

PRODUCT: 6 cases, each containing 48 1-pound packages, of frozen strawberry topping at Altoona, Pa. The product was in part decomposed and was short-weight.

LABEL, IN PART: "Frozen Fresh Skibo Strawberry Topping * * * Contents 16 Oz. Net Wt."

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

Misbranding, Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: February 27, 1946. No claimant having appeared, judgment of condemnation was entered and it was ordered that the product be delivered to a charitable institution, for use as hog feed, but that if no charitable institution wanted it, the product was to be destroyed. The product was destroyed.

VEGETABLES AND VEGETABLE PRODUCTS*

10812. Adulteration of carob beans. U. S. v. 10 Bags * * * (and 2 other seizure actions). (F. D. C. Nos. 19055, 19210, 19568. Sample Nos. 3582-H, 14863-H, 39604-H.)

LIBELS FILED: February 13 and 14 and April 8, 1946, District of Maryland and Northern District of Illinois.

ALLEGED SHIPMENT: On or about May 29, 1945, and January 3, 1946, by H. Schoenfeld and Sons, from Camden Station, Md., and New York, N. Y.

PRODUCT: 17 bags at Chicago, Ill., and 38 bags at Baltimore, Md., each bag containing approximately 113 pounds of carob beans.

LABEL, IN PART: "Spyropoulos * * * Product of Cyprus."

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 worm-eaten carob beans, larvae, insect excreta, insects, and insect parts.

DISPOSITION: May 14 and June 10 and 11, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

10813. Adulteration of dried beans. U. S. v. 175 Bags * * *. (F. D. C. No. 19090. Sample No. 34902-H.)

LIBEL FILED: February 9, 1946, Western District of Missouri.

ALLEGED SHIPMENT: On or about October 9, 1945, from Bayard, Nebr.

PRODUCT: 175 100-pound bags of dried beans at Boonville, Mo., in possession of the Shryack-Givens Grocery Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta was observed on them. Examination showed that the product contained rodent excreta.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: February 19, 1946. The Shryack-Givens Grocery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

10814. Misbranding of canned cut green beans. U. S. v. 107 Cases * * *. (F. D. C. No. 18493. Sample No. 37911-H.)

LIBEL FILED: December 7, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about October 4, 1945, by the California Packing Corporation, from Salem, Oreg.

PRODUCT: 107 cases, each containing 24 1-pound, 3-ounce cans, of cut green beans at Seattle, Wash.

LABEL, IN PART: "Tip Top Cut Green Beans."

*See also No. 10724.

NATURE OF CHARGE: Misbranding, Section 403 (a), the vignette of a dish containing middle cuts of green beans and the term "Cut Green Beans" were misleading as applied to a byproduct consisting mainly of end cuts and tips of string beans.

DISPOSITION: October 7, 1946. The California Packing Corporation, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

10815. Adulteration of canned beans with pork and tomato sauce. U. S. v. 342 Cases * * *. (F. D. C. No. 18218. Sample No. 12429-H.)

LABEL FILED: October 25, 1945, District of Massachusetts.

ALLEGED SHIPMENT: On or about June 13, 1945, by the Sweet Life Food Corporation, from Baltimore, Md.

PRODUCT: 342 cases, each containing 24 1-pound, 14-ounce cans, of beans with pork and tomato sauce.

LABEL, IN PART: "Gibbs Beans with Pork and Tomato Sauce * * * Packed by Gibbs & Co., Inc., Baltimore, Md., U. S. A."

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

DISPOSITION: March 11, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10816. Adulteration of frozen corn. U. S. v. 795 Cases * * *. (F. D. C. No. 18912. Sample No. 37436-H.)

LABEL FILED: January 28, 1946, Western District of Washington.

ALLEGED SHIPMENT: On or about December 18, 1945, by the Monmouth Products Co., from Jersey City., N. J.

PRODUCT: 795 cases, each containing 22 2½-pound packages, of frozen corn at Seattle, Wash. Examination showed that the product was sour.

LABEL, IN PART: "Monmouth House Frosted Foods."

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

DISPOSITION: July 13, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a Federal prison, to be used for animal feed.

10817. Adulteration of cucumber chips and cucumber pickles. U. S. v. 21 Cartons, etc. (F. D. C. No. 19092. Sample No. 3935-H.)

LABEL FILED: February 8, 1946, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 25, 1945, by Cosmo Salads, Inc., from Brooklyn, N. Y.

PRODUCT: 21 cartons, each containing 12 1-quart jars, of cucumber chips and 12 cartons, each containing 12 1-quart jars, of cucumber pickles at Lansford, Pa. Examination showed that the products had undergone spoilage.

LABEL, IN PART: "Cosmo Kosher Style Cucumber Chips [or "Pickles"]."

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

DISPOSITION: April 22, 1946. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

Nos. 10818 to 10823 report actions involving canned peas that purported to be a food for which a standard of quality has been prescribed by law, but the quality was charged to fall below the standard because of higher alcohol-insoluble solids than the maximum permitted by the standard, and the labels failed to bear, in the manner and form that the regulations specify, a statement that the product was below the standard.

10818. Misbranding of canned peas. U. S. v. 1,731 Cases * * *. (F. D. C. No. 19160. Sample Nos. 14116-H, 14131-H.)

LABEL FILED: February 1, 1946, Middle District of Tennessee.