

LABEL, IN PART: "Cape Cod Fillet Co., New Bedford, Mass. Frosted Fillets."
NATURE OF CHARGE: Adulteration, Section 402 (a) (3); the article consisted in whole or in part of a putrid substance.
DISPOSITION: December 30, 1946. The consignee having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered delivered to State officials, to be used in the control of predatory animals.

10417. Adulteration of frozen yellow pike. U. S. v. 613½ Pounds * * *.
 (F. D. C. No. 21949. Sample Nos. 63526-H, 63529-H.)

LIBEL FILED: December 11, 1946, Southern District of New York.
ALLEGED SHIPMENT: On or about September 20, 1946, by Manitoba Fisheries, Ltd., from Winnipeg, Canada.
PRODUCT: 5 boxes containing about 613½ pounds of frozen yellow pike at New York, N. Y.
NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a putrid substance.
DISPOSITION: January 30, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10418. Adulteration and misbranding of frozen shrimp. U. S. v. 276 Cartons * * *.
 (F. D. C. No. 21761. Sample No. 43646-H.)

LIBEL FILED: November 22, 1946, Southern District of California.
ALLEGED SHIPMENT: On or about May 9, 1946, by Golden Meadow Fisheries Co., from Golden Meadow, La.
PRODUCT: 276 cartons, each containing 10 5-pound packages, of frozen shrimp at Los Angeles, Calif. Examination showed that the product contained excess water and that it was short-weight.
LABEL, IN PART: "Net Weight Five Pounds Gulf Wave Brand Frozen Fresh Shrimp."
NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for frozen shrimp.
 Misbranding, Section 403 (e) (2), the label of the article failed to contain an accurate statement of the quantity of the contents.
DISPOSITION: December 27, 1946. G. R. Hubbard, Los Angeles, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be relabeled under the supervision of the Food and Drug Administration.

FRUITS AND VEGETABLES

FRUITS AND FRUIT PRODUCTS*

10419. Adulteration of dried apple pomace. U. S. v. 34 Bags. * * *. (F. D. C. No. 21721. Sample No. 53900-H.)

LIBEL FILED: November 26, 1946, Western District of Kentucky.
ALLEGED SHIPMENT: On or about May 27, 1946, by the C. E. Opperman Fruit Products Co., from Birmingham, Ohio.
PRODUCT: 34 65-pound bags of dried apple pomace at Louisville, Ky.
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.
DISPOSITION: January 23, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution, for use as animal feed.

10420. Misbranding of apple butter. U. S. v. 13 and 28 Cases * * *. (F. D. C. Nos. 21241, 21706. Sample Nos. 49914-H, 64029-H.)

LIBELS FILED: On or about October 15 and November 14, 1946, District of Connecticut and Northern District of Alabama.
ALLEGED SHIPMENT: On or about August 10 and 26, 1946, by the Adams Apple Products Corporation, from Bendersville, Pa.

*See also Nos. 10358, 10463.

PRODUCT: Apple butter. 13 cases at New Haven, Conn., and 28 cases at Gunterville, Ala. Each case contained 6 7-pound, 8-ounce cans, of the product.

LABEL, IN PART: "Adams Maid Brand Apple Butter."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for apple butter since its soluble solids content was less than 43 percent, the minimum prescribed by the standard.

DISPOSITION: December 13 and 17, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered delivered to charitable institutions.

10421. Adulteration of apricot pulp and misbranding of canned apricots. U. S. v. 263 and 248 Cases * * *. (F. D. C. Nos. 22169, 22331. Sample Nos. 51498-H, 64757-H.)

LABELS FILED: December 28, 1946, and January 13, 1947, District of Minnesota and Southern District of New York.

ALLEGED SHIPMENT: The apricot pulp was shipped on or about September 17, 1946, and the canned apricots were shipped on or about October 11, 1946, by Colo-Flavor Products, Inc., from Palisade, Colo.

PRODUCT: 263 cases, each containing 6 6-pound, 8-ounce cans, of apricot pulp at New York, N. Y., and 248 cases, each containing 6 6-pound, 8-ounce cans of apricots at Minneapolis, Minn. Examination showed that the apricot pulp was undergoing progressive decomposition, and that the canned apricots were blemished with scab and hail injury.

LABEL, IN PART: "La Salle Apricot Pulp * * * Distributed By John Sexton & Co. Chicago, Ill.," or "Colo-Mesa Tree Ripened Whole Unpitted Apricots Packed in Light Syrup."

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

Canned apricots, misbranding, Section 403 (h) (1), the article fell below the prescribed standard of quality for canned apricots since more than 20 percent of the units in each container were blemished.

DISPOSITION: January 27 and February 5, 1947. The Aslesen Co., Minneapolis, Minn., having appeared as claimant for the lot of canned apricots and having consented to the entry of a decree, and no claimant having appeared for the lot of apricot pulp, judgments of condemnation were entered. It was ordered that the lot of canned apricots be released under bond for relabeling under the supervision of the Federal Security Agency. The lot of apricot pulp was ordered destroyed.

10422. Misbranding of canned apricots. U. S. v. 1,067 Cases * * *. (F. D. C. No. 21229. Sample No. 46248-H.)

LABEL FILED: October 8, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about August 21, 1946, by Parrott and Co., San Francisco, Calif., from Stockton, Calif.

PRODUCT: 1,067 cases, each containing 24 1-pound, 14-ounce cans, of apricots at Philadelphia, Pa.

LABEL, IN PART: "Fruit Basket Whole Unpeeled Apricots In Heavy Syrup * * * Packed by Thornton Canning Co., Thornton, Calif."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the article failed to conform to the definition and standard of identity for canned apricots since its label failed to bear, as required by the regulations, the name of the optional packing medium present. The label bore the statement "In Heavy Syrup," and the article was packed in sirup designated in the standard as "Light Sirup."

DISPOSITION: December 19, 1946. A. E. Turner and Co., Philadelphia, Pa., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be relabeled under the supervision of the Food and Drug Administration.

10423. Misbranding of canned apricots. U. S. v. 195 Cases * * *. (F. D. C. No. 21176. Sample No. 45634-H.)

LABEL FILED: October 9, 1946, Western District of New York.