

PRODUCT: 6 cases, each containing 48 1-pound packages, of frozen strawberry topping at Altoona, Pa. The product was in part decomposed and was short-weight.

LABEL, IN PART: "Frozen Fresh Skibo Strawberry Topping * * * Contents 16 Oz. Net Wt."

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

Misbranding, Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: February 27, 1946. No claimant having appeared, judgment of condemnation was entered and it was ordered that the product be delivered to a charitable institution, for use as hog feed, but that if no charitable institution wanted it, the product was to be destroyed. The product was destroyed.

VEGETABLES AND VEGETABLE PRODUCTS*

10812. Adulteration of carob beans. U. S. v. 10 Bags * * * (and 2 other seizure actions). (F. D. C. Nos. 19055, 19210, 19568. Sample Nos. 3582-H, 14863-H, 39604-H.)

LIBELS FILED: February 13 and 14 and April 8, 1946, District of Maryland and Northern District of Illinois.

ALLEGED SHIPMENT: On or about May 29, 1945, and January 3, 1946, by H. Schoenfeld and Sons, from Camden Station, Md., and New York, N. Y.

PRODUCT: 17 bags at Chicago, Ill., and 38 bags at Baltimore, Md., each bag containing approximately 113 pounds of carob beans.

LABEL, IN PART: "Spyropoulos * * * Product of Cyprus."

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 worm-eaten carob beans, larvae, insect excreta, insects, and insect parts.

DISPOSITION: May 14 and June 10 and 11, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

10813. Adulteration of dried beans. U. S. v. 175 Bags * * *. (F. D. C. No. 19090. Sample No. 34902-H.)

LIBEL FILED: February 9, 1946, Western District of Missouri.

ALLEGED SHIPMENT: On or about October 9, 1945, from Bayard, Nebr.

PRODUCT: 175 100-pound bags of dried beans at Boonville, Mo., in possession of the Shryack-Givens Grocery Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta was observed on them. Examination showed that the product contained rodent excreta.

NATURE OF CHARGE: 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: February 19, 1946. The Shryack-Givens Grocery Co., claimant, having admitted the allegations of the libel, 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 Food and Drug Administration.

10814. Misbranding of canned cut green beans. U. S. v. 107 Cases * * *. (F. D. C. No. 18493. Sample No. 37911-H.)

LIBEL FILED: December 7, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about October 4, 1945, by the California Packing Corporation, from Salem, Oreg.

PRODUCT: 107 cases, each containing 24 1-pound, 3-ounce cans, of cut green beans at Seattle, Wash.

LABEL, IN PART: "Tip Top Cut Green Beans."

*See also No. 10724.