

SHELLFISH

15594. Misbranding of oysters. U. S. v. 20 Barrels, etc. (F. D. C. No. 28369. Sample Nos. 47212-K, 47213-K.)

LIBEL FILED: November 18, 1949, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 16, 1949, by E. I. Webb & Co., from Weems, Va.

PRODUCT: 20 barrels of "standard" oysters and 8 barrels of "select" oysters at Pittsburgh, Pa. Each barrel contained 160 1-pint cans.

LABEL, IN PART: "Delicious Oysters * * * Standard [or "Select"]."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the articles failed to conform to the definition and standard of identity for oysters, "standards" and "selects," since they were not thoroughly drained, as required by the regulations.

DISPOSITION: November 18, 1949. E. I. Webb & 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 removal of the surplus liquid, under the supervision of the Federal Security Agency.

15595. Misbranding of canned scallops. U. S. v. 5 Cases * * *. (F. D. C. No. 27552. Sample No. 56148-K.)

LIBEL FILED: June 30, 1949, District of Connecticut.

ALLEGED SHIPMENT: On or about May 18, 1949, by Neptune Food Products Co., Inc., from New Bedford, Mass.

PRODUCT: 5 cases, each containing 48 cans, of scallops at Bridgeport, Conn.

LABEL, IN PART: (Can) "Blue Band Brand Atlantic Coast Scallops Contents 13 oz. Avoir."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (Examination showed that the article was short weight.)

DISPOSITION: November 30, 1949. Default decree of condemnation. The court ordered that the product be distributed to charitable organizations.

15596. Adulteration of frozen shrimp. U. S. v. 225 Cases * * *. (F. D. C. No. 27949. Sample Nos. 49496-K, 49868-K.)

LIBEL FILED: October 28, 1949, District of Colorado.

ALLEGED SHIPMENT: On or about September 27, 1949, by the L. A. Provision Co., from Los Angeles, Calif.

PRODUCT: 225 cases, each containing 12 12-ounce packages, of frozen shrimp at Denver, Colo.

LABEL, IN PART: "Gulf Princess Headless Shrimp Frozen Fresh Packers Rubenstein and Son Produce, Inc. Dallas, Texas."

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

DISPOSITION: November 22, 1949. The L. A. Provision 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

and disposition of the unfit portion, under the supervision of the Federal Security Agency. A total of 464 pounds of the product was segregated as unfit and was denatured.

SPICES, FLAVORS, AND SEASONING MATERIALS

15597. Adulteration of chili pepper. U. S. v. 1 Barrel * * *. (F. D. C. No. 28033. Sample No. 63721-K.)

LIBEL FILED: On or about October 12, 1949, Northern District of Georgia.

ALLEGED SHIPMENT: On or about December 29, 1948, from Chicago, Ill.

PRODUCT: 1 220-pound barrel of chili pepper at Atlanta, Ga.

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 insects, and of a decomposed substance by reason of the presence of mold. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 17, 1949. Default decree of condemnation and destruction.

15598. Adulteration of spaghetti sauce with mushrooms. U. S. v. 137 Cases * * *. (F. D. C. No. 27812. Sample Nos. 11542-K, 11551-K.)

LIBEL FILED: September 8, 1949, Southern District of New York.

ALLEGED SHIPMENT: On or about May 2, 1946, from Bridgeton, N. J.

PRODUCT: 137 cases, each containing 6 6-pound, 8-ounce cans, of spaghetti sauce with mushrooms at New York, N. Y. Examination showed that the product was undergoing chemical decomposition.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 28, 1949. Default decree of condemnation and destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

15599. Adulteration and misbranding of vitamin tablets. U. S. v. 6 Cases * * *. (F. D. C. No. 28011. Sample No. 58161-K.)

LIBEL FILED: October 4, 1949, District of Arizona.

ALLEGED SHIPMENT: On or about January 29, 1948, from Gardena, Calif.

PRODUCT: 6 cases, each containing 48 100-tablet bottles, of vitamin tablets at Phoenix, Ariz. Examination showed that the product contained less than 5,000 U.S.P. units of vitamin A and less than 125% of the minimum daily requirement for vitamin A.

LABEL, IN PART: "One tablet provides: Vitamin A 5000 USP Units 125% MDR."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin A, had been in whole or in part omitted from the product.

Misbranding, Section 403 (a), the statement "one tablet provides: Vitamin A 5000 USP Units 125% MDR," which appeared on the label, was false and