

DISPOSITION: November 5, 1951. Miles Friedman, Inc., Norfolk, Va., 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 segregation, under the supervision of the Federal Security Agency. A total of 86 cans of the product were segregated as unfit and were denatured for use as animal feed.

18016. Adulteration of frozen eggs. U. S. v. 16 Cans * * *. (F. D. C. No. 31729. Sample No. 5876-L.)

LIBEL FILED: On or about September 25, 1951, District of Rhode Island.

ALLEGED SHIPMENT: On or about September 8 and 11, 1951, by the Delicious Egg Co., from Fall River, Mass.

PRODUCT: 16 30-pound cans of frozen eggs at Providence, R. I.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: October 19, 1951. Default decree of condemnation and destruction.

FEED

18017. Misbranding of dairy feed. U. S. v. 20 Bags * * *. (F. D. C. No. 29402. Sample No. 39378-K.)

LIBEL FILED: July 19, 1950, Eastern District of Kentucky.

ALLEGED SHIPMENT: On or about June 1, 1950, by Gwinn Brothers & Co., from Huntington, W. Va.

PRODUCT: 20 100-pound bags of dairy feed at Winchester, Ky.

LABEL, IN PART: (Bag) "Banner 16 percent Dairy Feed Guaranteed Analysis Protein, not less than 16 percent Fat, not less than 3 percent Fiber, not more than 15 percent."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Guaranteed Analysis Protein, not less than 16 percent Fat, not less than 3 percent Fiber, not more than 15 percent" was false and misleading since the product contained less protein and fat and more fiber than declared by the label statement.

DISPOSITION: August 18, 1950. Default decree of condemnation. The court ordered that the product be sold to the highest bidder for use in stock feeding, conditioned that the purchaser file a bond to insure that it would be fed only to stock under his care.

FISH AND SHELLFISH

18018. Adulteration of frozen flounder. U. S. v. 58 Boxes * * *. (F. D. C. No. 31717. Sample No. 23229-L.)

LIBEL FILED: September 21, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about August 30, 1951, by Cornman & Baggs, Inc., from Boston, Mass.

PRODUCT: 58 15-pound boxes of frozen flounder at New York, N. Y.

LABEL, IN PART: "Fresh Flounders * * * Marque Clare Brand Product of Canada."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed fish.

DISPOSITION: October 17, 1951. Default decree of condemnation and destruction.

18019. Misbranding of canned tuna. U. S. v. 57 Cans * * * (and 2 other seizure actions). (F. D. C. Nos. 31775 to 31777, incl. Sample Nos. 3148-L to 3150-L, incl.)

LIBELS FILED: October 9, 1951, District of Columbia.

ALLEGED SHIPMENT: On or about August 9, 21, and 24, 1951, by Cape King Fisheries, Inc., from New Bedford, Mass.

PRODUCT: 57 cans and 17 cases, each case containing 48 cans, of tuna at Washington, D. C.

LABEL, IN PART: (Can) "Cape King light meat Tuna Contents 13 [or "12½"] Oz. Avd."

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 since the label statements "Contents 13 Oz. Avd." and "Contents 12½ Oz. Avd." were inaccurate. (Examination showed that the product was short of the declared weight.)

DISPOSITION: November 15, 1951. Default decrees of condemnation. The court ordered that the product be delivered to a public institution for its use and not for sale.

18020. Adulteration of canned chopped clams. U. S. v. 497 Cases * * *. (F. D. C. No. 31504. Sample Nos. 29499-L, 29500-L.)

LIBEL FILED: September 4, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about July 16, 1951, by the Iwersen Canning Co., from Cape May, N. J.

PRODUCT: 497 cases, each containing 12 51-ounce cans, of chopped clams at Seattle, Wash.

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

DISPOSITION: September 19, 1951. The Iwersen Canning Co., Point Roberts, Wash., 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 segregation of the unfit portion, under the supervision of the Federal Security Agency. 7 cases of the product were found to be unfit and were destroyed.

18021. Adulteration of canned lobster meat. U. S. v. 276 Cans * * *. (F. D. C. No. 31746. Sample Nos. 23753-L, 36911-L.)

LIBEL FILED: October 1, 1951, District of Connecticut.

ALLEGED SHIPMENT: On or about July 16, 1951, from New York, N. Y.

PRODUCT: 276 14-ounce cans of lobster meat at New Haven, Conn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of de-