19927. Adulteration of oysters. U. S. v. 84 Cans * * *. (F. D. C. No. 34029. Sample No. 4123–L.)

LIBEL FILED: October 16, 1952, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 13, 1952, by the Crisfield Supply Co., from Crisfield, Md.

PRODUCT: 84 pint cans of oysters at Du Bois, Pa.

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 21, 1952. Default decree of condemnation and destruction.

19928. Misbranding of oysters. U. S. v. 224 Cans * * *. (F. D. C. No. 34000. Sample No. 39413–L.)

LIBEL FILED: October 9, 1952, Southern District of Indiana.

ALLEGED SHIPMENT: On or about October 6, 1952, by the McNaney Oyster Co., from Baltimore, Md.

PRODUCT: 224 cans of oysters at Vincennes, Ind.

LABEL, IN PART: "Oysters Standards Contents One Pint McNaney's Superior Raw Oysters."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (Examination showed that the product was short volume.)

DISPOSITION: October 16, 1952. The shipper, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be repacked and brought into compliance with the law, under the supervision of the Food and Drug Administration.

FRUITS AND VEGETABLES

CANNED FRUIT

19929. Misbranding of canned cherries. U. S. v. 2,244 Cases * * *. (F. D. C. No. 34006. Sample No. 42392–L.)

LIBEL FILED: October 10, 1952, Northern District of California.

ALLEGED SHIPMENT: During or about July and August, 1952, by Hunt Foods, Inc., from Salem, Oreg.

PRODUCT: 2,244 cases, each containing 48 15½-ounce cans, of cherries at Hayward, Calif.

LABEL, IN PART: "Hunt's Royal Anne Light Sweet Cherries In Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the product purported to be and was represented as canned sweet cherries, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the name of the optional packing medium present since the label bore the statement "In Heavy Syrup" and the article was packed in light sirup.

DISPOSITION: December 3, 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 for relabeling under the supervision of the Federal Security Agency.

19930. Misbranding of canned peaches. U. S. v. 831 Cases * * *. (F. D. C. No. 33974. Sample No. 35969–L.)

LIBEL FILED: September 30, 1952, Northern District of Ohio.

ALLEGED SHIPMENT: On or about August 20, 1952, by Carolina Canning Co., Inc., from Inman, S. C.

PRODUCT: 831 cases, each containing 24 1-pound, 13-ounce cans, of peaches at Toledo, Ohio.

LABEL, IN PART: "Carolina Gold Brand * * * Packed In Heavy Syrup Halved Yellow Freestone Peaches."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the product purported to be and was represented as canned peaches, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear, as required by the definition and standard, the name of the optional packing medium present since the label bore the statement "In Heavy Syrup" and the article was packed in light sirup.

DISPOSITION: October 28, 1952. The shipper, claimant, having admitted the allegations of the libel, 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.

19931. Misbranding of canned peaches. U. S. v. 250 Cases * * *. (F. D. C. No. 33951. Sample No. 1178–L.)

LIBEL FILED: October 24, 1952, Southern District of Florida.

ALLEGED SHIPMENT: On or about August 24, 1952, by the Cherokee Products Co., from Haddock, Ga.

PRODUCT: 250 cases, each containing 24 1-pound, 13-ounce cans, of peaches at Tampa, Fla.

LABEL, IN PART: "O'sage Brand * * * Yellow Freestone Peaches Halves In Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned peaches by reason of the presence of peach halves smaller in size than specified in the standard and since the weight of the largest peach half in the container was more than twice the weight of the smallest unit therein, and its label failed to bear a statement that the product fell below the standard.

DISPOSITION: December 22, 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 Federal Security Agency.

19932. Misbranding of canned peaches. U. S. v. 98 Cases * * *. (F. D. C. No. 33941. Sample No. 2433–L.)

LIBEL FILED: October 20, 1952, Western District of South Carolina.

ALLEGED SHIPMENT: On or about August 21, 1952, by the Bateman Canning Co., from Macon, Ga.

PRODUCT: 98 cases, each containing 24 1-pound, 13-ounce cans, of peaches at Lancaster, S. C.