

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the picture of a California sardine, the Los Angeles, Calif., address, and the designation "Natural Sardines" were false and misleading as applied to large alewives (river herring); and, Section 403 (b), the article was offered for sale under the name of another food, namely, sardines.

**DISPOSITION:** March 19, 1954. The Cannery Sales Agency having filed a petition for recovery of the product and later having withdrawn such petition, judgment of condemnation was entered. The court ordered that the product be delivered to an educational institution for its use and not for sale.

**21172. Adulteration of oysters. U. S. v. 228 Cans \* \* \*. (F. D. C. No. 36254. Sample Nos. 75115-L, 75116-L.)**

**LIBEL FILED:** December 18, 1953, Southern District of West Virginia.

**ALLEGED SHIPMENT:** On or about December 14, 1953, by W. H. Russell, from Mila, Va.

**PRODUCT:** 228 1-pint cans of oysters at Charleston, W. Va.

**LABEL, IN PART:** "Delicious Oysters \* \* \* Oysters Standards [or "Selects"]."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

**DISPOSITION:** December 24, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable organization.

**21173. Adulteration of frozen breaded shrimp. U. S. v. 305 Cases \* \* \*. (F. D. C. No. 35979. Sample No. 74281-L.)**

**LIBEL FILED:** November 23, 1953, Southern District of California.

**ALLEGED SHIPMENT:** On or about October 17, 1953, by the Booth Fisheries Corp., from Brownsville, Tex.

**PRODUCT:** 305 cases, each containing 24 packages, of frozen breaded shrimp at Los Angeles, Calif.

**LABEL, IN PART:** (Package) "Freeman Certi-Fresh Fresh Frozen Sea Foods Net Wt. 10 Oz. or More \* \* \* Breaded Fantail Shrimp."

**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 insect parts and rodent hairs; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** February 1, 1954. The Booth Fisheries Corp., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be delivered to a State organization, for use as fish food.

## FRUITS AND VEGETABLES

### CANNED FRUIT

**21174. Adulteration of canned sliced papaya. U. S. v. 49 Cases, etc. (F. D. C. No. 36330. Sample Nos. 42161-L, 42162-L.)**

**LIBEL FILED:** February 24, 1954, Northern District of California.

**ALLEGED SHIPMENT:** On or about January 28, 1954, by the Hawaiian Sun Products, from Honolulu, T. H.

**PRODUCT:** 98 cases, each containing 12 jars, of canned sliced papaya at San Francisco, Calif.

**LABEL, IN PART:** (Jar) "Tropical Isle [or "Fancifood Brand"] Hawaiian Sliced Papaya \* \* \* Net Wt. 1 Lb."

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

**DISPOSITION:** April 5, 1954. Default decree of condemnation and destruction.

**21175. Adulteration of canned peaches. U. S. v. 22 Cases \* \* \*. (F. D. C. No. 35479. Sample No. 14735-L.)**

**LIBEL FILED:** September 14, 1953, District of Colorado.

**ALLEGED SHIPMENT:** On or about August 25, 1953, by Glen Johnson, from Wenatchee, Wash.

**PRODUCT:** 22 cases, each containing 6 No. 10 cans, of peaches at Denver, Colo. 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.

**DISPOSITION:** November 13, 1953. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as hog feed.

#### DRIED FRUIT

**21176. Adulteration of raisins. U. S. v. 399 Cases \* \* \* (and 1 other seizure action). (F. D. C. Nos. 36194, 36199. Sample Nos. 42124-L, 42126-L.)**

**LIBELS FILED:** December 17, 1953, Eastern District of Pennsylvania and District of Massachusetts.

**ALLEGED SHIPMENT:** On or about October 30, 1953, by the Sun-Maid Raisin Growers of California, from Fresno, Calif.

**PRODUCT:** 399 cases, each containing 48 packages, of raisins at Philadelphia, Pa., and 214 cases, each containing 36 packages, of raisins at Boston, Mass.

**LABEL, IN PART:** (Package) "Net Wt. 15 Oz. Sun-Maid Raisins Seeded Muscats [or "Puffed Seeded Muscats"]."

**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 insects, insect parts, and rodent hairs; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** March 2 and 23, 1954. Default decrees of condemnation and destruction.

#### VEGETABLES AND VEGETABLE PRODUCTS

**21177. Adulteration of frozen lima beans. U. S. v. 1,008 Cases \* \* \*. (F. D. C. No. 36380. Sample No. 45998-L.)**

**LIBEL FILED:** February 5, 1954, District of Maine.

**ALLEGED SHIPMENT:** On or about September 6, 1950, from Pasadena, Calif.

**PRODUCT:** 1,008 cases, each containing 12 10-ounce cartons, of frozen lima beans at Portland, Maine.