VEGETABLES AND VEGETABLE PRODUCTS

16441. Adulteration of canned pork and beans. U. S. v. Tolerton & Warfield Co. (Norfolk Packing Co.), a corporation, and Elmer H. Bernhardt. Pleas of nolo contendere. Corporation fined $400, plus costs; individual defendant fined $100. (F. D. C. No. 29175. Sample No. 55733–K.)

INFORMATION FILED: June 7, 1950, District of Nebraska, against the Tolerton & Warfield Co., a corporation, trading as the Norfolk Packing Co., Plattsmouth, Nebr., and Elmer H. Bernhardt, general manager.

ALLEGED SHIPMENT: On or about October 8, 1949, from the State of Nebraska into the State of Missouri.

LABEL, IN PART: (Can) "Finest Brand."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance by reason of the presence of decomposed tomato material; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 8, 1950. Pleas of nolo contendere having been entered, the corporation was fined $400, plus costs, and the individual defendant $100.

16442. Adulteration and misbranding of canned green beans. U. S. v. 277 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 28925, 28973. Sample Nos. 67958–K, 67966–K.)

LIBELS FILED: March 27 and April 26, 1950, District of Colorado.

ALLEGED SHIPMENT: On or about November 7, 1949, and February 13, 1950, by the Northwest Packing Co., from Portland and Brooklyn, Oreg.

PRODUCT: 422 cases, each containing 6 6-pound, 5-ounce cans, of green beans at Denver, Colo.

LABEL, IN PART: "Solitaire Whole Green String-Less 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 so processed by heat as to prevent spoilage.

DISPOSITION: June 5, 1950. The Northwest Packing Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the product be released under bond for the segregation of the fit from the unfit portion, under the supervision of the Food and Drug Administration. 22 cases and 5 cans were destroyed, and 341 cases and 2 cans were found fit for human consumption and were released.

16443. Misbranding of canned peas. U. S. v. 542 Cases * * *. (F. D. C. No. 29217. Sample No. 54566–K.)

LIBEL FILED: May 9, 1950, Northern District of Alabama.

ALLEGED SHIPMENT: On or about January 7, and 16, 1950, by Stokely Foods, Inc., from Tipton, Ind., and Gibson City, Ill.

PRODUCT: 542 cases, each containing 24 1-pound, 1-ounce cans, of peas at Birmingham, Ala.

LABEL, IN PART: "Glen Valley Brand Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned peas since the alcohol-insoluble solids of