

LABEL, IN PART: "Travers Bros. Co. Blue Cross Brand Fresh Oysters * * * Oysters Standards."

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 article and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

DISPOSITION: January 26, 1953. The shipper having advised that it did not intend to reclaim the product, the court entered judgment ordering that the product be delivered to a Federal institution for use as food by the inmates.

19675. Adulteration and misbranding of shrimp cocktail. U. S. v. 93 Cases * * *.
(F. D. C. No. 33699. Sample No. 13546-L.)

LIBEL FILED: September 15, 1952, District of Utah.

ALLEGED SHIPMENT: On or about March 31, 1952, by the Seaside Fisheries Co., from Long Beach, Calif.

PRODUCT: 93 cases, each containing 24 3½-ounce jars, of shrimp cocktail at Salt Lake City, Utah.

Examination showed that the product consisted of dried shrimp in an excessive amount of tomato sauce.

LABEL, IN PART: (Jar) "La Playa Brand Shrimp Cocktail Catsup, Vinegar and Spices Added."

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 tomato sauce; and, Section 402 (b) (2), a product consisting of dried shrimp in an excessive amount of tomato sauce had been substituted for shrimp cocktail.

Misbranding, Section 403 (a), the designation "Shrimp Cocktail" was false and misleading as applied to a product consisting of dried shrimp in an excessive amount of tomato sauce.

DISPOSITION: January 23, 1953. Default decree of condemnation and destruction.

FRUITS AND VEGETABLES

FROZEN FRUIT

19676. Adulteration of frozen cherries. U. S. v. Smeltzer Orchard Co., Inc., and Percy R. Smeltzer. Pleas of nolo contendere. Corporation fined \$750; imposition of sentence against individual suspended and individual placed on probation for 2 years. (F. D. C. No. 33818. Sample No. 49732-L.)

INFORMATION FILED: January 12, 1953, against Smeltzer Orchard Co., Inc., Elberta, Mich., and Percy R. Smeltzer, president.

ALLEGED SHIPMENT: On or about March 11, 1952, from the State of Michigan into the State of New Jersey.

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

DISPOSITION: January 22, 1953. Pleas of nolo contendere having been entered, the court fined the corporation \$750, suspended the imposition of sentence against the individual defendant, and placed him on probation for 2 years.