

**PRODUCT:** 189 cases, each containing 10 5-pound cartons, of frozen hake fillets at Jacksonville, Fla.

**LABEL, IN PART:** "National Frosted Foods Inc. Certified Quality Hake Fillets Product of Canada."

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

**DISPOSITION:** February 12, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution, to be utilized as fertilizer.

**12083. Adulteration of frozen halibut. U. S. v. 470 Pounds \* \* \*. (F. D. C. No. 22714. Sample No. 91015-H.)**

**LIBEL FILED:** March 21, 1947, Southern District of New York.

**ALLEGED SHIPMENT:** On or about July 18, 1946, by the Stern Live Fish Co., from Philadelphia, Pa.

**PRODUCT:** 470 pounds of frozen halibut in boxes at New York, N. Y.

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

**DISPOSITION:** April 8, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**12084. Adulteration of frozen pompano fillets. U. S. v. 213 Cartons \* \* \*. (F. D. C. No. 22361. Sample No. 61020-H.)**

**LIBEL FILED:** January 3, 1947, Western District of New York.

**ALLEGED SHIPMENT:** On or about October 13, 1945, by Melver, Inc., from Sebastian, Fla.

**PRODUCT:** 213 10-pound cartons of frozen pompano fillets at Rochester, N. Y.

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

**DISPOSITION:** February 18, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**12085. Adulteration of frozen salmon. U. S. v. 16,405 Pounds \* \* \*. (F. D. C. No. 22656. Sample Nos. 91003-H, 91004-H.)**

**LIBEL FILED:** March 3, 1947, Southern District of New York.

**ALLEGED SHIPMENT:** On or about July 14, 1946, by the Standard Fish Co., from Montreal, Canada.

**PRODUCT:** 16,405 pounds of frozen salmon at New York, N. Y.

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

**DISPOSITION:** November 17, 1947. The Standard Fish Co., claimant, having consented to the entry of a decree, judgment was entered ordering that the product be released under bond for segregation and destruction, or denaturing of the unfit portion, under the supervision of the Food and Drug Administration.

**12086. Adulteration of frozen salmon. U. S. v. 1,749 Pounds \* \* \*. (F. D. C. No. 22666. Sample Nos. 91007-H to 91010-H, incl.)**

**LIBEL FILED:** March 4, 1947, Southern District of New York.

**ALLEGED SHIPMENT:** On or about July 11 and 24, 1946, by the Waldman's Fish Co., from Montreal, Canada.

**PRODUCT:** 1,749 pounds of frozen salmon at New York, N. Y.

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

**DISPOSITION:** April 1, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**12087. Misbranding of canned salmon. U. S. v. 2,656 Cases \* \* \*. (F. D. C. No. 22301. Sample Nos. 59976-H to 59982-H, incl.)**

**LIBEL FILED:** February 21, 1947, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 6, 1946, by Charles R. Allen, Inc., from Aberdeen, Wash.

**PRODUCT:** 2,656 cases, each containing 48 cans, of salmon at Pittsburgh, Pa. There were 7 different brands of the product.

**LABEL, IN PART:** "West Haven Brand Troll Caught Fancy Salmon Net Wt. 7½ Oz. Packed for Dungeness Crab, Inc., Seattle, Washington," "Open Sea Brand Fancy Chinook Salmon Distributed by Seashore Packing Co., Hoquiam, Washington Net Contents 7½ Ounces," "Southern Pride Brand Medium Red Salmon Net Contents 7¾ Oz. When Packed Distributed by Elmer W. Smith Inc. Seattle, Wash.," "Storm King Brand Chinook Fancy Red Spring Salmon Contents 7½ Oz. Rolph, Mills & Co. Selling Agents," "Pacific Salmon Medium Red Contents 6½ Ozs. Packed by Dungeness Crab, Inc. Westport, Wash.," "Fancy Pacific Salmon Troll Caught Net Wgt. 7½ Oz. Packed by Aberdeen Sea Foods Inc. Aberdeen, Wash.," or "Top Side Brand White Chinook Puget Sound Salmon Contents 7½ Oz. Packed by Nooksack Packing Co. Cannery at Beach, Lummi Island, Wash."

**NATURE OF CHARGE:** West Haven Brand. Misbranding, Section 403 (a), the label designation "Fancy Salmon" was false and misleading (the product was low-quality chinook, coho, or chum salmon); and, Section 403 (d), its container was so filled as to be misleading, since the cans were not filled as full as practicable.

Open Sea Brand. Misbranding, Section 403 (a), the label designation "Fancy Chinook Salmon" was false and misleading (the product was chinook and coho salmon, which was not of fancy quality); and, Section 403 (a), the label statement "Distributed by Seashore Packing Co. Hoquiam, Washington" was false and misleading, since the article was not distributed by that company.

Southern Pride Brand. Misbranding, Section 403 (a), the label designation "Medium Red Salmon" was false and misleading (the product was chinook and chum salmon); Section 403 (a), the label statement "Distributed by Elmer W. Smith Inc., Seattle, Wash." was false and misleading, since the article was not distributed by that company; Section 403 (d), its container was so filled as to be misleading, since the cans were not filled as full as practicable; and, Section 403 (e) (2), the label of the article failed to bear an accurate statement of the quantity of the contents (the cans in certain codes were short-weight).

Storm King Brand. Misbranding, Section 403 (a), the word "Red" appearing in the label designation of the article was misleading (the product was king salmon, known also as chinook or spring salmon, but was not known as red salmon); and, Section 403 (e) (1), the label of the article failed to contain the name and place of business of the manufacturer, packer, or distributor.

Pacific Salmon Medium Red. Misbranding, Section 403 (a), the label designation "Pacific Salmon Medium Red" was false and misleading (the salmon was not of the medium red species, but was of the chinook species); and, Section 403 (d), the container was so filled as to be misleading, since the cans were not filled as full as practicable.

Fancy Pacific Salmon Troll Caught. Misbranding, Section 403 (a), the label designation "Fancy Pacific Salmon" was false and misleading (the salmon was not of fancy quality).

Top Side Brand. Misbranding, Section 403 (a), the label statement "Packed by Nooksack Packing Co. Cannery at Beach, Lummi Island, Wash." was false and misleading, since this packer had been out of business for many years.

**DISPOSITION:** June 4, 1947. Charles R. Allen, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be relabeled in compliance with the law, under the supervision of the Food and Drug Administration.

**12088. Misbranding of canned smoked salmon. U. S. v. 975 Cases \* \* \*.**  
(F. D. C. No. 22232. Sample No. 54823-H.)

**LIBEL FILED:** January 31, 1947, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about October 31, 1946, by Paul's Cannery, from San Francisco, Calif.

**PRODUCT:** 975 cases, each containing 48 cans, of smoked salmon at Atlanta, Ga.

**LABEL, IN PART:** (Cans) "Contents 7 Oz. Avd. Del Norte Fancy Smoked Salmon Salt Added Packed by Paul's Cannery Crescent City Calif."

**NATURE OF CHARGE:** Misbranding, Section 403 (d), the container of the article was so filled as to be misleading, since the salmon occupied only about three-