

**LABEL, IN PART:** "Bridge Brand Wet Pack Shrimp, Net Weight Drained 7 Ozs. Distributed By St. Mary Sea Food Co., Morgan City, La."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents (the product was short of the declared drained weight); and, Section 403 (h) (2), it failed to conform to the standard of fill of container for canned shrimp in nontransparent containers, since the containers 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 containers, as required by the standard, and the label of the article failed to bear a statement that it fell below such standard.

**DISPOSITION:** March 3, 1948. Pleas of nolo contendere having been entered, the partnership was fined \$500. Imposition of sentence against the individual defendant was suspended and he was placed on probation for a period of 3 years, conditioned that he violate no State or Federal laws during that period.

**13291. Misbranding of canned shrimp. U. S. v. 134 Cases \* \* \*. (F. D. C. No. 24875. Sample No. 4939-K.)**

**LIBEL FILED:** June 7, 1948, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about April 9, 1948, by the Pelican Oyster & Fish Co., from New Orleans, La.

**PRODUCT:** 134 cases, each containing 48 cans, of shrimp at Brighton, Mass.

**LABEL, IN PART:** "Four Square Brand Wet Pack Shrimp Drained Weight 5 Ozs. Distributed By Hercules Frosted & Canned Foods, New Orleans, La."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents (the cans contained less than the 5 ounces declared); and, Section 403 (h) (2), the product fell below the standard of fill of container for canned wet pack shrimp in nontransparent containers, since the containers were not so filled that the cut-out weight of shrimp taken from each can was not less than 64 percent of the water capacity of the container, as required by the regulations, and its label failed to bear a statement that it fell below such standard.

**DISPOSITION:** July 16, 1948. The Pelican Oyster & Fish Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

## FRUITS AND VEGETABLES\*

### CANNED AND DRIED FRUIT

**13292. Adulteration of canned blueberries. U. S. v. 160 Cases \* \* \*. (F. D. C. Nos. 22593 to 22595, incl. Sample Nos. 43900-H, 44381-H, 44382-H.)**

**LIBEL FILED:** March 4, 1947, Southern District of California.

**ALLEGED SHIPMENT:** On or about November 26, 1946, by the Sea-Land Frosted Foods Corp., from Boston, Mass.

**PRODUCT:** 160 cases, each containing 24 1-pound, 4-ounce cans, of blueberries at Los Angeles and Compton, Calif.

**LABEL, IN PART:** "Sea-Land Selected Blueberries."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy blueberries.

**DISPOSITION:** May 27, 1947. Default decree of condemnation and destruction.

**13293. Misbranding of canned peaches. U. S. v. 513 Cases \* \* \*. (F. D. C. No. 24842. Sample No. 4929-K.)**

**LIBEL FILED:** May 11, 1948, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about February 27, 1948, by Libby, McNeill & Libby, from Sacramento, Calif.

\*See also Nos. 13203-13205, 13207, 13208.

PRODUCT: 513 cases, each containing 24 1-pound, 13-ounce cans, of peaches at Somerville, Mass.

LABEL, IN PART: "Libby's Sliced Yellow Cling Peaches In Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the label of the article failed to bear the name of the optional packing medium present. The label bore the statement "In Heavy Syrup," whereas the article was packed in sirup designated as light sirup in the definition and standard.

DISPOSITION: July 9, 1948. Libby, McNeill & Libby, claimant, having consented to the entry of the decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

**13294. Adulteration of raisins. U. S. v. Neshan Chooljian (Del Rey Packing Co.).**  
Plea of nolo contendere. Fine, \$500. (F. D. C. No. 20981. Sample Nos. 5057-H, 5064-H, 19899-H.)

INFORMATION FILED: December 5, 1946, Southern District of California, against Neshan Chooljian, trading as the Del Rey Packing Co., Del Rey, Calif.

ALLEGED SHIPMENT: On or about January 18 and 23, 1946, from the State of California into the States of Pennsylvania and Iowa.

LABEL, IN PART: "Deluxe Brand Choice Thompson Seedless Raisins."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance by reason of the presence of moldy and decomposed raisins.

DISPOSITION: April 7, 1947. A plea of nolo contendere having been entered, the defendant was fined \$500.

**13295. Adulteration of dried apricots. U. S. v. 200 Cases \* \* \*** (F. D. C. No. 24915. Sample No. 33609-K.)

LABEL FILED: June 28, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about May 25, 1948, by the Bonner Packing Co., Stockton, Calif.

PRODUCT: 200 30-pound cases of dried apricots at New York, N. Y.

LABEL, IN PART: "Falcon Brand Extra Choice San Joaquin Apricots."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae and insect excreta.

DISPOSITION: July 21, 1948. Default decree of condemnation and destruction.

#### FROZEN FRUIT

**13296. Adulteration of frozen strawberries. U. S. v. R. D. Bodle Co., a corporation, and Arthur B. Chappel, Claude W. Neely, and Adolph G. Wegener.**  
Pleas of guilty. Fines, \$2,000 against corporation, \$600 against Arthur B. Chappel, \$400 against Claude W. Neely, and \$200 against Adolph G. Wegener. (F. D. C. No. 23617. Sample Nos. 65825-H, 65828-H.)

INFORMATION FILED: January 27, 1948, Western District of Washington, against the R. D. Bodle Co., a corporation, and Arthur B. Chappel, president and manager, Claude W. Neely, vice-president and general superintendent, and Adolph G. Wegener, superintendent of the Seattle plant.

ALLEGED SHIPMENT: On or about October 21, 1946, from the State of Washington into the State of New Jersey.

LABEL, IN PART: "Bodle Quick Frozen Sliced Marshall Strawberries \* \* \*  
Packed by R. D. Bodle Co., Seattle, U. S. A."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance by reason of the presence of moldy and rotten strawberries.

DISPOSITION: April 28, 1948. Pleas of guilty having been entered on behalf of the corporation and the three individuals, the court imposed fines of \$2,000 against the corporation, \$600 against Arthur B. Chappel, \$400 against Claude W. Neely, and \$200 against Adolph G. Wegener.