

**19232. Adulteration of frozen scallops. U. S. v. 21 Cartons \* \* \*. (F. D. C. No. 33299. Sample No. 23241-L.)**

**LIBEL FILED:** June 18, 1952, District of New Jersey.

**ALLEGED SHIPMENT:** On or about May 29, 1952, by the International Fish Co., from New York, N. Y.

**PRODUCT:** 21 5-pound cartons of frozen scallops at Monmouth Beach, 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 decomposed scallops.

**DISPOSITION:** August 5, 1952. Default decree of condemnation and destruction.

## FRUITS AND VEGETABLES\*

### CANNED FRUIT

**19233. Misbranding of canned cherries. U. S. v. 71 Cases \* \* \*. (F. D. C. No. 33683. Sample No. 29346-L.)**

**LIBEL FILED:** September 22, 1952, Eastern District of Washington.

**ALLEGED SHIPMENT:** On or about July 16, 1952, by Seiter's, Inc., from Post Falls, Idaho.

**PRODUCT:** 71 cases, each containing 24 cans, of cherries at Spokane, Wash.

**LABEL, IN PART:** "State Flower Brand Net Weight 1 Lb. 3 Oz. Pitted Red Sour Cherries In Water."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned cherries since more than 15 percent of the cherries in the container were blemished with skin discoloration and its label failed to bear, as required by the standard, a statement that it fell below the standard.

**DISPOSITION:** November 28, 1952. The shipper, 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 relabeled, under the supervision of the Federal Security Agency.

**19234. Misbranding of canned stewed fruit compote. U. S. v. 198 Cases \* \* \*. (F. D. C. No. 32941. Sample No. 37233-L.)**

**LIBEL FILED:** March 12, 1952, Southern District of New York.

**ALLEGED SHIPMENT:** On or about December 11, 1951, by Lord Mott Co., Inc., from Baltimore, Md.

**PRODUCT:** 198 cases, each containing 24 1-pound cans, of stewed fruit compote at Bronx, N. Y.

**LABEL, IN PART:** "Krasdale Stewed Fruit Compote."

**NATURE OF CHARGE:** Misbranding, Section 403 (i) (2), the product was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each ingredient; and, Section 403 (k), the product contained a chemical preservative and failed to bear labeling stating that fact. (Examination disclosed that the product contained sulfur dioxide.)

\*See also No. 19201.