

DISPOSITION: October 27, 1952. Default decree of condemnation. The court ordered that the product be delivered to a public institution.

19873. Adulteration of oysters. U. S. v. 59 Cans * * *. (F. D. C. No. 33915. Sample No. 38769-L.)

LABEL FILED: October 3, 1952, Middle District of North Carolina.

ALLEGED SHIPMENT: On or about September 29, 1952, by E. I. Webb & Co., from Weems, Va.

PRODUCT: 59 1-pint cans of oysters at High Point, N. C.

LABEL, IN PART: "Oysters Standards Moonlight Bay 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.

DISPOSITION: November 20, 1952. Default decree of condemnation and destruction.

FRUITS AND VEGETABLES

CANNED FRUIT

19874. Misbranding of canned cherries. U. S. v. 98 Cases * * *. (F. D. C. No. 33906. Sample No. 40840-L.)

LABEL FILED: October 1, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about September 1, 1952, by Seufert Bros. Co., from The Dalles, Oreg.

PRODUCT: 98 cases, each containing 6 6-pound, 11-ounce cans, of cherries at New York, N. Y.

LABEL, IN PART: (Can) "Regal Silver Banner Light Sweet Pitted Royal Anne Cherries."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned pitted cherries since it contained an excessive number of pits and the label failed to bear a statement that the product fell below the standard.

DISPOSITION: December 12, 1952. The shipper, 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 to be relabeled under the supervision of the Food and Drug Administration.

19875. Misbranding of canned cherries. U. S. v. 74 Cases * * *. (F. D. C. No. 33897. Sample No. 14552-L.)

LABEL FILED: October 7, 1952, District of Colorado.

ALLEGED SHIPMENT: On or about July 22, 1952, by Intermountain Food Co., Inc., from Murray, Utah.

PRODUCT: 74 cases, each containing 6 6-pound, 10-ounce cans, of cherries at Denver, Colo.