

30852. Adulteration of frozen fish. U. S. v. 94 Boxes and 94 Boxes of Ocean Perch. Default decrees of condemnation and destruction. (F. & D. Nos. 45223, 45454. Sample Nos. 58798-D, 65252-D.)

This product contained parasitic worms.

On April 24 and June 6, 1939, the United States attorneys for the Southern District of Indiana and the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 94 boxes of ocean perch fillets at Indianapolis, Ind., and 94 boxes of ocean perch fillets at Dayton, Ohio; alleging that the article had been shipped in interstate commerce on or about April 4 and May 19, 1939, by O'Donnell-Usen Fisheries Corporation 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 June 29 and July 13, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

30853. Adulteration of frozen fish. U. S. v. 1,382 Boxes of Skinless Cod Fillets, et al. Portions of product condemned and ordered destroyed. Remainder condemned and ordered released under bond for segregation and destruction of unfit portions. (F. & D. Nos. 44907, 44908, 44910, 44911. Sample Nos. 58845-D, 58846-D, 58848-D, 58849-D.)

These products had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination two of the four lots were found to be in part decomposed, and the remaining lots were found to be infested with parasitic worms.

On February 27, 1939, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 4 lots, aggregating 2,610 boxes of frozen fish, at Knoxville, Tenn.; alleging that the articles had been shipped by the Commonwealth Ice & Cold Storage Co. from Boston, Mass., within the period from on or about June 18, 1938, to on or about January 27, 1939; and charging adulteration in violation of the Food and Drugs Act. Certain lots were labeled in part: "Skinless Cod Fillets [or "Small Haddock"] O'Donnell-Usen Fisheries." The remaining lots were labeled in part: "Wachusett Brand Fancy Fillets Skinless [or "Sea Perch"]."

Adulteration was alleged with respect to two lots in that they were in whole or in part decomposed, filthy, and putrid. The remaining lots were alleged to be adulterated in that they consisted wholly or in part of filthy animal substances containing parasites.

On April 1, 1939, the P. H. Prior Co., Boston, Mass., having proved ownership of the 248 boxes of the Wachusett brand and having consented to the entry of a decree of destruction of that brand, judgment of condemnation was entered and the product was ordered destroyed. On April 22, 1939, the Lay Packing Co., Knoxville, Tenn., claimant for the two remaining lots, having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that the unfit portion be segregated and destroyed.

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

30854. Adulteration of frozen fish. U. S. v. 290 Boxes of Frozen Fillets (and 2 other seizure actions against similar products). Default decrees of condemnation and destruction. (F. & D. Nos. 45027, 45167, 45354. Sample Nos. 53376-D, 63442-D, 65523-D, 65586-D.)

These products had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination, two of the lots were found to be infested with parasitic worms, and the remaining lot was found to be in whole or in part decomposed.

Between March 16 and May 18, 1939, the United States attorneys for the Southern District of Indiana, Northern District of Ohio, and Southern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 290 boxes of frozen fish at Indianapolis, Ind., 272 boxes of frozen fish at Akron, Ohio, and 16 cartons of frozen fish at Springfield, Ill.; alleging that the articles had been shipped within the period from on or about August 31, 1938, to on or about April 22, 1939, from Boston, Mass., in part by the 40 Fathom Fisheries Co., and in part by General Seafoods Corporation; and charging adulteration