

LABEL IN PART: (Can) "SOCKWELL'S Fresh Backfin CRABMEAT Net Wt. 1 Lb. Avoir. Sockwell Crabmeat Co. Vero Beach, Florida U.S.A."

CHARGE: (Count 1 of the information), 402(a)(3)—contained *E. coli*, an organism indicative of fecal pollution; 402(a)(4)—prepared and packed under insanitary conditions; and (count 2), 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: The defendants filed a motion for dismissal of the information on the grounds that it was insufficient, vague, indefinite and uncertain, and on or about 6-26-61, such motion was denied. The defendant also submitted an oral motion for a bill of particulars in regard to the actual count of *E. coli* found in the article, and such motion was granted. On 10-20-61, the defendants having entered pleas of nolo contendere, the court fined the individual \$250 on count 1, and the corporation \$250 on count 2.

27889. Fresh crabmeat. (F.D.C. No. 45237. S. No. 31-447 R.)

INFORMATION FILED: 4-20-61, S. Dist. Tex., against John P. Lowe, manager of Texas Crab Co., Palacios, Tex.

SHIPPED: 7-19-60, from Texas to Louisiana.

LABEL IN PART: (Can) "Special [or "Fresh Claw" or "Fresh Special"] Crabmeat * * * 1 Lb. Texas Crab Co. Palacios, Texas."

CHARGE: 402(a)(3)—contained *E. coli*, an organism indicative of fecal pollution.

PLEA: Guilty.

DISPOSITION: 10-27-61. Sentence of 3 months imprisonment and fine of \$1,000.

FRUITS AND VEGETABLES*

FROZEN FRUIT

27890. Frozen strawberries. (F.D.C. No. 46957. S. No. 43-207 T.)

QUANTITY: 163 boxes, 16 qt. baskets each, at Philadelphia, Pa.

SHIPPED: On an unknown date, from Robbinsville, N.J.

LIBELED: 2-2-62, E. Dist. Pa.

CHARGE: 402(a)(3)—contained decomposed strawberries while held for sale.

DISPOSITION: 4-18-62. Default—destruction.

MISCELLANEOUS FRUIT PRODUCT

27891. Frozen concentrated orange juice. (F.D.C. No. 46859. S. No. 9-667 T.)

QUANTITY: 16 cases, 24 12-oz. cans each, at Buffalo, N.Y.

SHIPPED: 10-26-61, from Groveland, Fla., by B & W Canning Co., Inc.

LABEL IN PART: (Can) "Orchard Park Frozen Fresh Florida Concentrated Pure Orange Juice Unsweetened * * * Makes 3 Pints * * * This can contains the Juice of 24 Average Size Tree Ripened Oranges * * * Distributed by Orchard Park Foods, Inc., Buffalo, N.Y."

LIBELED: 12-21-61, W. Dist. N.Y.

CHARGE: 403(a)—when shipped, the label statement "This Can Contains the Juice of 24 Average Size Tree Ripened Oranges" was false and misleading, since it was contrary to fact.

DISPOSITION: 5-7-62. Default—delivered to a charitable institution.

*See also No. 27868.