

**ALLEGED SHIPMENT:** On or about March 23, 1953, by the Mohawk Packing Co., from Moclips, Wash.

**PRODUCT:** 93 cases, each containing 48 cans, of clams at Portland, Oreg. Examination showed that the average drained weight of the product was 3.27 ounces per can, whereas the size can used for the product should have contained a minimum of 3.5 ounces of drained clams.

**LABEL, IN PART:** (Can) "Sportsman's Pride Net Wt. 7 Oz. Minced Razor Clams Packed In Clam Broth—Salt Added."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), diluted clam juice had been substituted in part for minced razor clams.

**DISPOSITION:** August 11, 1953. The Mohawk Packing 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 relabeling under the supervision of the Department of Health, Education, and Welfare.

**20431. Misbranding of spiced prawns. U. S. v. 12 Jars, etc. (F. D. C. No. 34703. Sample Nos. 29384-L, 29410-L.)**

**LIBEL FILED:** On or about February 13, 1953, Western District of Washington.

**ALLEGED SHIPMENT:** On or about January 15 and 30, 1953, by Nate's Prawns, from Portland, Oreg.

**PRODUCT:** 12 jars and 8 cases, each case containing 24 jars, of spiced prawns at Seattle, Wash.

**LABEL, IN PART:** (Jar) "Nate's Premier Spiced Prawns \* \* \* 6 Ozs. [or "7 Ozs." ] Drained Weight."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear labels containing an accurate statement of the quantity of the contents since the label statements "6 Ozs. Drained Weight" and "7 Ozs. Drained Weight" were inaccurate. (The jars were short in drained weight.)

**DISPOSITION:** August 18, 1953. Default decree of condemnation. The court ordered that samples of the product be delivered to the Food and Drug Administration and that the remainder be delivered to a Marine hospital.

## FRUITS AND VEGETABLES

### CANNED FRUIT

**20432. Adulteration of canned blueberries. U. S. v. 14 Cases \* \* \*. (F. D. C. No. 34779. Sample No. 55626-L.)**

**LIBEL FILED:** March 26, 1953, Northern District of New York.

**ALLEGED SHIPMENT:** On or about September 2, 1950, from Cherryfield, Maine.

**PRODUCT:** 14 cases, each containing 24 15-ounce cans, of blueberries at Fayetteville, 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:** April 29, 1953. Default decree of condemnation and destruction.

**20433. Adulteration of canned pie peaches. U. S. v. 148 Cases \* \* \*. (F. D. C. No. 34944. Sample No. 2559-L.)**

**LIBEL FILED:** April 16, 1953, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about December 12, 1952, from San Francisco, Calif.  
**PRODUCT:** 148 cases, each containing 6 6-pound, 7-ounce cans, of pie peaches at Jacksonville, Fla.

**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:** May 14, 1953. Default decree of condemnation and destruction.

**20434. Misbranding of canned peaches. U. S. v. 680 Cases \* \* \*. (F. D. C. No. 34801. Sample No. 58856-L.)**

**LIBEL FILED:** April 13, 1953, Northern District of Indiana.

**ALLEGED SHIPMENT:** On or about August 25, 1952, by the Carolina Canning Co., from Inman, S. C.

**PRODUCT:** 680 cases, each containing 24 1-pound, 13-ounce cans, of peaches at Fort Wayne, Ind.

**LABEL, IN PART:** (Can) "Campton Brand \* \* \* Mixed Pieces of Irregular Sizes and Shapes Yellow Freestone Peaches Packed in Heavy Syrup."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (2), the article purported to be and was represented as canned peaches, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear, as required by the regulations, the name of the optional packing medium present in the article since its label bore the statement "in Heavy Syrup," whereas the article was packed in sirup designated as light sirup in the regulations.

**DISPOSITION:** April 25, 1953. The Carolina Canning 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 relabeling under the supervision of the Department of Health, Education, and Welfare.

### JAMS, JELLIES, AND PRESERVES

**20435. Misbranding of jelly, preserves, and marmalade. U. S. v. 15 Cases, etc. (F. D. C. No. 34604. Sample Nos. 43877-L, 43893-L to 43896-L, incl.)**

**LIBEL FILED:** January 13, 1953, District of Nebraska.

**ALLEGED SHIPMENT:** On or about August 9 and September 15, 1952, by St. Joseph Foods, Inc., from St. Joseph, Mo.

**PRODUCT:** 15 cases, each containing 12 jars, of strawberry jelly; 21 cases, each containing 12 jars, of grape jelly; 35 cases, each containing 12 jars, of raspberry jelly; 23 cases, each containing 12 jars, of pineapple preserves; and 23 cases, each containing 12 jars, of orange marmalade, at Omaha, Nebr.

**LABEL, IN PART:** (Jars) "Albert's Finest '69' Pure Strawberry [or "Grape" or "Red Raspberry"] Jelly \* \* \* Net Wt. 12 Ozs." and "Albert's Finest '69' Pure Pineapple Preserves [or "Sweet Orange Marmalade"] Net Wt. 12 Ozs."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the products failed to bear a label containing an accurate statement of the quantity of the contents since the jars contained less than the labeled "Net Wt. 12 Ozs."

Further misbranding, Section 403 (g) (1), the strawberry jelly and red raspberry jelly failed to conform to the definitions and standards of identity for such jellies since they were made from mixtures composed of less than 45 parts by weight of the fruit juice ingredients (strawberry or red rasp-