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14461. Misbranding of canned mushrooms. U. S. v. 15 Cases * * *. (F. D. C. No. 26469. Sample No. 40583-K.)

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LABEL FILED: January 18, 1949, Southern District of California.
ALLEGED SHIPMENT: On or about December 31, 1948, by the West Foods, from Salem, Oreg.

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PRODUCT: 15 cases, each containing 24 4-ounce cans, of mushrooms at Los Angeles, Calif.

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LABEL, IN PART: "Shady Oak Stems and Pieces Mushrooms Net drained weight 4 oz. avoird."

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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. (The cans contained less than the declared weight.)

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DISPOSITION: March 18, 1949. Default decree of condemnation. The product was ordered delivered to charitable institutions.

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14462. Adulteration of canned mustard greens. U. S. v. 185 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 24983, 26545. Sample Nos. 23918-K, 26966-K.)

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LIBELS FILED: June 29, 1948, and February 16, 1949, Eastern District of Missouri and Northern District of Alabama.

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ALLEGED SHIPMENT: On or about May 15, November 13, and December 3, 1948, and January 12, 1949, by the Pharr Canning Co., Inc., from Van Buren, Ark.

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PRODUCT: Mustard greens. 185 cases, each containing 6 unlabeled No. 10 cans, and 450 cases, each containing 6 10-ounce cans, at St. Louis, Mo., and Birmingham, Ala.

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LABEL, IN PART: (Portion) "Pharr's Finest Mustard Greens."

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NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of aphids, larvae, and other insects, and a portion of the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed mustard greens.

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DISPOSITION: August 4, 1948, and March 16, 1949. Default decrees of condemnation and destruction.

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14463. Misbranding of canned peas. U. S. v. 170 Cases * * *. (F. D. C. No. 24009. Sample Nos. 26856-K, 26869-K.)

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LABEL FILED: December 8, 1947, Western District of Tennessee.

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ALLEGED SHIPMENT: On or about July 18 and September 9, 1947, by the Mississippi Valley Canning Co., from Osceola, Ark.

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PRODUCT: 170 cases, each containing 6 6-pound, 9-ounce cans, of peas at Memphis, Tenn.

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LABEL, IN PART: "Delta Club Early June Variety Sifted Peas."

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NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was below standard since the alcohol-insoluble solids of the peas were more than the maximum provided by law.

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DISPOSITION: February 17, 1949. The Mississippi Valley Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the segregation

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and relabeling of the substandard portion, under the supervision of the Food and Drug Administration. The entire lot was relabeled as substandard.

14464. Adulteration of dill pickles. U. S. v. 300 Cases, etc. (F. D. C. No. 25349. Sample No. 9937-K.)

LIBEL FILED: August 9, 1948, Southern District of New York.

ALLEGED SHIPMENT: On or about June 15, 1948, by Orangeburg Foods, Inc., from Orangeburg, S. C.

PRODUCT: Dill pickles. 300 cases, each containing 4 1-gallon jars, and 395 cases, each containing 12 1-quart jars, at New York, N. Y.

LABEL, IN PART: "Royal Scarlet New Dill Cucumbers."

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

DISPOSITION: October 15, 1948. Orangeburg Foods, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be removed from its containers and washed, reprocessed, and repacked.

TOMATOES AND TOMATO PRODUCTS*

14465. Adulteration of canned tomatoes. U. S. v. 198 Cases * * *. (F. D. C. No. 26578. Sample No. 5541-K.)

LIBEL FILED: February 9, 1949, District of Maine.

ALLEGED SHIPMENT: On or about October 16, 1948, by the Butterfield Canning Co., from Muncie, Ind.

PRODUCT: 198 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Augusta, Maine.

LABEL, IN PART: "Fort Western Brand Fancy Tomatoes."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of fly eggs and maggots.

DISPOSITION: April 22, 1949. Default decree of condemnation and destruction.

14466. Adulteration and misbranding of canned tomatoes. U. S. v. 1,493 Cases * * * (and 3 other seizure actions). (F. D. C. Nos. 26159 to 26162, incl. Sample Nos. 1527-K to 1530-K, incl.)

LIBELS FILED: January 10, 1949, Southern District of Florida.

ALLEGED SHIPMENT: On or about October 21 and November 5 and 8, 1948, by the Watkins Produce Co., from Thomasville, Ga.

PRODUCT: 2,435 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Jacksonville, Fla.

LABEL, IN PART: "Cole Brand Tomatoes * * * Packed by C. C. Cole, Hague, Virginia."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned tomatoes because of low drained weight, as determined by the sieve test provided by the standard, and because of the presence of excessive peel; and its label failed to bear a statement that it fell below such standard.

*See also No. 14304.