

provide not less than 400 U.S.P. units per quart when mixed with an equal volume of water," were false and misleading as applied to a product containing less than the declared amount of vitamin D.

DISPOSITION: 8-24-61. Consent—claimed by Gehl's Guernsey Farms and relabeled.

**28149. Evaporated milk and dried black-eyed peas.** (F.D.C. No. 47560. S. Nos. 43-458/9 T, 44-108/9 T.)

QUANTITY: 17 cases, 48 14½-oz. cans each, of milk, and 23 100-lb. bags of black-eyed peas, at Philadelphia, Pa., in possession of Sol Sved, t/a Delaware Avenue Mart; and 19 cases, 48 14½-oz. cans each, of milk, at Clifton Heights, Pa., in possession of Sol Sved, t/a Sol Sved Stall.

SHIPPED: On 10-13-61 and various unknown dates, from Stockton and Los Angeles, Calif.

LIBELED: 4-24-62, E. Dist. Pa.

CHARGE: 402(a)(3)—the milk contained a decomposed substance while held for sale; and 402(a)(4)—the black-eyed peas were held under insanitary conditions.

DISPOSITION: 5-21-62. Default—destruction.

## FISH AND SHELLFISH

**28150. Fresh crabmeat.** (F.D.C. No. 46387. S. Nos. 58-324/6 R, 58-334/6 R.)

INFORMATION FILED: 12-14-61, N. Dist. Fla., against Havana Crabmeat Plant, Inc., Havana, Fla., and Robert D. Barwick, vice-president and general manager.

SHIPPED: 5-12-61 and 6-23-61, from Florida to Maryland and Pennsylvania.

LABEL IN PART: (Can) "Fresh Backfin Crabmeat Havana Crabmeat Plant Havana, Fla. 105C Crabmeat"; and "Havana Crabmeat Plant Net Wt. 1 Lb. Claw Crabmeat [or "Special Crabmeat" or "All-Lump Crabmeat"] Havana, Fla."

CHARGE: 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 2-5-62. Corporation—\$500 fine; individual—probation for 3 years.

**28151. Canned tuna.** (F.D.C. No. 45466. S. Nos. 26-599 R, 26-642 R.)

QUANTITY: 156 cases, 48 6-oz. cans each and 91 cases, 48 7-oz. cans each at Newark, N.J.

SHIPPED: 10-11-60 and 11-18-60, from Terminal Island, Calif., by Pan Pacific Fisheries, Inc.

LABEL IN PART: (Can) "Season Brand White Tuna Flakes Net Wgt. 6 Oz. \* \* \* I. Epstein & Sons, Inc. Distributors, Newark, N.J." and "Season Brand Albacore Fancy Solid Pack White Tuna Net Wgt. 7 Oz. \* \* \* I. Epstein & Sons, Inc., Distributors, Newark, N.J."

LIBELED: 2-8-61, Dist. N.J.

CHARGE: 403(g)(1)—(tuna flakes) when shipped, the article failed to conform to the definition and standard of identity for canned tuna in that the article is designated "white" and it is darker than that prescribed in the regulations; and 403(h)(2)—(solid pack tuna) the article purported to be,