

Misbranding, Section 403 (e) (2), the product in the 54-can lot failed to bear a label containing an accurate statement of the quantity of the contents. The cans contained less than one pint, the declared volume.

DISPOSITION: December 5, 1951. Default decree of condemnation and destruction.

18325. Adulteration and misbranding of oysters. U. S. v. 601 Cans * * *
(and 1 other seizure action). (F. D. C. Nos. 32039, 32040. Sample Nos. 11745-L, 11746-L.)

LIBELS FILED: October 24 and 25, 1951, Southern District of Ohio.

ALLEGED SHIPMENT: On or about October 16 and 17, 1951, by McCready Bros., from Cape Charles, Va.

PRODUCT: 927 cans of oysters at Portsmouth, Ohio.

LABEL, IN PART: "Standards Oysters One Pint Net."

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 to the article and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for oysters standards since it had not been thoroughly drained, as prescribed by the regulations.

DISPOSITION: December 14, 1951. Default decrees of condemnation and destruction.

18326. Adulteration and misbranding of oysters. U. S. v. 776 Cans * * *
(F. D. C. No. 32117. Sample No. 4080-L.)

LIBEL FILED: November 21, 1951, Southern District of Iowa.

ALLEGED SHIPMENT: On or about November 19, 1951, by the Metompkin Bay Oyster Co., from Crisfield, Md.

PRODUCT: 776 cans of oysters at Burlington, Iowa.

LABEL, IN PART: "Oysters Standards One Pint."

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

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for oysters standards since it was not thoroughly drained, and in the preparation of the article, the total time of contact with water after leaving the shucker was more than 30 minutes; and, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "One Pint" was inaccurate. (The cans were short of the declared volume.)

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

18327. Adulteration and misbranding of oysters. U. S. v. 284 Cans, etc. (F. D. C. Nos. 31912, 31913. Sample Nos. 3194-L, 6996-L, 6997-L.)

LIBELS FILED: October 19, 1951, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 16 and 17, 1951, by the Ward Oyster Co., from Crisfield, Md.