

FISH AND SHELLFISH

28846. Frozen perch fillets. (F.D.C. No. 48996. S. Nos. 56-066/7 V, 56-070/1 V.)

QUANTITY: 190 10-lb. ctns., and 58 50-lb. ctns., each containing 10 5-lb. boxes (each fillet individually wrapped), at Gloucester, Mass.

SHIPPED: The article was in part from fish caught by the fishing vessel "Lady of Good Voyage" in the waters of the Atlantic Ocean outside the territorial limits of the State of Massachusetts and unloaded 5-6-63, at Gloucester, Mass.

LIBELED: 6-5-63, Dist. Mass.

CHARGE: 402(a) (3)—contained parasitic copepods when shipped.

DISPOSITION: 6-26-63. Consent—claimed by Hygeia Brand Fillet Co., Inc., Gloucester, Mass., and reconditioned.

28847. Frozen breaded perch. (F.D.C. No. 48415. S. No. 6-473 V.)

QUANTITY: 43 cases, each containing 12 4½-lb. ctns., at Lowell, Mass.

SHIPPED: 11-1-62, from Indianapolis, Ind. This was a return shipment.

LABEL IN PART: (Ctn.) "Quick Frozen Breaded Fish Portions 24-3 Oz. Portions Perch * * * Packed In USA For Acadia Fisheries Ltd. Mulgrave-Nova Scotia."

RESULTS OF INVESTIGATION: Examination showed the article to be pollock fish.

LIBELED: 12-13-62, Dist. Mass.

CHARGE: 403(a)—when shipped, the name "Perch" was false and misleading as applied to a product consisting of pollock fish; and 403(b)—the article was pollock fish which was offered for sale under the name of another food, namely, perch.

DISPOSITION: 1-10-63. Consent—claimed by Commodore Foods, Inc., Lowell, Mass., and relabeled.

28848. Frozen haddock fillets. (F.D.C. No. 48634. S. Nos. 6-960 V, 7-681 V.)

QUANTITY: 6 ctns., each containing 10 5-lb. pkgs., and 19 ctns., each containing 5 10-lb. pkgs., at Boston, Mass.

SHIPPED: The fillets were prepared and packed at Boston, Mass., from fish caught by fishing vessels "Comet" and "Michigan," in the waters of the Atlantic Ocean outside the territorial limits of the State of Massachusetts, which landed the fish at Boston on or about 1-8-63 and 1-9-63.

LIBELED: 2-8-63, Dist. Mass.

CHARGE: 402(a) (3)—contained decomposed fish fillets when shipped.

DISPOSITION: 3-25-63. Default—delivered to a public institution for use as animal feed.

28849. Frozen pollock. (F.D.C. No. 48454. S. Nos. 15-253/4 V.)

QUANTITY: 1,700 lbs. contained in cardboard cases, at Pendleton, Ind.

SHIPPED: 10-9-62 and 10-15-62, from Chicago, Ill., by Pick-Shapiro Fisheries, Inc.

LABEL IN PART: (Cases) "Haddock, 4 Oz. Raw Portions."

LIBELED: On or about 12-12-62, S. Dist. Ind.; amended libel on or about 1-8-63.

CHARGE: 402(b) (2)—when shipped, a substance, namely, pollock fish, had been substituted for haddock fish which the article purported and was represented to be; 403(a)—the name of the article "Haddock" was false and misleading