LABEL, IN PART: "Whole Eggs * * * Fairmont Frozen Fresh Eggs."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: March 8, 1951. The Fairmont Foods Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation of the fit portion from the unfit, under the supervision of the Food and Drug Administration. Of the 64 cans seized, 16 cans of the product were found unfit and were denatured.

FRUITS AND VEGETABLES

CANNED FRUIT

17272. Adulteration of canned blueberries. U. S. v. 633 Cases * * *. (F. D. C. No. 29843. Sample No. 81437-K.)

LIBEL FILED: October 19, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about August 22, 1950, by G. M. Allen & Son, from Ellsworth, Maine.

PRODUCT: 633 cases, each containing 6 6-pound, 6-ounce cans, of blueberries at Philadelphia, Pa.

LABEL, IN PART: (Can) "Allen's Maine Blueberries."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of maggots.

DISPOSITION: June 12, 1951. Default decree of condemnation and destruction.

17273. Misbranding of canned peaches. U. S. v. 298 Cases * * *. (F. D. C. No. 30399. Sample No. 33791-K.)

LIBEL FILED: January 25, 1951, District of Massachusetts.

ALLEGED SHIPMENT: On or about December 19, 1950, by the Manteca Canning Co., from Manteca, Calif.

PRODUCT: 298 cases, each containing 24 1-pound, 13-ounce cans, of peaches at Somerville, Mass.

LABEL, IN PART: "Monarch Halves Yellow Cling Peaches."

NATURE OF CHARGE: Misbranding, Section 403 (h) (2), the product fell below the standard of fill of container for canned peaches since there was not present in the container the maximum quantity of the optional peach ingredient which can be sealed in the container and processed by heat so as to prevent spoilage, without crushing or breaking such ingredient, and its label failed to bear a statement that the product fell below the standard.

DISPOSITION: April 20, 1951. The shipper having appeared as claimant, judgment of condemnation was entered and the court ordered that the product be released under bond, conditioned that the misbranded portion be segregated and delivered to charitable institutions, under the supervision of the Food and Drug Administration. 149 cases and 21 cans of the product were found to be in compliance with the law and were released to the claimant, and 126 cases and 17 cans were delivered to various charitable institutions.