

LABEL, IN PART: (Can) "Gulf Brand, Shrimp Wet Pack Drained Weight 5 Oz. Packed for Calvin Authement Houma, La."

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: October 20, 1953. Default decree of forfeiture and destruction.

20978. Misbranding of canned shrimp. U. S. v. 23½ Cases * * *. (F. D. C. No. 35477. Sample No. 61632-L.)

LABEL FILED: On or about September 14, 1953, District of Kansas.

ALLEGED SHIPMENT: On or about August 12, 1953, by the Deep South Packing Co., from New Orleans, La.

PRODUCT: 23½ cases, each full case containing 24 5-ounce cans, of shrimp at Kansas City, Kans.

LABEL, IN PART: "Shady River Brand Wet Pack Small Shrimp."

NATURE OF CHARGE: Misbranding, Section 403 (h) (2), the article purported to be and was represented as canned wet pack shrimp, and the article fell below the standard of fill for canned wet pack shrimp since the containers of the article were not so filled that the cut-out weight of the shrimp taken from each can was not less than 64 percent of the water capacity of the container; and the label failed to bear a statement that the article fell below such standard.

DISPOSITION: November 13, 1953. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions for consumption by the inmates.

20979. Misbranding of frozen breaded shrimp. U. S. v. 20 Cartons * * *. (F. D. C. No. 35327. Sample No. 50104-L.)

LABEL FILED: June 17, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about June 2, 1953, by Chef's Products, Inc., from Paterson, N. J.

PRODUCT: 20 cartons, each containing 24 packages, of frozen breaded shrimp at Bronx, N. Y.

LABEL, IN PART: (Package) "Completely Cleaned Breaded Chef's Shrimp In The Basket Quick Frozen Ready to Fry Net Wt. 10 Ozs."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Completely Cleaned" was false and misleading as applied to the article, which had not been completely cleaned but contained shrimp with the alimentary canal.

DISPOSITION: December 30, 1953. Chef's Products, Inc., 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.

FRUITS AND VEGETABLES

CANNED FRUIT

20980. Adulteration of canned blueberries. U. S. v. 46 Cases * * *. (F. D. C. No. 36018. Sample No. 55705-L.)

LABEL FILED: December 8, 1953, Northern District of New York.

ALLEGED SHIPMENT: On or about August 21 and October 19, 1950, from North Sedgwick, Maine.

PRODUCT: 46 cases, each containing 24 14-ounce cans, of blueberries at Utica, N. Y. Examination showed that the article had undergone 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: January 12, 1954. Default decree of condemnation and destruction.

20981. Misbranding of canned peaches. U. S. v. 196 Cases * * *. (F. D. C. No. 35414. Sample No. 63411-L.)

LABEL FILED: September 8, 1953, Southern District of Illinois.

ALLEGED SHIPMENT: On or about July 18, 1953, by Roberts Bros., Inc., from Americus, Ga.

PRODUCT: 196 cases, each containing 24 cans, of peaches at Galesburg, Ill.

LABEL, IN PART: (Can) "Roberts Big R Brand Halves Yellow Freestone Peaches in Heavy Syrup Contents 1 Lb. 12 Oz."

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 specifications for tenderness, weight, and trimming prescribed in the standard, and the label failed to bear a statement that the article fell below such standard. The standard provides that for canned peach halves all units tested in accordance with the prescribed method are pierced by a weight of not more than 300 grams; that the weight of the largest unit in the container is not more than twice the weight of the smallest unit therein; and that all peach units are untrimmed or are so trimmed as to preserve their normal shape.

DISPOSITION: December 17, 1953. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

DRIED FRUIT

20982. Adulteration of pitted dates. U. S. v. 19 Cases * * *. (F. D. C. No. 35493. Sample No. 65224-L.)

LABEL FILED: On or about September 22, 1953, Northern District of Iowa.

ALLEGED SHIPMENT: On or about November 5, 1952, from New York, N. Y.

PRODUCT: 19 70-pound cases of pitted dates at Dubuque, Iowa.

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

DISPOSITION: October 20, 1953. Default decree of condemnation. The court ordered that the product be sold, conditioned that it be denatured or otherwise reprocessed, under the supervision of the United States marshal, into animal feed; or, if the product could not be sold, that it be delivered to a public institution, for use as animal feed.