

alleging shipment within the period from on or about March 7 to on or about March 24, 1941, from the State of Maryland into the State of Pennsylvania of quantities of oysters that were adulterated.

The article was alleged to be adulterated in that a substance, water, had been substituted in part for oysters, which it purported to be; and in that water had been added thereto or mixed or packed therewith so as to increase its bulk or weight and reduce its quality.

On October 3, 1941, pleas of nolo contendere having been entered on behalf of the defendants, the court entered judgment of not guilty.

2701. Alleged adulteration of oysters. U. S. v. Charles C. Bevans and Samuel R. Schley (Travers Bros. Co.). Plea of nolo contendere. Tried to the court. Judgment of not guilty. (F. D. C. No. 4134. Sample Nos. 19137-E, 19138-E, 19317-E, 19343-E, 37123-E, 42306-E.)

On June 13, 1941, the United States attorney for the District of Maryland filed an information against Charles C. Bevans and Samuel R. Schley, co-partners, trading as Travers Bros. Co., Baltimore, Md., alleging shipment within the period from on or about November 16 to on or about December 17, 1940, from the State of Maryland into the States of Pennsylvania and Georgia of quantities of canned oysters which were alleged to be adulterated. The article was labeled in part: "Blue Cross Brand * * * Fresh Oysters."

The article was alleged to be adulterated in that water had been substituted in part therefor; and in that water had been added thereto and mixed and packed therewith so as to increase its bulk and weight and reduce its quality and strength and make it appear better and of greater quality than it was.

On October 3, 1941, a plea of nolo contendere having been entered on behalf of the defendants, the court entered judgment of not guilty.

2702. Alleged adulteration of oysters. U. S. v. Union Fish Co. and John H. Leonard. Pleas of nolo contendere. Tried to the court. Judgment of not guilty. (F. D. C. No. 4140. Sample Nos. 19299-E, 19996-E, 42302-E.)

On September 16, 1941, the United States attorney for the District of Maryland filed an information against the Union Fish Co., a corporation, Baltimore, Md., and John H. Leonard, alleging shipment on or about November 16 and 18 and December 9, 1940, from the State of Maryland into the State of Pennsylvania of quantities of oysters which were alleged to be adulterated.

The article was alleged to be adulterated in that water had been substituted in part for oysters; and in that water had been added thereto and mixed and packed therewith so as to increase its bulk and weight, and reduce its quality and strength, and make it appear better and of greater value than it was.

On October 3, 1941, the defendants having entered pleas of nolo contendere, the court entered judgment of not guilty.

2703. Alleged adulteration of oysters. U. S. v. Charles W. Ward, Zach Ward, and Raymond K. Ward (Z. Ward & Son). Pleas of nolo contendere. Tried to the court. Judgment of not guilty. (F. D. C. No. 5499. Sample Nos. 19360-E, 19361-E.)

On September 16, 1941, the United States attorney for the District of Maryland filed an information against Charles W. Ward, Zach Ward, and Raymond K. Ward, copartners trading as Z. Ward & Son at Crisfield, Md., alleging shipment on or about January 27, 1941, from the State of Maryland into the State of Pennsylvania of a quantity of oysters that were adulterated. They were labeled in part: "Ward's Delicious Salt Water Oysters."

The article was alleged to be adulterated in that a substance, water, had been substituted in part for oysters, which it purported to be; and in that water had been added thereto or mixed or packed therewith so as to increase its bulk or weight and reduce its quality.

On October 3, 1941, pleas of nolo contendere having been entered on behalf of the defendants, the court entered judgment of not guilty.

2704. Alleged adulteration of oysters. U. S. v. Murray E. Ward (Crisfield Packing Co. and Ward Oyster Co.). Plea of nolo contendere. Tried to the court. Judgment of not guilty. (F. D. C. No. 5498. Sample Nos. 19139-E, 19140-E, 19144-E, 19145-E, 24936-E, 24937-E, 42311-E, 42312-E.)

On September 16, 1941, the United States attorney for the District of Maryland filed an information against Murray E. Ward, trading as Crisfield Packing Co. and Ward Oyster Co. at Crisfield, Md., alleging shipment on or about December 10, 12, and 16, 1940, from the State of Maryland into the State of Pennsylvania of quantities of oysters that were adulterated.

The article was alleged to be adulterated in that a substance, water, had been substituted in part for oysters, which it purported to be; and in that

water had been added thereto or mixed or packed therewith so as to increase its bulk or weight and reduce its quality.

On October 3, 1941, the defendant having entered a plea of nolo contendere, the court entered judgment of not guilty.

2705. Adulteration of oysters. U. S. v. Paul C. Stamm (Weems Seafood Co.).
Plea of guilty. Fine, \$50. (F. D. C. No. 4153. Sample Nos. 5533-E, 27497-E, 27526-E, 27533-E, 27534-E, 27825-E.)

Examination of these oysters showed that they contained added water.

On September 19, 1941, the United States attorney for the Eastern District of Virginia filed an information against Paul C. Stamm, trading as the Weems Seafood Co., Irvington, Va., alleging shipment within the period from on or about November 16 to on or about December 14, 1940, from the State of Virginia into the States of Ohio and Kentucky, of quantities of oysters which were adulterated in that water had been substituted in part for oysters and in that water had been added thereto or mixed or packed therewith so as to increase its bulk or weight and reduce its quality.

On October 21, 1941, the defendant having entered a plea of guilty, the court imposed a fine of \$50.

2706. Adulteration and misbranding of canned oysters. U. S. v. 198 Cases, 98 Cases, and 98 Cases of Canned Oysters. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 5238. Sample Nos. 49211-E to 49213-E, incl.)

Examination showed that this product contained excessive brine.

On July 31, 1941, the United States attorney for the Northern District of Illinois filed a libel against 394 cases of canned oysters at Chicago, Ill., alleging that the article had been shipped on or about June 26, 1941, by Kuluz Bros. Packing Co. from Biloxi, Miss.; and charging that it was adulterated and that portions were also misbranded. It was labeled in part: (Cans) "Foodcraft Brand Oysters," "Fargo Brand Cove Oysters," or "IGA * * * Cove Oysters."

The article was alleged to be adulterated in that brine had been substituted wholly or in part for oysters.

Portions of the article were alleged to be misbranded in that the statements "Net Weight of Oyster Meat 5 Oz." and "Contents 5 Oz. Avd. Oyster Meat," were false and misleading since the cans contained less than that amount of oyster meat. They were alleged to be misbranded further in that they were in package form and did not bear a label containing an accurate statement of the quantity of contents.

On November 14, 1941, the Callerman Co., Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

FROZEN FISH

Nos. 2707 to 2716 report the seizure and disposition of frozen fish that was in whole or in part decomposed.

2707. Adulteration of frozen whiting. U. S. v. Gloucester Seafoods Corporation.
Plea of guilty. Fine, \$250. (F. D. C. No. 4118. Sample Nos. 27474-E, 27488-E, 31861-E, 31863-E, 31864-E, 35085-E, 44441-E.)

On September 11, 1941, the United States attorney for the District of Massachusetts filed an information against Gloucester Seafoods Corporation, Gloucester, Mass., alleging shipment within the period from on or about June 1 to on or about September 29, 1940, from the State of Massachusetts into the States of Texas, Ohio, Colorado, and Illinois, of quantities of frozen whiting which was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: "Frosted H & G Whiting Gloucester Seafoods Corp. Gloucester, Mass.," or "Butterfly Whiting Packed at Gloucester, Mass. For Geo H. Thomas, Inc."

On January 6, 1942, a plea of guilty was entered on behalf of the defendant and a fine of \$250 was imposed.

2708. Alleged adulteration of red perch filets. U. S. v. John Wootton (New Fish Co. and New Fisheries). Plea of not guilty. Case tried to the court; judgment of not guilty. (F. D. C. No. 4168. Sample No. 16311-E.)

On November 17, 1941, the United States attorney for the Northern District of Oklahoma filed an information against John Wootton, trading as New Fish Co., and New Fisheries, at Tulsa, Okla., alleging shipment on or about July 26, 1940, from the State of Oklahoma into the State of Illinois, of quantities of fish which