

**12692. Adulteration of canned oysters. U. S. v. 48 Cases \* \* \*. F. D. C. No. 23081. Sample No. 75809-H.)**

**LIBEL FILED:** June 17, 1947, Northern District of California.

**ALLEGED SHIPMENT:** On or about November 12, 1946, by Jacob Hamburger, from Portland, Oreg.

**PRODUCT:** 48 cases, each containing 48 10-ounce cans, of oysters at San Francisco, Calif.

**LABEL, IN PART:** "Sea Gold Extra Fancy Whole and Sliced Pacific Oysters Packed by Harkness' Sea Gold Products Portland 16, Oreg."

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

**DISPOSITION:** January 7, 1948. Default decree of condemnation and destruction.

**12693. Misbranding of oysters. U. S. v. 2 Barrels \* \* \*. (F. D. C. No. 24029. Sample No. 9354-K.)**

**LIBEL FILED:** December 22, 1947, Middle District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about December 9, 1947, by W. E. Riffin & Co., from Crisfield, Md.

**PRODUCT:** 2 barrels, containing a total of 250 cans, of oysters at Wilkes-Barre, Pa.

**LABEL, IN PART:** "Rig Co. Brand Salt Water Oysters."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for oysters (standards), since the oysters were not thoroughly drained.

**DISPOSITION:** February 19, 1948. Default decree of condemnation and destruction.

**12694. Misbranding of raw oysters. U. S. v. 17 Barrels, etc. (F. D. C. No. 24028. Sample Nos. 6257-K, 6258-K.)**

**LIBEL FILED:** December 18, 1947, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about December 15, 1947, by the Irvington Fish & Oyster Co., Inc., from Irvington, Va.

**PRODUCT:** Oysters. 24 barrels, each containing 160 1-pint cans, and 1 barrel, containing 136 1-pint cans, at Pittsburgh, Pa. Examination showed that the product contained added liquid in the amount of 12.1 percent in one portion and 13.4 percent in the remainder, indicating that they were not thoroughly drained.

**LABEL, IN PART:** "Irvington Brand Oysters Standard [or "Select"]."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (1), the articles purported to be and were represented as standard and select oysters and they failed to conform to the definition and standard of identity for such oysters, since such definition and standard provides that the oysters are thoroughly drained, whereas the articles were not thoroughly drained.

**DISPOSITION:** December 18, 1947. The Irvington Fish & Oyster Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the removal of surplus water and other objectionable fluid, under the supervision of the Federal Security Agency.

**12695. Adulteration of frozen shrimp. U. S. v. 981 Pounds \* \* \*. (F. D. C. No. 23459. Sample Nos. 91105-H, 91108-H.)**

**LIBEL FILED:** June 30, 1947, Southern District of New York.

**ALLEGED SHIPMENT:** On or about May 30, 1947, by the Jumbo Shrimp Co., Morgan City, La.

**PRODUCT:** 981 pounds of frozen shrimp at New York, N. Y.

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

**DISPOSITION:** January 12, 1948. The Blue Ribbon Fish Co., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction, or denaturing, of the unfit portion, under the supervision of the Federal Security Agency. The unfit shrimp, 88 pounds, was segregated and destroyed.