

was entered and the product was ordered released to be disposed of in compliance with the law, under the supervision of the Federal Security Agency.

On October 4, 1946, Reinke & Amende, Inc., Los Angeles, Calif., claimant for the Los Angeles, San Pedro, and Pasadena lots, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be segregated and disposed of in compliance with the law, under the supervision of the Federal Security Agency. The unfit portion was disposed of as fish food or fertilizer.

**11213. Adulteration and misbranding of canned minced clams. U. S. v. 177 Cases \* \* \*. (F. D. C. No. 19928. Sample No. 56883-H.)**

**LIBEL FILED:** June 5, 1946, District of Rhode Island.

**ALLEGED SHIPMENT:** On or about March 28, 1946, by the Plymouth Packing Co., from Plymouth, Mass.

**PRODUCT:** 177 cases, each containing 48 cans, of minced clams at Cranston, R. I. Examination showed that the drained weight of the product was less than that declared on the label.

**LABEL, IN PART:** "Point Judith Minced Clams \* \* \* Drained Weight 5 Oz."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), diluted clam juice had been substituted in part for minced clams.

Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents, since the label statement "Drained Weight 5 Oz." was inaccurate.

**DISPOSITION:** September 25, 1946. The Plymouth Packing Co., claimant, having consented to the entry of a decree, judgment was entered ordering the product released under bond for relabeling under the supervision of the Federal Security Agency.

## FRUITS AND VEGETABLES

### CANNED AND DRIED FRUIT

**11214. Adulteration of canned cherries. U. S. v. 46 Cases \* \* \*. (F. D. C. No. 19385. Sample No. 58241-H.)**

**LIBEL FILED:** On or about April 4, 1946, District of Montana.

**ALLEGED SHIPMENT:** On or about December 28, 1945, by the Stayton Canning Co. Cooperative, from West Stayton, Oreg.

**PRODUCT:** 46 cases, each containing 6 6-pound, 10-ounce cans, of cherries at Great Falls, Mont.

**LABEL, IN PART:** "Santiam Brand Light Sweet Royal Anne Cherries in Medium Syrup."

**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 maggots.

**DISPOSITION:** September 18, 1946. Default decree of condemnation and destruction.

**11215. Misbranding of canned cherries. U. S. v. 48 Cases \* \* \*. (F. D. C. No. 20055. Sample No. 59024-H.)**

**LIBEL FILED:** May 29, 1946, District of Montana.

**ALLEGED SHIPMENT:** On or about April 15, 1946, by Libby, McNeill & Libby, from Yakima, Wash.

**PRODUCT:** 48 cases, each containing 6 6-pound, 10-ounce cans, of cherries at Butte, Mont.

**LABEL, IN PART:** "Rose-Dale Light Sweet Royal Anne Cherries in Light Syrup."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (2), the label of the article failed to bear the name of the optional packing medium present. The label bore the statement "in Light Syrup," whereas the article was packed in water.

**DISPOSITION:** August 19, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution.