

been held under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: December 6, 1944. James I. Pritchett and Son, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for the segregation and the denaturing of the unfit portion, under the supervision of the Food and Drug Administration.

8436. Misbranding of red beans. U. S. v. 201 Cases of Red Beans. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 14996. Sample No. 85949-F.)

LIBEL FILED: February 21, 1945, District of Colorado.

ALLEGED SHIPMENT: On or about October 3, 1944, by the Otoe Food Products Co., from Nebraska City, Nebr.

PRODUCT: 201 cases, each containing 24 1-pound, 4-ounce cans, of red beans at Denver, Colo.

LABEL, IN PART: "Otoe Brand Honey Flavored Red Beans Artificial Flavor."

VIOLATION CHARGED: Misbranding, Section 403 (a), the label statements, "Honey Flavored," and "Honey flavor adds a new taste appeal," were false and misleading as applied to an article which had no flavor of honey.

DISPOSITION: March 6, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

8437. Adulteration of dried mushrooms. U. S. v. 2 Cans of Dried Mushrooms. Default decree of condemnation and destruction. (F. D. C. No. 14931. Sample No. 3889-F.)

LIBEL FILED: December 29, 1944, Western District of Washington.

ALLEGED SHIPMENT: On or about June 22, 1944, by H. Schoenfeld and Sons, from New York, N. Y.

PRODUCT: 2 cans, containing a total of approximately 80 pounds, of dried mushrooms at Seattle, Wash.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles, larvae, insect fragments, rodent hairs, and rodent excreta.

DISPOSITION: April 28, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8438. Adulteration of dried mushrooms. U. S. v. 15 Cartons of Dried Mushrooms. Default decree of condemnation and destruction. (F. D. C. No. 14544. Sample No. 84515-F.)

LIBEL FILED: November 29, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about November 3, 1944, by the Russian-Polish Importing Co., from Chicago, Ill.

PRODUCT: 15 cartons, each containing 10 pounds, of dried mushrooms at San Francisco, Calif.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae and maggots.

DISPOSITION: March 3, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

Nos. 8439 to 8441 report actions involving canned peas that purported to be a food for which a standard of quality has been prescribed by law, but the quality fell below the standard because of higher alcohol-insoluble solids than the maximum permitted by the standard, and the labels failed to bear, in the manner and form that the regulations specify, a statement that the product was below the standard.

8439. Misbranding of canned peas. U. S. v. 169 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14751. Sample No. 87773-F.)

LIBEL FILED: December 9, 1944, District of North Dakota.

ALLEGED SHIPMENT: On or about September 28, 1944, by the St. Cloud Products Association, from St. Cloud, Minn.