

PRODUCT: 21 cases, each containing 6 14-ounce cans, of asparagus at Corpus Christi, Tex.

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 article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 30, 1952. Default decree of condemnation and destruction.

19646. Adulteration and misbranding of canned corn. U. S. v. 10 Cases * * *.
(F. D. C. No. 34039. Sample No. 4346-L.)

LIBEL FILED: October 21, 1952, Northern District of Alabama.

ALLEGED SHIPMENT: On or about August 27, 1952, by the Associated Cannery Corp., from Baltimore, Md.

PRODUCT: 10 cases, each containing 6 cans, of corn at Tuscaloosa, Ala.

LABEL, IN PART: "Queen Anne Brand Cream Style Golden Sweet Corn Contents 1 Lb. 4 Oz."

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 and insect parts.

Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since each of the cans contained less than 1 pound, 4 ounces.

DISPOSITION: November 25, 1952. Default decree of condemnation. The court ordered that the product be delivered to an institution, for use as animal feed.

TOMATOES AND TOMATO PRODUCTS

19647. Adulteration of canned tomatoes. U. S. v. 408 Cases * * *. (F. D. C. No. 34045. Sample No. 53228-L.)

LIBEL FILED: October 24, 1952, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about September 23, 1952, by the Rich Canning Co., from Normal, Ill.

PRODUCT: 408 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at St. Louis, Mo.

LABEL, IN PART: (Can) "Elmdale Tomatoes."

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 fly eggs and maggots; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 20, 1952. Default decree of condemnation and destruction.

19648. Adulteration of tomato paste. U. S. v. 300 Cases, etc. (F. D. C. No. 32450. Sample Nos. 26866-L, 27134-L.)

LIBEL FILED: January 29, 1952, Northern District of California.

ALLEGED SHIPMENT: On or about May 5, 1951, by L. N. White & Co. (account of B. Dorman & Sons, Inc.), from New York, N. Y.

PRODUCT: 1,000 cases, each containing 10 10-pound, 2-ounce cans, of tomato paste at Oakland, Calif.

LABEL, IN PART: (Can) "Tomato Paste 1950 Produce of France * * * Packed By: Barbier Dauphin" and "Halisco Concentrated Tomato Paste 1950 Product of France * * * Packed by Union Des Cooperatives."

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: June 5, 1952. Default decree of condemnation and destruction.

NUTS*

19649. Adulteration of pecan granules. U. S. v. 1 Carton * * *. (F. D. C. No. 34046. Sample No. 62134-L.)

LABEL FILED: October 24, 1952, Western District of Arkansas.

ALLEGED SHIPMENT: On or about September 24, 1952, by Vernon-Pope Pecan Shellers, from Tulsa, Okla.

PRODUCT: 1 30-pound carton of pecan granules at Fort Smith, 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 larvae.

DISPOSITION: December 8, 1952. Default decree of condemnation and destruction.

19650. Adulteration of unshelled walnuts. U. S. v. 774 Bags * * *. (F. D. C. No. 33989. Sample No. 48490-L.)

LABEL FILED: October 7, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about February 19, 1952, by Rosenberg Bros. & Co., Inc., from San Francisco, Calif.

PRODUCT: 774 100-pound bags of unshelled walnuts at St. Paul, Minn.

LABEL, IN PART: "Ensign Brand."

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: November 5, 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 brought into compliance with the law by cracking the walnuts and by segregating the unfit portion, under the supervision of the Federal Security Agency.

The walnuts were cracked and shelled, and the unfit portion, amounting to 1,292 pounds, was denatured for use as oil stock for purposes other than for human consumption. 35,824 pounds, which were found fit for human consumption, were released to the claimant.

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PRODUCTS

	N. J. No.		N. J. No.
Asparagus, canned	19645	Bread	19609
Bakery products	19609	Butter	19627, 19628
Beverages and beverage materials	¹ 19601-19603	Cake	19609
		Candy	19604, 19605

*See also No. 19613.

¹ (19601) Seizure contested. Contains opinions of the courts.