

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

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 conform to the 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 (the cans were short volume).

DISPOSITION: February 19, 1952. Default decrees of condemnation and destruction.

18824. Misbranding of oysters. U. S. v. 2,384 Cans * * *. (F. D. C. No. 32315. Sample No. 4214-L.)

LABEL FILED: On or about December 27, 1951, Southern District of Indiana.

ALLEGED SHIPMENT: On or about December 15, 1951, by Irvington Fish & Oyster Co., Inc., from Irvington, Va.

PRODUCT: 2,384 cans of oysters at Indianapolis, Ind.

LABEL, IN PART: "Oysters Standards Capitol Brand Fresh Raw Oysters One Pint."

NATURE OF CHARGE: 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 the oysters were in contact with water for more than 30 minutes after leaving the shucker.

DISPOSITION: January 29, 1952. Default decree of forfeiture and destruction.

18825. Misbranding of oysters. U. S. v. 144 Cans * * *. (F. D. C. No. 32605. Sample Nos. 25778-L, 26194-L.)

LABEL FILED: January 21, 1952, District of Kansas.

ALLEGED SHIPMENT: On or about January 15, 1952, by Robbins Bros., from Port Norris, N. J.

PRODUCT: 144 pint cans of oysters at Wichita, Kans.

LABEL, IN PART: "Oysters Standards Jersey Best."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the product failed to conform to the standard of identity for oysters standards since it was not thoroughly drained; the amount of water used in the vessel into which the oysters were shucked was more than permitted; and the oysters were in contact with water for more than 30 minutes after leaving the shucker.

DISPOSITION: April 3, 1952. Default decree of condemnation and destruction.

18826. Misbranding of oysters. U. S. v. 464 Cans * * *. (F. D. C. No. 32318. Sample No. 3422-L.)

LABEL FILED: December 26, 1951, Southern District of Illinois.

ALLEGED SHIPMENT: On or about December 15, 1951, by W. E. Riggin & Co., from Crisfield, Md.

PRODUCT: 464 cans of oysters at Springfield, Ill.

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

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 "One Pint."

DISPOSITION: January 19, 1952. Default decree of condemnation and destruction.

18827. Misbranding of oysters. U. S. v. 434 Cans * * *. (F. D. C. No. 32314. Sample No. 3595-L.)

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

ALLEGED SHIPMENT: On or about December 14, 1951, by the Crisfield Supply Co., from Crisfield, Md.

PRODUCT: 434 cans of oysters at Scranton, Pa.

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

DISPOSITION: March 5, 1952. Default decree of forfeiture and destruction.

FRUITS AND VEGETABLES

CANNED FRUIT

18828. Adulteration of canned mashed bananas. U. S. v. 56 Cases * * *. (F. D. C. No. 32658. Sample No. 16982-L.)

LIBEL FILED: February 11, 1952, Southern District of California.

ALLEGED SHIPMENT: On or about September 11, 1951, from New York, N. Y.

PRODUCT: 56 cases, each containing 10 6-pound, 8-ounce cans, of canned mashed bananas at Los Angeles, 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: March 7, 1952. Default decree of condemnation and destruction.

18829. Adulteration of canned boysenberries. U. S. v. 1,397 Cases * * *. (F. D. C. No. 32072. Sample No. 13591-L.)

LIBEL FILED: November 6, 1951, District of Colorado.

ALLEGED SHIPMENT: On or about February 20, 1951, from Salem, Oreg.

PRODUCT: 1,397 cases, each containing 48 8½-ounce cans, of boysenberries at Denver, Colo.

LABEL, IN PART: "Red Tag Boysenberries."

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: December 17, 1951. Safeway Stores, Inc., Denver, Colo., claimant, having consented to the entry of a decree, judgment of condemnation was entered. The court ordered that the product be released under bond for segregation into three groups; that the first group be released for sale by the