

LIBELED: 8-1-62, S. Dist. N.Y.

CHARGE: 402(a) (3)—while held for sale, the article was unfit for food by reason of having a disagreeable odor and taste.

DISPOSITION: 8-31-62. Consent—claimed by Mondial Co., Inc., New York, N.Y. Segregated; 143 cans destroyed.

28567. Frozen minced clams. (F.D.C. No. 48058. S. No. 76-878 T.)

QUANTITY: 48 cases, each containing 10 5-lb. ctns., at Miami, Fla.

SHIPPED: 7-24-62, from Greenport, Long Island, N.Y., by Shelter Island Oyster Co.

LABEL IN PART: (Ctn.) "Minced Clams" and "The Shelter Island Oyster Co., L.I., N.Y."

LIBELED: On or about 9-13-62, S. Dist. Fla.

CHARGE: 402(a) (3)—contained *E. coli* when shipped.

DISPOSITION: 10-8-62. Default—destruction.

FRUITS AND VEGETABLES

CANNED FRUIT

28568. Maraschino cherries. (F.D.C. No. 43900. S. No. 5-636 P.)

QUANTITY: 8 cases, each containing 4 1-gal. jars, at Washington, D.C.

SHIPPED: 9-30-59, from North East, Pa., by Ohio Fruit Products Co., Inc.

LABEL IN PART: (Jar) "Sunshine Brand Maraschino Cherries * * * Packed by Ohio Fruit Products Co., Inc., North East, Pa."

LIBELED: 11-12-59, Dist. Columbia.

CHARGE: 402(a) (3)—contained insects and insect fragments; and 402(a) (4)—prepared and packed under insanitary conditions.

DISPOSITION: 5-16-60. Consent—destruction.

28569. Canned boysenberries. (F.D.C. No. 47538. S. No. 58-946 T.)

QUANTITY: 61 cases, each containing 24 1-lb. cans, at Kansas City, Mo.

SHIPPED: 7-11-61, from Stilwell, Okla., by Stilwell Canning Co.

LABEL IN PART: (Can) "Can-D-Pak Brand Boysenberries in Heavy Syrup * * * Packed by Stilwell Canning Co. Stilwell, Okla."

RESULTS OF INVESTIGATION: Examination showed that the article was packed in light syrup.

LIBELED: 6-7-62, W. Dist. Mo.

CHARGE: 403(g) (2)—when shipped, the article failed to bear, as required by the definition and standard of identity for canned boysenberries, the name of the optional packing medium present in the article, since the label bore the statement "In Heavy Syrup," whereas the article was packed in a medium designated "Light Syrup."

DISPOSITION: 8-20-62. Consent—claimed by Stilwell Canning Co. and relabeled.

DRIED FRUITS

28570. Prunes. (F.D.C. No. 47010. S. Nos. 27-449/50 T.)

QUANTITY: 51 30-lb. cases at Kansas City, Mo.

SHIPPED: Between 4-12-61 and 11-22-61, from San Jose, Calif.