

**ALLEGED SHIPMENT:** From on or about July 6 to August 14, 1943, from Norfolk, Va., and Portsmouth, Va., by the Ballard Fish & Oyster Co.

**PRODUCT:** A total of 1,021 boxes and 335 cases, each containing 100 pounds, of croakers at Jacksonville, Fla.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** January 17, 1944. The Ballard Fish and Oyster Co. having denied the allegation of adulteration in the libels, and the respective libel proceedings having been consolidated, the case came on for trial before the court. Prior to the completion of the trial, the claimant consented to the entry of a decree, and on January 19, 1944, judgment of condemnation was entered and the product was ordered released under bond for segregation and disposition of the unfit portion for purposes other than human consumption.

**5875. Adulteration of fresh herring. U. S. v. 125 Pounds and 3 Boxes of Herring. Decree of condemnation and destruction.** (F. D. C. Nos. 11511, 11577. Sample Nos. 49151-F, 49159-F.)

**LIBEL FILED:** On or about December 27, 1943, and January 5, 1944, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about September 18 and December 15, 1943, by the Shapiro Fisheries, Inc., Chicago, Ill.

**PRODUCT:** 125 pounds and 3 80-pound boxes of herring at Cincinnati, Ohio.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), a portion of the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed fish, and the remainder consisted in whole or in part of a filthy substance by reason of the presence of parasitic worms.

**DISPOSITION:** December 31, 1943, and January 5, 1944. Judgments of condemnation and destruction were entered, the court having found that disposal of the product was a matter of immediate concern because of the state of decay and putrefaction.

**5876. Adulteration of fresh herring. U. S. v. 13 Boxes and 5 Boxes of Herring. Decrees of destruction.** (F. D. C. Nos. 11605, 11662. Sample Nos. 67261-F, 67275-F.)

**LIBELS FILED:** January 10 and 17, 1944, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about December 31, 1943, and January 8, 1944, by the Hogstad Fish Co., Duluth, Minn.

**PRODUCT:** 13 60-pound and 5 70-pound boxes of herring at Cincinnati, Ohio.

**LABEL, IN PART:** "Dr. Blue Fins."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of parasitic worms.

**DISPOSITION:** January 10 and 31, 1944. The consignees having consented to the entry of decrees, judgments were entered ordering the destruction of the product.

**5877. Adulteration of canned mackerel. U. S. v. 176 Cases of Mackerel. Consent decree of condemnation. Product ordered released under bond to be segregated and brought into compliance with the law.** (F. D. C. Nos. 10825 to 10828, incl. Sample No. 55222-F.)

**LIBEL FILED:** On or about October 5, 1943, District of Oregon.

**ALLEGED SHIPMENT:** On or about July 10, 1943, by the Davis Brothers Fisheries Co., Inc., Gloucester, Mass.

**PRODUCT:** 176 cases of mackerel at Portland, Oreg.

**LABEL, IN PART:** "Davis Bros \* \* \* Atlantic Ocean Mackerel packed by Davis Bros. Fisheries Co. Inc. Gloucester Mass."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of decomposed mackerel.

**DISPOSITION:** November 1, 1943. M. J. Edwards, claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond, to be segregated and brought into compliance with the law, under the supervision of the Food and Drug Administration. The cans containing decomposed mackerel were segregated and destroyed.