

Wayside, Ga. The article was labeled in part: "Shaver's Brand White Freestone Peaches Halves in Heavy Syrup Contents 1 Lb. 12 Ozs."

The article was alleged to be misbranded in that it purported to be and was represented as a food for which a standard of quality had been prescribed by regulations as provided by law and it fell below such standard since the standard provides that all peach units should be pierced by a weight of not more than 300 grams and that in the case of peach halves all units be untrimmed or so trimmed as to preserve normal shape, whereas, all peach units when so tested were not pierced by a weight of not more than 300 grams and all units were not untrimmed or were not so trimmed as to preserve normal shape, and the label of the article failed to bear, in such manner and form as the standard specifies, a statement that it fell below standard.

On January 4, 1943, the Georgia Canning Co., Inc., a corporation, 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 relabeled under the supervision of the Food and Drug Administration.

4635. Adulteration of stuffed green olives. U. S. v. 10 Cases of Stuffed Green Olives. Default decree of condemnation and destruction. (F. D. C. No. 9016. Sample No. 19536-F.)

This product had undergone decomposition and was unfit for food.

On December 14, 1942, the United States attorney for the District of Massachusetts filed a libel against 10 cases, each containing 24 bottles, of stuffed green olives at Camp Edwards, Mass., alleging that the article had been shipped in interstate commerce on or about October 26, 1942, by Francis H. Leggett & Co. from New York, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Bottles) "Premier Spanish Olives Stuffed With Spanish Sweet Peppers."

On January 11, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

CANNED VEGETABLES

4636. Adulteration of canned asparagus. U. S. v. William Peter Jensen (Kenton Packing Co.). Plea of guilty. Fine, \$150. (F. D. C. No. 8771. Sample Nos. 89548-E to 89550-E, incl.)

Examination of this product showed the presence of cans that had undergone flat-sour decomposition and in which the contents were sour, putrid, and contained living bacteria.

On January 15, 1942, the United States attorney for the District of Delaware filed an information against William Peter Jensen, trading as the Kenton Packing Co., at Kenton, Del., alleging shipment on or about May 8, 1942, from the State of Delaware into the State of New York of a quantity of canned asparagus that was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Sweet Life All Green Spears * * * Asparagus."

On January 30, 1943, the defendant having entered a plea of guilty, the court imposed a fine of \$150.

4637. Adulteration of cut green beans. U. S. v. 4,704 Cases of Cut Green Beans. Consent decree of condemnation. Fit portion ordered released. (F. D. C. No. 8965. Sample No. 15706-F.)

This product was underprocessed and in part decomposed.

On December 8, 1942, the United States attorney for the District of Utah filed a libel against 4,704 cases, each containing 6 No. 10 cans, of cut green beans at Ogden, Utah, alleging that the article had been shipped in interstate commerce on or about June 25 and 26, 1942, by Roberts Bros., Inc., from Winter Haven, Fla.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Can) "Big R Brand Cut Green Beans."

On February 5, 1943, Roberts Bros., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered, the decree providing that, upon the execution of a bond conditioned upon the separation of the fit from the unfit cans under the supervision of the Food and Drug Administration, the claimant might obtain release of the portion fit for human consumption.