951. The Cudahy Packing Co., Omaha, Nebr., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Federal Security Agency. Segregation of the product resulted in the release of 167 30-pound cans of eggs and the destruction of 33 cans.

## FISH AND SHELLFISH

**17865. Adulteration of frozen red snappers. U. S. v. 2,040 Pounds \* \* \* (F. D. C. No. 31385. Sample Nos. 23220-L, 23223-L.)**

**LIBEL FILED:** July 25, 1951, Southern District of New York.

**ALLEGED SHIPMENT:** On or about May 26, 1951, by the City Fish Market, Panama City, Fla.; by Spence Brothers, Pensacola, Fla.; and by the Star Fish & Oyster Co., Mobile, Ala.

**PRODUCT:** 2,040 pounds of frozen red snappers 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:** August 20, 1951. Default decree of condemnation and destruction.

**17866. Misbranding of canned tuna fish. U. S. v. 179 Cases, etc. (F. D. C. No. 31437. Sample Nos. 30125-L, 30126-L.)**

**LIBEL FILED:** July 25, 1951, Western District of Washington.

**ALLEGED SHIPMENT:** On or about September 15 and October 18, 1950, by Hawaiian Tuna Packers, Ltd., from Honolulu, T. H.

**PRODUCT:** 588 cases, each containing 48 cans, of tuna fish at Seattle, Wash.

**LABEL, IN PART:** (Can) "Standby Royal Hawaiian Brand Fancy Solid Pack Tuna. 7 Oz. Net Avd."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (Examination showed that the article was short of the declared weight.)

**DISPOSITION:** August 27, 1951. Hawaiian Tuna Packers, Ltd., Honolulu, T. H., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.

**17867. Misbranding of canned fish roe. U. S. v. 21 Cases \* \* \*. (F. D. C. No. 31407. Sample No. 1712-L.)**

**LIBEL FILED:** August 14, 1951, Eastern District of South Carolina.

**ALLEGED SHIPMENT:** On or about April 4, 1951, by the Blue Channel Corp., from Belhaven, N. C.

**PRODUCT:** 21 cases, each containing 24 cans, of fish roe at Columbia, S. C.

**LABEL, IN PART:** (Can) "Harris American Fish Roe Net Weight 8 Oz."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The cans contained less than the labeled 8 ounces.)

**DISPOSITION:** September 17, 1951. Default decree of condemnation and destruction. On November 2, 1951, an amended decree was entered ordering that the product be delivered to a public institution.

**17868. Adulteration and misbranding of canned herring roe. U. S. v. 10 Cases \* \* \* (and 1 other seizure action). (F. D. C. Nos. 31225, 31226. Sample Nos. 3340-L, 3341-L.)**

**LIBELS FILED:** On or about July 2, 1951, District of Maryland.

**ALLEGED SHIPMENT:** On or about February 26 and March 22, 1951, by Cape King Fisheries, Inc., from New Bedford, Mass.

**PRODUCT:** 33 cases, each containing 24 15-ounce cans, of herring roe at Hagerstown, Md.

**LABEL, IN PART:** (Can) "Cape King Herring Roe."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a roe other than herring roe had been substituted in whole or in part for herring roe.

Misbranding, Section 403 (a), the label declaration "Herring Roe" was false and misleading as applied to an article consisting of roe other than herring roe.

**DISPOSITION:** September 17, 1951. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution for its use and not for sale.

**17869. Adulteration of frozen clams. U. S. v. 104 Cases \* \* \*. (F. D. C. No. 31438. Sample No. 18255-L.)**

**LIBEL FILED:** July 10, 1951, Southern District of California.

**ALLEGED SHIPMENT:** On or about June 12, 1951, by the Peconic Bay Packing Co., from Mattituck, Long Island, N. Y.

**PRODUCT:** 104 cases, each containing 12 4-pound packages, of frozen clams at Los Angeles, Calif.

**LABEL, IN PART:** (Package) "Long Island Frozen Chowder Clams."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in part of a decomposed substance because of the presence of decomposed clams.