

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 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 meet the definition and standard of identity for oysters since it was not thoroughly drained and was in contact with water for more than 30 minutes after leaving the shucker.

DISPOSITION: January 16, 1952. Default decree of condemnation and destruction.

18774. Misbranding of oysters. U. S. v. 304 Cans, etc. (F. D. C. No. 32313. Sample Nos. 3889-L, 3890-L.)

LIBEL FILED: December 20, 1951, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 17, 1951, by C. A. Lockerman, from Crisfield, Md.

PRODUCT: 768 cans of oysters at Altoona, Pa.

LABEL, IN PART: "Oysters Standards [or "Selects"] 1 Pint."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the cans contained less than the labeled 1 pint.

DISPOSITION: January 17, 1952. Default decree of condemnation and destruction.

18775. Misbranding of oysters. U. S. v. 584 Cans * * *. (F. D. C. No. 32312. Sample No. 3887-L.)

LIBEL FILED: December 20, 1951, Southern District of Ohio.

ALLEGED SHIPMENT: On or about December 17, 1951, by Carol Dryden & Co., Inc., from Crisfield, Md.

PRODUCT: 584 cans of oysters at Columbus, Ohio.

LABEL, IN PART: "Oysters Standards One Pint Pride of the Chesapeake."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the cans contained less than the labeled 1 pint.

DISPOSITION: December 21, 1951. The shipper, 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 to be relabeled under the supervision of the Food and Drug Administration.

18776. Misbranding of oysters. U. S. v. 120 Cans * * *. (F. D. C. No. 31928. Sample No. 4374-L.)

LIBEL FILED: October 25, 1951, Eastern District of Kentucky.

ALLEGED SHIPMENT: On or about October 16, 1951, by John T. Handy Co., Inc., from Crisfield, Md.

PRODUCT: 120 cans of oysters at Lexington, Ky.

LABEL, IN PART: "Oysters 1 Pint Handy's MD 224."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The cans contained less than 1 pint.)