

11233. Adulteration of canned mushrooms. U. S. v. 137 Cases * * * (and 3 other seizure actions). (F. D. C. Nos. 20265, 20307, 20349, 20350. Sample Nos. 8833-H, 59679-H to 59681-H, incl., 59840-H, 63544-H.)

LABELS FILED: Between June 17 and July 2, 1946, District of New Jersey, Eastern District of New York, and Western District of Pennsylvania.

ALLEGED SHIPMENT: Between the approximate dates of January 23 and May 15, 1946, by the Hockessin Food Products Co., Hockessin, Del.

PRODUCT: Canned mushrooms. 137 cases, each containing 48 4-ounce cans, at Jersey City, N. J.; 29 cases, each containing 48 8-ounce cans, at Brooklyn, N. Y.; and 99 cases, each containing 24 8-ounce cans, and 124 cases, each containing 48 4-ounce cans, at Pittsburgh, Pa.

LABEL, IN PART: "Southwood Farms * * * Mushrooms," "Small Buttons Mushrooms," or "Large Buttons Mushrooms."

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 rodent hair fragments, rodent hairs, insects, insect fragments and parts, mites, straw, and dirt.

DISPOSITION: Between September 3, 1946, and January 15, 1947. The Hockessin Food Products Co., claimant, having consented to the entry of a decree, judgments of condemnation were entered and the product was ordered released under bond to be washed and used in the manufacture of mushroom soup, under the supervision of the Food and Drug Administration.

11234. Misbranding of canned mushrooms. U. S. v. 12 Cartons * * *. (F. D. C. No. 20303. Sample No. 8916-H.)

LABEL FILED: June 27, 1946, Southern District of New York.

ALLEGED SHIPMENT: On or about March 6, 1946, by the Delaware Mushroom Cooperative Assoc., from Hockessin, Del.

PRODUCT: 12 cartons, each containing 24 16-ounce cans, of mushrooms at New York, N. Y. Examination showed that the product was not fancy and that it was short weight.

LABEL, IN PART: "First State Fancy Buttons Mushrooms Drained Wt. 16 Oz. Net. Avair. [Vignette of fancy button mushrooms]."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Fancy Buttons Mushrooms" and the vignette of fancy button mushrooms were false and misleading as applied to a product which was not fancy button mushrooms, by reason of open veils and broken mushrooms; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: July 31, 1946. No claimant having appeared, judgment of condemnation was entered. A portion of the product was ordered delivered to the Federal Security Agency, and the remainder was ordered delivered to charitable institutions.

11235. Adulteration of dried mushrooms. U. S. v. 2 Bags, 3 Bags, and 1 Bag * * *. (F. D. C. Nos. 14670 to 14672, incl. Sample Nos. 86570-F to 86572-F, incl.)

LABEL FILED: December 6, 1944, Northern District of Illinois.

ALLEGED SHIPMENT: Between the approximate dates of October 21 and November 11, 1944, by Ben H. Bomkamp, Wencle Kuchar, and Cletus F. Pink, from Muscoda, Montfort, and Highland, Wis., respectively.

PRODUCT: Dried mushrooms. 2 15-pound bags, 3 25-pound bags, and 1 16-pound bag at Berwyn, Ill.

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 maggots and insect eggs.

DISPOSITION: December 10, 1946. Default decree of condemnation and destruction.

11236. Adulteration of dried mushrooms. U. S. v. 2 Bags * * *. (F. D. C. Nos. 14558, 14559. Sample Nos. 86564-F, 86569-F.)

LABEL FILED: December 6, 1944, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 13 and November 1, 1944, by Francis A. Mara, from Wauzeka, Wis., and Bohumil Smisek, from Lonsdale, Minn.