

**DISPOSITION:** March 14, 1946. The Friday Canning Corporation, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

**9344. Misbranding of canned corn. U. S. v. 818 Cases and 870 Cases of Canned Corn. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 18850. Sample Nos. 30361-H, 30362-H.)

**LIBEL FILED:** January 21, 1946, District of Colorado.

**ALLEGED SHIPMENT:** On or about November 16 and December 3, 1945, by the Eddington Canning Co., from Springville, Utah.

**PRODUCT:** 818 cases and 870 cases, each containing 24 cans, of corn at Denver, Colo. Examination showed that the product was short-weight.

**LABEL, IN PART:** "Eddington's Spring Kist Vacuum Packed Whole Kernel Golden Sweet Corn [or "Eddington's Utah Trail Golden Sweet Whole Kernel Corn Vacuum Packed"] Contents 12 Oz. Avoir."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** March 13, 1946. The Eddington Canning Co., claimant, having admitted the allegations of the libel, judgment was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

**9345. Misbranding of mushrooms. U. S. v. Rocco Manfredi. Plea of nolo contendere. Fine, \$100.** (F. D. C. No. 16552. Sample Nos. 85220-F, 4058-H.)

**INFORMATION FILED:** October 4, 1945, Eastern District of Pennsylvania, against Rocco Manfredi, Toughkenamon, Pa.

**ALLEGED SHIPMENT:** On or about November 9, 1944, and March 7, 1945, from Avondale, Pa., to New York, N. Y.

**PRODUCT:** Mushrooms shipped in baskets.

**LABEL, IN PART:** (Portion) "3 Lb. Net Mushrooms." The remainder was unlabeled.

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of contents since a number of the baskets contained less than the declared weight of 3 pounds net; and the remainder of the baskets bore no label containing a statement of the quantity of the contents.

**DISPOSITION:** January 9, 1946. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$50 on each count, a total fine of \$100.

**9346. Misbranding of fresh mushrooms. U. S. v. Super-Mushroom Corporation. Plea of guilty. Fine, \$200.** (F. D. C. No. 16550. Sample Nos. 50998-F, 51000-F.)

**INFORMATION FILED:** January 29, 1946, District of Delaware, against the Super-Mushroom Corporation, Wilmington, Del., trading at Hockessin, Del.

**PRODUCT:** On or about November 8, 1944, from the State of Delaware into the States of New Jersey and New York.

**LABEL, IN PART:** (Portion) "3 Lb. Net Mushrooms."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since a portion of the product bore no label containing a statement of the quantity of the contents; and the remainder of the product contained less than the labeled weight, 3 pounds net.

**DISPOSITION:** April 25, 1946. A plea of guilty having been entered on behalf of the defendant, a fine of \$200 was imposed.

**9347. Adulteration of canned mustard greens. U. S. v. 49 Cases of Canned Mustard Greens. Default decree of condemnation and destruction.** (F. D. C. No. 19075. Sample No. 30380-H.)

**LIBEL FILED:** February 12, 1946, District of Colorado.

**ALLEGED SHIPMENT:** On or about January 29, 1946 by the Deck Brothers Produce Co., from Springfield, Mo.

**PRODUCT:** 49 cases, each containing 24 18-ounce cans, of mustard greens at Denver, Colo.

**LABEL, IN PART:** "Staff-O-Life Brand Mustard Greens Distributed by Canners Exchange, Inc., Springfield, Mo."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae and aphids.

**DISPOSITION:** April 5, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9348. Adulteration of canned mustard greens. U. S. v. 48 Cases of Canned Mustard Greens. Default decree of condemnation and destruction. (F. D. C. No. 18749. Sample No. 47023-H.)**

**LIBEL FILED:** On or about January 2, 1946, District of Colorado.

**ALLEGED SHIPMENT:** On or about June 28, 1945, by the Appleby-Young Canning Co., from Fayetteville, Ark.

**PRODUCT:** 48 cases, each containing 24 1-pound, 2-ounce cans, of mustard greens at Denver, Colo.

**LABEL, IN PART:** "Hiwasse Brand Mustard Greens."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of aphids and larvae.

**DISPOSITION:** February 14, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9349. Adulteration of canned turnip greens. U. S. v. 260 Cases of Canned Turnip Greens. Consent decree of condemnation and destruction. (F. D. C. No. 18796. Sample No. 37831-H.)**

**LIBEL FILED:** January 15, 1946, District of Oregon.

**ALLEGED SHIPMENT:** On or about August 11, 1945, by the Montgomery Canning Co., from Mission, Tex.

**PRODUCT:** 260 cases, each containing 6 1-pound, 2-ounce cans, of turnip greens at Portland, Ore.

**LABEL, IN PART:** "Del-I-Pak Brand Turnip Greens."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

**DISPOSITION:** February 18, 1946. The sole interveners having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

**9350. Misbranding of onions. U. S. v. Lee and Schnaidt. Plea of nolo contendere. Fine, \$100. (F. D. C. No. 16609. Sample Nos. 29377-H, 29648-H.)**

**LIBEL FILED:** December 12, 1945, Southern District of California, against Lee and Schnaidt, a partnership, Bakersfield, Calif.

**ALLEGED SHIPMENT:** On or about June 12, 1945, from the State of California into the States of Missouri and New Jersey.

**LABEL, IN PART:** "50 Lbs. Net Weight \* \* \* California Onions."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the bags contained less than 50 pounds net weight.

**DISPOSITION:** March 21, 1946. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$50 on each of the 2 counts.

Nos. 9351 to 9358 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.

**9351. Misbranding of canned peas. U. S. v. 810 Cases and 998 Cases of Canned Peas. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 18871, 18928. Sample Nos. 18095-H, 19731-H.)**

**LIBELS FILED:** January 29 and February 1, 1946, Northern District of Illinois and District of Minnesota.