

29370. Canned mushrooms and canned mushroom chop suey vegetables. (F.D.C. No. 49496. S. Nos. 31-710/13 X.)

QUANTITY: 85 cases, each containing 24 1-lb. cans of mushroom chop suey vegetables; 408 cases, each containing 24 2-oz. cans of sliced button mushrooms; 116 cases, each containing 12 8-oz. cans of stems and pieces of mushrooms; and 106 cases, each containing 12 8-oz. cans of whole mushrooms, at Phoenix, Ariz.

SHIPPED: Between 3-7-63 and 9-17-63, from Chicago, Ill., and West Chester, Pa., by Min-Sun Trading Co., and Brandywine Mushroom Corp.

LABEL IN PART: (Cans) "Chinese Maid * * * Mushroom Chop Suey Vegetables * * * Packed by Min-Sun Trading Co., Chicago, Ill."; "Brandywine Sliced Button" [or "Stems and Pieces," or "Whole Button"] Mushrooms Brandywine Mushroom Corp. West Chester, Pa."

RESULTS OF INVESTIGATION: Examination showed that the articles (all lots) were undergoing decomposition.

LIBELED: 10-31-63, Dist. Ariz.

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

DISPOSITION: 12-12-63. Default—destruction.

29371. Canned mushrooms. (F.D.C. No. 49633. S. No. 54-116 X.)

QUANTITY: 39 cases, each containing 24 unlabeled 16-oz. cans, at East Vineland, N.J., in possession of La Primadora Food Products, Inc.

SHIPPED: Between 1-1-63 and 3-31-63, from Kennett Square, Pa.

RESULTS OF INVESTIGATION: The raw mushrooms in bulk lots, shipped as above, had been prepared, processed, and packed into cans by the dealer. Investigation indicated that faulty procedure in the canning process caused the mushrooms to start decomposing.

LIBELED: On or about 12-4-63, Dist. N.J.

CHARGE: 402(a) (3)—contained a decomposed substance while held for sale.

DISPOSITION: 1-28-64. Default—destruction.

29372. Hot green chili relish. (F.D.C. No. 49351. S. No. 51-811 X.)

QUANTITY: 20 cases, each containing 12 8-oz. jars, at Seattle, Wash.

SHIPPED: 5-16-63 and 6-5-63, from Rosemead, Calif., by La Victoria Foods, Inc.

LABEL IN PART: (Jar) "Salsa Jalapena Hot Green Chili Relish * * * La Victoria Foods, Inc., Rosemead, Calif."

LIBELED: On or about 9-23-63, W. Dist. Wash.

CHARGE: 402(a) (3)—contained insects and/or insect parts; and 402(a) (4)—prepared and packed under insanitary conditions.

DISPOSITION: 10-23-63. Default—destruction.

29373. Sweet pickle chips. (F.D.C. No. 49429. S. No. 19-415 X.)

QUANTITY: 20 cases, each containing 12 32-oz. jars, at Oklahoma City, Okla.

SHIPPED: Prior to 10-5-63, from Fort Worth, Tex., by Mrs. Dalton's Best Maid Products, Inc.

LABEL IN PART: (Jar) "Best Maid Fancy Sweet Chips * * * Packed by Mrs. Dalton's Best Maid Products Inc., Ft. Worth, Texas."

LIBELED: 11-7-63, W. Dist. Okla.

CHARGE: 402(a)(3)—contained insects and insect fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 12-12-63. Default—destruction.

29374. Cucumber pickles and pickled peppers. (F.D.C. No. 47116. S. Nos. 38-076 R, 69-775 R, 80-168/70 R.)

INFORMATION FILED: 6-29-62, E. Dist. Pa., against Walter C. Becker, t/a Walbeck Foods, Kennett Square, Pa.

ALLEGED VIOLATIONS: Between 12-28-60 and 2-10-61, the defendant caused to be given to a firm engaged in the business of shipping pickle products in interstate commerce, two invoices containing guarantees to the effect that the pickled peppers described in the invoices and shipped by the defendant were not adulterated or misbranded, which guarantees were false since the pickled peppers were adulterated.

In addition on 5-9-61, the defendant shipped from Kennett Square, Pa., to Kearny, N.J., a quantity of adulterated pickled peppers, and quantities of misbranded sweet cucumber pickles.

LABEL IN PART: (Jars) "Acme Ideal Pickles HOT PEPPERS Contains: Peppers, Salt, Vinegar, Spices Distributed by: American Stores Co., Philadelphia, Pa. 1 fluid pint"; and "Acme Ideal Pickles FRESH CUCUMBER SWEET Contains: Cucumbers, Sugar, Vinegar, Salt, Spices, Onions, Alum, Turmeric Distributed by: American Stores Co., Philadelphia, Pa. 15 fluid ounces [or "1 pint 12 fl. ounces"]."

CHARGE: 402(a)(3)—the pickled peppers contained maggots, mites, thrips, insects, insect parts, fly eggs, corn borer larvae parts, and cat hair; and 403(k)—the sweet cucumber pickles contained a chemical preservative, benzoate of soda, and failed to bear labeling stating such fact.

PLEA: Guilty.

DISPOSITION: 1-3-63. \$1,000 fine.

TOMATOES AND TOMATO PRODUCTS

29375. Canned tomatoes. (F.D.C. No. 49128. S. Nos. 42-622/4 X.)

QUANTITY: 1,001 cases, each containing 6 No. 10 cans, at Philadelphia, Pa.

SHIPPED: Between 3-21-63 and 5-23-63, from Cherry Hill, N.J., by Eastern Cannery.

LABEL IN PART: (Case) "Ex. Std. Tomatoes."

LIBELED: 7-25-63, E. Dist. Pa.

CHARGE: 403(h)(1)—when shipped, the article fell below the standard of quality for canned tomatoes, since the article contained tomato peel, per pound of canned tomatoes in the container, which covered an area of more than 1 square inch and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 8-16-63. Consent—claimed by Ridge Canning Co., Inc., Glassboro, N.J., and released under bond for relabeling.

29376. Canned tomatoes. (F.D.C. No. 49374. S. No. 5-513 X.)

QUANTITY: 1,996 cases, each containing 24 1-lb. cans, at Bangor, Maine.