

**8758. Misbranding of vinegar. U. S. v. 1,400 Cases of Vinegar. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15215. Sample No. 74734-F.)**

**LIBEL FILED:** February 27, 1945, District of Oregon.

**ALLEGED SHIPMENT:** On or about September 7, 14, and 22, 1944, by the Table Products Co., from Seattle, Wash.

**PRODUCT:** 1,400 cases, each containing 4 1-gallon jugs, of vinegar at Portland, Oreg. This product was short of the declared volume.

**LABEL, IN PART:** "Old Mill Brand Apple Cider Vinegar \* \* \* Net Contents One Gallon."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product was food in package form and it failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** April 2, 1945. The Glenfield Food Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law by relabeling or refilling the containers, under the supervision of an employee of the Federal Security Administrator. On April 9, 1945, an amended decree was entered, substituting the name of the claimant for the one erroneously given.

#### VEGETABLES

**8759. Misbranding of canned beans. U. S. v. 300 Cases of a product labeled in part: "Square Meal Brand Extra Standard Tomatoes." Product ordered released under bond. (F. D. C. No. 15174. Sample No. 81278-F.)**

**LIBEL FILED:** On or about February 26, 1944, District of Kansas.

**ALLEGED SHIPMENT:** On or about September 15, 1944, by the Chamberlain Canning Co., Anderson, Mo.

**PRODUCT:** 300 cases, each containing 24 cans labeled "canned tomatoes," at Mulberry, Kans. Examination showed that some of the cans contained green beans instead of tomatoes.

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement "Tomatoes" was false and misleading as applied to beans.

**DISPOSITION:** March 23, 1945. The Chamberlain Canning Co. having appeared as claimant, the product was ordered released under bond to be relabeled and brought into compliance with the law, under the supervision of the Food and Drug Administration.

**8760. Adulteration of canned beans with pork. U. S. v. 1,100 Cases of Canned Beans with Pork. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 15288. Sample No. 718-H.)**

**LIBEL FILED:** February 17, 1945, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about January 12, 1945, by the Phillips Sales Co., Inc., from Cambridge, Md.

**PRODUCT:** 1,100 cases, each containing 24 1-pound, 5-ounce cans, of beans with pork at Atlanta, Ga.

**LABEL, IN PART:** "Phillips Delicious Beans with Pork and Delicious Tomato Sauce Packed by Phillips Packing Company, Inc. Cambridge, Md."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** March 9, 1945. The Phillips Sales Co., Inc., claimant, having admitted that a portion of the product was unfit for human consumption, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

**8761. Adulteration of lima beans. U. S. v. 6 Bags of Lima Beans. Default decree of condemnation and destruction. (F. D. C. No. 15383. Sample No. 9313-H.)**

**LIBEL FILED:** February 14, 1945, Western District of New York.

**ALLEGED SHIPMENT:** On or about December 9, 1943, and January 27, 1944, from Oxnard, Calif.