

CHARGE: 402(b)(2)—when shipped, pollock had been substituted in whole or in part for haddock; 403(a)—the label statements "Haddock" were false and misleading as applied to products consisting of portions of fish prepared from pollock, not haddock; 403(b)—portions of pollock had been offered for sale under the name of another food, namely, haddock; 403(e)(1)—the article failed to bear a (pkg.) label containing the name and address of the manufacturer, packer, or distributor; 403(i)(2)—the labels of the article failed to bear the common or usual name of each ingredient.

DISPOSITION: 11-11-63. Claimed by Stoller Fisheries, Inc., Spirit Lake, Iowa. Segregated and relabeled; 6 cases denatured.

29874. Canned tunafish. (F.D.C. No. 50271. S. No. 94-384 A.)

QUANTITY: 13 cases, each containing 12 4-lb. 2½-oz. cans, at Alton, Ill.

SHIPPED: Prior to 1-14-64, from New York, N.Y.

RESULTS OF INVESTIGATION: Examination showed that the article was undergoing chemical decomposition.

LIBELED: 8-7-64, S. Dist. Ill.

CHARGE: 402(a)(3)—contained a decomposed substance while held for sale.

DISPOSITION: 9-14-64. Default—destruction.

29875. Canned tunafish. (F.D.C. No. 50598. S. Nos. 9-944 A, 11-713 A.)

QUANTITY: 41 cases, each containing 12 4-lb. 2½-oz. cans, at Arlington, Va.

SHIPPED: 5-6-64, from New York, N.Y.

RESULTS OF INVESTIGATION: Examination showed that the article was undergoing chemical decomposition.

LIBELED: 9-29-64, E. Dist. Va.

CHARGE: 402(a)(3)—contained decomposed tunafish while held for sale.

DISPOSITION: 11-5-64. Default—destruction.

29876. Canned frozen oysters. (F.D.C. No. 50245. S. No. 66-584 A.)

QUANTITY: 198 cases, each containing 12 12-oz. cans, at Minneapolis, Minn.

SHIPPED: 9-5-63, from Tilghman, Md., by the Tilghman Packing Co.

LABEL IN PART: (Can) "Tilghman Brand Frozen Oysters * * * Packed By The Tilghman Packing Co., Tilghman, Maryland."

RESULTS OF INVESTIGATION: Examination showed the average drained liquid to be 49.7 percent of the article.

LIBELED: 6-30-64, Dist. Minn.

CHARGE: 402(b)(2)—when shipped, water had been substituted in part for oysters; 403(a)—the label statement "Oysters" was false and misleading as applied to a product consisting in part of water; and 403(i)(2)—the article was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient, since added water had not been declared.

DISPOSITION: 8-13-64. Consent—claimed by Tilghman Packing Co., for re-processing and relabeling.

29877. Canned shrimp. (F.D.C. No. 50527. S. No. 56-255 A.)

QUANTITY: 66 cases, each containing 24 4½-oz. cans, at Omaha, Nebr.

SHIPPED: 11-8-63 and 2-15-64, from Harvey, La.

RESULTS OF INVESTIGATION: Examination showed that the article was undergoing progressive decomposition and contained coagulase positive staphylococci.

LIBELED: 9-18-64, Dist. Nebr.

CHARGE: 402(a)(3)—the article contained a decomposed substance while held for sale.

DISPOSITION: 11-6-64. Default—destruction.

29878. Frozen shrimp. (F.D.C. No. 50663. S. Nos. 43-023 A, 45-331 A.)

QUANTITY: 35 cases, each containing 6 bags, at Denver, Colo.

SHIPPED: 6-16-64, from Tampa, Fla., by Ocean Products, Inc.

LABEL IN PART: (Case) "Treasure Isle Brand * * * Peeled Deveined Shrimp 15-20 T-Off * * * Packed by Ocean Products, Inc. Tampa, Florida," and (bag) "Treasure Isle Shrimp Ready To Cook * * * Net Weight 3 Lbs. Packed by Ocean Products, Inc. Tampa, Florida."

RESULTS OF INVESTIGATION: Examination showed the article to be approximately 18.5 percent short weight.

LIBELED: 10-15-64, Dist. Colo.

CHARGE: 403(a)—when shipped, the label statement "15-20" was false and misleading as applied to a product containing more than 20 shrimp per pound; and 403(e)(2)—the article was food in package form and it failed to bear a label containing an accurate statement of the quantity of the contents, since the label statement "Net Weight 3 Lbs." was inaccurate.

DISPOSITION: 11-20-64. Consent—claimed by Ocean Products, Inc., Tampa, Fla., for relabeling.

FRUITS AND VEGETABLES

CANNED FRUIT

29879. Canned peaches. (F.D.C. No. 49885. S. No. 103-086 A.)

QUANTITY: 100 cases, each containing 24 1-lb. 12-oz. cans, at Portland, Oreg.

SHIPPED: 9-16-63, from Wenatchee, Wash., by D & D Foods, Inc.

LABEL IN PART: (Can) "Black & Gold Fancy Halves Yellow Elberta Free-stone Peaches * * * Packed by D & D Foods, Inc., Wenatchee, Wash. In Extra Heavy Syrup."

LIBELED: 4-27-64, Dist. Oreg.

CHARGE: 403(g)(2)—when shipped, the article's label failed to bear as required by the definition and standard of identity for canned peaches, the name of the optional packing medium present in such food, since its label bore the statement "In Extra Heavy Syrup" whereas the article was packed in a medium designated as "Heavy Syrup."

DISPOSITION: 6-12-64. Default—delivered to a charitable institution.

29880. Canned peaches. (F.D.C. No. 49831. S. No. 34-502 A.)

QUANTITY: 633 cases, each containing 24 1-lb. 13-oz. cans, at Bloomington, Ind.

SHIPPED: 1-20-64, from Concord, Ga., by Gold Crest Canning Co.