

**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 *E. coli*.

**DISPOSITION:** August 11, 1950. Lancaster Seafoods, Inc., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be destroyed.

**16482. Adulteration and misbranding of oysters. U. S. v. Dryden Bros. Seafood Co., Inc., and James H. Dryden. Pleas of guilty. Each defendant fined \$100, plus costs. (F. D. C. No. 29166. Sample Nos. 7689-K, 47214-K, 47215-K, 47225-K, 47226-K.)**

**INFORMATION FILED:** May 16, 1950, District of Maryland, against Dryden Bros. Seafood Co., Inc., Crisfield, Md., and James H. Dryden, vice president, and in charge of plant operations.

**ALLEGED SHIPMENT:** On or about October 18, 1948, and November 19 and December 17, 1949, from the State of Maryland into the States of Ohio and Pennsylvania.

**LABEL, IN PART:** "One Pint Fresh Oysters Oysters Standards [or "Selects"]" and "One Pint D—B Brand Fresh Salt Water Oysters \* \* \* Oysters Standards [or "Selects"]."

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

Misbranding, Section 403 (g) (1), the oysters failed to conform to the definition and standard of identity for oysters standards and oysters selects since they were not thoroughly drained and were packed with an added substance, water; and (standards, 2 shipments), Section 403 (e) (2), the oysters failed to bear a label containing an accurate statement of the quantity of the contents since the cans bore the statement "One Pint" and contained less than one pint of the product.

**DISPOSITION:** June 30, 1950. Pleas of guilty having been entered, the court fined each defendant \$100, plus costs.

**16483. Adulteration and misbranding of oysters. U. S. v. H. Allen Smith. Plea of guilty. Fine, \$250. (F. D. C. No. 29142. Sample Nos. 52459-K, 66828-K, 69040-K.)**

**INFORMATION FILED:** May 15, 1950, Eastern District of Virginia, against H. Allen Smith, Cheriton, Va.

**ALLEGED SHIPMENT:** On or about November 16 and December 13, 1949, from the State of Virginia into the States of Ohio, West Virginia and New York.

**PRODUCT:** 2 shipments of oysters standards and 1 shipment of oysters extra selects.

**LABEL, IN PART:** "Genuine Salt Water Oysters Contents One Pint Net \* \* \* Oysters Standards [or "Extra Selects"]."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (4), (1 shipment, standards and extra selects) water had been added to the oysters and mixed and packed with them so as to increase their bulk and weight and reduce their quality.

Misbranding, Section 403 (g) (1), (1 shipment, standards and extra selects) the oysters fell below the definition and standard of identity for

oysters standards and oysters extra selects since the total time that the oysters were in contact with water after leaving the shucker was more than thirty minutes, and the oysters were not thoroughly drained before packing into the containers for shipment. Further misbranding, Section 403 (g) (1), (extra selects) the oysters failed to conform to the definition and standard of identity for oysters extra selects since a quart of the smallest oysters selected from a gallon contained more than 58 oysters. Further misbranding, Section 403 (e) (2), (1 shipment, standards) the oysters were in package form and failed to bear a label containing an accurate statement of the quantity of the contents since the cans bore the label statement "Contents One Pint Net" and contained less than 1 pint net of oysters.

DISPOSITION: May 24, 1950. A plea of guilty having been entered, the court fined the defendant \$250.

16484. Adulteration of canned shrimp. U. S. v. 75 Cases \* \* \*. (F. D. C. No. 28974. Sample No. 67806-K.)

LIBEL FILED: April 21, 1950, District of Utah.

ALLEGED SHIPMENT: On or about November 19, 1949, and January 31 and February 28, 1950, by the Skrmetta Seafood Co. and the Deepsouth Packing Co., from New Orleans, La.

PRODUCT: 75 cases, each containing 24 5-ounce cans, of shrimp at Salt Lake City, Utah.

LABEL, IN PART: "Shady River Brand Wet Pack Small Shrimp."

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 shrimp.

DISPOSITION: June 27, 1950. Default decree of condemnation and destruction. On August 24, 1950, the decree of June 27, 1950, was modified to permit the return to the shipper of portions of the product which had been found to be good, upon payment of costs by the shippers. 43 cases were seized, and, of these, 17 cases and 4 cans were found to be good; the remainder was destroyed.

## FRUITS AND VEGETABLES\*

### DRIED FRUIT

16485. Adulteration of dried black figs. U. S. v. 43 Cases \* \* \*. (F. D. C. No. 29486. Sample No. 42516-K.)

LIBEL FILED: July 7, 1950, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about April 4, 1950, by Hunt Foods, Inc., Guggen- hime Div., from Fresno, Calif.

PRODUCT: 43 30-pound cases of dried black figs at Milwaukee, Wis.

LABEL, IN PART: "Mission Choice Dried Black Figs."

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

DISPOSITION: August 10, 1950. Default decree of condemnation and destruction.

\*See also Nos. 16451, 16452.