

15681. Adulteration of herring roe. U. S. v. 22 Cases * * *. (F. D. C. No. 27824. Sample No. 40334-K.)

LIBEL FILED: September 21, 1949, Eastern District of North Carolina.

ALLEGED SHIPMENT: On or about May 12, 1949, by Southgate Brokerage Co., Inc., from Norfolk, Va.

PRODUCT: 22 cases, each containing 24 15-ounce cans, of herring roe at Elizabeth City, N. C.

LABEL, IN PART: (Can) "Deep Point Brand * * * Herring Roe Packed By Deep Point Canning Co. Montross, Va."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), brine had been substituted in whole or in part for herring roe.

DISPOSITION: February 6, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution for its use and not for sale.

15682. Adulteration of crab meat. U. S. v. Brice R. Phillips (A. E. Phillips & Son). Plea of guilty. Fine of \$500 and costs. (F. D. C. No. 27540. Sample Nos. 3299-K, 66802-K.)

INFORMATION FILED: October 11, 1949, District of Maryland, against Brice R. Phillips, trading as A. E. Phillips & Son, Fishing Creek, Md.

ALLEGED SHIPMENT: On or about July 22 and 26, 1949, from the State of Maryland into the State of Pennsylvania.

LABEL, IN PART: "A. E. Phillips * * * Special Crab Meat" and "Fresh Maryland Crab Meat Back Fin [or "Regular" or "Claw"] Best All-Ways."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance, as evidenced by the presence in the article of fecal *E. coli*; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 5, 1949. A plea of guilty having been entered, the court imposed a fine of \$500 and costs.

FRUITS AND VEGETABLES

CANNED FRUIT

15683. Misbranding of canned peaches. U. S. v. 146 Cases * * *. (F. D. C. No. 27835. Sample Nos. 32096-K, 33102-K.)

LIBEL FILED: September 9, 1949, Southern District of Texas.

ALLEGED SHIPMENT: On or about August 12, 1949, by the Puccinelli Packing Co., from Turlock, Calif.

PRODUCT: 146 cases, each containing 6 6-pound, 14-ounce cans, of peaches at Houston, Tex.

LABEL, IN PART: (Can) "Tru-Sweet Brand Yellow Freestone Peach Halves In Extra Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the article purported to be and was represented as canned peaches, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear, as required by such regulations, the name of the optional packing medium present in the article. The label bore the statement "In Extra Heavy