

DISPOSITION: January 14, 1944. The cases having been consolidated, and A. W. Feeser & Co., Inc., Westminster, Md., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

6349. Adulteration of canned spinach. U. S. v. 384 Cases of Canned Spinach. Default decree of condemnation and destruction. (F. D. C. No. 11069. Sample Nos. 40838-F, 41248-F, 41249-F.)

LIBEL FILED: On or about November 13, 1944, Southern District of Mississippi.

ALLEGED SHIPMENT: On or about August 10, 1943, by the Okeena Canning Co., from Dyersburg, Tenn.

PRODUCT: 384 cases, each containing 6 No. 10 cans, of spinach at Gulfport, Miss.

Examination showed that the product consisted in part of a sour, decomposed product, contaminated with viable micro-organisms, and that it was undergoing active spoilage.

LABEL, IN PART: (Cans) "Okeena Club Spinach."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance.

DISPOSITION: March 1, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRIED VEGETABLES

6350. Adulteration of dried red peppers. U. S. v. 49 Bags of Dried Red Peppers. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 11887. Sample No. 41439-F.)

LIBEL FILED: March 16, 1944, Southern District of Texas.

ALLEGED SHIPMENT: On or about October 26, 1943, from Los Angeles, Calif.

PRODUCT: 49 bags, each containing 200 pounds, of dried red peppers at Houston, Tex., in possession of the Quick Service Warehouse & Cold Storage Co.

The article had been stored under insanitary conditions after shipment. The bags were rodent-gnawed and bore rodent excreta. Examination showed that the article was rodent-gnawed and contaminated with rodent excreta and rodent hairs.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: March 31, 1944. C. B. Gentry, Los Angeles, Calif., claimant, having admitted the adulteration of the product, judgment of condemnation was entered and the product was ordered released under bond for segregation of the fit from the unfit portion, under the supervision of the Food and Drug Administration. The unfit portion was subsequently destroyed.

6351. Adulteration of dried mushrooms and misbranding of Solo-Cup. U. S. v. Sokol & Co. Plea of guilty. Fine, \$200. (F. D. C. No. 10587. Sample Nos. 15142-F, 37885-F, 44206-F, 44207-F.)

INFORMATION FILED: On December 30, 1943, in the Northern District of Illinois, against Sokol & Co., a corporation, Chicago, Ill.

ALLEGED SHIPMENT: From the State of Illinois into the States of California and New York, within the period from on or about October 9, 1942, to April 29, 1943, of a quantity of dried mushrooms, and into the State of Indiana, on or about March 12, 1943, of a quantity of Solo-Cup.

LABEL, IN PART: "Shield Brand Dried Mushroom," "Solo Fancy Dried Mushroom," "Solo-Cup * * * A Refreshing Beverage Prepared Same As Coffee Made From Roasted Cereals Figs and Vegetables * * * Solo Products Co., Chicago."

VIOLATIONS CHARGED: Adulteration, dried mushrooms, Section 402 (a) (3), they consisted in whole or in part of a filthy substance by reason of the presence of one or more of the following types of filth: Maggots, rodent hair, larvae, insects, insect fragments, rodent hair fragments, and larvae fragments.

Misbranding, Solo-Cup, Section 403 (a), the statement "Figs," on the package label, was false and misleading since the article did not contain figs; the state-