

apple-cherry, or apple-grape jelly, since they were made from a mixture composed of less than 45 parts by weight of the fruit juice ingredients to each 55 parts by weight of one of the optional saccharine ingredients; and the products had not been concentrated by heat to the point where their soluble solids content was not less than 65 percent.

DISPOSITION: January 11, 1949. Pleas of nolo contendere having been entered, the partnership was fined \$100 on each of 8 counts and each individual was fined \$1 on each of the 8 counts.

14446. Adulteration of canned strained apricots with farina. U. S. v. 798 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 25703, 25704, 25861. Sample Nos. 23128-K, 30141-K, 37924-K.)

LIBELS FILED: October 15, 19, and 20, 1948, Northern District of Texas, Western District of Washington, and District of Arizona.

ALLEGED SHIPMENT: On or about July 20, 22, and 24, 1948, by the Gerber Products Co., from Fruitvale and Oakland, Calif.

PRODUCT: 798 cases, each containing 48 4¼-ounce cans, of strained apricots with farina at Dallas, Tex.

LABEL, IN PART: "Gerber's Strained Apricots With Farina."

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 (in 2 lots) of insect fragments and rodent hair fragments and by reason of the use (in 1 lot) of insect-infested farina; and, Section 402 (a) (4), the product had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 7 and 27, 1948, and January 14, 1949. Default decrees of condemnation and destruction.

VEGETABLES AND VEGETABLE PRODUCTS

14447. Misbranding of canned string beans. U. S. v. 143 Cases * * *. (F. D. C. No. 26393. Sample No. 37651-K.)

LIBEL FILED: January 12, 1949, Southern District of California.

ALLEGED SHIPMENT: On or about November 30, 1948, by Oregon Foods, Inc., from McMinnville, Oreg.

PRODUCT: 143 cases, each containing 6 unlabeled cans, of string beans at Santa Paula, Calif. No written agreement existed between the shipper and the consignee as to the labeling of the product.

NATURE OF CHARGE: Misbranding, Section 403 (e) (1), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents; Section 403 (g) (2), the article purported to be canned green beans, a food for which a definition and standard of identity had been prescribed by the regulations, and its label failed to bear as the regulations require, the name of the food specified in the definition and standard; and, Section 403 (h) (1), the article fell below the standard of quality for canned green beans since it contained tough strings in excess of the amount permitted by the standard, and its label failed to bear a statement that it fell below such standard.

DISPOSITION: February 15, 1949. The Ventura County Citrus Growers Committee, Santa Paula, Calif., claimant, having consented to the entry of a decree,

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judgment of condemnation was entered and the product was ordered released under bond for relabeling, under the supervision of the Federal Security Agency.

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14448. Adulteration of celery. U. S. v. 533 Crates * * *. (F. D. C. No. 26521. Sample Nos. 46445-K, 46446-K, 46448-K.)

LIBEL FILED: February 10, 1949, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about January 18 and 22, 1949, by A. Levy & J. Zentner Co., from Cutler, Calif.

PRODUCT: 533 crates of celery at St. Louis, Mo.

LABEL, IN PART: (58 crates) "Emro-Hill Brand Selected Vegetables, Grown, Packed and Shipped by Hillside Growers Assn., Cutler California" and (475 crates) "Oro Gem Brand * * * Orosi Vegetable Growers Grower, Packer and Shipper, Orosi, California."

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NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of discoloration, pithiness, and softening, due to freezing.

DISPOSITION: March 28, 1949. Default decree of condemnation and destruction.

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14449. Adulteration of celery. U. S. v. 450 Crates * * *. (F. D. C. No. 26591. Sample No. 48297-K.)

LIBEL FILED: February 10, 1949, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about January 26, 1949, by Salinas Celery Distributors, from Salinas, Calif.

PRODUCT: 450 crates of celery at Philadelphia, Pa.

LABEL, IN PART: "Salinas Beauty Brand Selected Vegetables."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of its discoloration, pithiness, and softening, due to freezing.

DISPOSITION: February 10, 1949. Yeckes-Eichenbaum, Philadelphia, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation of the unfit portion, under the supervision of the Federal Security Agency. A total of 60 crates was segregated as unfit from the lot of 260 crates which had been seized. A total of 200 crates was repacked as celery hearts.

14450. Adulteration of celery. U. S. v. 450 Crates * * *. (F. D. C. No. 26532. Sample No. 42422-K.)

LIBEL FILED: February 18, 1949, Northern District of Illinois.

ALLEGED SHIPMENT: On or about January 29, 1949, by M. S. Toledo, from Salinas, Calif.

PRODUCT: 450 crates of celery at Chicago, Ill.

LABEL, IN PART: "Salinas Beauty Brand."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of its discoloration, pithiness, and softening, due to freezing.

DISPOSITION: April 13, 1949. Default decree of condemnation. The product was ordered disposed of for sale to the highest bidder. Under the supervision of the Federal Security Agency, a total of 20 crates of edible celery hearts were obtained from the lot. The remainder was disposed of for use as animal feed.