

18725. Adulteration of grape nectar. U. S. v. 511 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 32893, 32894. Sample Nos. 16120-L, 36056-L.)

LIBELS FILED: March 19 and 20, 1952, Southern District of Ohio and Western District of Oklahoma.

ALLEGED SHIPMENT: On or about January 17 and 29, 1952, by Butterfield Canning Co., Inc., Warren, Ind.

PRODUCT: Grape nectar. 511 cases at Cincinnati, Ohio, and 14 cases at Oklahoma City, Okla.

LABEL, IN PART: "Contents 1 Qt. 14 Fl. Ozs. Val-Sweet Grape Nectar Packed by Val-Sweet Company San Francisco, Calif."

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the product contained an added poisonous and deleterious substance, monochloroacetic acid, which is unsafe within the meaning of the law since it is a substance not required in the production of the food and can be avoided by good manufacturing practice.

DISPOSITION: April 16 and 25, 1952. Default decrees of condemnation and destruction.

18726. Adulteration of blackberry preserves and apple butter. U. S. v. 32 Cases, etc. (F. D. C. No. 32113. Sample Nos. 31333-L, 31335-L, 31336-L.)

LIBEL FILED: November 21, 1951, Southern District of Illinois.

ALLEGED SHIPMENT: On or about October 9 and 10 and November 1, 1951, by the Salomo Food Products Co., from St. Louis, Mo.

PRODUCT: 32 cases, each containing 24 1-pound jars, of blackberry preserves, and 64 cases, each containing 12 1-pound, 13½-ounce jars, of apple butter at Granite City, Ill.

LABEL, IN PART: "C. W. Brand Pure Blackberry Preserves [or "Apple Butter"]."

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

DISPOSITION: December 18, 1951. Default decree of condemnation and destruction.

VEGETABLES AND VEGETABLE PRODUCTS

18727. Adulteration of canned beans in chili gravy. U. S. v. 147 Cases * * *. (F. D. C. No. 32069. Sample Nos. 13578-L, 13808-L.)

LIBEL FILED: On or about November 19, 1951, Western District of Missouri.

ALLEGED SHIPMENT: On or about October 23 and 24, 1951, by the Ellis Canning Co., from Denver, Colo.

PRODUCT: 147 cases, each containing 24 15½-ounce cans, of beans in chili gravy at Kansas City, Mo.

LABEL, IN PART: "Ellis Western Style Brown Beans In Tasty Chili Gravy."

NATURE OF CHARGE: Adulteration, Section 402 (a) (1), the product contained added deleterious substances, stones and other extraneous material, which may have rendered it injurious to health.

DISPOSITION: On or about November 29, 1951. Default decree of condemnation. The court ordered that the product be delivered to a municipal farm. On November 29, 1951, the product was fed to hogs.

18728. Adulteration of dried cranberry beans. U. S. v. 45 Bags * * *.
(F. D. C. No. 31459. Sample No. 30043-L.)

LIBEL FILED: August 8, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about September 29, 1950, from San Francisco, Calif.

PRODUCT: 45 100-pound bags of dried cranberry beans at Seattle, Wash., in possession of Ames Terminal.

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 rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 6, 1951. J. R. Green, Seattle, Wash., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the beans be released under bond for the purpose of segregating and sorting, under the supervision of the Federal Security Agency. As a result of the segregation operations, 13 bags of beans were found unfit and were converted into animal feed.

18729. Misbranding of canned peas. U. S. v. 705 Cases * * *. (F. D. C. No. 31890. Sample No. 9752-L.)

LIBEL FILED: October 15, 1951, Northern District of Indiana.

ALLEGED SHIPMENT: On or about June 29, and July 19, 1951, by the Winchester Canning Co., Canal Winchester, Ohio.

PRODUCT: 705 cases, each containing 24 1-pound cans, of peas at Fort Wayne, Ind.

LABEL, IN PART: (Can) "Q P Cu-Pee Brand Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article was a smooth-skin variety of peas and was substandard in quality since its alcohol-insoluble solids were more than 23.5 percent, and its label failed to bear a statement indicating that the article was substandard.

DISPOSITION: February 4, 1952. The Winchester Canning Co., 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, conditioned that it be relabeled, under the supervision of a representative of the Federal Security Administrator.

18730. Misbranding of chow mein. U. S. v. 129 Cases * * *. (F. D. C. No. 32133. Sample No. 10242-L.)

LIBEL FILED: November 20, 1951, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about October 6 and 25, 1951, by Chun King Sales, Inc., from Duluth, Minn.

PRODUCT: 129 cases, each case containing 24 deals, of chow mein and noodles. Each deal consisted of 1 can of chow mein and 1 can of noodles.

LABEL, IN PART: "Chun King Meatless Chow Mein with Mushrooms."