

VEGETABLES

18882. Adulteration of mung beans. U. S. v. 240 Bags * * *. (F. D. C. No. 32868. Sample No. 27442-L.)

LIBEL FILED: March 12, 1952, Northern District of California.

ALLEGED SHIPMENT: On or about December 15, 1951, from Vernon, Tex.

PRODUCT: 240 100-pound bags of mung beans at Oakland, Calif., in possession of the Nanking Noodle Co.

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

DISPOSITION: April 18, 1952. The Nanking Noodle Factory, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the unfit portion of the beans be segregated for use as animal feed, or seed, under the supervision of the Food and Drug Administration. Of the 20,000 pounds which were seized, 16,550 pounds were salvaged and 3,450 pounds were destroyed.

18883. Adulteration of canned kale. U. S. v. 24 Cases, etc. (F. D. C. No. 32864. Sample Nos. 34608-L, 34609-L.)

LIBEL FILED: March 11, 1952, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about December 18, 1951, by the Alma Canning Co., from Alma, Ark.

PRODUCT: Kale. 24 cases, each containing 6 unlabeled No. 10 cans, and 1 case, containing 24 1-pound cans, at St. Louis, Mo.

LABEL, IN PART: (Portion) "American Lady Kale."

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 insects.

DISPOSITION: April 7, 1952. Default decree of condemnation and destruction.

18884. Misbranding of canned peas. U. S. v. 128 Cases * * *. (F. D. C. No. 33389. Sample No. 14990-L.)

LIBEL FILED: June 20, 1952, District of Nebraska.

ALLEGED SHIPMENT: On or about April 3, 1952, by the Fresh Canning Co., from Spiro, Okla.

PRODUCT: 128 cases, each containing 48 15-ounce cans, of peas at Hastings, Nebr.

LABEL, IN PART: (Can) "Baby Shug Alaska Variety Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the article purported to be and was represented as canned peas, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the name of the optional pea ingredient present in the article since the definition and standard provides that the label for canned peas shall name the optional pea ingredient in the article by use of the words "Dried Early," "Dried June," or "Dried Early June," and that such words shall immediately and conspicuously precede or follow the name of the optional pea ingredient present in the article, without intervening written, printed, or graphic matter.