

ALLEGED SHIPMENT: On or about November 3, 1953, by the Ed Martin Sea Food Co., from Westwego, La.

PRODUCT: 19 1-pound cans of crabmeat at Las Vegas, Nev.

LABEL, IN PART: "Ed Martin's Fresh Crab Meat."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy animal substance, and it was contaminated with *E. coli* of fecal origin; and, Section 402 (a) (4), the article was prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health.

DISPOSITION: December 16, 1953. Default decree of condemnation and destruction.

21381. Misbranding of oysters. U. S. v. 976 Cans, etc. (and 1 other seizure action).
(F. D. C. Nos. 35973, 35974. Sample Nos. 70981-L, 70982-L, 70984-L, 70985-L, 70987-L.)

LIBELS FILED: November 16, 1953, Western District of Kentucky.

ALLEGED SHIPMENT: On or about November 7, 1953, by W. Morgan & Sons, from Weems, Va.

PRODUCT: 1,088 cans of oysters standards and 522 cans of oysters selects at Louisville, Ky.

LABEL, IN PART: "Content 12 Fl. Oz. Bob Kelley's Oysters."

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

DISPOSITION: November 16, 1953. W. Morgan & Sons, claimant, having consented to the entry of a decree and the libel proceedings having been consolidated, 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 Department of Health, Education, and Welfare. The product subsequently was repacked.

21382. Adulteration of frozen shrimp. U. S. v. 90 Pounds * * *. (F. D. C. No. 36110. Sample No. 58055-L.)

LIBEL FILED: November 9, 1953, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 14, 1953, by the Ho-Ma Packing Co., from Brownsville, Tex.

PRODUCT: 90 pounds of frozen shrimp in cartons at Chicago, Ill.

LABEL, IN PART: (Carton) "Frozen Shrimp Ho-Ma Brand 5 Lbs. Net Weight * * * Frozen Headless 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.

DISPOSITION: January 12, 1954. Default decree of condemnation and destruction.

21383. Misbranding of canned shrimp. U. S. v. 37 Cases * * *. (F. D. C. No. 36129. Sample No. 47863-L.)

LIBEL FILED: November 19, 1953, District of Maine.

ALLEGED SHIPMENT: On or about October 15, 1953, by Reuther's Seafood Co., Inc., from New Orleans, La.

PRODUCT: 37 cases, each containing 24 cans, of shrimp at Portland, Maine.
LABEL, IN PART: (Can) "Marvelous Brand Medium Shrimp Wet Pack Drained Wt. 5 Ozs."

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.)

Further misbranding, Section 403 (h) (2), the article purported to be and was represented as canned wet pack shrimp in nontransparent containers, and the article fell below the standard of fill of container applicable to such shrimp since the containers of the article were so filled that the cut-out weight of shrimp taken from each can was 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: February 15, 1954. Reuther's Seafood Co., 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.

FRUITS AND VEGETABLES

CANNED FRUIT

21384. Adulteration of canned blueberries. U. S. v. 80 Cases * * *. (F. D. C. No. 36392. Sample No. 75351-L.)

LIBEL FILED: February 15, 1954, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about January 24, 1953, from Bucksport, Maine.

PRODUCT: 80 cases, each containing 24 1-pound, 3-ounce cans, of blueberries at Norfolk, Va.

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: June 4, 1954. Default decree of condemnation. The court ordered that the product be delivered to a State or Federal institution, for use as animal feed.

21385. Adulteration of canned boysenberries. U. S. v. 87 Cases * * *. (F. D. C. No. 36715. Sample No. 61794-L.)

LIBEL FILED: April 20, 1954, District of Kansas.

ALLEGED SHIPMENT: On or about June 19, 1953, from Van Buren, Ark.

PRODUCT: 87 cases, each containing 24 1-pound cans, of boysenberries at Prairie View, Kans.

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: July 6, 1954. Default decree of condemnation and destruction.

DRIED FRUIT

21386. Adulteration of raisins. U. S. v. 39 Cases * * *. (F. D. C. No. 36718. Sample No. 68011-L.)

LIBEL FILED: April 21, 1954, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about November 2, 1953, from Fresno, Calif.