

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statements were false and misleading, since the product contained less than 41 percent of protein and more than 16 percent of fiber.

**DISPOSITION:** November 12, 1947. A plea of nolo contendere having been entered, the defendant was fined \$200.

### FISH AND SHELLFISH

**12688. Adulteration of frozen rosefish fillets. U. S. v. 1,913 Boxes \* \* \***  
(F. D. C. No. 23382. Sample Nos. 15561-H, 15565-H.)

**LIBEL FILED:** August 4, 1947, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about July 11, 1947, by the Rocky Bay Fishing Co., from Gloucester, Mass.

**PRODUCT:** 1,913 10-pound boxes of frozen rosefish fillets at Chicago, Ill.

**LABEL, IN PART:** "Cello Rosefish Packed by Supreme Fillet Co."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of parasites.

**DISPOSITION:** October 14, 1947. Default decree of condemnation and destruction.

**12689. Adulteration and misbranding of salmon. U. S. v. 231 Cartons, etc.**  
(F. D. C. No. 23664. Sample Nos. 66773-H, 66774-H.)

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

**ALLEGED SHIPMENT:** On or about August 2, 1947, by the Kent Packing Co., from Rock Hall, Md.

**PRODUCT:** 667 cartons, each containing 24 cans of salmon at New York, N. Y.

**LABEL, IN PART:** "Jo-Mey Pink [or "Red"] Salmon Food Marketers Distributors New York, N. Y."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (2), the portion labeled "Pink Salmon" consisted in whole or in part of decomposed fish; and, Section 402 (b) (2), the remainder consisted of fish other than red salmon, which had been substituted in whole or in part for red salmon.

Misbranding, Section 403 (a), the designation "Red Salmon" was false and misleading as applied to an article other than red salmon.

**DISPOSITION:** January 28, 1948. Joseph Spira, New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered. The product was released under bond, conditioned that the lot labeled "Pink Salmon" be destroyed and that the lot labeled "Red Salmon" be relabeled, under the supervision of the Federal Security Agency.

**12690. Adulteration of frozen whiting fillets. U. S. v. 2,096 Boxes \* \* \***  
(F. D. C. No. 23964. Sample No. 14102-K.)

**LIBEL FILED:** November 17, 1947, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about October 23, 1947, by the General Freezer & Storage Co., Inc., from New Bedford, Mass.

**PRODUCT:** 2,096 boxes, each containing 10 pounds, of frozen whiting fillets at Chicago, Ill.

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

**DISPOSITION:** March 17, 1948. Default decree of condemnation and destruction.

**12691. Adulteration of canned oysters. U. S. v. 124 1-Gallon Cans \* \* \***  
(F. D. C. No. 24183. Sample No. 4616-K.)

**LIBEL FILED:** On or about December 18, 1947, District of Rhode Island.

**ALLEGED SHIPMENT:** On or about November 3, 1947, by the Stavis Ipswich Clam Co., from Boston, Mass.

**PRODUCT:** 124 1-gallon cans of fresh oysters at Quonset Point, R. I.

**LABEL, IN PART:** "One Gallon Fresh Oysters Carl C. Green Dist. Co. Crisfield, Md.

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

**DISPOSITION:** January 23, 1948. The claimant having indicated its consent, judgment of condemnation was entered and the product was ordered destroyed.