

15513. Adulteration of butter. U. S. v. 339 65-Pound Cubes \* \* \*. (F. D. C. No. 28328. Sample No. 60319-K.)

**LIBEL FILED:** August 24, 1949, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about June 1, 1949, by the Arkansas City Cooperative Milk Assn., from Arkansas City, Kans.

**PRODUCT:** 339 65-pound cubes of butter at Chicago, Ill.

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** September 30, 1949. The Peter Fox Sons Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond, for reworking under the supervision of the Federal Security Agency.

15514. Adulteration of butter. U. S. v. 30 64-Pound Cubes \* \* \*. (F. D. C. No. 28326. Sample No. 7781-K.)

**LIBEL FILED:** October 21, 1949, Western District of New York.

**ALLEGED SHIPMENT:** On or about October 17, 1949, by Langenfeld Dairy Products, from Watertown, S. Dak.

**PRODUCT:** 30 64-pound cubes of butter at Buffalo, N. Y.

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** November 14, 1949. Frank E. Wattles, Inc., Buffalo, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for reworking, under the supervision of the Federal Security Agency.

15515. Adulteration of salt butter. U. S. v. 587 Boxes (36,981 pounds) \* \* \*. (F. D. C. No. 28551. Sample Nos. 42154-K, 42158-K, 42168-K.)

**LIBEL FILED:** September 15, 1949, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about May 24, 1949, by the De Coursey Cream Co., from Wichita, Kans.

**PRODUCT:** 587 63-pound boxes of salt butter at Chicago, Ill.

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product containing less than 80 percent by weight of milk fat had been substituted for butter.

**DISPOSITION:** September 23, 1949. The S. S. Borden Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered, and the court ordered that the product be released under bond, for reworking under the supervision of the Federal Security Agency.

## FISH AND SHELLFISH

15516. Adulteration of frozen herring. U. S. v. 5,847 Pounds \* \* \*. (F. D. C. No. 27954. Sample No. 47530-K.)

**LIBEL FILED:** October 31, 1949, Western District of New York.

**ALLEGED SHIPMENT:** Between the approximate dates of November 1 and 30, 1948, by various shippers, from Ontario, Canada, and the State of Minnesota.

**PRODUCT:** 5,847 pounds of frozen herring at Buffalo, N. Y.

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

**DISPOSITION:** November 28, 1949. Default decree of condemnation and destruction. The product was mixed with offal and rendered into tannage.

**15517. Adulteration of canned herring roe. U. S. v. 8 Cases \* \* \* (and 4 other seizure actions). (F. D. C. Nos. 26013 to 26017, incl. Sample Nos. 1203-K, 2830-K, 2831-K, 3694-K, 3724-K.)**

**LIBELS FILED:** November 22, 24, and 29, 1948, Eastern District of North Carolina.

**ALLEGED SHIPMENT:** On or about May 21 and June 1, 4, and 11, 1948, by the American Roland Food Co., from Eastport, Maine.

**PRODUCT:** 146 cases, each containing 24 15-ounce cans, of herring roe at Whiteville, Kinston, Weldon, and Wilmington, N. C.

**LABEL, IN PART:** (Can) "Custom House Herring Roe \* \* \* Packed by Riviera Packing Company, Eastport, Maine."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance, and it was otherwise unfit for food by reason of its tough, rubbery consistency.

**DISPOSITION:** June 10, 1949. The Riviera Packing Co. having appeared as claimant and admitted the allegations of the libels, and the libel proceedings having been consolidated, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

The segregation operations proved to be impractical, and, consequently, the entire amount of the product was destroyed.

**15518. Misbranding of canned sardines. U. S. v. 468 Cases \* \* \*. (F. D. C. No. 27838. Sample No. 13673-K.)**

**LIBEL FILED:** September 13, 1949, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about June 10, 1949, by the Fortune Fisheries, from San Francisco, Calif.

**PRODUCT:** 468 cases, each containing 48 cans, of sardines at Philadelphia, Pa.

**LABEL, IN PART:** (Can) "Charlie Boy California Sardines In Tomato Sauce Contents 15 Oz. Avoir or 425 Grams Packed By Romeo Packing Co. \* \* \* Half Moon Bay California."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The cans contained less than the declared weight of 15 ounces.)

**DISPOSITION:** December 8, 1949. The Fortune Fisheries, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled, under the supervision of the Food and Drug Administration.

**15519. Adulteration of fresh tullibeas. U. S. v. 40 Boxes \* \* \*. (F. D. C. No. 28274. Sample No. 57371-K.)**

**LIBEL FILED:** November 9, 1949, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about January 23, 1949, by Keystone Fisheries, Ltd., from Winnipeg, Manitoba, Canada.

**PRODUCT:** 40 50-pound boxes of fresh tullibeas at Brooklyn, N. Y.