

CHARGE: 402(a)(2)(A)—while held for sale, the article bore and contained an added poisonous and deleterious substance, namely, DDT, which was unsafe within the meaning of Section 406 since such substance was not required in the production of the article and could be avoided by good manufacturing practice; and 402(a)(4)—the article had been held under insanitary conditions whereby it may have been rendered injurious to health.

DISPOSITION: 2-24-64. Default—destruction.

FISH AND SHELLFISH

29345. Frozen perch fillets. (F.D.C. No. 49233. S. Nos. 6-402 X, 7-544 X.)

QUANTITY: 1,101 unlabeled 8-lb. boxes at Gloucester, Mass.

SHIPPED: These fillets were from fish caught by the fishing vessel "Admiral" in the waters of the Atlantic Ocean outside the territorial limits of Massachusetts, and unloaded at Gloucester, Mass., on 7-30-63.

LIBELED: 8-19-63, Dist. Mass.

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

DISPOSITION: 10-28-63. Consent—claimed by North Atlantic Fish Co., Inc., of Gloucester, Mass., and reconditioned.

29346. Canned tunafish. (F.D.C. No. 49569. S. No. 59-230 X.)

QUANTITY: 168 cases of 4-lb. 2½-oz. cans at Los Angeles, Calif.

SHIPPED: 6-7-63, from New York, N.Y.

LIBELED: 12-23-63, S. Dist. Calif.

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

DISPOSITION: 3-10-64. Default—destruction.

29347. Breaded shrimp. (F.D.C. No. 49443. S. No. 28-078 X.)

QUANTITY: 661 cases, each containing 24 10-oz. pkgs., at Detroit, Mich.

SHIPPED: 9-30-63 and 10-7-63, from Kansas City, Kans., by Topco Associates, Inc.

LABEL IN PART: (Pkg.) "Dartmouth Frozen Breaded Shrimp Distributed by Dartmouth Marketing Co., Inc., Chicago, Ill."

RESULTS OF INVESTIGATION: Inspection of the manufacturer of the article, Valley Frozen Foods, Port Isabel, Tex., showed that the article had been prepared and packed under insanitary conditions.

LIBELED: 11-13-63, E. Dist. Mich.

CHARGE: 402(a)(3)—contained *E. coli*, excessive coliforms, coagulase positive staphylococci and a high total bacterial count; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 1-15-64. Default—destruction.

29348. Frozen lobster tails. (F.D.C. No. 45186. S. Nos. 46-514 R, 46-531 R.)

QUANTITY: 863 30-lb. ctns., and 889 ctns., each containing 6 1½-lb. pkgs., at Cleveland, Ohio.

SHIPPED: Between 2-16-60 and 4-12-60, from New York, N.Y.

LIBELED: 12-16-60, N. Dist. Ohio.

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