

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 29, 1951. Default decree of condemnation and destruction.

18227. Adulteration of fish roe. U. S. v. 775 Pounds * * *. (F. D. C. No. 32484. Sample No. 36703-L.)

LIBEL FILED: February 6, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about December 8, 1951, by Gerald Voight, from Sturgeon Bay, Wis.

PRODUCT: 775 pounds of fish roe in 4 second-hand barrels at New York, 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 worms.

DISPOSITION: February 20, 1952. Default decree of condemnation and destruction.

18228. Adulteration of fish roe. U. S. v. 330 Pounds * * *. (F. D. C. No. 32486. Sample No. 36702-L.)

LIBEL FILED: February 5, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about December 18, 1951, by Wenniger "Toots" Fish Market, from Algoma, Wis.

PRODUCT: 330 pounds of fish roe in 2 second-hand barrels, at New York, 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 worms.

DISPOSITION: February 27, 1952. Default decree of condemnation and destruction.

18229. Adulteration of whitefish roe. U. S. v. 750 Pounds * * *. (F. D. C. No. 32485. Sample No. 36699-L.)

LIBEL FILED: February 6, 1952, Southern District of New York.

ALLEGED SHIPMENT: During December 1951, into the State of New York, from Wisconsin and/or Michigan and Minnesota.

PRODUCT: 750 pounds of whitefish roe in 4 second-hand barrels at New York, 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 worms.

DISPOSITION: February 20, 1952. Default decree of condemnation and destruction.

18230. Adulteration of frozen lobster tails. U. S. v. 3 Cartons * * *. (F. D. C. No. 32438. Sample No. 3894-L.)

LIBEL FILED: On or about January 15, 1952, District of Maryland.

ALLEGED SHIPMENT: On or about September 24, 1951, by Continental Seafoods, Inc., from New York, N. Y.

PRODUCT: 3 cartons, each containing 4 10-pound boxes, of frozen lobster tails at Baltimore, Md.

LABEL, IN PART: (Carton) "Metropolitan Seafood Baltimore."

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

DISPOSITION: February 7, 1952. Default decree of condemnation and destruction.

18231. Adulteration and misbranding of oysters. U. S. v. 320 Cans * * *.
(F. D. C. No. 32586. Sample No. 26182-L.)

LIBEL FILED: January 11, 1952, Southern District of Indiana.

ALLEGED SHIPMENT: On or about January 8, 1952, by Robbins Brothers, from Port Norris, N. J.

PRODUCT: 320 1-pint cans of oysters at Indianapolis, Ind.

LABEL, IN PART: "Capitol Brand Oysters Standards Packed by Capitol Distributors Co., Inc."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

Misbranding, Section 403 (g) (1), the oysters failed to conform to the definition and standard of identity for oysters standards since they were not thoroughly drained; and, Section 403 (a), the label statement "Packed by Capitol Distributors Co., Inc., Indianapolis, Ind." was false and misleading since the product was not packed by Capitol Distributors Co., Inc., at Indianapolis, Ind.

DISPOSITION: January 25, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

18232. Adulteration and misbranding of oysters. U. S. v. 304 Cans * * *.
(F. D. C. No. 32433. Sample Nos. 3600-L, 3601-L.)

LIBEL FILED: January 15, 1952, Northern District of West Virginia.

ALLEGED SHIPMENT: On or about January 7, 1952, by O. E. Wentworth & Co., from Baltimore, Md.

PRODUCT: 304 1-pint cans of oysters at Parkersburg, W. Va.

LABEL, IN PART: (Can) "Oysters standards Md. 45 One Pint Wentworth's Triangle Brand."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and Section 402 (b) (4), water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for oysters standards since the total time that the oysters were in contact with water after leaving the shucker was more than 30 minutes.

DISPOSITION: February 7, 1952. Default decree of condemnation and destruction. Four cans were available for seizure, and these were destroyed.

18233. Adulteration and misbranding of oysters. U. S. v. 144 Cans, etc.
(F. D. C. No. 32387. Sample Nos. 3820-L, 3821-L.)

LIBEL FILED: January 4, 1952, Eastern District of North Carolina.