

failed also to conform to the definitions and standards since they had not been thoroughly drained as required by the regulations.

DISPOSITION: November 27 and December 13, 1951. Default decrees of condemnation and destruction.

18574. Adulteration and misbranding of oysters. U. S. v. 144 Cans * * *
(F. D. C. No. 32175. Sample No. 4542-L.)

LIBEL FILED: November 23, 1951, Western District of New York.

ALLEGED SHIPMENT: On or about November 17, 1951, by C. W. Howeth & Bro., from Crisfield, Md.

PRODUCT: 144 cans of oysters at Rochester, N. Y.

LABEL, IN PART: (Can) "Oysters Standards 1 Pint H & B 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 oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

Misbranding, section 403 (g) (1), the oysters failed to conform to the definition and standard of identity for oysters standards since they were not thoroughly drained; and in the preparation of the oysters, the total time of contact with water after leaving the shucker, computed as directed in the definition and standard, was more than 30 minutes.

DISPOSITION: December 28, 1951. Default decree of condemnation and destruction.

18575. Adulteration of frozen shrimp. U. S. v. 115 Cases, etc. (F. D. C. No. 32582. Sample Nos. 10030-L, 10031-L.)

LIBEL FILED: March 12, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 16, 1951, and January 26, 1952, by the Colter Corp., from Palacios, Tex.

PRODUCT: Frozen shrimp. 115 cases, each containing 9 5-pound cartons, and 63 cases, each containing 48 1-pound packages, at Chicago, Ill.

LABEL, IN PART: (Portion) "Texas Fisheries Brand."

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

DISPOSITION: May 6, 1952. The Slade Gorton Co., Chicago, Ill., 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 conversion into fish bait.

18576. Adulteration of frozen shrimp. U. S. v. 35 Packages * * * (F. D. C. No. 32282. Sample No. 29633-L.)

LIBEL FILED: December 20, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about July 16, 1951, by L. W. Card, from Portland, Oreg.

PRODUCT: 35 packages of frozen shrimp at Seattle, Wash.

LABEL, IN PART: "Ocean Garden Frozen Fresh Shrimp Net Wt. 5 pounds Marine Products Company San Diego, California."

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

DISPOSITION: March 24, 1952. Default decree of condemnation and destruction.

FRUITS AND VEGETABLES

FRESH FRUIT

18577. Adulteration of blueberries. U. S. v. 17 Cases * * * (and one other seizure action). (F. D. C. Nos. 32244, 32245. Sample Nos. 8937-L, 8938-L.)

LIBELS FILED: November 5 and 6, 1951, Northern District of Illinois.

ALLEGED SHIPMENT: On or about August 1 and 13, 1951, by McNerney & Co., from Benton Harbor, Mich.

PRODUCT: 22 cases, each containing 16 1-quart boxes, of blueberries at Chicago, Ill.

LABEL, IN PART: "Delos See Dowagiac Mich. Blueberries."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance. (Examination showed that the article was infested with maggots.)

DISPOSITION: December 28 and 31, 1951. Default decrees of condemnation and destruction.

18578. Adulteration of blueberries. U. S. v. 10 Cases * * *. (F. D. C. No. 32246. Sample No. 8939-L.)

LIBEL FILED: November 6, 1951, Northern District of Illinois.

ALLEGED SHIPMENT: On or about August 14, 1951, (1 case) by T. A. Dumetz, from Hartford, Mich; and, on or about August 15, 1951, (9 cases) by McNerney & Co., from Benton Harbor, Mich.

PRODUCT: 10 cases, each containing 16 1-quart boxes, of blueberries at Chicago, Ill.

LABEL, IN PART: "Delos See Dowagiac Mich. Blueberries" and "Blue Berries T. A. Dumetz Rt. 2 - Hartford, Mich."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance. (Examination showed that the article was infested with maggots.)

DISPOSITION: December 28, 1951. Default decree of condemnation and destruction.

18579. Adulteration of blueberries. U. S. v. 5 Cases * * *. (F. D. C. No. 32247. Sample No. 8940-L.)

LIBEL FILED: November 8, 1951, Northern District of Illinois.