SHIPPED: 11–29–60, from Terminal Island, Calif., by Franco-Italian Packing Co.

LABEL IN PART: (Can) "Sea Boy Solid White Tuna * * * Contents 13 oz. Avoir. Distributed by Franco-Italian Packing Co. Terminal Island, Calif."

LIBELED: 2–23–61, Dist. Mass.

CHARGE: 403(h)(2)—when shipped, the article fell below the standard of fill of container for canned tuna since the regulations provide that the standard for canned tuna in which the tuna is in solid form is a fill such that the average weight of pressed cake from 24 cans in a container designated as 401 x 206 is not less than 8.76 ounces, whereas the article was in containers of the above-mentioned size in which the tuna was in solid form and the average weight of pressed cake from 24 cans was less than 8.76 ounces, and the label of the article failed to bear a statement that it fell below such standard.

DISPOSITION: 4–21–61. Consent—claimed by Franco-Italian Packing Co. and relabeled.

27957. Canned oyster stew. (F.D.C. No. 46059. S. No. 27–046 R.)

QUANTITY: 238 cases, 24 8-oz. cans each, at Los Angeles, Calif.

SHIPPED: 4–7–61, from Seattle, Wash., by Can Go Shippers Association.

LABEL IN PART: (Can) "Carnation Oyster Stew Helps to maintain mental and physical vigor, for it is rich in iron, iodine, phosphorous, copper and magnesium. High in Protein—Low in Calories * * * Distributed by Seafare Corporation Los Angeles, Calif."

LIBELED: 7–6–61, S. Dist. Calif.

CHARGE: 403(a)—when shipped, the label statement "High in Protein—Low in Calories," was false and misleading since it was contrary to fact; and 403(a)—the label bore false and misleading representations that the article was adequate and effective to promote mental and physical vigor.

DISPOSITION: 9–6–61. Consent—claimed by Seafare Corp., Los Angeles, Calif., and relabeled.

27958. Frozen breaded shrimp. (F.D.C. No. 46995. S. Nos. 25–517 T, 26–231 T, 26–443 T, 26–445 T.)

QUANTITY: 611 cases, 24 10-oz. boxes each, at Detroit, Mich.

SHIPPED: 10–14–61 and 10–25–61, from Harlingen, Tex., by Western Shell Fish Co., Inc.

LABEL IN PART: (Box) "Fisherman's Choice Breaded Fantail Shrimp * * * Distributed by Western Shell Fish Co., Inc. Harlingen, Texas."

LIBELED: 1–29–62, E. Dist. Mich.

CHARGE: 402(a)(3)—contained *E. coli*, coagulase positive staphylococci, and high total bacterial counts; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 5–11–62. Default—destruction.

27959. Frozen shrimp. (F.D.C. No. 45385. S. No. 43–187 R.)

QUANTITY: 1,150 cases, 10 5-lb. pkgs. each, at Watsonville, Calif.

SHIPPED: 11–14–60, from Nogales, Ariz., by Wilbur-Ellis Co.

LABEL IN PART: (Ctn.) "5 Lbs. Net. Weight Gulf of California Frozen Fresh Shrimp Product of Mexico Packed For Ocean Garden Products Inc. San