

LIBELED: 12-31-58, E. Dist. Mo.

CHARGE: 402(a)(3)—contained insects and insect excreta while held for sale.

DISPOSITION: 1-30-59. Default—destruction.

25501. Prunes. (F.D.C. No. 42771. S. No. 32-205 P.)

QUANTITY: 6 80-lb. ctns. and 215 80-lb. bags at New York, N.Y.

SHIPPED: 10-6-58, from Santa Clara, Calif.

LIBELED: On or about 1-19-59, S. Dist. N.Y.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 1-23-59. Consent—claimed by American Fig & Date Co., New York, N.Y., and reconditioned by fumigation and a thorough washing.

VEGETABLES AND VEGETABLE PRODUCTS

25502. Canned cut green beans. (F.D.C. No. 42942. S. No. 25-987 P.)

QUANTITY: 74 cases, 24 cans each, at Laurens, Iowa.

SHIPPED: 3-21-58, from Wisconsin Rapids, Wis., by Sampson Canning Co.

LABEL IN PART: (Can) "Contents 15½ oz. * * * Sampson's Cut Green Beans * * * Packed by Sampson Canning Co. Wisconsin Rapids, Wis."

LIBELED: On or about 3-20-59, N. Dist. Iowa.

CHARGE: 403(h)(1)—when shipped, the quality of the article fell below the standard of quality for canned cut green beans since the deseeded pods of the article contained more than 0.15 percent by weight of fibrous material, and its label did not bear, as specified by the regulations, a statement that it fell below such standard.

DISPOSITION: 4-16-59. Default—delivered to a charitable institution for its use and not for sale.

25503. Canned mushrooms. (F.D.C. No. 42987. S. Nos. 48-642/4 P.)

QUANTITY: 69 cases, 24 8-oz. cans each, 126 cases, 24 16-oz. cans each, and 29 cases, 24 1-lb. cans each, at Sequel, Calif.

SHIPPED: Between 1-29-59 and 3-6-59, from Salem, Oreg., by West Foods, Inc.

LABEL IN PART: (Can) "Shady Oak Fancy Sliced Button Mushrooms" or "Shady Oak Fancy Buttons Mushrooms."

LIBELED: 4-23-59, N. Dist. Calif.

CHARGE: 403(a)—when shipped, the label statement "Mushrooms contain 2 to 4 times the amount of protein found in asparagus, beets, carrots, etc., and are among the highest carriers of vitamin C and at the same time contain vitamin B in appreciable quantities, plus a long list of beneficial minerals and other substances" was false and misleading since there is no significant difference between protein content of mushrooms and asparagus. Canned mushrooms are not among the highest carriers of vitamin C, but are comparable to several other types of canned vegetables, and canned mushrooms do not furnish significant amounts of a long list of beneficial minerals and other substances.

DISPOSITION: 6-1-59. Consent—claimed by West Foods, Inc., and relabeled.

25504. Canned mushrooms. (F.D.C. No. 42599. S. No. 40-352 P.)

QUANTITY: 14 cases, 24 cans each, at Oakland, Calif.

SHIPPED: 11-4-58 and 11-25-58, from Wilmington, Del., by Delaware Mushroom Cooperative Association.