

CHARGE: 402 (a) (3)—contained *Escherichia coli* of fecal origin; and 402 (a) (4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 5-29-57. The defendant was placed on probation for 2 years.

23786. Oysters. (F. D. C. No. 39764. S. Nos. 66-866/7 M.)

QUANTITY: 50 ctns., 12 12-oz. cans each, at Altoona, Pa.

SHIPPED: 11-9-56, from Baltimore, Md., by Seacoast Oyster Co., Inc.

LABEL IN PART: (Can) "Pride of Chesapeake Bay Frozen Oysters."

LIBELED: 11-15-56, W. Dist. Pa.

CHARGE: 402 (b) (2)—water had been substituted in part for oysters when shipped; and 402 (b) (4)—water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

DISPOSITION: 11-27-56. Default—given to a charitable institution.

23787. Oysters. (F. D. C. Nos. 39791, 39792. S. Nos. 27-577/8 M.)

QUANTITY: 3,300 pts. at Houston, Tex.

SHIPPED: 11-25-56, from Amite, La., by Amite Oyster House.

LABEL IN PART: "Amite Brand Fresh Shucked Oysters."

LIBELED: 11-27-56, S. Dist. Tex.

CHARGE: 402 (b) (2)—water had been substituted in part for oysters when shipped; and 402 (b) (4)—water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

DISPOSITION: 11-30-56. Consent—delivered to charitable organizations for their use.

23788. Oysters. (F. D. C. No. 39771. S. Nos. 45-047/8 M.)

QUANTITY: 5 bbls., 200 cans each, at Springfield, Ohio.

SHIPPED: 11-17-56, from Crisfield, Md., by Metompkin Bay Oyster Co.

LABEL IN PART: (Can) "Oysters Standards (or Selects) 12 fl. oz. Fresh Oysters \* \* \* Md. 220."

RESULTS OF INVESTIGATION: Examination showed that the article was short volume, i. e., standards 5.5 percent and selects 7.7 percent.

LIBELED: 11-20-56, S. Dist. Ohio.

CHARGE: 403 (e) (2)—the article, when shipped, failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 11-20-56. Consent—claimed by Metompkin Bay Oyster Co. and repacked into gallon cans.

23789. Oysters. (F. D. C. No. 39911. S. Nos. 47-287/8 M.)

QUANTITY: 400 12-oz. cans at Akron, Ohio.

SHIPPED: 12-28-56, from Port Mahon, Del., by Newcomb & Hand, Inc.

LABEL IN PART: "Superior Brand Oysters \* \* \* Medium (or Selects)."

LIBELED: 1-3-57, N. Dist. Ohio.

CHARGE: 402 (b) (2)—water had been substituted in part for oysters; and 402 (b) (4)—water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

DISPOSITION: 1-18-57. Consent—destruction.

**23790. Oysters.** (F. D. C. No. 39938. S. No. 67-366 M.)

QUANTITY: 1 200-can bbl. and 1 178-can bbl. at Rochester, N. Y.

SHIPPED: 12-29-56, from Crisfield, Md., by Christy & Sons.

LABEL IN PART: (Can) "Christy's Oysters 12 Fl. Oz. Packed by George A. Christy & Sons, Crisfield, Maryland, MD. 233."

LIBELED: 2-1-57, W. Dist. N. Y.

CHARGE: 402 (b) (2)—water had been substituted in part for oysters when shipped; and 402 (b) (4)—water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

DISPOSITION: 2-7-57. Default—delivered to charitable institutions for their use.

**23791. Oysters.** (F. D. C. No. 39780. S. No. 27-100 M.)

QUANTITY: 4 bbls., containing a total of 284 1-pint cans, at San Francisco, Calif.

SHIPPED: 11-17-56, from New Orleans, La., by Tony Monjure Co.

LABEL IN PART: (Can) "Tony Monjure's Freezer Fresh Brand Fresh Oysters."

LIBELED: 11-23-56, N. Dist. Calif.

CHARGE: 402 (b) (2)—water had been substituted in part for oysters when shipped; and 402 (b) (4)—water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

DISPOSITION: 12-11-56. Default—delivered for the use of a Federal institution.

**23792. Oysters.** (F. D. C. No. 39935. S. No. 53-162 M.)

QUANTITY: 184 pts. at Dallas, Tex.

SHIPPED: 1-28-57, from New Orleans, La., by Popich & Jurisich.

LABEL IN PART: "P & J Brand Oysters."

LIBELED: 1-31-57, N. Dist. Tex.

CHARGE: 402 (b) (2)—water had been substituted in part for oysters when shipped; and 402 (b) (4)—water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

DISPOSITION: 3-1-57. Default—destruction.

**23793. Oysters.** (F. D. C. No. 39918. S. No. 53-310 M.)

QUANTITY: 182 pts. at Mobile, Ala.

SHIPPED: 1-11-57, from Pascagoula, Miss., by Bosarge Seafood Co.

LABEL IN PART: "Bosarge Brand Oysters."

LIBELED: 1-18-57, S. Dist. Ala.