

DISPOSITION: April 4, 1952. Pleas of nolo contendere having been entered, the court fined the corporation \$600, plus costs, and each individual defendant \$200.

19171. Misbranding of preserves. U. S. v. 16 Cases, etc. (F. D. C. No. 33347. Sample Nos. 29228-L to 29230-L, incl., 29330-L to 29332-L, incl., 29334-L.)

LIBEL FILED: July 28, 1952, Eastern District of Washington.

ALLEGED SHIPMENT: Between the approximate dates of March 21 and June 5, 1952, by the Oswego Jelly Co., from Oswego, Oreg.

PRODUCT: 57 cases, each containing 24 12-ounce jars, of preserves at Spokane, Wash.

LABEL, IN PART: "Oregon Hills Brand Pure Strawberry [or "Seedless Black-cap," "Mountain Wild Blackberry," or "Tomatoe"] Preserves."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the products failed to conform to the definitions and standards of identity for fruit preserves since they were not concentrated by heat to such a point that the soluble solids content of the finished preserves was not less than 68 percent, and since the tomato preserves contained added artificial coloring, which is not permitted as an ingredient in the standard; and, Section 403 (k), the tomato preserves contained added artificial coloring and failed to bear labeling stating that fact.

DISPOSITION: August 7, 1952. The shipper, 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 to be reprocessed and relabeled, under the supervision of the Federal Security Agency.

VEGETABLES AND VEGETABLE PRODUCTS*

19172. Adulteration of dried black-eyed beans and dried lima beans. U. S. v. 40 Bags * * * (and 1 other seizure action). (F. D. C. No. 31622. Sample Nos. 29474-L, 30047-L.)

LIBELS FILED: On or about August 15, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about March 25 and April 6, 1951, from San Francisco and Sacramento, Calif.

PRODUCT: 40 100-pound bags of dried black-eyed beans and 16 100-pound bags of dried lima beans at Seattle, Wash., in the possession of the Ames Terminal Co.

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

DISPOSITION: November 24, 1952. Default decrees of condemnation. The court ordered that the products be delivered to an institution, for use as animal feed.

19173. Adulteration of dried lima beans and dried small white beans. U. S. v. 159 Bags * * * (and 2 other seizure actions). (F. D. C. No. 31612. Sample Nos. 30044-L to 30046-L, incl.)

*See also No. 19155.