

## VEGETABLES AND VEGETABLE PRODUCTS

**16179. Adulteration of celery. U. S. v. 401 Crates \* \* \*. (F. D. C. No. 28843. Sample No. 55775-K.)**

**LIBEL FILED:** February 7, 1950, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about January 25, 1950, by the Oceano Celery Distributors, from Oceano, Calif.

**PRODUCT:** 401 crates of celery at Kansas City, Mo.

**LABEL, IN PART:** "Tabb Brand Vegetables Packed and Shipped by H. E. Tabb Company Main Office Guadalupe California."

**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:** February 7, 1950. The D'Angelo Celery House, Kansas City, Mo., 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 for salvaging of the fit portion, under the supervision of the Food and Drug Administration. The frost-damaged celery was segregated and destroyed, which resulted in the salvage of 268 crates which were fit for human consumption.

**16180. Adulteration of celery. U. S. v. 334 Crates \* \* \*. (F. D. C. No. 28781. Sample No. 49672-K.)**

**LIBEL FILED:** January 19, 1950, District of Wyoming.

**ALLEGED SHIPMENT:** On or about January 10, 1950, by George Solari, from Stockton, Calif.

**PRODUCT:** 334 crates of celery at Cheyenne, Wyo.

**LABEL, IN PART:** "Solari's California Celery."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product was discolored, pithy, and soft. (The condition of the celery was the result of freezing.)

**DISPOSITION:** February 4, 1950. The shipper having abandoned the product, judgment of condemnation was entered and the court ordered that the product be released to the common carrier to be brought into compliance with the law, under the supervision of the Food and Drug Administration, and sold at the earliest date to preserve it from further spoilage. It was further ordered by the court that the proceeds be paid into the court, to be held subject to payment of court costs and the claims of all interested parties. The salvage operations resulted in the segregation of 5,200 bunches of celery hearts, and the remainder of the product was used for hog feed.

**16181. Adulteration of celery. U. S. v. 200 Crates \* \* \*. (F. D. C. No. 28844. Sample No. 55773-K.)**

**LIBEL FILED:** February 7, 1950, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about January 24, 1950, by the H. E. Tabb Co., Guadalupe, Calif.

**PRODUCT:** 200 crates of celery at Kansas City, Mo.

**LABEL, IN PART:** "Tabb Brand Vegetables."

**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.