

19833. Adulteration and misbranding of canned lima beans. U. S. v. 44 Cases * * *. (F. D. C. No. 33653. Sample No. 22700-L.)

LIBEL FILED: August 21, 1952, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about May 21, 1952, by the Fresh Canning Co., from Spiro, Okla.

PRODUCT: 44 cases, each containing 48 15-ounce cans, of lima beans at Baton Rouge, La.

LABEL, IN PART: (Can) "Baby Shug Green & White Baby Lima Beans."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing dried soaked lima beans had been substituted for canned lima beans, which the article was represented to be.

Misbranding, Section 403 (g) (1), the article purported to be and was represented as canned lima beans, a food for which a definition and standard of identity has been prescribed by the regulations, and it failed to conform to such definition and standard. The definition and standard of identity provides that the vegetable ingredient of canned lima beans is obtained by proper preparation from the succulent vegetable, whereas the article was prepared from dried soaked lima beans.

DISPOSITION: October 13, 1952. The Fresh Canning Co., 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, conditioned that it be relabeled in compliance with the law, under the supervision of the Federal Security Agency.

19834. Adulteration of canned red beans. U. S. v. 63 Cases * * *. (F. D. C. No. 33652. Sample No. 64821-L.)

LIBEL FILED: August 20, 1952, District of South Dakota.

ALLEGED SHIPMENT: During the latter part of 1945 or the early part of 1946, from Cambridge, Md.

PRODUCT: 63 cases, each containing 48 15½-ounce cans, of red beans at Mitchell, S. Dak.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 23, 1952. The consignee having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be destroyed.

TOMATOES AND TOMATO PRODUCTS

19835. Adulteration of canned tomatoes. U. S. v. 624 Cases * * *. (F. D. C. No. 34128. Sample No. 39313-L.)

LIBEL FILED: November 13, 1952, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about October 1, 1952, by Phillips Sales Co., Inc., from Cambridge, Md.

PRODUCT: 624 cases, each containing 24 1-pound cans, of tomatoes at Norfolk, Va.

LABEL, IN PART: (Can) "Phillips Delicious * * * Tomatoes."