DISPOSITION: February 25, 1952. The Duane Import & Export Corp., 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 the purpose of salvaging the good portion under the supervision of the Federal Security Agency. The salvage operations consisted of removing the cellophane wrappers from the product and trimming that portion of the product which was contaminated with the noncertified coal-tar color.

**19670. Adulteration and misbranding of oysters. U. S. v. York River Seafood Co., Cecil S. Mills, and Fred P. Burcher. Pleas of nolo contendere. Fine of $140 against defendants jointly.** (F. D. C. No. 32766. Sample Nos. 3409–L to 3411–L, incl., 3583–L, 3815–L, 3816–L, 4204–L.)

INFORMATION FILED: During June 1952, Eastern District of Virginia, against the York River Seafood Co., a partnership, Seaford, Va., and Cecil S. Mills and Fred P. Burcher, partners in the partnership.

INTERSTATE SHIPMENT: On or about October 31, November 1, and December 15, 1951, from the State of Virginia into the States of North Carolina and Maryland.

LABEL, IN PART: "Bay Brand * * * Oysters Standards [or "Selects"]."

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), water had been added to the oysters and mixed and packed with them so as to increase their bulk and weight and reduce their quality.

Misbranding, Section 403 (g) (1), the oysters failed to conform to the definitions and standards of identity for oysters standards and oysters selects in that in the preparation of the oysters, the total time that the oysters were in contact with water or salt water, after leaving the shucker, was more than 30 minutes; they were not thoroughly drained before packing into the container for shipment; and they were packed with added water.

DISPOSITION: February 2, 1953. Pleas of nolo contendere having been entered, the court imposed a fine of $140 against the defendants jointly.

**19671. Adulteration and misbranding of oysters. U. S. v. Klein's Seafoods, Inc., and Joseph Klein. Pleas of guilty. Fine of $200 against each defendant.** (F. D. C. No. 32714. Sample No. 11233–L.)

INFORMATION FILED: July 25, 1952, Northern District of Ohio, against Klein's Seafoods, Inc., Akron, Ohio, and Joseph Klein, president of the corporation.

ALLEGED SHIPMENT: On or about October 15, 1951, while a number of cans of oysters were being held for sale at Klein's Seafoods, Inc., after shipment in interstate commerce, the defendants caused a quantity of the oysters to be removed from a number of the cans, caused water to be added to the oysters so removed, and caused the oysters to be repacked into small cans, which acts resulted in the oysters being adulterated and misbranded.

LABEL, IN PART: (Small cans) "Klein's Blue Ribbon Brand Oysters Klein's Seafoods, Inc. Akron, Ohio Contents One Pint."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), added water had been substituted in part for oysters; and, Section 402 (b) (4), water had been added to the article and mixed and packed with it so as to increase its bulk and reduce its quality.

Misbranding, Section 403 (g) (1), the article in the small cans failed to conform to the definition and standard of identity for oysters since it was packed with an added substance, namely, added water.