

4411. Adulteration and misbranding of canned asparagus. U. S. v. 66 Cases of Canned Asparagus. Default decree of condemnation and destruction. (F. D. C. No. 8062. Sample No. 15282-F.)

The product consisted almost entirely of the extreme lower portions of asparagus, which were very fibrous and tough and practically inedible, many pieces having dirty ends.

On August 5, 1942, the United States attorney for the District of Colorado filed a libel against 66 cases, each containing 6 No. 10 cans, of asparagus at Denver, Colo., alleging that the article had been shipped in interstate commerce on or about May 26, 1942, from San Francisco, Calif.; and charging that it was adulterated and misbranded. The article was labeled in part: (Cans) "Packrite Brand White Cuts Tips Removed Asparagus * * * Packed by Manteca Canning Co. Manteca, California."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance and was otherwise unfit for food, and in that the lower inedible portions of the asparagus sprout had been substituted wholly or in part for edible asparagus.

The article was alleged to be misbranded in that it purported to be a food for which a definition and standard of identity had been prescribed by regulations as provided by law, and it failed to conform to such definition and standard because it did not consist of the edible portions of sprouts of the asparagus plant.

On November 18, 1942, no claimant having appeared, judgment of condemnations was entered and the product was ordered destroyed.

4412. Adulteration of canned green beans. U. S. v. 992 Cases of Canned Beans. Default decree of condemnation and destruction. (F. D. C. No. 8421. Sample No. 10424-F.)

On September 23, 1942, the United States attorney for the Southern District of California filed a libel against 992 cases, each case containing 24 cans, of green stringless beans at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about April 30, 1942, by Quality Products, Inc., from LaFeria, Tex.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Can) "Curtis Cut Green Stringless Beans."

On October 26, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4413. Adulteration of canned green beans. U. S. v. 198 Cases of Canned Green Beans. Default decree of condemnation and destruction. (F. D. C. No. 8437. Sample No. 24332-F.)

Examination of this product showed it to be underprocessed and in part decomposed.

On September 22, 1942, the United States attorney for the Middle District of North Carolina filed a libel against 198 cases, each containing 24 cans, of cut green beans at Mount Airy, N. C., alleging that the article had been shipped in interstate commerce on or about September 1, 1942, by W. C. Simpson from Check, Va.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Bent Mountain Brand * * * Cut Green Beans."

On October 30, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4414. Adulteration of canned green beans and stringless beans. U. S. v. 113 Cases and 396 Cases of Cut Green Beans and 176 Cases of Cut Stringless Beans. Default decrees of condemnation and destruction. (F. D. C. Nos. 8430, 8431, 8432. Sample Nos. 24239-F, 24329-F, 24330-F.)

These products were underprocessed and in part decomposed.

On October 2, 1942, the United States attorney for the Southern District of West Virginia filed a libel against 113 cases, each case containing 24 cans, of cut green beans at Minden, W. Va., 396 cases, each containing 24 cans, of cut green beans at Bluefield, W. Va., and 176 cases, each containing 24 cans, of cut stringless beans at Berwind, W. Va., alleging that the articles had been shipped in interstate commerce on or about August 27 and August 31, 1942, by W. C. Simpson from Check, Va.; and charging that they were adulterated in that they consisted in whole or in part of decomposed substances. The articles were labelled in part: (Cans) "Bent Mountain Brand * * * Cut Green Beans," or "Carroll Cabin Brand * * * Cut Stringless Beans Distributed By Dalton Brothers Bristol, Virginia."