

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (Examination showed that the article was short of the declared weight.)

DISPOSITION: August 27, 1951. Hawaiian Tuna Packers, Ltd., Honolulu, T. H., 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 relabeling, under the supervision of the Federal Security Agency.

17867. Misbranding of canned fish roe. U. S. v. 21 Cases * * *. (F. D. C. No. 31407. Sample No. 1712-L.)

LIBEL FILED: August 14, 1951, Eastern District of South Carolina.

ALLEGED SHIPMENT: On or about April 4, 1951, by the Blue Channel Corp., from Belhaven, N. C.

PRODUCT: 21 cases, each containing 24 cans, of fish roe at Columbia, S. C.

LABEL, IN PART: (Can) "Harris American Fish Roe Net Weight 8 Oz."

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. (The cans contained less than the labeled 8 ounces.)

DISPOSITION: September 17, 1951. Default decree of condemnation and destruction. On November 2, 1951, an amended decree was entered ordering that the product be delivered to a public institution.

17868. Adulteration and misbranding of canned herring roe. U. S. v. 10 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 31225, 31226. Sample Nos. 3340-L, 3341-L.)

LIBELS FILED: On or about July 2, 1951, District of Maryland.

ALLEGED SHIPMENT: On or about February 26 and March 22, 1951, by Cape King Fisheries, Inc., from New Bedford, Mass.

PRODUCT: 33 cases, each containing 24 15-ounce cans, of herring roe at Hagerstown, Md.

LABEL, IN PART: (Can) "Cape King Herring Roe."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a roe other than herring roe had been substituted in whole or in part for herring roe.

Misbranding, Section 403 (a), the label declaration "Herring Roe" was false and misleading as applied to an article consisting of roe other than herring roe.

DISPOSITION: September 17, 1951. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution for its use and not for sale.

17869. Adulteration of frozen clams. U. S. v. 104 Cases * * *. (F. D. C. No. 31438. Sample No. 18255-L.)

LIBEL FILED: July 10, 1951, Southern District of California.

ALLEGED SHIPMENT: On or about June 12, 1951, by the Peconic Bay Packing Co., from Mattituck, Long Island, N. Y.

PRODUCT: 104 cases, each containing 12 4-pound packages, of frozen clams at Los Angeles, Calif.

LABEL, IN PART: (Package) "Long Island Frozen Chowder Clams."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a decomposed substance because of the presence of decomposed clams.

DISPOSITION: August 2, 1951. Default decree of condemnation. The court ordered that the product be delivered to a State agency, for use as fish food.

17870. Misbranding of canned crab meat. U. S. v. 499 Cases * * *. (F. D. C. No. 31449. Sample No. 28502-L.)

LIBEL FILED: August 2, 1951, Northern District of California.

ALLEGED SHIPMENT: On or about March 16, 1951, by the Fournier Brothers Cannery, from Port Oxford, Oreg.

PRODUCT: 499 cases, each containing 24 7-ounce cans, of crab meat at Alameda, Calif.

LABEL, IN PART: (Can) "Brigade Brand Fancy Dungeness Crab Meat."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Fancy" was false and misleading since the product was not fancy because of its discoloration.

DISPOSITION: September 12, 1951. Fishermen's Federation, 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 to be brought into compliance with the law, under the supervision of the Federal Security Agency.

17871. Adulteration of frozen shrimp. U. S. v. 10 Cases * * *. (F. D. C. No. 31337. Sample No. 5454-L.)

LIBEL FILED: On or about July 11, 1951, District of Rhode Island.

ALLEGED SHIPMENT: On or about May 19, 1951, by the Bougon Oyster House, from Morgan City, La.

PRODUCT: 10 cases containing 470 pounds of frozen shrimp at Providence, R. I.

LABEL, IN PART: (Box) "Frozen Fresh Headless Shrimp Cher-Amie Brand Packed by Morgan City Canning Co., Inc. Houma, Louisiana."

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: September 10, 1951. Default decree of condemnation and destruction.

FRUITS AND VEGETABLES

CANNED FRUIT

17872. Misbranding of canned pears. U. S. v. 55 Cases * * *. (F. D. C. No. 31400. Sample No. 30188-L.)

LIBEL FILED: August 2, 1951, District of South Dakota.

ALLEGED SHIPMENT: On or about July 3, 1951, by the C. S. Kale Canning Co., from Everson, Wash.

PRODUCT: 55 cases, each containing 6 6-pound, 7-ounce cans, of pears at Sioux Falls, S. Dak.

LABEL, IN PART: (Can) "Whatcom Brand Water Pack Bartlett Pears."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the product purported to be and was represented as canned pears, a food for which a definition and standard of identity has been prescribed by regulations; and its label failed to bear, as required by the regulations, the name of the optional pear ingredient present, namely, peeled halves.