PRODUCT: Oysters. 100 pints at Pinellas Park, Fla.; 300 pints at Tampa, Fla.; and 88 pints at St. Petersburg, Fla.

LABEL, IN PART: "Duke of Gloucester Brand Oysters Standards [or "Selects"]" or "King O' Sea Brand Oysters Selects."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in whole or 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: January 27, 1951. Default decrees of condemnation and destruction.

17120. Misbranding of canned shrimp in cocktail sauce. U. S. v. 28 Cases * * * (F. D. C. No. 29042. Sample No. 80942–K.)

LIBEL FILED: April 4, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about January 30 and March 7, 1950, by Delca Fish Preservators, Inc., from Brooklyn, N. Y.

PRODUCT: 28 cases, each containing 24 jars, of shrimp in cocktail sauce at Philadelphia, Pa.

LABEL, IN PART: (Jar) "Delca Brand Shrimp Net Contents 5 Oz. Avd. In Cocktail Sauce."

NATURE OF CHARGE: Misbranding, Section 403 (a), the word "Shrimp," which appeared on the label in heavy type, was false and misleading as applied to an article which consisted of a small amount of shrimp and a large proportion of cocktail sauce; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents (the article was short of the declared weight).

Further misbranding, Section 403 (k), the article contained a chemical preservative, namely, benzoic acid, and it failed to bear labeling stating that fact.

DISPOSITION: April 5, 1951. Delca Fish Preservators, Inc., claimant, having failed to file an answer, judgment of condemnation was entered and the court ordered that the product be destroyed.

FRUITS AND VEGETABLES

CANNED FRUIT

17121. Adulteration of canned apricots. U. S. v. 64 Cases * * *. (F. D. C. No. 29987. Sample No. 58828–K.)

LIBEL FILED: November 9, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 17, 1950, by the Manteca Canning Co., Inc., from Manteca, Calif.

PRODUCT: 64 cases, each containing 24 1-pound, 14-ounce cans, of apricots at Chicago, Ill.

LABEL, IN PART: (Can) "Sultana Whole Peeled Apricots In Heavy Syrup."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of the presence of a phenolic substance.

DISPOSITION: February 8, 1951. Default decree of condemnation and destruction.