

5033. Adulteration of canned cut green beans. U. S. v. 360 Cases of Canned Cut Green Beans. Default decree of condemnation and destruction. (F. D. C. No. 8689. Sample No. 8052-F.)

Examination showed this product was underprocessed and in part decomposed.

On or about November 6, 1942, the United States attorney for the Western District of Missouri filed a libel against 360 cases, each containing 6 No. 10 cans, of cut green beans at Springfield, Mo., alleging that the article had been shipped in interstate commerce within the period from on or about September 5 to 14, 1942, by the Arkansas Valley Canning Co. from Van Buren, Ark.; 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) "Virginia Lee Brand Cut Green Beans."

On April 7, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5034. Adulteration of canned mustard greens, cut green beans, and spinach. U. S. v. 122 Cases of Mustard Greens, 268 Cases of Cut Green Beans, and 119 Cases of Spinach. Decree of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. No. 9581. Sample Nos. 9738-F to 9740-F, incl.)

On March 20, 1943, the United States attorney for the Western District of Louisiana filed a libel against 122 cases of mustard greens, 268 cases of cut green beans, and 119 cases of spinach at Ruston, La., alleging that the articles had been shipped in interstate commerce on or about January 22, 1943, by the Ozark Packing Co., Inc., from Ozark, Ark.; and charging that they were adulterated in that they were under-processed and decomposed. The articles were labeled in part: "Pride of Ozark Brand Mustard Greens [or "Cut Green Beans"]," or "Sailor Girl Brand Spinach."

On July 10, 1943, the Ozark Packing Co., Inc., having appeared as claimant, judgment of condemnation was entered and the products were ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

5035. Adulteration of canned spinach. U. S. v. 225 Cases of Canned Spinach (and 11 additional seizure actions against canned spinach). Decrees of condemnation. Two of the lots ordered released under bond for segregation of the fit from the unfit portion, and destruction of the latter; remaining lots ordered destroyed. (F. D. C. Nos. 9533 to 9542, incl., 9907, 9908, 10058, 10059. Sample Nos. 5657-F to 5660-F, incl., 5780-F, 5781-F, 6448-F, 6592-F, 32070-F to 32073-F, incl., 48025-F, 48026-F.)

Examination showed this product to be under-processed and undergoing progressive spoilage.

Between March 13 and June 5, 1943, the United States attorneys for the Eastern District of Missouri and the Southern District of Ohio filed libels against 1,282 cases of canned spinach at St. Louis, Mo., and 2,745 cases of canned spinach at Cincinnati, Ohio, which had been shipped in interstate commerce within the period from on or about December 21, 1942, to January 18, 1943, alleging that the article had been shipped by the Ozark Canning Co. from Ozark, Ark.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. Portions of the article were labeled in part: "Pride of Ozark Brand Spinach," or "Ozark Brand Spinach."

On July 17, 1943, the Ozark Canning Co. having appeared as claimant for two of the lots located at Cincinnati, Ohio, and having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for segregation of the fit from the unfit portion and destruction of the unfit portion. Between May 14 and July 24, 1943, no claimant having appeared for the remaining lots, judgments of condemnation were entered and the product was ordered destroyed.

5036. Adulteration of canned okra. U. S. v. 474 Cases of Okra (and 9 additional seizure actions against okra). Default decrees of condemnation. (F. D. C. Nos. 9131, 9262, 9471, 9473, 9505, 9523, 9588, 9927, 10006. Sample Nos. 3036-F, 3037-F, 3574-F, 8941-F, 8943-F, 8962-F, 8963-F, 9029-F, 9477-F, 9809-F to 9811-F, incl., 9813-F, 10367-F.)

This product was in whole or in part sour and decomposed.

Within the period from on or about January 27 and May 28, 1943, the United States attorneys for the Northern District of Texas, the Southern District of Texas, the Western District of Texas, the Eastern District of Oklahoma, and the Western District of Missouri filed libels against 474 cases of canned okra at Dallas, Tex., 119 cases at Houston, Tex., 262 cases at Kansas City, Mo., 48 cases at Muskogee, Okla., 135 cases at El Paso, Tex., 255 cases at Houston, Tex., and 47 cases at Fort Worth, Tex., alleging that the article had been shipped in interstate commerce within the period from on or about August 5, 1941, to November 12, 1942, by the Pine