

8402. Adulteration of frozen whiting. U. S. v. 72 Boxes of Frozen Whiting. Default decree of condemnation and destruction. (F. D. C. No. 14985. Sample Nos. 96481-F, 17801-H.)

LIBEL FILED: On or about January 26, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 21, 1943, by the Standard Fish Co., from Boston, Mass.

PRODUCT: 72 15-pound boxes of frozen whiting at Chicago, Ill.

LABEL, IN PART: "Standard Brand Butterfly Whiting."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: March 13, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FRUITS AND VEGETABLES*

CANNED FRUIT

8403. Misbranding of canned apricots. U. S. v. 1,247 Cases and 45 Cases of Canned Apricots. Decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 15160, 15171. Sample Nos. 59964-F, 73168-F.)

LIBELS FILED: On or about January 30 and February 5, 1945, District of Idaho and Northern District of Illinois.

ALLEGED SHIPMENT: On or about August 25 and September 27, 1944, by the Hunt Brothers Packing Co., from Hayward, Calif.

PRODUCT: 1,247 cases and 45 cases, each containing 24 cans, of apricots at Chicago, Ill., and Boise, Idaho, respectively.

LABEL, IN PART: "Hunt's Supreme Quality Fancy Peeled Whole Apricots."

VIOLATION CHARGED: Misbranding, Section 403 (g) (2), the product failed to bear, as required by the regulations, the name of the optional packing medium, since the label of the Chicago lot bore the statement, "In Extra Heavy Syrup," but the apricots were packed in heavy sirup; and the label of the Boise lot bore the statement, "In Heavy Syrup," but the apricots were packed in light sirup.

DISPOSITION: March 5 and 29, 1945. The Hunt Brothers Packing Co., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

8404. Misbranding of canned apricots. U. S. v. 40 Cases of Canned Apricots. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14761. Sample No. 83888-F.)

LIBEL FILED: December 20, 1944, Western District of Washington.

ALLEGED SHIPMENT: On or about October 17, 1944, by the Frank Raiter Canning Co., from Salinas, Calif.

PRODUCT: 40 cases, each containing 24 1-pound, 13-ounce cans, of apricots at Seattle, Wash.

LABEL, IN PART: "Red Sail Whole Peeled Apricots in Light Syrup."

VIOLATION CHARGED: Misbranding, Section 403 (g) (2), the article failed to bear, as required by the regulations, the name of the optional packing medium present, since its label bore the statement, "In Light Syrup," whereas the apricots were packed in sirup designated in the regulations as "slightly sweetened water."

DISPOSITION: March 19, 1945. The Frank Raiter Canning Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

8405. Misbranding of canned apricots. U. S. v. 98 Cases of Canned Apricots. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14331. Sample No. 73162-F.)

LIBEL FILED: November 1, 1944, Southern District of Iowa.

ALLEGED SHIPMENT: On or about September 22, 1944, by the Turlock Cooperative Growers, from Oakland, Calif.

PRODUCT: 98 cases, each containing 24 cans, of apricots at Davenport, Iowa.

*See also Nos. 8301-8305, 8491.