

19927. Adulteration of oysters. U. S. v. 84 Cans * * *. (F. D. C. No. 34029. Sample No. 4123-L.)

LIBEL FILED: October 16, 1952, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 13, 1952, by the Crisfield Supply Co., from Crisfield, Md.

PRODUCT: 84 pint cans of oysters at Du Bois, Pa.

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.

DISPOSITION: November 21, 1952. Default decree of condemnation and destruction.

19928. Misbranding of oysters. U. S. v. 224 Cans * * *. (F. D. C. No. 34000. Sample No. 39413-L.)

LIBEL FILED: October 9, 1952, Southern District of Indiana.

ALLEGED SHIPMENT: On or about October 6, 1952, by the McNaney Oyster Co., from Baltimore, Md.

PRODUCT: 224 cans of oysters at Vincennes, Ind.

LABEL, IN PART: "Oysters Standards Contents One Pint McNaney's Superior Raw Oysters."

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. (Examination showed that the product was short volume.)

DISPOSITION: October 16, 1952. The shipper, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be repacked and brought into compliance with the law, under the supervision of the Food and Drug Administration.

FRUITS AND VEGETABLES

CANNED FRUIT

19929. Misbranding of canned cherries. U. S. v. 2,244 Cases * * *. (F. D. C. No. 34006. Sample No. 42392-L.)

LIBEL FILED: October 10, 1952, Northern District of California.

ALLEGED SHIPMENT: During or about July and August, 1952, by Hunt Foods, Inc., from Salem, Oreg.

PRODUCT: 2,244 cases, each containing 48 15½-ounce cans, of cherries at Hayward, Calif.

LABEL, IN PART: "Hunt's Royal Anne Light Sweet Cherries In Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the product purported to be and was represented as canned sweet cherries, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the name of the optional packing medium present since the label bore the statement "In Heavy Syrup" and the article was packed in light sirup.

DISPOSITION: December 3, 1952. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court