

the article, while it might furnish small amounts of certain food minerals, would not be effective for the purposes claimed.

Further misbranding, Section 403 (1) (2), the label of the article failed to bear the common or usual name of each ingredient.

The article was also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1400.

DISPOSITION: February 17, 1945. No claimant having appeared, judgment of forfeiture was entered and the product, together with the circulars, was ordered destroyed.

FISH AND SHELLFISH

8723. Adulteration of crab meat. U. S. v. 4 Cases and 13 Cases of Crab Meat. Default decree of condemnation and destruction. (F. D. C. No. 15250. Sample Nos. 17903-H, 17904-H.)

LIBEL FILED: March 2, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On November 29, 1944, by the Crescent Seafood Sales Co., Inc., from Westwego, La.

PRODUCT: 4 cases and 13 cases, each containing 24 6½-ounce cans, of crabmeat at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: May 16, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8724. Adulteration of frozen herring. U. S. v. 47 Boxes of Frozen Herring. Default decree of condemnation and destruction. (F. D. C. No. 15222. Sample No. 17817-H.)

LIBEL FILED: February 7, 1945, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about January 15, 1945, by the Shapiro Fisheries, from Chicago, Ill.

PRODUCT: 47 125-pound boxes of frozen herring at De Pere, Wis.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: March 20, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8725. Adulteration of frozen herring. U. S. v. 7 Boxes of Frozen Herring. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15203. Sample No. 17815-H.)

LIBEL FILED: On or about February 8, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On or about January 22, 1945, by the Midwest Fish Co., from Green Bay, Wis.

PRODUCT: 7 boxes, containing a total of 1,000 pounds, of frozen herring at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: March 23, 1945. The Shapiro Fisheries, Chicago, Ill., claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond to be disposed of in compliance with the law, under the supervision of the Food and Drug Administration.

8726. Adulteration of frozen herring. U. S. v. 120 Boxes of Frozen Herring. Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 15385, 15386. Sample Nos. 17818-H, 17819-H.)

LIBEL FILED: On or about February 23, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On or about November 24, 1943, by the Fleith Ehler Mercantile Co., from Ashland, Wis.

PRODUCT: 4 boxes and 116 boxes, each containing 125 pounds, of frozen herring at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a putrid substance.

DISPOSITION: March 23, 1945. The Shapiro Fisheries, Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for disposition in accordance with the law, under the supervision of the Food and Drug Administration.

8727. Adulteration of Tidbits of Herring. U. S. v. 17 Cases of Tidbits of Herring. Default decree of condemnation and destruction. (F. D. C. No. 15285. Sample No. 717-H.)

LIBEL FILED: February 17, 1945, Northern District of Georgia.

ALLEGED SHIPMENT: On or about September 15, 1944, by the Sea King Food Corporation, from New York, N. Y.

PRODUCT: 17 cases, each containing 24 8-ounce jars, of Tidbits of Herring at Atlanta, Ga. This product was undergoing active fermentation.

LABEL, IN PART: (Jars) "Tidbits of Herring in Wine Sauce * * * Packed By North Atlantic Fishery Products, Inc. New York, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: March 13, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8728. Adulteration of canned mackerel. U. S. v. 99 Cases and 52 Cases of Canned Mackerel. Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 15129, 15131. Sample Nos. 5602-H, 5944-H.)

LIBELS FILED: February 2 and 6, 1945, Southern District of New York and District of New Jersey.

ALLEGED SHIPMENT: On or about December 14, 1944, by the Halfhill Co., from Los Angeles, Calif.

PRODUCT: 99 cases and 52 cases, each containing 48 15-ounce cans, of mackerel at New York, N. Y., and Newark, N. J., respectively.

LABEL, IN PART: "Top Wave Brand California Mackerel * * * Packed for Sardamack Fisheries Wilmington, Calif."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: June 19, 1945. The Sardamack Fisheries Co., claimant, having admitted the allegations of the libels, and the cases having been consolidated for trial in the Southern District of New York, 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.

8729. Adulteration and misbranding of canned mackerel. U. S. v. 82 Cases of Canned Mackerel (and 2 other seizure actions against canned mackerel). Portion of product condemned and ordered destroyed; remainder ordered released under bond. (F. D. C. Nos. 15211 to 15213, incl. Sample Nos. 89910-F, 22507-H, 27213-H.)

LIBELS FILED: February 6 and 9, 1945, Eastern District of Washington and Western District of Tennessee.

ALLEGED SHIPMENT: On or about October 31 and November 1, 1944, by the California Sea Food Co., Long Beach, Calif.

PRODUCT: 403 cases and 103 cases, each containing 48 cans of mackerel at Spokane, Wash., and Memphis, Tenn., respectively.

LABEL, IN PART: "Val Vita Brand California Mackerel."

NATURE OF CHARGE: Spokane lot, adulteration, Section 402 (b) (2), another variety of fish, commonly called horse mackerel, had been substituted for mackerel, which the article was represented to be. Misbranding, Section 403 (a), the label statement "California Mackerel" was false and misleading.

Memphis lot, adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.