

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article contained worms and worm parts.

DISPOSITION: December 4, 1950. Default decree of destruction.

18684. Adulteration of canned corn. U. S. v. 196 Cases * * *. (F. D. C. No. 31875. Sample No. 32034-L.)

LIBEL FILED: On or about October 19, 1951, Western District of Missouri; amended libel filed on or about November 7, 1951.

ALLEGED SHIPMENT: On or about September 1, 1950, by the Marshall Canning Co., from Ackley, Iowa.

PRODUCT: 196 cases, each containing 24 1-pound cans, of corn at Springfield, Mo.

LABEL, IN PART: (Can) "Sunshine Brand * * * Extra Standard Cream Style White Sweet Corn."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of worm parts.

DISPOSITION: December 26, 1951. The sole intervener having consented to the entry of a decree, judgment was entered by the court, ordering that the product be delivered to a Federal institution, for use as animal feed.

18685. Misbranding of canned peas and adulteration of canned spinach. U. S. v. Fresh Canning Co., Inc. Plea of nolo contendere. Fine, \$400. (F. D. C. No. 31584. Sample Nos. 11524-L, 11526-L, 13106-L, 21729-L.)

INFORMATION FILED: March 10, 1952, Eastern District of Oklahoma.

ALLEGED SHIPMENT: Between the approximate dates of January 22 and May 24, 1951, from the State of Oklahoma into the States of Tennessee, Colorado, and Mississippi.

LABEL, IN PART: "Le Flore Brand Fresh Crowder Peas," "Big League Brand Crowder Peas Distributed by Cannery Exchange, Inc. Springfield, Mo.," and "Exeter Brand Spinach Packed by Harris Canning Co. Lincoln, Ark."

NATURE OF CHARGE: Spinach. Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of aphids.

Peas. Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for canned field peas since the food, after sealing in a container, was not so processed by heat as to prevent spoilage.

DISPOSITION: March 18, 1952. A plea of nolo contendere having been entered, the court fined the defendant \$400.

TOMATOES AND TOMATO PRODUCTS

18686. Adulteration of canned tomatoes. U. S. v. 822 Cases (and one other seizure action). (F. D. C. Nos. 31759, 31771. Sample Nos. 5997-L, 5998-L.)

LIBELS FILED: October 11, 1951, District of Massachusetts.

ALLEGED SHIPMENT: On or about September 27, 1950, and April 3, 1951, from Italy.

PRODUCT: Tomatoes. 822 cases, each containing 24 2-pound, 3-ounce cans, and 382 cases, each containing 48 1-pound, 1-ounce cans.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination disclosed that the product was decomposed.) The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 30, 1951. James Ferrera & Sons, Inc., Boston, Mass., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency. 874 24-can cases and 490 48-can cases of the product were salvaged and the remainder destroyed. (An additional 80 48-can cases, which had not been seized, were included in the reconditioning operations.)

18687. Adulteration of canned tomatoes. U. S. v. 186 Cases * * *. (F. D. C. No. 31511. Sample No. 21662-L.)

LIBEL FILED: September 4, 1951, Southern District of Alabama.

ALLEGED SHIPMENT: On or about June 6, 1951, by K. Peters, from Hallandale, Fla.

PRODUCT: 186 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Mobile, Ala.

LABEL, IN PART: (Can) "Pine Land Brand Fine Tomatoes."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of fly eggs and maggots.

DISPOSITION: December 10, 1951. Default decree of condemnation and destruction.

18688. Adulteration of tomato paste. U. S. v. 229 Cases * * *. (F. D. C. No. 31476. Sample No. 28359-L.)

LIBEL FILED: August 17, 1951, Northern District of California.

ALLEGED SHIPMENT: On or about May 2, 1951, by B. Dorman & Sons, from New York, N. Y.

PRODUCT: 229 cases, each containing 10 10-pound, 2-ounce cans, of tomato paste at Moss Landing, Calif.

LABEL, IN PART: (Can) "Halisco Concentrated Tomato Paste Product of France."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: April 4, 1952. Default decree of condemnation and destruction.

MEAT AND POULTRY

18689. Adulteration of frozen rabbits. U. S. v. 629 Boxes * * *. (F. D. C. No. 31927. Sample Nos. 4206-L, 4518-L.)

LIBEL FILED: October 18, 1951, District of Columbia.

ALLEGED SHIPMENT: On or about August 23, 1951, from Boston, Mass.

PRODUCT: 629 boxes, each containing 60 pounds, of frozen rabbits at Washington, D. C.