

DISPOSITION: July 19, 1951. The Colonial Cannery, Inc., having withdrawn its claim and answer, a default decree of condemnation and destruction was entered.

PRESERVES

17373. Adulteration of strawberry preserves. U. S. v. Fruitcrest Corp. Plea of guilty. Fine \$1,800. (F. D. C. No. 29591. Sample Nos. 57277-K, 57279-K, 57308-K, 57619-K, 62792-K, 62793-K.)

INFORMATION FILED: September 27, 1950, Eastern District of New York, against the Fruitcrest Corp., Brooklyn, N. Y.

ALLEGED SHIPMENT: On or about July 5, 11, 18, and 19, and August 15, 1949, from the State of New York into the States of Connecticut, New Jersey, and Massachusetts.

LABEL, IN PART: "Fruitcrest Pure De Luxe Strawberry Preserves Packed by Fruitcrest Corp. Brooklyn, N. Y." or "Paramount Pure Strawberry Preserves Packed by Paramount Preserve Co. Brooklyn, N. Y."

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

DISPOSITION: May 23, 1951. A plea of guilty having been entered, the court imposed a fine of \$1,800 against the corporation.

17374. Adulteration and misbranding of peach preserves. U. S. v. 25 Cases * * *. (F. D. C. No. 30727. Sample No. 13670-L.)

LABEL FILED: April 5, 1951, District of Colorado.

ALLEGED SHIPMENT: On or about January 26, 1951, by the J. F. Garvey Co., from Lincoln, Nebr.

PRODUCT: 25 cases, each containing 6 8¼-pound cans, of peach preserves at Denver, Colo.

LABEL, IN PART: "Mrs. Kellogg's Institution Style Peach Preserves Packed by Economy Food Products Co. Omaha, Nebr."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product which was deficient in fruit had been substituted in whole or in part for peach preserves.

Misbranding, Section 403 (g) (1), the product purported to be and was represented as peach preserves, and it failed to comply with the definition and standard of identity for peach preserves since it contained less than 45 parts by weight of the fruit ingredient to each 55 parts by weight of one of the saccharine ingredients specified in the definition and standard.

DISPOSITION: May 21, 1951. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

VEGETABLES

17375. Adulteration of canned black-eyed peas. U. S. v. 77 Cases * * *. (F. D. C. No. 30733. Sample Nos. 15663-L, 15666-L.)

LABEL FILED: On or about April 3, 1951, Western District of Missouri.

ALLEGED SHIPMENT: On or about December 30, 1950, by the Stilwell Canning Co., from Stilwell, Okla.

PRODUCT: 77 cases, each containing 48 15-ounce cans, of black-eyed peas, at Kansas City, Mo.

LABEL, IN PART: "Stilwell Brand Blackeyed 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.

DISPOSITION: May 22, 1951. Default decree of condemnation and destruction.

17376. Adulteration of canned black-eyed peas. U. S. v. 12 Cases * * * (F. D. C. No. 30729. Sample No. 2882-L.)

LIBEL FILED: April 2, 1951, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about January 3, 1951, by D. E. Foote & Co., Inc., from Baltimore, Md.

PRODUCT: 12 cases, each containing 24 1-pound, 4-ounce cans, of black-eyed peas at Dunbar, W. Va.

LABEL, IN PART: "Family Brand Black Eye 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 insect-infested black-eyed peas.

DISPOSITION: May 7, 1951. Default decree of condemnation and destruction.

17377. Adulteration of canned spinach. U. S. v. 578 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 30508, 30538. Sample Nos. 10755-L, 12755-L, 12855-L, 12856-L.)

LIBELS FILED: January 31 and February 8, 1951, Southern District of Indiana and District of Colorado.

ALLEGED SHIPMENT: On or about November 23, 1950, and January 16, 1951, by the Russellville Canning Co., from Russellville, Ark.

PRODUCT: Spinach. 578 cases, each containing 24 1-pound, 11-ounce cans, at Indianapolis, Ind., and 352 cases, each containing 24 1-pound, 2-ounce cans, and 152 cases, each containing 24 1-pound, 11-ounce cans, at Denver, Colo.

LABEL, IN PART: "Hoosier Poet [or "Red and White" or "Brimfull"] Brand Spinach."

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.

DISPOSITION: March 28 and April 12, 1951. Default decrees of condemnation and destruction.

17378. Adulteration of canned spinach. U. S. v. 499 Cases * * * (F. D. C. No. 30526. Sample No. 11656-L.)

LIBEL FILED: February 5, 1951, Southern District of Ohio.

ALLEGED SHIPMENT: On or about January 24, 1951, by the Kroger Co., from St. Louis, Mo.

PRODUCT: 499 cases at Cincinnati, Ohio.

LABEL, IN PART: "Miss Del Brand Spinach * * * Grown and Packed by Mississippi Valley Canning Co., Osceola, Ark."

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.

DISPOSITION: March 21, 1951. Default decree of condemnation and destruction.

17379. Adulteration of canned spinach. U. S. v. 226 Cases * * * (F. D. C. No. 30641. Sample No. 516-L.)