

EGGS AND EGG PRODUCTS

17361. Adulteration of eggs. U. S. v. 116 Cases * * *. (F. D. C. No. 29725. Sample No. 81438-K.)

LIBEL FILED: September 11, 1950, District of New Jersey.

ALLEGED SHIPMENT: On or about September 5, 1950, by Harry Cohen, from Dover, Del.

PRODUCT: 116 second-hand egg crates each containing 30 dozen eggs at Cowtown, N. J.

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 rotten eggs.

DISPOSITION: September 14, 1950. Harry Cohen having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond, conditioned that it be disposed of for use as stock feed or for technical uses. On October 3, 1950, an amended decree was entered, ordering that the product be denatured and disposed of for use as tanning oil.

17362. Adulteration of whole egg powder. U. S. v. 14 Cases * * *. (F. D. C. No. 30754. Sample Nos. 24103-L, 24107-L.)

LIBEL FILED: March 16, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about April 30, 1949, from Moorhead, Minn.

PRODUCT: 14 cases, each containing 24 8-ounce cans, of whole egg powder 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 insects, insect fragments, and wood splinters. It was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 9, 1951. Default decree of condemnation and destruction.

FISH AND SHELLFISH

17363. Adulteration of herring in vinegar brine. U. S. v. 49 Barrels, etc. (F. D. C. No. 30368. Sample Nos. 74025-K, 92130-K, 92131-K.)

LIBEL FILED: January 4, 1951, Southern District of New York.

ALLEGED SHIPMENT: The product was imported on or about October 19, 1949, from Canada.

PRODUCT: Herring in vinegar brine. 49 barrels, each containing approximately 400 pounds, and 14 barrels, each containing approximately 250 pounds at New York, N. Y.

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 fish. It was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 8, 1951. Isidore Adelman, New York, N. Y., claimant, 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 purpose of segregating the good portion from the bad, under the supervision of

the Food and Drug Administration. Salvage operations resulted in the release of 13,450 pounds of the product as good and the destruction of 9,210 pounds. The rejected portion was denatured.

17364. Adulteration and misbranding of canned mackerel. U. S. v. 24 Cases
* * *. (F. D. C. No. 30755. Sample No. 27903-L.)

LIBEL FILED: March 19, 1951, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about February 21, 1951, by the Harcourt, Greene Co., from San Francisco, Calif.

PRODUCT: 24 cases, each containing 48 15-ounce cans of mackerel at New Orleans, La.

LABEL, IN PART: (Can) "Progresso Brand Mackerel."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a different variety of fish, horse (jack) mackerel, had been substituted for mackerel.

Misbranding, Section 403 (a), the label designation "Mackerel" was false and misleading as applied to an article consisting of horse (jack) mackerel.

DISPOSITION: May 18, 1951. Default decree of condemnation and destruction.

17365. Adulteration of canned salmon. U. S. v. 42 Cases * * *. (F. D. C. No. 30664. Sample No. 17751-L.)

LIBEL FILED: February 20, 1951, Southern District of California.

ALLEGED SHIPMENT: On or about November 24, 1950, by the Dungeness Sales Co. (Dungeness Crab, Inc.), from Seattle, Wash.

PRODUCT: 42 cases, each containing 48 7½-ounce cans, of salmon at Santa Ana, Calif.

LABEL, IN PART: "West Haven Brand Salmon."

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

DISPOSITION: March 28, 1951. The Dungeness Sales Co. (Dungeness Crab, Inc.), claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond, conditioned that it be disposed of in compliance with the law, under the supervision of the Food and Drug Administration. The unfit portion of the product, amounting to 1 case and 20 cans, was segregated and destroyed.

17366. Misbranding of canned sardines. U. S. v. 149 Cases * * *. (F. D. C. No. 30423. Sample No. 3853-L.)

LIBEL FILED: On or about February 6, 1951, District of Maryland.

ALLEGED SHIPMENT: On or about December 14, 1950, by the Richmond-Chase Co., from Oakland, Calif.

PRODUCT: 149 cases, each containing 48 cans, of sardines at Baltimore, Md.

LABEL, IN PART: (Can) "Sea Belle California Sardines Net Weight 15 Oz.
* * * Packed by Aeneas Sardine Products Co., Inc., Monterey, Calif."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Net Weight 15 Oz." was inaccurate. (Examination disclosed that the article was short of the declared weight.)