

SHIPPED: 6-14-56; from Virginia, to Maryland and the District of Columbia.
LABEL IN PART: (Can) "Backfin Crab Meat [or "Regular Crab Meat" or "Claw Crab Meat"] 1 lb. Net. Lancaster Seafoods, Inc., Morattico, Va."
CHARGE: 402 (a) (3)—contained *Escherichia coli* of fecal origin; and 402 (a) (4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 7-17-57. Fine of \$500 against each defendant on one count of indictment; on remaining count, imposition of sentence against corporation suspended for 3 years and sentence of 6 months in prison against individual suspended also for 3 years.

23783. Crabmeat. (F. D. C. No. 39326. S. Nos. 765 M, 39-133 M.)

INFORMATION FILED: 7-27-56, N. Dist. Fla., against Eastpoint Seafood, a partnership, Eastpoint, Fla., and Frank A. Segree and Era M. Segree, partners.

SHIPPED: 4-20-56 and 4-24-56, from Florida to Maryland.

LABEL IN PART: (Can) "Eastpoint Seafood Fla 47C Crabmeat 1 lb. Net Eastpoint Fla."

CHARGE: 402 (a) (3)—contained *Escherichia coli* of fecal origin; and 402 (a) (4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 9-13-57. Imposition of sentences suspended and defendants placed on probation for 2 years.

23784. Crabmeat. (F. D. C. No. 39406. S. No. 39-152 M.)

INFORMATION FILED: 3-12-57, N. Dist. Fla., against Marion F. Millender, t/a Millender & Sons Seafood, Eastpoint, Fla.

ALLEGED VIOLATION: On 7-16-56, the defendant gave to an individual engaged in the business of shipping crabmeat, in interstate commerce, a guaranty to the effect that crabmeat shipped by such defendant under the guaranty would not be adulterated or misbranded.

On 7-17-56, the defendant caused to be shipped to the holder of the guaranty, at Apalachicola, Fla., a quantity of crabmeat which was adulterated.

CHARGE: 402 (a) (3)—contained *Escherichia coli* of fecal origin; and 402 (a) (4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 9-3-57. Imposition of sentence suspended and defendant placed on probation for 2 years.

23785. Crabmeat. (F. D. C. No. 39959. S. No. 39-542 M.)

INFORMATION FILED: 3-15-57, N. Dist. Fla., against Xuripha Gilbert Miller, plant manager for Houston Miller Seafoods, Eastpoint, Fla.

ALLEGED VIOLATION: On 7-16-56, the defendant caused to be given to a firm engaged in the business of shipping crabmeat, in interstate commerce, a guaranty to the effect that each shipment of crabmeat by Houston Miller Seafoods to the holder of the guaranty would be neither adulterated nor misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act.

On 7-17-56, the defendant caused to be shipped a number of cans of adulterated crabmeat to the holder of the guaranty at Apalachicola, Fla.

CHARGE: 402 (a) (3)—contained *Escherichia coli* of fecal origin; and 402 (a) (4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 5-29-57. The defendant was placed on probation for 2 years.

23786. Oysters. (F. D. C. No. 39764. S. Nos. 66-866/7 M.)

QUANTITY: 50 ctns., 12 12-oz. cans each, at Altoona, Pa.

SHIPPED: 11-9-56, from Baltimore, Md., by Seacoast Oyster Co., Inc.

LABEL IN PART: (Can) "Pride of Chesapeake Bay Frozen Oysters."

LIBELED: 11-15-56, W. Dist. Pa.

CHARGE: 402 (b) (2)—water had been substituted in part for oysters when shipped; and 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.

DISPOSITION: 11-27-56. Default—given to a charitable institution.

23787. Oysters. (F. D. C. Nos. 39791, 39792. S. Nos. 27-577/8 M.)

QUANTITY: 3,300 pts. at Houston, Tex.

SHIPPED: 11-25-56, from Amite, La., by Amite Oyster House.

LABEL IN PART: "Amite Brand Fresh Shucked Oysters."

LIBELED: 11-27-56, S. Dist. Tex.

CHARGE: 402 (b) (2)—water had been substituted in part for oysters when shipped; and 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.

DISPOSITION: 11-30-56. Consent—delivered to charitable organizations for their use.

23788. Oysters. (F. D. C. No. 39771. S. Nos. 45-047/8 M.)

QUANTITY: 5 bbls., 200 cans each, at Springfield, Ohio.

SHIPPED: 11-17-56, from Crisfield, Md., by Metompkin Bay Oyster Co.

LABEL IN PART: (Can) "Oysters Standards (or Selects) 12 fl. oz. Fresh Oysters * * * Md. 220."

RESULTS OF INVESTIGATION: Examination showed that the article was short volume, i. e., standards 5.5 percent and selects 7.7 percent.

LIBELED: 11-20-56, S. Dist. Ohio.

CHARGE: 403 (e) (2)—the article, when shipped, failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 11-20-56. Consent—claimed by Metompkin Bay Oyster Co. and repacked into gallon cans.

23789. Oysters. (F. D. C. No. 39911. S. Nos. 47-287/8 M.)

QUANTITY: 400 12-oz. cans at Akron, Ohio.

SHIPPED: 12-28-56, from Port Mahon, Del., by Newcomb & Hand, Inc.

LABEL IN PART: "Superior Brand Oysters * * * Medium (or Selects)."

LIBELED: 1-3-57, N. Dist. Ohio.