

DISPOSITION: December 1, 1950, and January 4, 1951. Default decrees of condemnation and destruction.

16892. Misbranding of canned spinach. U. S. v. 275 Cases * * *. (F. D. C. No. 29729. Sample No. 73031-K.)

LIBEL FILED: October 6, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about August 3, 1950, by Lord Mott Co., Inc., from Baltimore, Md.

PRODUCT: 275 cases, each containing 24 1-pound, 2-ounce cans, of spinach at New York, N. Y.

LABEL, IN PART: (Can) "A & P Young, Tender Spinach Grade A."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Grade A" was false and misleading since the product fell below the Grade A standard. (Examination showed that the article was below the Grade A standard as set forth by the Department of Agriculture since it contained grass and seed heads in excess of the amount permitted by the standard.)

DISPOSITION: December 14, 1950. Lord Mott Co., Inc., 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 relabeling, under the supervision of the Food and Drug Administration.

16893. Adulteration of sweet pickles. U. S. v. Mrs. Schlorer's, Inc., and Charles G. Schlorer. Pleas of nolo contendere. Fine of \$150 against each defendant. (F. D. C. No. 28209. Sample Nos. 48585-K, 48586-K, 48610-K.)

INFORMATION FILED: February 14, 1950, Eastern District of Pennsylvania, against Mrs. Schlorer's, Inc., Philadelphia, Pa., and Charles G. Schlorer, president of the corporation.

ALLEGED SHIPMENT: Between the approximate dates of September 19 and October 17, 1949, from the State of Pennsylvania into the States of New Jersey and Delaware.

LABEL, IN PART: "Mrs. Schlorer's Sweet Midgets [or "Sweet Preserved Pickle Strips" or "Sweet Pickles"] Mrs. Schlorer's Incorporated Philadelphia, Pa. Manufacturers."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of insects, insect parts, and rodent hair fragments; and, Section 402 (a) (4), they had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: January 15, 1951. Pleas of nolo contendere having been entered, the court fined each defendant \$150.

TOMATOES AND TOMATO PRODUCTS

16894. Adulteration of canned tomatoes. U. S. v. 53 Cases * * *. (F. D. C. No. 29262. Sample No. 64400-K.)

LIBEL FILED: June 2, 1950, District of Minnesota.

ALLEGED SHIPMENT: On or about February 1, 1950, by the Fetting Canning Corp., from Elwood, Ind.