

20031. Adulteration and misbranding of canned sardines. U. S. v. 500 Cases
* * *. (F. D. C. No. 34263. Sample No. 42399-L.)

LIBEL FILED: December 2, 1952, Northern District of California.

ALLEGED SHIPMENT: On or about November 19, 1952, by the San Xavier Fish Packing Co., from Monterey, Calif., to San Francisco, Calif., for shipment to the Philippine Islands.

PRODUCT: 500 cases, each containing 100 5-ounce cans, of sardines at San Francisco, Calif. Examination showed that the product was anchovies.

LABEL, IN PART: (Can) "AAA Triple A Brand in Tomato Sauce * * * California Sardines."

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

Misbranding, Section 403 (b), the product was offered for sale under the name of another food, sardines.

DISPOSITION: January 23, 1953. Ziel & Co., Inc., San Francisco, Calif., 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 Federal Security Agency.

20032. Adulteration and misbranding of canned sardines. U. S. v. 421 Cases
* * *. (F. D. C. No. 34265. Sample No. 27319-L.)

LIBEL FILED: December 2, 1952, Northern District of California.

ALLEGED SHIPMENT: On or about November 19, 1952, by the Santa Cruz Canning Co., from Moss Landing, Calif., to San Francisco, Calif., for shipment to the Philippine Islands.

PRODUCT: 421 cases, each containing 48 15-ounce cans, of sardines at San Francisco, Calif. Examination showed that the product was anchovies, containing little, if any, tomato sauce.

LABEL, IN PART: "Fortune Brand California Sardines In Tomato Sauce."

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

Misbranding, Section 403 (a), the label statement "Sardines In Tomato Sauce" was false and misleading as applied to anchovies containing little, if any, tomato sauce.

DISPOSITION: January 23, 1953. D. B. Berelson & Co., San Francisco, Calif., 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 for relabeling under the supervision of the Federal Security Agency.

20033. Adulteration of canned sardines. U. S. v. 466 Cans * * *. (F. D. C. No. 34268. Sample No. 33839-L.)

LIBEL FILED: December 1, 1952, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about October 3, 1952, by the Great A & P Tea Co., from New York, N. Y.

PRODUCT: 466 3¼-ounce cans of sardines at Detroit, Mich.

LABEL, IN PART: "Topmast Brand Product of Norway * * * Fancy Norwegian Smoked Brisling Sardines in Pure Olive Oil Packed By: A/S Fønnes Preserving Co. Ltd. Bergen Norway."