

court a libel praying seizure and condemnation of two cases of canned clams at Fall River, Mass.; alleging that the article had been shipped in interstate commerce on or about October 15, 1938, by Black & Gay Cannery, Inc., from Thomaston, Maine; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Mount Hope Fancy Maine Clams * * * Economy Wholesale Grocery Co. Distributors Fall River, Mass."

It was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On April 17, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30456. Adulteration of frozen fish. U. S. v. 54 Boxes and 495 Boxes of Red Perch Fillets. Default decrees of condemnation. Portion of product destroyed; remainder disposed of for fertilizer. (F. & D. Nos. 44869, 44892. Sample Nos. 53278-D, 54511-D, 54515-D.)

This product was infested with parasitic worms.

On or about February 17 and April 4, 1939, the United States attorneys for the Eastern District of Missouri and the Eastern District of Michigan, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 54 boxes of perch fillets at St. Louis, Mo., and 495 boxes of perch fillets at Detroit, Mich.; alleging that the article had been shipped in interstate commerce on or about January 31 and February 10, 1939, by Commonwealth Ice & Cold Storage Co. from Boston, Mass.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy animal substance.

On April 5 and 13, 1939, no claimant having appeared, judgments of condemnation were entered. The lot seized at St. Louis was ordered destroyed and that seized at Detroit was ordered delivered to a Government institution to be used for fertilizer.

M. L. WILSON, *Acting Secretary of Agriculture.*

30457. Adulteration of frozen fish. U. S. v. 1,000 Boxes of H & G Whiting. Consent decree of condemnation and destruction. (F. & D. No. 45021. Sample No. 31194-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be in part decomposed.

On March 14, 1939, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,000 boxes of fish at Denver, Colo., consigned by American Fish Co.; alleging that the article had been shipped on or about February 27, 1939, from Boston, Mass.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "H & G Whiting."

The article was alleged to be adulterated in that it consisted wholly or in part of a decomposed animal substance.

On March 25, 1939, the American Fish Co., owner, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30458. Adulteration of tomato catsup. U. S. v. 69 Cases of Tomato Catsup (and 6 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 44657, 44658, 44659, 44695, 44747, 44796, 44981. Sample Nos. 28189-D, 37780-D, 39811-D, 50544-D, 50549-D, 50580-D, 50911-D, 62520-D.)

Samples of this product were found to contain worm and insect fragments.

Between January 11 and March 8, 1939, the United States attorneys for the Western and Eastern Districts of Washington, the District of Oregon, and the Southern District of Alabama, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 624 cases of tomato catsup in various lots at Seattle, Yakima, and Spokane, Wash., Portland, Oreg., and Mobile, Ala.; alleging that the article had been shipped within the period from on or about October 25, 1938, to on or about January 9, 1939, by Val Vita Food Products, Inc., in part from Fullerton, Calif., and in part from Los Angeles, Calif.; and charging adulteration in violation of the Food and Drugs Act. Certain lots were labeled in part: "Val

Vita Brand [or "Monte Rio Brand"] Tomato Catsup * * * Val Vita Food Products Inc. Fullerton California." The remaining lot was labeled in part: "Nation's Garden Brand Tomato Catsup Packed for Fine Foods Inc. Seattle, Minneapolis."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On February 27, March 13, 23, and 24, and April 15, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30459. Adulteration of frozen pollack fillets. U. S. v. 40 Boxes of Fish Fillets (and 3 other seizure actions against the same product). Decrees of condemnation and destruction. (F. & D. Nos. 45063 to 45066, incl. Sample Nos. 51406-D to 51409-D, inclusive.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be in whole or in part decomposed.

On March 22, 1939, the United States attorney for the Middle District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 74 boxes of fillets at Harrisburg, Pa., and 9 boxes of fillets at Lemoyne, Pa.; alleging that the article had been shipped on or about March 13 and 16, 1939, by Union Premier Stores, Inc., from Baltimore, Md.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Fish Fillets Packed By Gorton-Pew Fisheries Co. Ltd., Gloucester, Mass."

It was alleged to be adulterated in that it consisted wholly or in part of a decomposed animal substance.

On April 6, 1939, no claimant having appeared and the United States attorney having petitioned that the product be condemned and destroyed since it had not been under proper refrigeration, and had become so rotten and decayed that it constituted a menace to health, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30460. Adulteration of canned crab meat. U. S. v. 52 Cases, 182 Cases, and 96 Cases of Crab Meat. Default decree of condemnation and destruction. (F. & D. Nos. 44799, 44800, 44801. Sample Nos. 43245-D, 43269-D, 43270-D, 43362-D.)

This product was in whole or in part decomposed.

On February 7, 1939, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 330 cases of canned crab meat at San Francisco, Calif.; alleging that the article had been shipped in interstate commerce in various shipments on or about May 22 and June 20 and 21, 1938, by Port Orford Sea Food Co. from Port Orford and Marshfield, Oreg.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Dodge [or "Anchor"] Brand Crab Meat."

It was alleged to be adulterated in that it consisted wholly or in part of a decomposed animal substance.

On April 15, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30461. Adulteration of frozen fillets. U. S. v. 983 Boxes and 34 Boxes of Ocean Perch. Default decrees of condemnation and destruction. (F. & D. Nos. 45132, 45142. Sample Nos. 35112-D, 43144-D.)

This product was infested with parasitic worms.

On April 3 and 5, 1939, the United States attorneys for the Western District of Pennsylvania and the Southern District of West Virginia, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 983 boxes of ocean perch at Pittsburgh, Pa., and 34 boxes of ocean perch at Charleston, W. Va.; alleging that the article had been shipped in interstate commerce on or about March 18 and 21, 1939, by the Great Atlantic & Pacific Tea Co. from Boston, Mass.; and charging adulteration in violation of the Food and Drugs Act.