

2424. Adulteration of frozen whiting. U. S. v. 200 Boxes of Whiting Fillets (and 5 other seizure actions against frozen whiting). Consent decree of condemnation and product released under bond in one case; default decrees of condemnation and destruction in remaining cases. (F. D. C. Nos. 5448, 5616, 5665, 5666, 5763, 5991. Sample Nos. 29619-E, 29630-E, 29636-E, 29738-E, 79106-E, 79108-E, 79118-E, 79312-E.)

Between August 26 and October 8, 1941, the United States attorneys for the Southern District of Ohio and the Northern District of Ohio filed libels against 2,890 boxes of frozen whiting fillets at Cincinnati, Ohio, and 706 boxes of frozen whiting fillets at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce within the period from on or about August 15 to on or about September 16, 1941, by Henry & Close, Inc., from Boston, Mass.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled variously in part: "H. & G. Whiting," "Whiting Fillets * * * Frozen," or "Frozen Butterfly Whiting Fillets."

On October 8, 1941, Henry & Close, Inc., having appeared as claimant for one lot, consisting of 1,180 boxes seized at Cincinnati, Ohio, and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reconditioning. On October 1 and 21, and November 4 and 10, 1941, no claimant having appeared for the remaining lots, judgments of condemnation were entered and the product was ordered destroyed.

2425. Adulteration of frozen whiting. U. S. v. 234 Boxes of Butterfly Whiting. Default decree of condemnation and destruction. (F. D. C. No. 5447. Sample No. 29735-E.)

On August 27, 1941, the United States attorney for the Southern District of Ohio filed a libel against 234 boxes of fish at Xenia, Ohio, which had been consigned on or about August 11, 1941, alleging that the article had been shipped in interstate commerce on or about August 11, 1941, by the Mariners Fish Co. 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: (Boxes) "10 Lbs. Net Butterfly Whiting Frosted."

On October 11, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2426. Adulteration of frozen whiting. U. S. v. 394 Boxes of H. & G. Whiting. Default decree of condemnation and destruction. (F. D. C. No. 5613. Sample No. 79110-E.)

On September 3, 1941, the United States attorney for the Southern District of Ohio filed a libel against 394 boxes of H. & G. whiting at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about August 21, 1941, by the New England Fillet Co. from Boston, Mass.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: "15 Lbs. Net Frosted H. & G. Whiting Gloucester Sea Foods Corp."

On October 1, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2427. Adulteration of frozen whiting. U. S. v. 134 Boxes of Fish. Default decree of condemnation and destruction. (F. D. C. No. 5611. Sample No. 79114-E.)

On September 2, 1941, the United States attorney for the Southern District of Ohio filed a libel against 134 boxes of fish at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about August 16, 1941, by the O'Donnell-Usen Fisheries 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: (Box) "H & G Whiting Mariners Fish Co. Gloucester, Mass."

On October 1, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2428. Adulteration of frozen whiting. U. S. v. 1,379 Boxes of Whiting. Default decree of condemnation and destruction. (F. D. C. No. 5446. Sample No. 5599-E.)

On August 26, 1941, the United States attorney for the Northern District of Ohio filed a libel against 1,379 boxes of frozen fish fillets at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or

about August 14, 1941, by the Progressive Fillet Co. from Gloucester, Mass.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: "Frosted * * * H & G Whiting Frosted Fish."

On October 3, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2429. Adulteration of frozen whiting. U. S. v. 1,376 Boxes of Frozen Fish. Default decree of condemnation and destruction. (F. D. C. No. 5424. Sample Nos. 65506-E, 65593-E.)

On August 23, 1941, the United States attorney for the District of Colorado filed a libel against 1,376 boxes of frozen fish at Denver, Colo., which had been consigned by Progressive Fish Co., alleging that the article had been shipped in interstate commerce on or about August 6, 1941, 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: "H & G Whiting Frosted Fish."

On October 17, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MISCELLANEOUS

2430. Adulteration of tullibeets. U. S. v. Sivert A. Selvog (Selvog Fish Co.). Tried to the court. Judgment of guilty. Fine, \$500. (F. D. C. No. 2961. Sample No. 4388-E.)

Examination showed that this product was infested with parasites.

On May 27, 1941, the United States attorney for the District of Minnesota filed an information against Sivert A. Selvog, trading as Selvog Fish Co. at Warroad, Minn., alleging shipment by said defendant on or about June 8, 1940, from the State of Minnesota into the State of Illinois, of a quantity of tullibeets that were adulterated. The article was labeled in part: "Morris Fisheries Chicago, Illinois 1440."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance, namely, tullibeets infested with parasites.

On July 2, 1941, the defendant having withdrawn his plea of guilty theretofore entered and having waived a jury, the case was tried to the court on the question of the defendant's liability and responsibility for the interstate shipment, all other allegations of the information having been admitted. After hearing the evidence and arguments of counsel, the court took the case under advisement, and on July 15 entered judgment of guilty and sentenced the defendant to pay a fine of \$500.

2431. Adulteration of salt codfish. U. S. v. 24 and 6 Cases of Codfish. Default decree of condemnation and destruction. (F. D. C. No. 4719. Sample Nos. 69046-E, 69047-E.)

This product contained rodent hairs.

On May 9, 1941, the United States attorney for the Northern District of New York filed a libel against 30 cases of codfish at Utica, N. Y., alleging that the article had been shipped in interstate commerce on or about April 2 and 8, 1941, by the Collins-Lee Co. from Chelsea, Mass.; and charging that it was adulterated. The article was labeled in part: (Boxes) "Lily White Salt Cod Fish" or "Stillman's Boneless Salt Cod Fish."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On June 17, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2432. Adulteration of finnan haddie. U. S. v. 24 Boxes of Finnan Haddie. Default decree of condemnation and destruction. (F. D. C. No. 4724. Sample No. 50966-E.)

This product contained rodent hairs.

On May 8, 1941, the United States attorney for the District of Maryland filed a libel against 24 boxes of finnan haddie at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about April 25, 1941, by the Collins-Lee Co. from Chelsea, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.