

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product was unfit for food by reason of its discoloration, pithiness, and softening, due to freezing.

**DISPOSITION:** January 23 and February 9, 1950. Default decrees of condemnation and destruction.

**16035. Adulteration of celery. U. S. v. 434 Crates, etc. (F. D. C. No. 28538. Sample Nos. 48740-K, 80841-K.)**

**LIBEL FILED:** January 20, 1950, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about January 7, 1950, by the Garin Co., from Salinas, Calif.

**PRODUCT:** 638 crates of celery at Philadelphia, Pa.

**LABEL, IN PART:** "Garin-Tee Quality California Celery."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article was unfit for food by reason of its discoloration, pithiness, and softening, due to freezing.

**DISPOSITION:** January 24, 1950. The shipper having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be destroyed.

**16036. Adulteration of celery. U. S. v. 504 Crates \* \* \*. (F. D. C. No. 28536. Sample No. 73496-K.)**

**LIBEL FILED:** January 23, 1950, District of Connecticut.

**ALLEGED SHIPMENT:** On or about January 8, 1950, by the Garin Co., from Graves, Calif.

**PRODUCT:** 504 crates of celery at Bridgeport, Conn.

**LABEL, IN PART:** "Garin-Tee Quality California Celery."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article was unfit for food by reason of its discoloration, pithiness, and softening, due to freezing.

**DISPOSITION:** February 6, 1950. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as hog feed and mulch.

**16037. Adulteration of canned corn. U. S. v. 111 Cases \* \* \*. (F. D. C. No. 28793. Sample No. 61832-K.)**

**LIBEL FILED:** January 20, 1950, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about October 3, 1949, by the McLean County Canning Co., from Le Roy, Ill.

**PRODUCT:** 111 cases, each containing 6 6-pound, 10-ounce cans, of corn at Memphis, Tenn.

**LABEL, IN PART:** "Penny Saver Cream Style Country Gentleman White Sweet Corn."

**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 worms and worm parts.

**DISPOSITION:** February 20, 1950. Default decree of condemnation and destruction.

**16038. Adulteration of dehydrated corn. U. S. v. 8 Drums \* \* \*. (F. D. C. No. 28572. Sample No. 47780-K.)**

**LIBEL FILED:** December 20, 1949, Southern District of West Virginia.

**ALLEGED SHIPMENT:** On or about October 12 and November 1, 1949, by the E. B. Hostetter Co., Marion, Ohio, and Richwood Products, Inc., Richwood, Ohio.  
**PRODUCT:** 8 150-pound drums of dehydrated corn at Huntington, W. Va.

**LABEL, IN PART:** "Nunso Tender Evaporated Sweet Corn."

**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 insects, insect parts, and rodent excreta.

**DISPOSITION:** February 6, 1950. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as live-stock feed.

**16039. Misbranding of mushrooms. U. S. v. Daddezio Brothers. Plea of guilty.**  
Fine, \$200. (F. D. C. No. 28770. Sample Nos. 48646-K, 48652-K, 48685-K, 48691-K.)

**INFORMATION FILED:** March 15, 1950, Eastern District of Pennsylvania, against the Daddezio Brothers, a partnership, Toughkenamon, Pa.

**ALLEGED SHIPMENT:** On or about October 26 and 27 and November 21 and 22, 1949, from the State of Pennsylvania into the State of New York.

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

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

**DISPOSITION:** April 11, 1950. A plea of guilty having been entered, the court fined the defendant \$200.

**16040. Misbranding of mushrooms. U. S. v. Lovisa & Primus. Plea of nolo contendere. Fine, \$150.** (F. D. C. No. 28769. Sample Nos. 48695-K, 48699-K.)

**INFORMATION FILED:** March 15, 1950, Eastern District of Pennsylvania, against Lovisa & Primus, a partnership, Kennett Square, Pa.

**ALLEGED SHIPMENT:** On or about December 20 and 21, 1949, from the State of Pennsylvania into the State of New York.

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

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

**DISPOSITION:** April 11, 1950. A plea of nolo contendere having been entered, the court fined the defendant \$150.

**16041. Adulteration of dried chick peas. U. S. v. 3½ Bags \* \* \*. (F. D. C. No. 28746. Sample No. 57438-K.)**

**LIBEL FILED:** March 7, 1950, Eastern District of New York.

**ALLEGED SHIPMENT:** The article was imported from Chile.

**PRODUCT:** 3½ bags, each containing 174 pounds, of dried chick peas at Brooklyn, N. Y.

**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 insects and insect excreta. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** April 13, 1950. Default decree of condemnation and destruction.