

DISPOSITION: On April 5, 1951, G. P. Halferty & Co. having moved that a certain code consisting of $29\frac{42}{48}$ cases be released, alleging that the product therein was full pack, and no objection having been made thereto by the Government, the court ordered that the said code be delivered to the claimant. On May 17, 1951, the claimant having consented to the entry of a decree with respect to the remainder of the product, judgment of condemnation was entered and it was ordered that $73\frac{33}{48}$ cases of the product be released under bond for re-labeling and that the remaining $19\frac{19}{48}$ cases, which examination had shown were full pack, be released.

17329. Adulteration and misbranding of oysters. U. S. v. 17 Boxes * * *
(F. D. C. No. 30678. Sample No. 10777-L.)

LABEL FILED: March 1, 1951, Southern District of Indiana.

ALLEGED SHIPMENT: On or about February 17, 1951, by W. F. Morgan & Son, from Weems, Va.

PRODUCT: 17 boxes, each containing 96 1-pint cans, of oysters at Indianapolis, Ind.

LABEL, IN PART: "Booth Fresh Atlantic Coast Oysters—Standards VA 92."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been added, mixed, and packed with the product so as to increase its bulk or weight and reduce its quality.

Misbranding, Section 403 (g) (1), the article purported to be and was represented as oysters, and it failed to conform to the definition and standard of identity for oysters since it was not thoroughly drained, as required by the standard.

DISPOSITION: April 26, 1951. Default decree of condemnation and destruction.

FRUITS AND VEGETABLES

CANNED FRUIT

17330. Adulteration of canned sliced apples. U. S. v. 165 Cases * * *
(F. D. C. No. 30689. Sample No. 28268-L.)

LABEL FILED: March 13, 1951, Northern District of California.

ALLEGED SHIPMENT: On or about October 18, 1950, from Brigham City, Utah.

PRODUCT: 165 cases, each containing 6 5-pound, 15-ounce cans, of sliced apples at Sacramento, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of its chemical decomposition. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 11, 1951. Default decree of condemnation and destruction.

17331. Adulteration of canned prunes. U. S. v. 536 Cases * * * (F. D. C. No. 30731. Sample Nos. 18766-L, 19134-L.)

LABEL FILED: March 30, 1951, Southern District of Iowa.

ALLEGED SHIPMENT: On or about October 11, 1950, by J. C. Tracy & Co., from Dallas, Oreg.

PRODUCT: 536 cases, each containing 6 6-pound, 12-ounce cans, of prunes at Chariton, Iowa.

LABEL, IN PART: "Rose Valley Brand Oregon Prune Plums."

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 prunes.

DISPOSITION: May 10, 1951. Default decree of condemnation and destruction.

DRIED FRUIT

17332. Adulteration of apple chops. U. S. v. 152 Bags * * *. (F. D. C. No. 30730. Sample No. 10992-L.)

LABEL FILED: March 30, 1951, Southern District of Ohio.

ALLEGED SHIPMENT: On or about January 3, 1951, by the Battletown Fruit Co., from Berryville, Va.

PRODUCT: 152 bags of apple chops, each bag containing 40 pounds, at Cincinnati, Ohio.

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 rodent excreta and insects; and, Section 402 (a) (4), the product had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 6, 1951. Default decree of condemnation and destruction.

17333. Adulteration of dried apricots. U. S. v. 30 Boxes * * *. (F. D. C. No. 30688. Sample No. 35870-K.)

LABEL FILED: March 7, 1951, District of Hawaii.

ALLEGED SHIPMENT: On or about November 24, 1950, by Theo H. Davies & Co., Ltd., from San Francisco, Calif.

PRODUCT: 30 25-pound boxes of dried apricots at Hilo, T. H.

LABEL, IN PART: "Hunt's Whole Dried 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 insects and insect excreta.

DISPOSITION: April 12, 1951. Theo H. Davies & Co., Ltd., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered and the court ordered that the product be destroyed.

VEGETABLES

17334. Misbranding of canned green beans. U. S. v. 488 Cases * * *. (F. D. C. No. 30725. Sample No. 11076-L.)

LABEL FILED: March 26, 1951, Southern District of Ohio.

ALLEGED SHIPMENT: On or about March 2, 1951, by the Paulus Bros. Packing Co., from Salem, Oreg.

PRODUCT: 488 cases, each containing 6 6-pound, 5-ounce cans, of green beans at Dayton, Ohio.

LABEL, IN PART: (Can) "Honey Grove Green Beans."