

DISPOSITION: May 5, 1952. Lord Mott 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 to be relabeled, under the supervision of the Federal Security Agency.

Further examination disclosed the presence of a number of cans which had swelled. The claimant opened all of the cans and sold the product for use as animal feed.

DRIED FRUIT

19235. Adulteration of dried apricots and dried mixed fruit. U. S. v. 124 Cases, etc. (F. D. C. No. 32928. Sample Nos. 7531-L, 7532-L.)

LABEL FILED: April 1, 1952, Western District of New York.

ALLEGED SHIPMENT: On or about February 7, 1952, by Rosenberg Bros. & Co., Inc., from San Francisco, Calif.

PRODUCT: 124 cases, each containing 24 1-pound bags, of dried apricots, and 173 cases, each containing 24 12-ounce bags, of dried mixed fruit, at Buffalo, N. Y.

LABEL, IN PART: "Sugar Ripe Medium Apricots [or "Fancy Mixed Fruit"] California Dried Fruit."

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

DISPOSITION: May 20, 1952. Rosenberg Bros. & Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond to be reprocessed and reconditioned, under the supervision of the Food and Drug Administration. The reconditioning operations were unsuccessful, and the products were destroyed.

19236. Adulteration of dried pears. U. S. v. 10 Cases * * *. (F. D. C. No. 33202. Sample No. 27282-L.)

LABEL FILED: April 30, 1952, District of Hawaii.

ALLEGED SHIPMENT: On or about April 9, 1952, by Rosenberg Bros. & Co., Inc., from San Francisco, Calif.

PRODUCT: 10 cases, each containing 24 1-pound packages, of dried pears at Honolulu, T. H.

LABEL, IN PART: Sugarripe Brand California Dried Fruits Medium Pears."

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 rodent and insect excreta; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 10, 1952. The sole intervener having consented to the entry of a decree, judgment of condemnation and destruction was entered.

VEGETABLES

19237. Adulteration and misbranding of canned kidney beans. U. S. v. 299 Cases * * *. (F. D. C. No. 32988. Sample No. 36844-L.)

LABEL FILED: April 1, 1952, Eastern District of New York.

ALLEGED SHIPMENT: On or about January 19, 1952, by W. H. Roberts & Co., from Baltimore, Md.

PRODUCT: 299 cases, each containing 24 1-pound, 4-ounce cans, of beans at Brooklyn, N. Y.

LABEL, IN PART: "Cobo Brand White Kidney Beans * * * Cannellini."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a variety of beans other than white kidney or Cannellini beans had been substituted in whole or in part for white kidney or Cannellini beans.

Misbranding, Section 403 (a), the label statement "White Kidney Beans * * * Cannellini" was false and misleading.

DISPOSITION: May 7, 1952. The shipper, 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 to be relabeled, under the supervision of the Food and Drug Administration.

19238. Misbranding of frozen peas and carrots. U. S. v. 71 Cases * * *. (F. D. C. No. 33124. Sample No. 17732-L.)

LIBEL FILED: May 7, 1952, Southern District of California.

ALLEGED SHIPMENT: On or about January 7, 1952, by Pictsweet Foods, Inc., from Mount Vernon, Wash.

PRODUCT: 71 cases, each containing 24 packages, of frozen peas and carrots at Glendale, Calif.

LABEL, IN PART: "Frozen Fresh Pictsweet Net Wt. 12 Oz. Peas and Carrots Quantity 12 Ounces."

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 since the packages contained less than the labeled 12 ounces.

DISPOSITION: June 11, 1952. The Market Distributors, 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 to be repackaged, under the supervision of the Federal Security Agency.

19239. Adulteration of potatoes. U. S. v. 1,098 Bags * * *. (F. D. C. No. 32857. Sample Nos. 17006-L to 17008-L, incl.)

LIBEL FILED: March 7, 1952, Southern District of California; amended libel filed March 13, 1952.

ALLEGED SHIPMENT: On or about February 16, 18, and 20, 1952, by George C. Burger, from Merrill, Oreg.

PRODUCT: 1,098 100-pound bags of potatoes at Calexico, Calif.

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 parasitic worms.

DISPOSITION: April 18, 1952. Default decree of condemnation and destruction.

19240. Adulteration of fresh spinach. U. S. v. 510 Cases * * *. (F. D. C. No. 32927. Sample No. 16469-L.)

LIBEL FILED: On or about April 1, 1952, Western District of Missouri.

ALLEGED SHIPMENT: On or about March 26, 1952, by the Meyers Commission Co., from Van Buren, Ark.