

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

DISPOSITION: October 1, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11402. Adulteration of canned shrimp. U. S. v. 66 Cases * * *. (F. D. C. No. 20541. Sample No. 8838-H.)

LIBEL FILED: July 17, 1946, Southern District of New York.

ALLEGED SHIPMENT: On or about May 18, 1946, by the Medomak Canning Co., from Winslow Mills, Maine.

PRODUCT: 66 cases, each containing 48 6½- or 7-ounce cans, of shrimp at New York, N. Y.

LABEL, IN PART: "Maine-Maid Brand Maine Wet Shrimp."

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

DISPOSITION: May 24, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11403. Misbranding of canned shrimp. U. S. v. 19 Cases * * *. (F. D. C. No. 20616. Sample No. 37038-H.)

LIBEL FILED: August 12, 1946, Western District of Washington.

ALLEGED SHIPMENT: On or about June 11, 1946, by the Alaska Shellfish Corp., from Seldovia, Alaska.

PRODUCT: 19 cases, each containing 48 4-ounce cans, of shrimp at Seattle, Wash. The product was wet pack shrimp in nontransparent containers.

LABEL, IN PART: "Pacific Pearl Brand Alaska Cocktail Shrimp."

NATURE OF CHARGE: Misbranding, Section 403 (h) (2), the article fell below the standard of fill of container for canned shrimp in nontransparent containers. The standard requires that the cut-out weight of shrimp taken from each can is not less than 64 percent of the water capacity of the container. The containers were not filled in accordance with the standard, and the label failed to bear a statement that it fell below such standard.

DISPOSITION: August 23, 1946. Alaska Shellfish, Inc., claimant, having consented to the entry of a decree, judgment was entered ordering that the product be released under bond for relabeling under the supervision of the Federal Security Agency.

11404. Adulteration of frozen shrimp. U. S. v. 283 Cartons * * *. (F. D. C. No. 21093. Sample Nos. 63507-H, 63508-H.)

LIBEL FILED: September 30, 1946, Southern District of New York.

ALLEGED SHIPMENT: On or about August 17, 1946, by the R. H. Savage Fish Co., from Beaufort, S. C.; and by Paul Moreira, Lourenco Moreira, Manuel Ferro, the Mutual Shrimp Co., Jack Netto, M. Lousa, John Macado, Manuel Henrique, M. Rocha, Joe Romeira, D. Manita, and V. Ribeiro, from Brunswick, Ga.

PRODUCT: 283 10-pound cartons of frozen shrimp at New York, N. Y. The shrimp was packed in 100-pound cartons. Upon its arrival in New York it was repackaged into 10-pound cartons.

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

DISPOSITION: October 18, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FRUITS AND VEGETABLES*

CANNED FRUIT

11405. Adulteration of canned blackberries. U. S. v. 81 Cases * * *. (F. D. C. No. 20745. Sample No. 1767-H.)

LIBEL FILED: On or about August 26, 1946, Northern District of Georgia.

ALLEGED SHIPMENT: On or about July 8, 1946, by the Havana Canning Co., from Havana, Fla.

*See also Nos. 11303, 11305-11310, 11358.

PRODUCT: 81 cases, each containing 6 6-pound, 7-ounce cans, of blackberries at Atlanta, Ga.

LABEL, IN PART: "Le-Ko Brand * * * Wild Blackberries Packed in Water."

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

DISPOSITION: October 4, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11406. Adulteration of canned blackberries. U. S. v. 137 Cases * * *. (F. D. C. No. 21157. Sample No. 61619-H.)

LIBEL FILED: October 1, 1946, Western District of Washington.

ALLEGED SHIPMENT: On or about September 9, 1946, by the Pacific Fruit & Produce Co., from Portland, Oreg.

PRODUCT: 137 cases, each containing 6 6-pound, 7-ounce cans, of blackberries at Seattle, Wash.

LABEL, IN PART: "Cream of the Valley * * * Blackberries in Water Packed by Chas. L. Diven Portland, Oregon."

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 rotten blackberries.

DISPOSITION: December 31, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11407. Adulteration of canned cherries. U. S. v. 251 Cases * * *. (F. D. C. No. 20748. Sample No. 63891-H.)

LIBEL FILED: August 28, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about June 5, 1946, by Stockton Food Products, Inc., from Stockton, Calif.

PRODUCT: 251 cases, each containing 24 1-pound, 12-ounce cans, of dark sweet cherries at Paterson, N. J.

LABEL, IN PART: "Real-Ripe Brand Dark Sweet Cherries In Slightly Sweetened Water."

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

DISPOSITION: January 6, 1947. The shipper having withdrawn its claim and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

11408. Misbranding of canned peaches. U. S. v. 122 Cases * * *. (F. D. C. No. 20723. Sample No. 54222-H.)

LIBEL FILED: August 22, 1946, Southern District of Florida.

ALLEGED SHIPMENT: On or about June 20, 1946, by the Russell & Decker Co., from Monticello, Ga.

PRODUCT: 122 cases, each containing 24 1-pound, 12-ounce cans, of peaches at Miami, Fla.

LABEL, IN PART: "Castella Brand White Freestone Halves Peaches."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product failed to conform to the standard of quality for canned peaches, since more than 20 percent of the units in the container were blemished, since not all of the units were untrimmed, or so trimmed as to preserve normal shape, and since the product was not labeled as substandard.

DISPOSITION: November 18, 1946. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

11409. Adulteration of canned prunes. U. S. v. Paulus Brothers Packing Co. Plea of guilty. Fine, \$1,200. (F. D. C. No. 20465. Sample Nos. 1078-H, 1374-H, 8299-H, 8441-H, 10870-H, 12785-H.)

LIBEL FILED: August 21, 1946, District of Oregon, against the Paulus Brothers Packing Co., a corporation, Salem, Oreg.

ALLEGED SHIPMENT: Between the approximate dates of December 9 and 14, 1945,