

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement appearing on the jar labels, "Net Wgt. One Pound," was false and misleading as applied to articles which were short-weight; and, Section 403 (e) (2), they were in package form and failed to bear labels containing an accurate statement of the quantity of the contents.

DISPOSITION: June 13, 1944. Sunshine Products, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the products were ordered released under bond, for relabeling under the supervision of the Food and Drug Administration.

6949. Misbranding of canned olives. U. S. v. 100 Cases of Canned Olives. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 13237. Sample No. 73399-F.)

LIBEL FILED: August 17, 1944, District of Montana.

ALLEGED SHIPMENT: On or about July 24, 1944, by the Regent Canfood Co. Division of Safeway Stores, Inc., Oakland, Calif.

PRODUCT: 100 cases, each containing 24 jars, of olives at Butte, Mont.

LABEL, IN PART: (Jars) "Visalia Pride Brand California Green Olives Spanish Style Drained Weight 10½ Oz."

VIOLATION CHARGED: Misbranding, Section 403 (e) (2), the product was food in package form and failed to bear a label containing an accurate statement of the quantity of its contents, since the label upon each jar stated that the drained weight of the contents was 10½ ounces, and the average drained weight of the article was not in excess of 9.64 ounces.

DISPOSITION: October 10, 1944. The Superior Olive Products Co., Visalia, Calif., having admitted the allegations of the libel, 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.

VEGETABLES AND VEGETABLE PRODUCTS

6950. Misbranding of onions. U. S. v. Rocky Ford Onion Growers Cooperative Association. Plea of guilty. Fine, \$500. (F. D. C. No. 11409. Sample Nos. 56340-F, 57803-F, 57907-F to 57911-F, incl.)

LIBEL FILED: On May 13, 1944, in the District of Colorado, against Rocky Ford Onion Growers Cooperative Association, a non-profit corporation, Rocky Ford and Crowley, Colo.

ALLEGED SHIPMENT: On or about October 7, 11, and 12, 1943, from the State of Colorado into the States of New York, Ohio, and Kansas.

LABEL, IN PART: (Sacks) "50 lbs. Net Wt. COLOVENCIA Rocky Ford Valencias Colorado Potato Growers Exchange," "Banner Brand Sweet Spanish Onions 50 Lbs. Net," or "50 Lbs. Net Wt. Rock-E-Fora Sweet Spanish Onions."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statements, "50 Lbs. Net Wt." or "50 Lbs. Net," borne on the sacks containing the article, were false and misleading since the sacks contained a smaller amount; and, Section 403 (e) (2), the product was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: June 13, 1944. A plea of guilty was entered on behalf of the defendant, and a fine of \$100 on each of 5 counts was imposed.

6951. Adulteration of beans. U. S. v. 20 Bags of Beans. Default decree of destruction. (F. D. C. No. 13394. Sample No. 58986-F.)

LIBEL FILED: August 29, 1944, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about November 29 and December 8, 1943, from Kansas City, Mo.

PRODUCT: 20 bags, each containing 100 pounds, of beans at Richmond, Va., in the possession of Whitehead Bros.

This product had been stored, after shipment, under insanitary conditions. The bags had been gnawed by rodents and contained rodent excreta and urine stains. Examination showed that the article contained rodent excreta and rodent hairs, and had been contaminated with urine.

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 may have become contaminated with filth.

DISPOSITION: October 27, 1944. No claimant appeared, and the product was ordered destroyed.