

CHARGE: 403 (c)—the articles were imitations of other foods, blackberry jelly and red raspberry jelly, and their labels failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; and 403 (j)—the articles purported to be and were represented as foods for special dietary use by reason of their use as a means of regulating the intake of sodium, and their labels failed to bear, as required by regulations, a statement of the number of milligrams of sodium contained in 100 grams of the articles and a statement of the number of milligrams of sodium contained in an average serving of the articles.

DISPOSITION: 7-23-56. Default—delivered for use of a charitable organization.

VEGETABLES AND VEGETABLE PRODUCTS

23428. Great Northern beans. (F. D. C. No. 39253. S. No. 19-591 M.)

QUANTITY: 68 100-lb. bags at Ashland, Ky., in possession of Ashland Grocery Co.

SHIPPED: 1-31-56 and 2-21-56, from Denver, Colo.

LIBELED: 5-25-56, E. Dist. Ky.

CHARGE: 402 (a) (3)—contained rodent excreta, rodent urine, and rodent hairs; and 402 (a) (4)—held under insanitary conditions.

DISPOSITION: 7-20-56. Consent—claimed by Ashland Grocery Co. Segregated, 178 lbs. destroyed.

23429. Canned celery juice. (F. D. C. No. 39068. S. No. 48-121 M.)

QUANTITY: 33 cases, 24 1-pt. 2-oz. cans each, at New York, N. Y.

SHIPPED: 12-1-54, from Los Angeles, Calif., by Hain Pure Food Co., Inc.

LABEL IN PART: (Can) "Sherman's Arcadia Brand * * * Celery Juice Packed Without Added Water - Sugar Or Salt * * * packed without added water, sugar or salt for use in diets where seasoning is restricted."

RESULTS OF INVESTIGATION: Analysis showed that the article contained approximately 85 milligrams of sodium per 100 grams.

LIBELED: 5-11-56, S. Dist. N. Y.

CHARGE: 403 (j)—the article, when shipped, purported to be and was represented as a food for special dietary use by reason of its use as a means of regulating the intake of sodium, and its label failed to bear, as required by regulations, a statement of the number of milligrams of sodium per 100 grams of the food and a statement of the number of milligrams of sodium in an average serving of the food.

DISPOSITION: 6-20-56. Default—destruction.

23430. Dried mushrooms. (F. D. C. No. 39056. S. No. 37-282 M.)

QUANTITY: 26 cases containing 35 lbs., 55 lbs., or 70 lbs. each at New York, N. Y.

SHIPPED: Between 1-1-56 and 4-12-56, from London, England, by Zylan, Ltd.

LIBELED: 5-4-56, S. Dist. N. Y.

CHARGE: 402 (a) (3)—contained maggots when shipped.

DISPOSITION: 5-24-56. Default—destruction.

23431. Dried mushrooms. (F. D. C. Nos. 39060, 39061. S. Nos. 37-283/4 M.)

QUANTITY: 11 cases containing 35 lbs. or 60 lbs. each at New York, N. Y.

SHIPPED: On various dates, from London, England, by Zylan, Ltd.

LIBELED: 5-9-56, S. Dist. N. Y.

CHARGE: 402 (a) (3)—contained maggots when shipped.

DISPOSITION: 6-6-56. Default—destruction.

23432. Canned soaked dried field peas. (Inj. No. 183.)

PETITION FILED: On 1-6-49, in the Middle District of Georgia, the United States attorney filed a petition for an order to show cause why the Georgia Canning Company, Inc., Wayside, Ga., and D. Vernon Shaver, president of the corporation, should not be punished for criminal contempt of the permanent injunction which had been entered against the corporation on 10-20-47. (Notice of judgment on foods, No. 13313.)

CHARGE: The petition alleged that, following the entry of the injunction, the defendants had shipped in interstate commerce, on or about 2-3-48 and 2-7-48 from Wayside, Ga., to Spartanburg and Greenville, S. C., quantities of canned soaked dried field peas which were adulterated under 402 (a) (3) in that they were contaminated with insects; and that such acts constituted contempt of the injunction.

DISPOSITION: On 1-6-49, the order to show cause was issued, following which the defendants pleaded not guilty to violation of the injunction. The case came on for trial before the court without a jury; and at its conclusion on 3-3-49, the court found the defendants guilty of violation of the injunction and in contempt, and imposed a fine of \$250 against each defendant.

MEAT AND POULTRY

23433. Canned corned beef. (F. D. C. No. 39267. S. No. 39-141 M.)

QUANTITY: 549 cases, 24 cans each, at Jacksonville, Fla.

SHIPPED: 3-6-56, from Montevideo, Uruguay by Frigorifico, Nacional, Uruguay.

LABEL IN PART: (Can) "Holly Brand Corned Beef Product of Uruguay Net Weight 12 oz."

LIBELED: 6-5-56, S. Dist. Fla.

CHARGE: 402 (a) (3)—contained flies, maggots, and fly parts when shipped.

DISPOSITION: 7-12-56. Default—destruction.

23434. Canned corned beef. (F. D. C. No. 39279. S. No. 39-147 M.)

QUANTITY: 334 cans at Jacksonville, Fla.

SHIPPED: 3-6-56, from Montevideo, Uruguay, by Frigorifico, Nacional, Uruguay.

LABEL IN PART: (Can) "Holly Brand Corned Beef Product of Uruguay Net Weight 12 oz."

LIBELED: On or about 6-15-56, S. Dist. Fla.

CHARGE: 402 (a) (3)—contained flies, maggots, and fly parts when shipped.

DISPOSITION: 7-12-56. Default—destruction.

23435. Dressed poultry. (Inj. No. 246.)

COMPLAINT FOR INJUNCTION FILED: On or about 2-26-52, Dist. Del., against H. & H. Poultry Co., a corporation, Selbyville, Del., and Homer Pepper, president, Horace Pepper, treasurer, Emerson Pepper, secretary, and Raymond Wells, plant manager, for the corporation.