

VEGETABLES AND VEGETABLE PRODUCTS

15982. Adulteration of canned asparagus. U. S. v. 792 Cans * * *. (F. D. C. No. 27830. Sample No. 13674-K.)

LIBEL FILED: September 8, 1949, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about July 20, 1949, by Salter Canning Co., Inc., from North Rose, N. Y.

PRODUCT: 792 cans, each containing 6 pounds, 7 ounces, of asparagus at Philadelphia, Pa.

LABEL, IN PART: (Can) "Parke's Brand Canned Fancy Large-Medium Tender Green Asparagus Spears."

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 insect eggs and insect-damaged spears.

DISPOSITION: March 7, 1950. Salter Canning Co., Inc., 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 segregation and destruction of the unfit portion under the supervision of the Food and Drug Administration. The attempt at salvaging the product was unsuccessful, and the entire lot was destroyed.

15983. Adulteration of celery. U. S. v. 334 Crates * * *. (F. D. C. No. 28777. Sample No. 49670-K.)

LIBEL FILED: January 16, 1950, District of Colorado.

ALLEGED SHIPMENT: On or about January 7, 1950, by John C. Maurer & Sons, from Stockton, Calif.

PRODUCT: 334 crates of celery at Denver, Colo.

LABEL, IN PART: "Maurer's Nonpareil California Celery Red Lion King of them all."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of its discoloration, pithiness, and softening, due to freezing.

DISPOSITION: March 6, 1950. Default decree of condemnation. The court ordered that the product be sold, conditioned that the purchaser bring the celery into compliance with the law, under the supervision of the Food and Drug Administration. The unfit outer stalks were trimmed off, and the good portion was sold for human consumption.

15984. Misbranding of canned mushrooms. U. S. v. 181 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 27592 to 27594, incl. Sample Nos. 34300-K, 34302-K, 34304-K.)

LIBELS FILED: July 21, 1949, Northern District of California.

ALLEGED SHIPMENT: On or about May 16 and 28, 1949, by West Foods, from Salem, Oreg.

PRODUCT: 335 cases, each containing 24 cans, of mushrooms at San Francisco, Calif.

LABEL, IN PART: (Can) "Shady Oak Stems and Pieces Mushrooms Net Drained Weight 4 Oz. [or "2 Oz."] Avoir."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the label of the article failed to bear an accurate statement of the quantity of the contents. (The article in each size can was short of the declared weight.)

DISPOSITION: December 8, 1949. West Foods, claimant, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency. The seized product was repacked in cans averaging 2.55 ounces drained weight, and the cans were labeled, in part, "Net Drained weight 2 Oz. Avoir."

15985. Adulteration of potato chips. U. S. v. George Bernard Ostermueller (Quincy Potato Chip Co.). Plea of guilty. Fine, \$200. (F. D. C. No. 28221. Sample Nos. 61619-K, 61620-K.)

INFORMATION FILED: February 20, 1950, Southern District of Illinois, against George Bernard Ostermueller, trading as the Quincy Potato Chip Co., Quincy, Ill.

ALLEGED SHIPMENT: On or about October 31 and November 3, 1949, from the State of Illinois into the State of Missouri.

LABEL, IN PART: "Quincy Maid Potato Chips."

NATURE OF CHARGE: Adulteration, Section, 402 (a) (4), the product had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 10, 1950. A plea of guilty having been entered, the court fined the defendant \$200.

15986. Adulteration of soybean products. U. S. v. Rural Educational Association (Madison Foods), a corporation, and George E. Norris. Pleas of nolo contendere. Corporation fined \$70; individual defendant fined \$35. (F. D. C. No. 24791. Sample Nos. 8744-K to 8749-K, incl., 15303-K.)

INFORMATION FILED: July 2, 1948, Middle District of Tennessee, against the Rural Educational Association, a corporation, trading as Madison Foods, Madison College, Tenn., and George E. Norris, plant manager.

ALLEGED SHIPMENT: Between the approximate dates of September 2 and 10, 1947, from the State of Tennessee into the States of New York and Illinois.

LABEL, IN PART: "Yum," "Stake-Lets," "Zoyburger," "Vigorost," "Soy Cheese," or "Not-Meat."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in part of filthy substances by reason of the presence of larvae, insect fragments, rodent hair fragments, and a human hair fragment; and, Section 402 (a) (4), they had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: June 22, 1949. Pleas of nolo contendere having been entered, the corporation was fined \$70 and the individual defendant \$35.

TOMATOES AND TOMATO PRODUCTS*

15987. Adulteration and misbranding of canned tomatoes. U. S. v. Brady Tomatoes, Inc. Pleas of guilty. Fine, \$250. (F. D. C. No. 28116. Sample Nos. 41817-K, 41828-K, 41835-K, 41842-K.)

INFORMATION FILED: January 30, 1950, Southern District of Indiana, against Brady Tomatoes, Inc., Martinsville, Ind.

* See also Nos. 15952, 15953.