MISCELLANEOUS FRUIT PRODUCTS

5721. Misbranding of jellied cranberry sauce. U. S. v. 41 Cases of Jellied Cranberry Sauce. Decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 12363. Sample No. 35792-F.)

This product was short-weight.

On May 13, 1944, the United States attorney for the Eastern District of South Carolina filed a libel against 41 cases, each containing 24 jars, of jellied cranberry sauce at Columbia, S. C., alleging that the article had been shipped on or about February 3, 1944, by Cranberry Canners, Inc., from Hanson, Mass.; and charging that it was misbranded in that the statement "Net Wt. 1 Lb. 12 Oz." was false and misleading as applied to an article that was short-weight, and in that it was in package form and failed to bear a label which contained an accurate statement of the quantity of the contents. The article was labeled in part: (Jars) "Ready to Serve Ocean Spray Jellied Cranberry Sauce."

On June 14, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On June 17, 1944, an amended order was filed ordering that the product be delivered to a charitable institution.

VEGETABLES*

5722. Adulteration of canned green beans. U. S. v. 133 Cases and 257 Cases, and 111 Cases and 130 Cases of Green Beans. Decrees of condemnation. Product ordered released under bond for segregation of the fit from the unfit portion. (F. D. C. Nos. 10745, 10746. Sample Nos. 48508-F, 48509-F.)

On or about September 22, 1943, the United States attorney for the Southern District of Indiana filed libels against 631 cases, each containing 6 cans, of green beans at Indianapolis, Ind., alleging that the article, which had been consigned by the Springdale Canning Co., had been shipped in interstate commerce on or about June 21, 1943, from Springdale, 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: (Can) "Brookside Brand * * * Cut Green String Beans Packed For Kothe, Wells & Bauer Co. Indianapolis, Ind.," or "Sun Ripe Brand Cut Green Beans * * * Packed For M. O'Connor & Co., Indianapolis, Ind." The remainder was unlabeled.

On or about November 13, 1943, the Springdale Canning Co., claimant, having admitted the allegations of the libel, judgments of condemnation were entered and the product was ordered released under bond for sorting out the unfit portion and destroying it and reconditioning the balance under the supervision of the Food and Drug Administration.

5723. Adulteration of red kidney beans. U. S. v. 588 Bags of Red Kidney Beans. Default decree of condemnation. Product ordered released to the Welfare Department at Kansas City, Mo., for use as hog feed. (F. D. C. No. 10819. Sample No. 43433-F.)

This product was moldy.

On September 28, 1943, the United States attorney for the Western District of Missouri filed a libel against 588 bags of red kidney beans at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about July 16, 1943, by Vanderveer & Coleman, Inc., from Lyons, N. Y.; 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: (Bag) "New York State Cockerel Brand * * * Red Kidney Beans."

On December 10, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered released to the Welfare Department at Kansas City, Mo., for use as hog feed.

5724. Misbranding of canned corn. U. S. v. 327 Cases of Canned Corn. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 10835. Sample No. 34271-F.)

This product was not narrow grain corn of fancy quality as represented on the label, but was a wide grain corn with poor flavor in which the majority of the kernels were in the late dough stage or older.

On September 25, 1943, the United States attorney for the Western District of Pennsylvania filed a libel against 327 cases, each containing 24 cans, of corn at Charleroi, Pa., alleging that the article had been shipped on or about October

*See also Nos. 5767, 5768.