

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 (Galesburg lot) moldy berries and (Williamson lot) moldy and rotten berries.

DISPOSITION: May 8 and 10, 1950. No claimant having appeared for the Galesburg lot and the sole intervener for the Williamson lot having withdrawn its claim, judgments of condemnation were entered and the court ordered that the Galesburg lot be destroyed and that the Williamson lot be delivered to a Federal institution, for use as livestock feed.

VEGETABLES

16135. Adulteration of black-eyed beans. U. S. v. 34 Bags * * *. (F. D. C. No. 29046. Sample No. 80947-K.)

LIBEL FILED: April 5, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 27, 1949, from San Francisco, Calif.

PRODUCT: 34 100-pound bags of black-eyed beans at Philadelphia, Pa., in possession of Penn Mutual Grocery Co., Inc.

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 urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 10, 1950. Default decree of condemnation and destruction.

16136. Adulteration of dried lima beans. U. S. v. 302 Bags, etc. (F. D. C. No. 28706. Samples Nos. 48715-K, 48716-K.)

LIBEL FILED: February 3, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 3, 1949, from Modesto, Calif.

PRODUCT: 402 100-pound bags of dried lima beans at Philadelphia, Pa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the product contained an added poisonous or deleterious substance, DDT, which is unsafe within the meaning of the law. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 10, 1950. Default decree of condemnation and destruction.

16137. Adulteration of celery. U. S. v. 404 Crates * * *. (F. D. C. No. 28791. Sample No. 42398-K.)

LIBEL FILED: On or about January 27, 1950, Northern District of Illinois.

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

PRODUCT: 404 crates of celery at Chicago, Ill.

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 31, 1950. No claimant having appeared, the court ordered the marshal to sell the fit portion and destroy the unfit portion, under the supervision of the Food and Drug Administration. The outer frost-damaged stalks were removed, which resulted in the salvage of 217 crates of celery as fit for food.