

be released under bond to be relabeled and that the adulterated portion be destroyed, under the supervision of the Food and Drug Administration.

16436. Adulteration of frozen breaded shrimp. U. S. v. 99 Cartons, etc.
(F. D. C. No. 29292. Sample Nos. 47558-K, 47559-K.)

LIBEL FILED: June 28, 1950, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 8 and 9, 1950, by the Consolidated Processing Corp., from Miami, Fla.

PRODUCT: Frozen breaded shrimp. 99 cartons, each containing 10 3-pound packages, and 208 cartons, each containing 36 10-ounce packages, at Pittsburgh, Pa.

LABEL, IN PART: "Gold-N-Maid * * * Shrimp."

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 decomposed shrimp.

DISPOSITION: August 4, 1950. Default decree of condemnation and destruction.

FRUITS AND VEGETABLES*

CANNED FRUIT

16437. Misbranding of canned cherries. U. S. v. 62 Cases * * *. (F. D. C. No. 28842. Sample No. 75420-K.)

LIBEL FILED: February 13, 1950, District of Colorado.

ALLEGED SHIPMENT: On or about July 14, 1949, by Intermountain Food Co., Inc., from Provo, Utah.

PRODUCT: 62 cases, each containing 24 1-pound, 14-ounce cans, of cherries at Denver, Colo.

LABEL, IN PART: "Mellhorn Quality Unpitted Dark Sweet Cherries in Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (h) (2), the article fell below the standard of fill of container for canned cherries since there was not present in the container the maximum quantity of the optional cherry ingredient which could be sealed in the container and processed by heat to prevent spoilage, without crushing such ingredient, and the label failed to bear a statement that the article fell below such standard.

DISPOSITION: July 28, 1950. The Intermountain Food Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that all cases of the article identified as Code 501 be released under bond for relabeling, under the supervision of the Federal Security Agency, and that the other cases of the article be released without bond to the claimant.

16438. Misbranding of canned peaches. U. S. v. 224 Cases * * *. (F. D. C. No. 29086. Sample No. 34909-K.)

LIBEL FILED: May 2, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about April 11, 1950, by the Planada Packers, Planada, Calif.

*See also No. 16403.

PRODUCT: 224 cases, each containing 24 1-pound, 14-ounce cans, of peaches at Bronx, N. Y.

LABEL, IN PART: (Can) "A&P Halved Yellow Freestone Peaches In Extra Heavy Syrup Home Style Elberta."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the product 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 the name of the optional packing medium present since the label bore the statement "In Extra Heavy Syrup" and the product was packed in heavy sirup.

DISPOSITION: July 28, 1950. The Planada Packers, 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 Food and Drug Administration.

16439. Adulteration of canned black raspberries. U. S. v. 254 Cases * * *.
(F. D. C. No. 29220. Sample No. 72483-K.)

LIBEL FILED: May 10, 1950, Southern District of Indiana.

ALLEGED SHIPMENT: On or about August 18, 1949, by the Paw Paw Canning Co., from Paw Paw, Mich.

PRODUCT: 254 cases, each containing 6 6-pound, 7-ounce cans, of black raspberries at Indianapolis, Ind.

LABEL, IN PART: "Pleasant Flavor Black Raspberries."

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

DISPOSITION: July 10, 1950. Default decree of forfeiture and destruction.

FROZEN FRUIT

16440. Adulteration of frozen blackberries. U. S. v. Fruitcrest Corp. Plea of nolo contendere. Fine, \$500. (F. D. C. No. 26701. Sample No. 37359-K.)

INFORMATION FILED: June 2, 1950, Western District of Washington, against the Fruitcrest Corp., Brooklyn and Dundee, N. Y.

ALLEGED SHIPMENT: On or about August 13, 1948, from the State of Washington into the State of New York.

LABEL, IN PART: "Olympic Blackberries Unsweetened."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of worms, and of a decomposed substance by reason of the presence of rotten blackberries.

DISPOSITION: July 10, 1950. A plea of nolo contendere having been entered, the court imposed a fine of \$500.