

ALLEGED SHIPMENT: On or about September 2, 1943, by the Paragon Packing Co., Seattle, Wash.

PRODUCT: 163 18-pound boxes of sole fillets at Los Angeles, Calif.

LABEL, IN PART: "Paragon Fresh Fillets * * * C1 REX SOLE."

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

DISPOSITION: December 7, 1943. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to the Fish and Game Commission of the State of California, for use as fish food.

5882. Adulteration of frozen tullibeets. U. S. v. 180 Boxes, 7 Boxes, and 15,000 Pounds of Tullibeets. Default decrees of condemnation; product ordered sold for use as animal feed. (F. D. C. Nos. 12162, 12185. Sample No. 40120-F.)

LIBELS FILED: April 8 and 12, 1944, Northern District of Iowa.

ALLEGED SHIPMENT: On or about March 23, 1944, by the Stoller Fisheries, Inc., St. Paul, Minn.

PRODUCT: 15,000 pounds of tullibeets at Sioux City, Iowa, and 187 boxes of tullibeets at Spirit Lake, Iowa.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance in that it contained parasitic worms.

DISPOSITION: May 12, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold on condition that it be denatured, reprocessed, and disposed of as animal feed.

5883. Misbranding of tuna fish spread. U. S. v. 6 Cases and 14 Jars of Tuna Fish Spread. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 10903. Sample No. 51382-F.)

LIBEL FILED: October 11, 1943, District of New Hampshire.

ALLEGED SHIPMENT: On or about June 1, 1943, from Brooklyn, N. Y., by the Delca Fish Preservators, Inc.

PRODUCT: 6 cases and 14 jars of tuna fish spread at Manchester, N. H.

LABEL, IN PART: "Delca Brand Tuna Fish Spread."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement "Tuna Fish Spread" was false and misleading as applied to a product of which herring was an ingredient; and, Section 403 (e) (2), the statement "Cont. 8 Ozs." was false and misleading as applied to a product which was short-weight. It was a food in package form and the label failed to bear an accurate statement of the quantity of the contents.

DISPOSITION: December 7, 1943. No claim having been entered; the product was condemned and ordered delivered to a charitable institution.

5884. Adulteration of fresh oysters. U. S. v. 163 Pints of Oysters. Default decree of condemnation and destruction. (F. D. C. No. 11300. Sample No. 50301-F.)

LIBEL FILED: December 10, 1943, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 7, 1943, by Hickman & Sterling, Crisfield, Md.

PRODUCT: 163 pints of oysters at Altoona, Pa.

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), water had been substituted in whole or in part for the article; and, Section 402 (b) (4), water had been added thereto or mixed or packed therewith so as to increase its bulk or weight, and reduce its quality.

DISPOSITION: January 27, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5885. Adulteration of canned oysters. U. S. v. 42 Cases and 15 Cans of Oysters. Default decree of condemnation and destruction. (F. D. C. No. 11456. Sample Nos. 3707-F, 3710-F.)

LIBEL FILED: December 17, 1943, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about March 17, 1943, by the McPhillips Packing Co., Mobile, Ala.