

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

DISPOSITION: March 8, 1950. Default decree of condemnation and destruction.

VEGETABLES AND VEGETABLE PRODUCTS

16076. Adulteration and misbranding of canned green beans. U. S. v. 46 Cases * * *. (F. D. C. No. 28837. Sample No. 54420-K.)

LIBEL FILED: February 6, 1950, Southern District of Alabama.

ALLEGED SHIPMENT: On or about December 21, 1949, by Mission Foods, Inc., from Mission, Tex.

PRODUCT: 46 cases, each containing 6 6-pound, 5-ounce cans, of green beans at Mobile, Ala.

LABEL, IN PART: "Valley Rose * * * Cut Green Beans."

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

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for canned green beans since it had not been sealed in the container and so processed by heat as to prevent spoilage.

DISPOSITION: April 5, 1950. Default decree of condemnation and destruction.

16077. Adulteration of celery. U. S. v. 504 Crates * * * (and 1 other seizure action). (F. D. C. Nos. 28810, 28827. Sample Nos. 47236-K, 76613-K.)

LIBELS FILED: January 24 and 30, 1950, Western District of Pennsylvania and Eastern District of Missouri.

ALLEGED SHIPMENT: On or about January 7 and 17, 1950, by the Garin Co., from Graves, Calif.

PRODUCT: Celery. 504 crates at Pittsburgh, Pa., and 461 crates at St. Louis, Mo.

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

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

DISPOSITION: January 27 and February 24, 1950. Default decrees were entered. The courts ordered that the Pittsburgh lot be delivered to charitable institutions, the outer stalks to be stripped off and the center fit celery utilized for food, and that the St. Louis lot be destroyed.

16078. Adulteration of celery. U. S. v. 308 Crates * * * (and 1 other seizure action). (F. D. C. Nos. 28779, 28788. Sample Nos. 24682-K, 70912-K.)

LIBELS FILED: On or about January 17 and 19, 1950, Western District of Missouri and Northern District of Iowa.

ALLEGED SHIPMENT: On or about January 6, 1950, by the Salinas Valley Vegetable Exchange, from Salinas, Calif.

PRODUCT: Celery. 308 crates at Cedar Rapids, Iowa, and 504 crates at Kansas City, Mo.

LABEL, IN PART: "Pebble Beach Celery."

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

DISPOSITION. January 20 and 25, 1950. The John H. Barr Co., Kansas City, Mo., and the Witwer Grocer Co., Cedar Rapids, Iowa, appeared as claimants for the respective lots. Judgments of condemnation were entered, and the courts ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The unfit outer stalks were stripped off, resulting in the salvage of 304 crates of the Kansas City lot and 172 crates of the Cedar Rapids lot.

16079. Adulteration of celery. U. S. v. 460 Crates * * *. (F. D. C. No. 28813. Sample No. 49728-K.)

LIBEL FILED: January 24, 1950, District of Colorado.

ALLEGED SHIPMENT: On or about January 13, 1950, by John C. Maurer & Son, from Stockton, Calif.

PRODUCT: 460 crates of celery at Denver, Colo.

LABEL, IN PART: "Maurer's Nonpareil California Celery Red Lion."

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

DISPOSITION: February 1, 1950. C. H. Robinson, Inc., Minneapolis, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be converted into celery splits, by cutting and trimming off the outer frost-damaged stalks, under the supervision of the Food and Drug Administration.

16080. Adulteration of canned corn. U. S. v. 23 Cases * * *. (F. D. C. No. 28943. Sample No. 69111-K.)

LIBEL FILED: April 3, 1950, Western District of New York.

ALLEGED SHIPMENT: On or about December 2, 1947, by H. L. Forhan, from Gorham, Maine.

PRODUCT: 23 cases, each containing 24 1-pound, 4-ounce cans, of corn at Randolph, N. Y.

LABEL, IN PART: (Can) "Tastewell Golden 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 worms and worm parts.

DISPOSITION: May 2, 1950. Default decree of condemnation and destruction.

16081. Adulteration of canned black-eyed peas. U. S. v. 374 Cases * * *. (F. D. C. No. 28917. Sample No. 61950-K.)

LIBEL FILED: March 24, 1950, Western District of Tennessee.

ALLEGED SHIPMENT: On or about November 8, 1949, by the Valee Canning Corp., from Raymondville, Tex.

PRODUCT: 374 cases, each containing 24 15-ounce cans, of black-eyed peas at Memphis, Tenn.

LABEL, IN PART: "Vita-Best Brand Fresh Shelled Blackeye Peas."

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.