

of frozen whiting at Denver, Colo., and 5,000 pounds of frozen whiting at Davenport, Iowa, alleging that the article had been shipped in interstate commerce on or about June 24 and September 22, 1941, by Progressive Fish Co. or 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: (Boxes) "15 Lbs. Net H & G Whiting."

On September 17 and October 29, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

#### CANNED FISH

**3073. Adulteration of canned salmon. U. S. v. Morris Muskatell and Jack Muskatell (Morris Muskatell & Sons): Plea of guilty. Fines, \$400. (F. D. C. No. 5501. Sample Nos. 52115-E, 60715-E to 60717-E, incl.)**

A portion of this product had been damaged by fire at the port of origin; all lots showed the presence of decomposed fish.

On April 1, 1942, the United States attorney for the Western District of Washington filed an information against Morris Muskatell and Jack Muskatell, co-partners, trading as Morris Muskatell & Sons at Seattle, Wash., alleging shipment on or about September 22, 1940, and March 19, 1941, from Alaska into the State of Washington of quantities of canned salmon that was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance, and was otherwise unfit for food. The article was labeled in part: "M and J [or "Peter Pan"] Brand \* \* \* Salmon."

On June 15, 1942, the defendants having entered pleas of guilty, the court imposed a fine of \$200 and costs upon each defendant.

**3074. Adulteration of canned sardines. U. S. v. 8 Cases of Canned Sardines. Default decree of condemnation and destruction. (F. D. C. No. 6043. Sample No. 75540-E.)**

Examination of this product showed that it was undergoing progressive spoilage.

On October 20, 1941, the United States attorney for the District of Massachusetts filed a libel against 8 cases of canned sardines at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about May 18, 1940, by Francis H. Leggett & 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. It was labeled in part: "Clita Brand Importe du Portugal \* \* \* Sardine Portoghesi."

On March 30, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**3075. Adulteration of canned seafood. U. S. v. 4 Cases of Oceanburgers. Default decree of condemnation and destruction. (F. D. C. No. 6396. Sample No. 59492-E.)**

Examination showed that this product was not sterile and was undergoing progressive decomposition.

On December 12, 1941, the United States attorney for the Eastern District of Virginia filed a libel against 4 cases, each containing 24 cans, of Oceanburgers at Norfolk, Va., alleging that the article had been shipped in interstate commerce on or about November 5, 1941, by the Nomis Corporation from Jacksonville, Fla.; 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: (Cans) "Penguin Brand Oceanburger Net Weight 1 Lb. 2 oz."

On January 27, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### FRUITS AND VEGETABLES

##### FRESH FRUITS AND VEGETABLES

**3076. Adulteration of apples. U. S. v. 798 Boxes of Apples. Default decree of condemnation and destruction. (F. D. C. No. 6527. Sample No. 70227-E.)**

This product contained excessive amounts of lead and arsenic.

On December 4, 1941, the United States attorney for the Northern District of Georgia filed a libel against 798 boxes of apples at Rome, Ga., alleging that the article had been shipped in interstate commerce on or about November 24, 1941, by H. S. Denison & Co. from Cashmere, Wash.; and charging that it was adulterated in that it bore or contained poisonous and deleterious substances which might have rendered it injurious to health. The article was labeled in part: "Dainty Maid Brand Apples."