

On January 25, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4603. Adulteration of frozen eggs. U. S. v. 269 Cans of Frozen Eggs. Consent decree of condemnation. Product ordered released under bond for segregation and destruction or denaturing of the unfit portion. (F. D. C. No. 8636. Sample Nos. 18123-F, 18124-F.)

On October 23, 1942, The United States attorney for the District of New Jersey filed a libel against a total of 269 cans of frozen eggs at Jersey City, N. J., alleging that the article had been shipped in interstate commerce on or about October 5 and 13, 1942, by Marshall Kirby & Co., of New York, N. Y., from Brooklyn, N. Y.; 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: "Whole Eggs."

On January 23, 1943, Marshall Kirby & Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for separation of the fit portion from the unfit portion and destruction or denaturing of the unfit portion, under the supervision of the Food and Drug Administration.

4604. Adulteration of spray-dried whole eggs. U. S. v. 46 Barrels of Spray Dried Whole Eggs. Consent decree of condemnation. Product ordered released under bond for sale as animal feed. (F. D. C. No. 8921. Sample No. 20818-F.)

On December 15, 1942, the United States attorney for the Western District of New York filed a libel against 46 160-pound barrels of spray-dried whole eggs at Arcade, N. Y., alleging that the article had been shipped and delivered for shipment in interstate commerce on or about the latter part of October, 1942, by the Borden Co.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On February 9, 1943, the Borden Co., claimant, having admitted that the article was adulterated, judgment of condemnation was entered and the product was ordered released under bond for sale to a manufacturer of animal feed.

FISH AND SHELLFISH

4605. Adulteration of frozen fish filets. U. S. v. T. & J. Busalacchi, Inc. Plea of guilty. Fine, \$75. (F. D. C. No. 7717. Sample Nos. 62466-E, 64887-E, 80801-E, 86548-E.)

This product contained parasites, i. e., Copepods.

On November 10, 1942, the United States attorney for the District of Massachusetts filed an information against T. & J. Busalacchi, Inc., a corporation, at Boston, Mass., alleging shipment on or about April 2 and May 18, 1942, from the State of Massachusetts into the States of Pennsylvania and Illinois of a quantity of frozen fish that was adulterated in that it consisted in whole or in part of a filthy substance. The information alleged further that on or about March 12, 1941, the defendant gave to the Slade Gorton Co. a guaranty that all food products delivered by the defendant to said company would be neither adulterated nor misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act; that on or about April 2, 1942, the defendant sold and delivered quantities of fish filets to Slade Gorton Co. which were, on or about April 7, 1942, shipped by the purchaser in interstate commerce from the State of Illinois into the State of Michigan. The information charged further that the defendant, in violation of said act, gave a guaranty which was false since the fish so sold and delivered was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Fish Filets Deep Sea Brand."

On December 22, 1942, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$75.

4606. Adulteration of frozen pollack filets. U. S. v. 213 Boxes of Frozen Pollack Filets. (F. D. C. No. 8992. Sample No. 1879-F.)

On December 11, 1942, the United States attorney for the Northern District of Illinois filed a libel against 213 15-pound boxes of pollack filets at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about November 19, 1942, by the Slade Gorton Co., 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: (Box) "Pollack Filets. Packed by Empire Fish Co., Gloucester, Mass."

On January 6, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4607. Adulteration of frozen perch fillets and whiting. U. S. v. 166 Boxes of Ocean Perch Frosted Fillets and 39,276 Pounds of Frozen Fish (H. & G. Whiting). Decrees of condemnation. Whiting ordered released under bond for segregation and destruction of unfit portion; perch fillets ordered destroyed. (F. D. C. Nos. 8559, 8699. Sample Nos. 1847-F, 6406-F.)

On October 16 and November 4, 1942, the United States attorneys for the Northern District of Illinois and the Eastern District of Missouri filed libels against 166 10-pound boxes of frozen perch fillets at Chicago, Ill., and 39,276 pounds of frozen H. & G. whiting at St. Louis, Mo., alleging that the articles had been shipped in interstate commerce on or about August 19 and September 29, 1942, by the Colonial Sea Food Co., from Gloucester, Mass.; and charging that they were adulterated in that they consisted in whole or in part of decomposed substances.

On November 19, 1942, the Kroger Grocery & Baking Co., claimant for the lot seized at St. Louis, Mo., having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction of the unfit portion under the supervision of the Food and Drug Administration. On January 9, 1943, no claimant having appeared for the lot seized at Chicago, judgment of condemnation was entered and the product was ordered destroyed.

4608. Adulteration of frozen whiting. U. S. v. Mariner's Fish Co. Plea of guilty. Fine, \$100. (F. D. C. No. 7249. Sample No. 29735-E.) **U. S. v. Mariner's Fish Co. Plea of guilty. Fine, \$100.** (F. D. C. No. 7276. Sample No. 79114-E.)

On July 21, 1942, and March 30, 1943, the United States attorney for the District of Massachusetts filed informations against the Mariner's Fish Co., a corporation, Gloucester, Mass., alleging shipment on or about August 11 and 16, 1941, from the State of Massachusetts into the State of Ohio of quantities of frozen whiting that was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Butterfly Whiting Frosted," or "H & G Whiting."

On April 6, 1943, pleas of guilty having been entered on behalf of the defendant, the court imposed a fine of \$100 in each case.

4609. Adulteration of frozen whiting. U. S. v. 6 Cartons of H and G Whiting. Consent decree of condemnation. Product ordered destroyed. (F. D. C. No. 9239. Sample No. 16122-F.)

On or about February 4, 1943, the United States attorney for the District of Colorado filed a libel against 6 cartons, each containing 5 10-pound cartons, of frozen whiting at Denver, Colo., alleging that the article had been shipped in interstate commerce on or about December 22, 1942, 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: (Shipping carton) "H & G Whiting * * * Packed by General Seafoods Corporation, Boston, Mass."

On February 26, 1943, the General Seafoods Corporation, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

4610. Adulteration of frozen whiting. U. S. v. 4,698 Pounds of Frozen Whiting (and 2 other seizures of whiting). Default decrees of condemnation and destruction. (F. D. C. Nos. 8985, 9063, 9091. Sample Nos. 18872-F, 18875-F, 18880-F to 18882-F, incl., 18887-F.)

On December 9, 28, and 30, 1942, the United States attorney for the Southern District of New York filed libels against a total of 36,022 pounds of frozen whiting at New York, N. Y., alleging that the article had been shipped in interstate commerce within the period from on or about July 29 to September 14, 1942, from Provincetown, Mass., by Gonsalves Fish Co., [or M. Gonsalves Fish Co., or M. Gonsalves]; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On January 3, 16, and 23, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.