

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 decomposed fish.

DISPOSITION: June 3, 1950. A default decree of condemnation was entered. The court ordered that the product be sold, conditioned that it be used for animal feed; otherwise, it was to be destroyed.

16328. Adulteration and misbranding of canned clams in juice. U. S. v. 11 Cases * * *. (F. D. C. No. 29097. Sample No. 73741-K.)

LIBEL FILED: May 4, 1950, District of New Jersey.

ALLEGED SHIPMENT: On or about March 16 and April 7, 1950, by Abt's Seafood Products, Inc., from Bay Shore, N. Y.

PRODUCT: 11 cases, each containing 24 jars, of clams in juice at East Orange, N. J.

LABEL, IN PART: (Jar) "Still's Fire Island Brand Net Weight 11½ Ozs. Drained Wt. 6 Ozs. Clams in Juice."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), brine had been substituted in part for clams.

Misbranding, Section 403 (a), the label statement "Drained Wt. 6 Ozs." was false and misleading since the article had a drained weight of less than 6 ounces.

DISPOSITION: July 3, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable organization.

FRUITS AND VEGETABLES

CANNED FRUIT

16329. Adulteration of canned cherries. U. S. v. 789 Cases * * *. (F. D. C. No. 29282. Sample No. 64983-K.)

LIBEL FILED: June 21, 1950, Western District of Michigan.

ALLEGED SHIPMENT: On or about November 28, 1949, the John C. Morgan Co. shipped the product from Traverse City, Mich., to Hopkins, Minn., and La Crosse and Eau Claire, Wis. The product was subsequently returned to the original shipper.

PRODUCT: 789 cases, each containing 24 1-pound, 3-ounce cans, of cherries at Traverse City, Mich.

LABEL, IN PART: "Morgan Montmorency Red Sour Pitted Cherries," "Cherry King Montmorency Red Sour Pitted Cherries," or "Harvest Queen Pitted Red Sour Cherries."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of the presence of a phenolic substance.

DISPOSITION: July 7, 1950. Default decree of condemnation and destruction.

16330. Adulteration of canned black raspberries. U. S. v. 148 Cases, etc. (F. D. C. No. 29205. Sample Nos. 60376-K, 60377-K.)

LIBEL FILED: May 4, 1950, Northern District of Indiana.

ALLEGED SHIPMENT: On or about July 15 and 20 and October 28, 1949, by the Paw Paw Canning Co., from Paw Paw, Mich.

PRODUCT: Black raspberries. 148 cases, each containing 24 1-pound, 3-ounce cans, and 39 cases, each containing 6 6-pound, 7-ounce cans, at Marion, Ind.