

PRODUCT: Canned shrimp. 31 cases, each containing 48 cans, and 23 cases, each containing 24 cans, at New Orleans, La.

LABEL, IN PART: (Can) "Tri-More Brand Drained Weight 5 Ozs Wet Pack Small Shrimp."

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, and it was otherwise unfit for food by reason of the presence of grayish colored shrimp with a metallic taste.

DISPOSITION: September 19, 1951. Default decrees of condemnation and destruction.

17975. Adulteration of frozen breaded shrimp. U. S. v. 339 Cases * * * (F. D. C. No. 31056. Sample No. 17757-L.)

LABEL FILED: April 18, 1951, Southern District of California.

ALLEGED SHIPMENT: On or about March 12, 1951, by the McKown-Liston Packing Co., from Nogales, Ariz.

PRODUCT: 339 cases, each containing 24 12-ounce packages, of frozen breaded shrimp at Los Angeles, Calif. Examination disclosed that the product consisted of peeled shrimp, which was coated with insect-infested corn meal, and a cellophane bag of powdered batter mix.

LABEL, IN PART: "Liston Shrimp Dinner Quick Frozen Jumbo Shrimp With Special Batter Mix."

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 insect-infested corn meal.

DISPOSITION: May 14, 1951. The shipper having appeared as claimant and consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The shrimp were thawed and washed, thus removing the contaminated corn meal, and they then were rebreaded, repackaged, and refrozen. These operations resulted in the salvage of 299¹⁰/₂₄ cases of the shrimp.

FRUITS AND VEGETABLES

CANNED FRUIT

17976. Misbranding of canned peaches. U. S. v. 83 Cases * * * (F. D. C. No. 31781. Sample No. 21858-L.)

LABEL FILED: October 22, 1951, Northern District of Texas.

ALLEGED SHIPMENT: On or about July 28, 1951, by the Monticello Canning Co., from Monticello, Ga.

PRODUCT: 83 cases, each containing 24 1-pound, 13-ounce cans, of peaches at Dallas, Tex.

LABEL, IN PART: (Can) "Betty Ann Yellow Freestone Peaches Halves In Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned peaches since the article failed to meet the test for tenderness prescribed in the standard; the weight of the

largest unit in the container of the article was more than twice the weight of the smallest unit; and the label of the article failed to bear a statement that it fell below such standard.

DISPOSITION: December 7, 1951. Default decree of condemnation. The court ordered that the product be delivered to a State institution.

17977. Adulteration of canned crushed pineapple. U. S. v. 2,897 Cases * * *
(F. D. C. No. 31487. Sample Nos. 21768-L, 21769-L.)

LIBEL FILED: August 21, 1951, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about November 25, 1949, from New York, N. Y.

PRODUCT: 2,897 cases, each containing 6 6-pound, 8-ounce cans, of crushed pineapple at New Orleans, La. The product was undergoing progressive decomposition.

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

DISPOSITION: September 26, 1951. Default decree of condemnation and destruction.

FROZEN FRUIT

17978. Supplement to notice of judgment on foods, No. 17127. Violation of probation. U. S. v. Joseph A. Prime (Prime Canning Co.). Fine of \$500 and sentence of 1 year in jail. Jail sentence suspended and defendant placed on probation for 1 year. (F. D. C. No. 30064. Sample No. 74890-K.)

On March 5, 1951, upon a plea of guilty to the charge of introducing and delivering for introduction into interstate commerce adulterated frozen strawberries, the defendant, Joseph A. Prime, was fined \$500 and sentenced to 1 year in jail. The jail sentence was suspended, however, and he was placed on probation for 1 year.

On January 21, 1952, the defendant was brought before the court on a charge of violating his probation by packing unfit strawberries on June 25 and 28, 1951, which were shipped in interstate on or about December 3, 1951. A hearing was held on January 25, 1952, at the conclusion of which the court revoked the previous probation sentence and imposed a new fine of \$500 to be paid by February 4, 1952. A new sentence of 1 year in jail was imposed, which sentence was suspended and the defendant again was placed on probation for 1 year.

17979. Supplement to notice of judgment on foods, No. 12344. Adulteration of frozen strawberries. U. S. v. 1,600 Cans (and 1 other seizure action). (F. D. C. Nos. 23369, 23441. Sample Nos. 39281-H, 39282-H, 39294-H, 39295-H.)

On September 23, 1947, decrees of condemnation were entered ordering 1,600 30-pound cans, 81 450-pound drums, and 30 450-pound barrels of frozen strawberries at Green Bay, Wis., which were shipped by M. W. Miller & Co., from New Orleans, La., and which consisted in whole or in part of a decomposed substance by reason of the presence of decomposed and moldy berries, released under bond to be brought into compliance with the law by segregating the good strawberries from the bad, under the supervision of the Food and Drug Administration.