ALLEGED SHIPMENT: On or about November 8, 1951, by the General Freezer & Storage Co., from New Bedford, Mass.

PRODUCT: 663 boxes, each containing 3 10-pound cartons, of whiting at Atlanta, Ga.

LABEL, IN PART: "H & G Whiting."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed fish.

DISPOSITION: January 4, 1952. Default decree of condemnation and destruction.

18377. Adulteration of canned smoked mussels. U. S. v. 78 Cases * * *. (F. D. C. No. 31953. Sample No. 22989–L.)

LIBEL FILED: October 30, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about May 29, 1951, from Holland.

PRODUCT: 78 cases, each containing 48 3¼-ounce cans, of smoked mussels at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. Examination disclosed that the product was decomposed. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 12, 1951. Theodore Koryn, New York, N. Y., 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 for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration. 12 cases and 7 cans were destroyed.

18378. Adulteration and misbranding of oysters. U. S. v. 464 Cans * * *. (F. D. C. No. 32119. Sample No. 2949–L.)

LIBEL FILED: On or about November 23, 1951, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 19, 1951, by C. W. Howeth & Bro., from Crisfield, Md.

PRODUCT: 464 1-pint cans of oysters at York, Pa.

LABEL, IN PART: "Oysters Standards H and B Brand 1 Pint MD 193."

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 definition and 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 since the label statement "1 Pint" was inaccurate. (The cans were short of the declared volume.)

DISPOSITION: January 4, 1952. Default decree of condemnation and destruction.

18379. Adulteration and misbranding of frozen, cooked shrimp. U. S. v. 65 Cans * * *. (F. D. C. No. 31954. Sample No. 23231–L.)

LIBEL FILED: October 31, 1951, Southern District of New York.