

SHIPPED: 8-26-58 and 8-29-58, from Portland, Maine, by Central Wharf Cold Storage.

LABEL IN PART: (Ctn.) "H & D Whiting 5/10 Mid-Central Fish Co. Of Maine Portland, Maine."

LIBELED: 10-24-58, W. Dist. Mo.

CHARGE: 402(a)(3)—contained decomposed fish when shipped; 402(b)(2)—partly eviscerated whiting had been substituted for dressed whiting which the article was represented to be; 402(b)(4)—partially eviscerated whiting had been packed with the article so as to make it appear to be dressed whiting, which is better and of greater value than the article; 403(a)—the label statement "H & D Whiting" was false and misleading as applied to fish which were only partly eviscerated; and 403(e)(1)—the box label of the article failed to bear the name and address of the manufacturer, packer, or distributor.

DISPOSITION: 12-24-58. Default—destruction.

25297. Canned sardines. (F.D.C. No. 42504. S. No. 47-345 P.)

QUANTITY: 3 cases, 100 tins each, and 83 ctns., 25 tins each, at Boston, Mass.

SHIPPED: 7-16-58, from Denmark.

LIBELED: 11-21-58, Dist. Mass.

CHARGE: 402(a)(3)—contained decomposed fish while held for sale.

DISPOSITION: 12-17-58. Consent—claimed by S. S. Pierce Co., Boston, Mass. Segregation operations to separate the good portion from the bad proved to be unsatisfactory and the article was destroyed.

25298. Frozen frog legs. (F.D.C. No. 42279. S. No. 32-188 P.)

QUANTITY: 3 ctns., 10 5-lb. pkgs. each, at Monmouth Beach, N.J.

SHIPPED: 2-24-58, from New York, N.Y.

LIBELED: On or about 11-21-58, Dist. N.J.

CHARGE: 402(a)(3)—contained decomposed frog legs while held for sale.

DISPOSITION: 12-19-58. Default—destruction.

25299. Fresh crabmeat. (Inj. 317.)

COMPLAINT FOR INJUNCTION FILED: 10-10-57, Dist. Md., against Irving F. Cannon, an individual trading as I. F. Cannon & Son, Crapo, Md., and Irving F. Cannon, Jr., an individual.

CHARGE: The complaint alleged that the defendants were engaged at Crapo, Md., in the business of preparing, packing, and shipping fresh crabmeat in interstate commerce, which was adulterated within the meaning of 402(a)(4) by reason of being prepared, packed, and held under insanitary conditions.

It was alleged that the insanitary conditions in the plant operated by the defendants at Crapo, Md., resulted from and consisted of the presence of numerous flies throughout the plant, on the equipment, on the employees, and on the crabs and crabmeat being prepared and packed; broken and ill-fitting screen doors in the plant; filthy toilet facilities with ill-fitting doors through which the flies entered and returned to other parts of the plant; inadequate toilet facilities for employee use.

It was alleged further that the insanitary conditions consisted of careless practices on the part of the employees in the preparing, packing, and handling of the food, namely, placing crabs and claws which had fallen to the floor into the crab hopper and on the picking tables; placing tubs for the crabs on the crab