

16272. Adulteration of frozen shrimp. U. S. v. 42 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 27904, 27906. Sample Nos. 29833-K, 49484-K.)

LIBELS FILED: October 10, and 17, 1949, District of Utah and District of Colorado.

ALLEGED SHIPMENT: On or about September 29 and 30, 1949, by the Booth Fisheries Corp., from Chicago, Ill.

PRODUCT: Frozen shrimp. 60 cases, each containing 10 5-pound cartons, at Salt Lake City, Utah, and 42 cases, each containing 10 5-pound cartons, at Denver, Colo.

LABEL, IN PART: "Shrimp Packed by Key's Fish Market Port Lavaca, Tex."

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 shrimp.

DISPOSITION: January 23, and March 23, 1950. The Booth Fisheries Corp., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the product be released under bond for salvaging of the fit portion, under the supervision of the Food and Drug Administration. Accordingly, 3,590 pounds were salvaged and 660 pounds were denatured.

16273. Adulteration of frozen shrimp. U. S. v. 16 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 28734 to 28736, incl. Sample Nos. 60455-K, 60456-K, 60458-K to 60460-K, incl., 60463-K to 60467-K, incl.)

LIBELS FILED: March 21, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about September 14 and 26 and November 16, 1949, by Alden Frozen Foods, Inc., from Harlingen, Tex., and New Orleans, La.

PRODUCT: 97 cases, each containing 10 5-pound cartons, of frozen shrimp at Chicago, Ill.

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 shrimp.

DISPOSITION: May 9, 1950. Default decrees of condemnation and destruction.

16274. Adulteration of frozen shrimp. U. S. v. 35 Cases * * *. (F. D. C. No. 28483. Sample Nos. 10344-K, 10345-K.)

LIBEL FILED: On or about December 30, 1949, Southern District of New York.

ALLEGED SHIPMENT: From the State of Louisiana. The date of shipment is unknown.

PRODUCT: 35 cases, each containing 10 5-pound cartons, of frozen shrimp at New York, N. Y.

LABEL, IN PART: (Case) "Frzn Prawn * * * Packed for Chesebro R. & G."

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 shrimp. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 30, 1950. Chesebro, Robbins & Graham, Inc., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and denaturing, or destruction, of the unfit portion, under the supervision of the Food and Drug Administration. Accordingly, 310 pounds were rejected as unfit.

FRUITS AND VEGETABLES

CANNED FRUIT

16275. Misbranding of canned cherries. U. S. v. 249 Cases * * *. (F. D. C. No. 28529. Sample No. 68708-K.)

LIBEL FILED: January 19, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about December 10, 1949, by the Washington Cannery Coop., Vancouver, Wash.

PRODUCT: 249 cases, each containing 24 1-pound, 14-ounce cans, of cherries at New York, N. Y.

LABEL, IN PART: (Can) "Bestwest Select Fancy Pitted Dark Sweet Cherries In Extra Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation "Fancy" was false and misleading as applied to an article which contained excessive pits; and, Section 403 (h) (1), the product fell below the standard of quality established for canned pitted cherries since it contained more than one pit in each 20 ounces of canned cherries and its label failed to bear the statement that it fell below the standard.

DISPOSITION: April 27, 1950. The Washington Cannery Coop., claimant, having admitted the allegations of the libel, 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.

16276. Misbranding of canned peaches. U. S. v. 500 Cases * * *. (F. D. C. No. 28701. Sample No. 63275-K.)

LIBEL FILED: January 31, 1950, District of Massachusetts.

ALLEGED SHIPMENT: On or about December 6, 1949, by the A. M. Beebe Co., San Francisco, Calif.

PRODUCT: 500 cases, each containing 24 1-pound, 13-ounce cans, of peaches at Boston, Mass.

LABEL, IN PART: (Can) "Halves Yellow Cling Elm Farm Peaches In Extra Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the product purported to be and was represented as canned peaches, a food for which a definition and standard of identity has been prescribed by regulations; and the labels on a portion of the product failed to bear, as required by the regulations, the name of the optional packing medium present since the labels bore the statement "In Extra Heavy Syrup," whereas a portion of the article was packed in light sirup.

DISPOSITION: March 8, 1950. The shipper 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 the separation and relabeling of the misbranded portion.