

20763. Adulteration of crabmeat. U. S. v. 38 Cans * * *. (F. D. C. No. 35549. Sample No. 46807-L.)

LIBEL FILED: August 24, 1953, Northern District of Florida.

ALLEGED SHIPMENT: On or about August 19, 1953, by the Reuther Seafood Co., from New Orleans, La.

PRODUCT: 38 1-pound cans of crabmeat at Atlanta, Ga. Examination showed that the product was contaminated with *E. coli*.

LABEL, IN PART: (Can) "Reuther's * * * Reuther Seafood Co. Crabmeat Seasoned With Salt."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy animal substance; and, Section 402 (a) (4), it had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth or may have been rendered injurious to health.

DISPOSITION: October 2, 1953. Default decree of condemnation and destruction.

20764. Adulteration of frozen breaded shrimp. U. S. v. 49 Cases, etc. (F. D. C. No. 35042. Sample Nos. 62303-L, 62304-L.)

LIBEL FILED: May 15, 1953, Western District of Tennessee.

ALLEGED SHIPMENT: On or about August 4, 1952, from Chicago, Ill.

PRODUCT: 99 cases, each containing 24 10-ounce packages, of frozen breaded shrimp at Memphis, Tenn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: June 29, 1953. D. Canale & Co., Memphis, Tenn., having filed an answer to the libel without pleading ownership to the product and later having stated that it had no further interest in the proceeding and would not proceed further therein, judgment of condemnation was entered and the court ordered that the product be destroyed.

FRUITS AND VEGETABLES

CANNED FRUIT

20765. Misbranding of canned peaches. U. S. v. 648 Cases * * *. (F. D. C. No. 35639. Sample No. 59177-L.)

LIBEL FILED: September 16, 1953, Southern District of Florida.

ALLEGED SHIPMENT: On or about July 18, 1953, by the Bateman Canning Co., from Macon, Ga.

PRODUCT: 648 cases, each containing 24 cans, of peaches at Miami, Fla.

LABEL, IN PART: (Can) "Dixiana Net Wt. 1 lb. 13 ozs. Yellow Freestone Peaches Mixed pieces of irregular sizes and shape Packed in Heavy Syrup Packed by Bateman Canning Co., Macon, Ga."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned peaches since the article failed to meet the test for tenderness as prescribed by the standard and the label failed to bear a statement that the article fell below such standard.