

DISPOSITION: 10-9-58. Consent—claimed by Earl A. Hogan Co. and labeled in accordance with the law.

### EGGS

25592. Frozen eggs. (F.D.C. No. 42557. S. No. 32-196 P.)

QUANTITY: 100 cans at Brooklyn, N.Y.

SHIPPED: 9-11-58, from Nashville, Tenn., by Modern Egg Products, Inc.

LABEL IN PART: "Vita-Bake 30 Lbs. Net Weight Contents: Whole Eggs, Egg Yolks, Sugar and Salt."

LIBELED: 12-12-58, E. Dist. N.Y.

CHARGE: 402(a)(3)—contained decomposed eggs when shipped.

DISPOSITION: 3-19-59. Default—destruction.

25593. Shell eggs. (F.D.C. No. 42604. S. No. 40-567 P.)

QUANTITY: 28 cases, 30-doz. shell eggs each, at San Francisco, Calif.

SHIPPED: 12-12-58, from Seattle, Wash., by Washington Co-op Farmers Association.

LIBELED: 1-9-59, N. Dist. Calif.

CHARGE: 402(a)(3)—contained a decomposed substance, and eggs containing blood when shipped.

DISPOSITION: 2-3-59. Default—destruction.

25594. Frozen eggs. (F.D.C. No. 42545. S. No. 32-718 P.)

QUANTITY: 400 cans at Brooklyn, N.Y.

SHIPPED: 9-15-58, from Bridgewater, Va., by Bridgewater Produce Corp.

LABEL IN PART: "Frozen Whole Eggs 30# Net Packed by Bridgewater Produce Bridgewater, Va."

LIBELED: 12-15-58, E. Dist. N.Y.

CHARGE: 402(a)(3)—contained decomposed eggs when shipped.

DISPOSITION: 12-23-58. Consent—claimed by Bridgewater Produce Corp. Segregated; 40 cans destroyed.

### FISH AND SHELLFISH\*

25595. Fresh whitefish. (F.D.C. No. 42082. S. No. 11-717 P.)

QUANTITY: 12 boxes, 600-lb. total, at Detroit, Mich.

SHIPPED: 7-29-58, from Winnipeg, Canada, by Keystone Fisheries, Ltd.

LABEL IN PART: "DSD. Medium Whites South Indian Lake, Man. Keystone Fisheries Ltd. Winnipeg Product of Canada."

LIBELED: 8-12-58, E. Dist. Mich.

CHARGE: 402(a)(3)—contained parasitic cysts when shipped.

DISPOSITION: 1-28-59. Consent—claimed by Standard Fish Distributors, Detroit, Mich., and released under bond for export to Canada.

25596. Frozen red snappers (fish). (F.D.C. No. 42278. S. No. 32-709 P.)

QUANTITY: 6 ctns., 655-lb. total, at Monmouth Beach, N.J.

SHIPPED: 6-6-58, from New York, N.Y., by Jos. M. Carter, Inc.

\*See also No. 25613.

**LIBELED:** 11-19-58, Dist. N.J.

**CHARGE:** 402(a)(3)—contained decomposed fish when shipped.

**DISPOSITION:** 1-16-59. Default—destruction.

**25597. Frozen red snappers (fish).** (F.D.C. No. 42280. S. Nos. 32-710 P.)

**QUANTITY:** 3 ctns., 296-lb. total, at Monmouth Beach, N.J.

**SHIPPED:** 9-5-58, from New York, N.Y., by Blue Ribbon Fish Co.

**LIBELED:** On or about 11-21-58, Dist. N.J.

**CHARGE:** 402(a)(3)—contained decomposed fish when shipped.

**DISPOSITION:** 1-16-59. Default—destruction.

**25598. Frozen ocean perch fillets (2 seizure actions).** (F.D.C. Nos. 42512, 42513. S. Nos. 47-423 P, 7-840 P.)

**QUANTITY:** 109 10-lb. ctns. at Boston, Mass.

**SHIPPED:** The fillets were from fish caught by the fishing vessels "The Four" and "M. C. Ballard" in the Atlantic Ocean outside the limits of Massachusetts, and unloaded at Boston, Mass., on 11-6-58.

**LIBELED:** 11-24-58, Dist. Mass.

**CHARGE:** 402(a)(3)—contained parasitic copepods and pus pockets when shipped.

**DISPOSITION:** 1-14-59. Consent—claimed by Port Fisheries, Boston, Mass. Segregated; 20 lbs. destroyed.

**25599. Canned sardines.** (F.D.C. No. 42816. S. No. 47-742 P.)

**QUANTITY:** 39 cases, 110 cans each, at Roxbury, Mass.

**SHIPPED:** 12-17-58, from Biddeford, Maine, by Joseph Sneider & Sons.

**LABEL IN PART:** (Rubber stamped on can) "Maine Sardines In Mustard Sauce packed For Joseph Sneider and Sons, Biddeford, Maine."

**RESULTS OF INVESTIGATION:** Examination showed that the label on most of the cans was smeared and indistinct, and that the name and place of business of the manufacturer, packer, or distributor was incomplete. A statement of the quantity of contents was also absent.

**LIBELED:** 2-2-59, Dist. Mass.

**CHARGE:** 403(e)—when shipped, the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; and 403(f)—certain information required to appear on the label was not prominently placed thereon with such conspicuousness (as compared with other statements on the label) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use, since the label of most of the cans was smeared and indistinct, the name and place of business of the packer was incomplete, and the label did not contain a statement of the quantity of contents.

**DISPOSITION:** 3-23-59 Default—delivered to a charitable institution for its use and not for sale.