

come contaminated with filth. (Examination showed that the product was contaminated with *E. coli* of fecal origin.)

DISPOSITION: June 23, 1948. Default decree of condemnation and destruction.

**13286. Adulteration of crab meat. U. S. v. 4 Barrels \* \* \*. (F. D. C. No. 25379. Sample No. 2059-K.)**

LABEL FILED: July 2, 1948, District of Maryland.

ALLEGED SHIPMENT: On or about June 30, 1948, by the Garland F. Fulcher Seafood Co., from Oriental, N. C.

PRODUCT: 4 barrels containing a total of 424 pounds of crab meat at Baltimore, Md.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance (examination showed that the product was contaminated with *E. coli* of fecal origin); and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: On or about August 5, 1948. Default decree of condemnation and destruction.

**13287. Adulteration of crab meat. U. S. v. 67 Cases \* \* \*. (F. D. C. No. 24589. Sample Nos. 36329-K, 36455-K.)**

LABEL FILED: April 12, 1948, District of Washington.

ALLEGED SHIPMENT: On or about November 1, 1947, by the Ocean Fresh Seafoods Co., from Cordova, Alaska.

PRODUCT: 67 cases, each containing 48 cans, and 40 cans of crab meat at Seattle, Wash.

LABEL, IN PART: "Alaska Fresh Dungeness Crab Meat."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination showed the presence of decomposed crab meat.)

DISPOSITION: June 24, 1948. Default decree of condemnation and destruction.

**13288. Adulteration of lobster tails. U. S. v. William Cohen (Willie Cohen). Plea of guilty. Fine, \$3,500. (F. D. C. No. 21439. Sample Nos. 63933-H to 63937-H, incl., 65035-H, 65036-H.)**

INDICTMENT RETURNED: October 21, 1946, Northern District of New York, against William Cohen (Willie Cohen), Montreal, Canada.

ALLEGED SHIPMENT: On or about July 12, 18, 20, and 22, 1946, from Montreal, Canada, into the State of New Jersey, through Rouses Point, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of putrid and decomposed substances.

DISPOSITION: December 17, 1947. A plea of guilty having been entered, the defendant was fined \$3,500.

**13289. Adulteration of scallops. U. S. v. 682 Pounds \* \* \*. (F. D. C. No. 24294. Sample Nos. 8716-K, 8719-K.)**

LABEL FILED: January 6, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about November 5, 1947, from Georges Bank off Massachusetts, by Boat Catherine C.

PRODUCT: 682 pounds of scallops at New York, N. Y.

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

DISPOSITION: April 29, 1948. Default decree of condemnation and destruction.

**13290. Misbranding of canned shrimp. U. S. v. Morgan City Packing Co., a partnership, and Bertoul Cheramie. Pleas of nolo contendere. Partnership fined \$500. Imposition of sentence against individual suspended and he was placed on probation for 3 years. (F. D. C. No. 23211. Sample No. 24260-H.)**

INFORMATION FILED: August 28, 1947, Eastern District of Louisiana, against the Morgan City Packing Co., Houma, La., and Bertoul Cheramie, a partner.

ALLEGED SHIPMENT: On or about August 23, 1946, from the State of Louisiana into the State of Alabama.

**LABEL, IN PART:** "Bridge Brand Wet Pack Shrimp, Net Weight Drained 7 Ozs. Distributed By St. Mary Sea Food Co., Morgan City, La."

**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 product was short of the declared drained weight); and, Section 403 (h) (2), it failed to conform to the standard of fill of container for canned shrimp in nontransparent containers, since the containers were not so filled that the cut-out weight of the shrimp taken from each can was not less than 64 percent of the water capacity of the containers, as required by the standard, and the label of the article failed to bear a statement that it fell below such standard.

**DISPOSITION:** March 3, 1948. Pleas of nolo contendere having been entered, the partnership was fined \$500. Imposition of sentence against the individual defendant was suspended and he was placed on probation for a period of 3 years, conditioned that he violate no State or Federal laws during that period.

**13291. Misbranding of canned shrimp. U. S. v. 134 Cases \* \* \*. (F. D. C. No. 24875. Sample No. 4939-K.)**

**LIBEL FILED:** June 7, 1948, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about April 9, 1948, by the Pelican Oyster & Fish Co., from New Orleans, La.

**PRODUCT:** 134 cases, each containing 48 cans, of shrimp at Brighton, Mass.

**LABEL, IN PART:** "Four Square Brand Wet Pack Shrimp Drained Weight 5 Ozs. Distributed By Hercules Frosted & Canned Foods, New Orleans, La."

**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 5 ounces declared); and, Section 403 (h) (2), the product fell below the standard of fill of container for canned wet pack shrimp in nontransparent containers, since the containers were not so filled that the cut-out weight of shrimp taken from each can was not less than 64 percent of the water capacity of the container, as required by the regulations, and its label failed to bear a statement that it fell below such standard.

**DISPOSITION:** July 16, 1948. The Pelican Oyster & Fish Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

## FRUITS AND VEGETABLES\*

### CANNED AND DRIED FRUIT

**13292. Adulteration of canned blueberries. U. S. v. 160 Cases \* \* \*. (F. D. C. Nos. 22593 to 22595, incl. Sample Nos. 43900-H, 44381-H, 44382-H.)**

**LIBEL FILED:** March 4, 1947, Southern District of California.

**ALLEGED SHIPMENT:** On or about November 26, 1946, by the Sea-Land Frosted Foods Corp., from Boston, Mass.

**PRODUCT:** 160 cases, each containing 24 1-pound, 4-ounce cans, of blueberries at Los Angeles and Compton, Calif.

**LABEL, IN PART:** "Sea-Land Selected Blueberries."

**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 moldy blueberries.

**DISPOSITION:** May 27, 1947. Default decree of condemnation and destruction.

**13293. Misbranding of canned peaches. U. S. v. 513 Cases \* \* \*. (F. D. C. No. 24842. Sample No. 4929-K.)**

**LIBEL FILED:** May 11, 1948, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about February 27, 1948, by Libby, McNeill & Libby, from Sacramento, Calif.

\*See also Nos. 13203-13205, 13207, 13208.