

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a mixture consisting mainly of distilled vinegar had been substituted in whole or in part for wine vinegar; and, Section 402 (b) (4), distilled vinegar or acetic acid had been mixed and packed with the article so as to reduce its quality and strength.

Misbranding, Section 403 (a), the label statement "Pure Wine Vinegar" was false and misleading, since the product did not consist entirely of wine vinegar but consisted of a mixture comprised mainly of distilled vinegar.

**DISPOSITION:** November 20, 1947. A plea of guilty having been entered, the defendant was fined \$300.

#### VEGETABLES AND VEGETABLE PRODUCTS

**13142. Misbranding of frozen asparagus. U. S. v. 25 Cases \* \* \*. (F. D. C. No. 24215. Sample No. 4136-K.)**

**LABEL FILED:** December 26, 1947, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about February 6, 1947, by Atlas Foods, Inc., from New York, N.Y.

**PRODUCT:** 25 cases, each containing 36 12-ounce boxes, of frozen asparagus at Boston, Mass.

**LABEL, IN PART:** "Berry Brand Asparagus \* \* \* Marvin Berry Co. \* \* \* Bakersfield, California."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the vignette on the label depicting whole asparagus spears was false and misleading, since the product consisted of either asparagus spears cut in short pieces, or cut lower portions of asparagus stalks with tips mostly removed.

**DISPOSITION:** March 1, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution.

**13143. Adulteration of canned green beans. U. S. v. Alma Canning Co. Plea of nolo contendere. Fine, \$100. (F. D. C. No. 23295. Sample Nos. 38594-H, 38595-H.)**

**INFORMATION FILED:** July 11, 1947, Western District of Arkansas, against the Alma Canning Co., a corporation, Alma, Ark.

**ALLEGED SHIPMENT:** On or about October 12, 1946, from the State of Arkansas into the State of Illinois.

**LABEL, IN PART:** "Alma Select Whole Green Beans Blue Lake," or "Alma Brand Extra Standard Whole Green Beans."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of worms, insect excreta, and insect-damaged beans.

**DISPOSITION:** November 5, 1947. A plea of nolo contendere having been entered, the defendant was fined \$100.

**13144. Adulteration of canned corn. U. S. v. 176 Cases \* \* \*. (F. D. C. No. 24361. Sample Nos. 9367-K, 9368-K.)**

**LABEL FILED:** March 4, 1948, Southern District of New York.

**ALLEGED SHIPMENT:** On or about December 16, 1947, by Libby, McNeill & Libby, from Chicago, Ill.

**PRODUCT:** 176 cases, each containing 24 1-pound, 4-ounce cans, of corn at Bronx, N.Y.

**LABEL, IN PART:** "Libby's Country Gentleman White Sweet Corn Cream Style."

**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 insect fragments.

**DISPOSITION:** March 30, 1948. Default decree of condemnation and destruction.

**13145. Adulteration of canned mustard greens. U. S. v. 45 Cases \* \* \*. (F. D. C. No. 24451. Sample No. 22832-K.)**

**LABEL FILED:** February 25, 1948, Western District of Louisiana.