

LIBELED: 7-30-57, S. Dist. Tex.

CHARGE: 402(a)(3)—contained *E. coli* of fecal origin; and 402(a)(4)—prepared under insanitary conditions.

DISPOSITION: 11-14-57. Default—destruction.

24507. Oysters. (F.D.C. No. 40419. S. No. 71-653 M.)

QUANTITY: 438 cases, 24 8-oz. cans each, at Chariton, Iowa.

SHIPPED: 3-15-57 and 4-2-57, from Biloxi, Miss., by De Jean Packing Co.

LABEL IN PART: (Can) "De Jean's My T Good Brand Broken Cove Oysters."

LIBELED: 8-14-57, S. Dist. Iowa.

CHARGE: 402(a)(3)—contained marine worms when shipped; 403(a)—the vignette on the label showing whole oysters was misleading as applied to the article, which consisted of pieces of oysters; and 403(g)(2)—the article purported to be canned pieces of oysters, a food for which a definition and standard of identity has been prescribed by regulations, and the label failed to bear the name of the food specified in the definition and standard.

DISPOSITION: 10-25-57. Consent—claimed by De Jean Packing Co. Segregated; 160 part cases of the article destroyed and 283 full cases plus ½ case, relabeled.

24508. Frozen shrimp. (F.D.C. No. 40731. S. No. 74-022 M.)

QUANTITY: 23 cases, 12 pkgs. each, at Portland, Oreg.

SHIPPED: 4-4-57, from Seattle, Wash., by Sea Pak Corp.

LABEL IN PART: (Pkg.) "Sea Pak Quik Cook Shrimp Net Wt. 8 Oz."

RESULT OF INVESTIGATION: Examination showed that the article contained added water in the form of ice, and that the weight of the thawed shrimp was approximately 3.88 percent less than 8 ozs.

LIBELED: 11-20-57, Dist. Oreg.

CHARGE: 402(b)(2)—water in the form of ice had been substituted in part for shrimp when shipped; 402(b)(4)—water in the form of ice had been added to, and packed with, the article so as to increase its bulk or weight; and 403(e)(2)—the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 4-4-58. Default—delivered to a charitable institution for its use.

FRUITS AND VEGETABLES

CANNED FRUIT

24509. Canned cherries. (F.D.C. No. 40847. S. Nos. 74-235/6 M.)

QUANTITY: 126 cases, 6 #10-size cans each, at Auburn, Wash.

SHIPPED: 7-19-57 and 8-21-57, from Columbus, Ohio.

RESULTS OF INVESTIGATION: The above-described quantity of the article was damaged in transit.

LIBELED: 10-23-57, W. Dist. Wash.

CHARGE: 402(a)(3)—contained a decomposed substance while held for sale; and 403(e)(1) and (2)—the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of contents.

DISPOSITION: 1-8-58. Default—destruction.

24510. Canned peaches. (F.D.C. No. 40865. S. No. 53-478 M.)

QUANTITY: 197 cases, 24 cans each, at Columbia, Miss.

SHIPPED: 8-15-57, from Andersonville, Ga., by Easterlin Packing Co.

LABEL IN PART: (Can) "Flint River Yellow Freestone Halves Peaches * * *
Contents 1 Lb. 13 Oz."

LIBELED: 10-21-57, S. Dist. Miss.

CHARGE: 403(h)(1)—the quality of the article, when shipped, fell below the standard of quality for canned peaches because of hardness, and the label failed to bear a statement that the article fell below the standard.

DISPOSITION: 11-25-57 and 12-11-57. Default—delivered to a public institution.

DRIED FRUIT

24511. Raisins. (F.D.C. No. 39842. S. Nos. 28-911 M; 28-932/4 M.)

INFORMATION FILED: 6-26-57, N. Dist. Calif., against Modesto Dry Yard, Inc., Modesto, Calif.

ALLEGED VIOLATION: On 10-12-56, the defendant gave to a firm engaged in the business of shipping raisins in interstate commerce, a guaranty to the effect that food shipped by the defendant under the guaranty would not be adulterated or misbranded.

Between 10-18-56 and 10-24-56, the defendant caused to be shipped to the holder of the guaranty, at Selma, Calif., quantities of raisins which were adulterated.

CHARGE: 402(a)(3)—contained insect and rodent filth; and 402(a)(4)—prepared, packed, and held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 7-26-57. \$400 fine.

VEGETABLES AND VEGETABLE PRODUCTS*

24512. Dried beans. (F.D.C. No. 41326. S. Nos. 49-213/4 M.)

QUANTITY: 1,764 100-lb. bags at Chicago, Ill., in possession of Armour & Co.

SHIPPED: Between 8-1-57 and 11-13-57, from Buhl, Idaho, and Morrill and Gering, Nebr.

LIBELED: 1-8-58, N. Dist. Ill.

CHARGE: 402(a)(3)—contained rodent urine; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 1-22-58. Consent—claimed by Armour & Co. Segregated; 231 bags converted into animal feed.

24513. Canned cut green beans. (F.D.C. No. 41234. S. No. 86-503 M.)

QUANTITY: 70 cases, 6 cans each, at Kansas City, Mo.

SHIPPED: 7-9-57, from Fort Smith, Ark., by Good Canning Co.

LABEL IN PART: (Can) "Dependable Brand Cut Green Beans Contents 15½ Oz."

*See also Nos. 24454, 24481.