

17572. Adulteration of canned shrimp and canned oysters. U. S. v. Pelican Lake Oyster & Packing Co., Ltd. Plea of nolo contendere. Fine, \$1,500. (F. D. C. No. 29453. Sample Nos. 32546-K, 50089-K, 50090-K.)

INFORMATION FILED: November 27, 1950, Eastern District of Louisiana, against the Pelican Lake Oyster & Packing Co., Ltd., a corporation, Houma, La.

ALLEGED VIOLATION: On or about August 16, 1949, the defendant gave to a firm engaged in the business of shipping oysters in interstate commerce, at New Orleans, La., a guaranty to the effect that foods, canned or otherwise, sold by the defendant to the holder of the guaranty would not be adulterated or misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act. During the period from on or about August 16, 1949, to on or about November 4, 1949, the defendant sold and delivered under the guaranty, at New Orleans, La., a number of cans of oysters that were adulterated.

On or about November 3, 1949, the defendant shipped a quantity of canned oysters and canned shrimp from the State of Louisiana into the State of Washington.

LABEL, IN PART: "Pel - La - Co Louisiana Shrimp [or "Louisiana Oysters"] Pelican Lake Oyster & Packing Co., Ltd., Distributors Houma, Louisiana" or "Pearl Reef Brand * * * Cove Oysters * * * Haas Bros. Distributors San Francisco, Calif."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of decomposed substances by reason of the presence of decomposed shrimp or oysters.

DISPOSITION: January 24, 1951. A plea of nolo contendere having been entered, the court imposed a fine of \$1,500.

17573. Misbranding of canned chopped clams. U. S. v. 32 Cases * * *. (F. D. C. No. 30966. Sample Nos. 30225-L, 30230-L.)

LIBEL FILED: July 2, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about April 23, 1951, by the Iwersen Canning Co., from Cape May, N. J.

PRODUCT: 32 cases, each containing 12 cans, of chopped clams at Seattle, Wash.

LABEL, IN PART: "Happy Home Brand Contents 3 Lbs. 3 Oz. Avoir. Chopped Clams."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product was food in package form and failed to bear a label containing an accurate statement of the quantity of the contents. (The cans contained less than 3 pounds, 3 ounces, the declared weight.)

DISPOSITION: August 2, 1951. The Iwersen Canning Co., Point Roberts, Wash., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.

17574. Adulteration and misbranding of frozen crab cakes. U. S. v. 237 Packages * * *. (F. D. C. No. 30806. Sample No. 3065-L.)

LIBEL FILED: February 20, 1951, District of Columbia.

ALLEGED SHIPMENT: On or about January 15, 1951, by Home Style Foods, Inc., from Philadelphia, Pa.