

1451. Adulteration of frozen haddock fillets. U. S. v. 50 Boxes of Frozen Fillets. Default decree of condemnation and destruction. (F. D. C. No. 3338. Sample No. 31860-E.)

On November 16, 1940, the United States attorney for the Northern District of Illinois filed a libel against 50 boxes of frozen fillets at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about October 19, 1940, by Busalacchi Bros. from Boston, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "SM Hadd Fillets * * * Seakist Brand Fish."

On January 22, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1452. Adulteration of haddock fillets. U. S. v. 37 Cases of Haddock Fillets. Default decree of condemnation and destruction. (F. D. C. No. 3311. Sample No. 31854-E.)

On November 2, 1940, the United States attorney for the Northern District of Illinois filed a libel against 37 cases of haddock fillets at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about July 18, 1940, by the Frosted Foods Sales Corporation from Boston, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On January 23, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1453. Adulteration of frozen flounder fillets. U. S. v. 327 Boxes and 24 Boxes of Frozen Fillets. Default decree of condemnation and destruction. (F. D. C. No. 3359. Sample Nos. 31866-E, 31867-E.)

On November 16, 1940, the United States attorney for the Northern District of Illinois filed a libel against 351 boxes of frozen fillets at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about October 29, 1940, by the Weinreb Fish Co. from New York, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On January 28, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1454. Adulteration of whiting. U. S. v. 100 Boxes of H. and G. Whiting. Default decree of condemnation and destruction. (F. D. C. No. 3306. Sample No. 31852-E.)

On or about November 6, 1940, the United States attorney for the Northern District of Illinois filed a libel against 100 boxes of H. and G. whiting at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about October 18, 1940, by 40-Fathom Fish, Inc., from Boston, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "H and G Whiting Packed by General Seafoods Corporation."

On January 23, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1455. Adulteration of frozen whiting fillets. U. S. v. 80 Boxes of Frozen Fillets. Default decree of condemnation and destruction. (F. D. C. No. 3335. Sample No. 31861-E.)

On or about November 16, 1940, the United States attorney for the Northern District of Illinois filed a libel against 80 boxes of frozen fillets at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about September 14 and 29, 1940, by the Gloucester Seafoods Corporation, from Gloucester, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Frosted H and G Whiting."

On January 28, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MISCELLANEOUS

1456. Adulteration of tullibeecs. U. S. v. 57 Boxes of Tullibeecs. Consent decree of condemnation. Product ordered converted into fertilizer. (F. D. C. No. 2243. Sample No. 4888-E.)

This product contained parasitic worms.

On June 20, 1940, the United States attorney for the Northern District of Illinois filed a libel against 57 boxes of tullibeecs at Chicago, Ill., alleging that

the article had been shipped in interstate commerce on or about June 10, 1940, by the Selvog Fish Co. from Minneapolis, Minn.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On June 27, 1940, Morris Fisheries, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered converted into fertilizer.

1457. Adulteration and misbranding of canned tuna fish. U. S. v. 17 and 23 Cases of Tuna Fish. Default decree of condemnation and destruction. (F. D. C. No. 1997. Sample No. 10813-E.)

This product when originally shipped in interstate commerce, was labeled "F. S. C. Brand Tuna Flakes." Subsequent to such shipment a portion was relabeled "White Meat Tuna." It was not white meat tuna but was identical with or similar to yellow fin tuna.

On May 24, 1940, the United States attorney for the Northern District of New York filed a libel against 17 cases of unlabeled and 23 cases of labeled tuna fish at Schenectady, N. Y., alleging that the article had been shipped in interstate commerce on or about January 26 and February 2, 1940, by the Sea Foods Corporation from Manila, P. I., to William A. Camp Co., Inc. at New York, N. Y., bearing the shipper's "F. S. C. Brand Tuna" labels; that after receipt by the William A. Camp Co., Inc., the labels were stripped from the cans and 40 cases were shipped unlabeled on or about April 10, 1940, to Schenectady, N. Y., and invoiced by William A. Camp Co., Inc., as "White Meat Tuna"; that Grosberg-Golub Co., Inc., the firm to which it had been shipped while the article was in interstate commerce relabeled 23 cases in part as follows: "White Meat Tuna Fish Sweet Life * * * Distributed by Sweet Life Food Corp. Brooklyn, N. Y."

Both labeled and unlabeled portions were alleged to be adulterated in that a substance, light meat tuna, had been substituted wholly or in part for white meat tuna, which it purported to be.

The labeled portion was alleged to be misbranded in that the statement "White Meat Tuna" was false and misleading since the article was not white meat tuna; and in that it was offered for sale under the name of another food. The unlabeled portion was alleged to be misbranded in that it was in package form, and while in interstate commerce and when shipped and received in interstate commerce, it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; an accurate statement of the quantity of the contents; and the common or usual name of the food which it purported to be.

On July 17, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FRUITS AND VEGETABLES

BLUEBERRIES

1458. Adulteration of blueberries. U. S. v. 13 Crates of Blueberries. Default decree of condemnation and destruction. (F. D. C. No. 3282. Sample No. 34262-E.)

This product was infested with maggots.

On August 5, 1940, the United States attorney for the Southern District of New York filed a libel against 13 crates of blueberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 4, 1940, by M. Kundrack from St. Clair, Pa.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed vegetable substance. It was labeled in part: "Sunny Mountains Brand Sweet Berries St. Clair, Pa."

On September 10, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

CANNED FRUITS AND VEGETABLES

1459. Misbranding of pitted sour cherries. U. S. v. 174 Cans of Pitted Sour Cherries. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 3065. Sample Nos. 27401-E, 27402-E, 27403-E.)

This product contained excessive pits. It had been shipped in interstate commerce as substandard cherries but had been relabeled after such shipment as standard cherries.