7308. Adulteration of canned wax beans and canned green beans. U. S. v. 103 Cases of Canned Wax Beans and 338 Cases of Canned Green Beans. Consent decree of condemnation. Products ordered destroyed. (F. D. C. No. 11567. Sample Nos. 36498–F, 68805–F.)

LIBEL FILED: January 14, 1944, District of Wyoming.

ALLEGED SHIPMENT: On or about December 1 and 17, 1943, by the Producer's Canning Co., Fort Collins, Colo.

PRODUCT: 103 cases, each containing 24 1-pound, 3-ounce cans, of cut wax beans, and 338 cases, each containing 24 1-pound, 3-ounce cans, of cut green beans, at Cheyenne, Wyo.

LABEL, IN PART: (Cans) "Producer's Brand Cut Wax Beans [or "Green Beans"]."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of insect-eaten beans.

DISPOSITION: November 25, 1944. The consignor and consignee having consented to an entry of decree, judgment of condemnation was entered and the products were ordered destroyed.

7309. Adulteration of frozen broccoli. U. S. v. 832 Cases of Frozen Broccoli. Decree of condemnation. Product ordered destroyed; cartons salvaged. (F. D. C. No. 12409. Sample No. 70781–F.)

LIBEL FILED: May 15, 1944, Western District of Washington.

ALLEGED SHIPMENT: On or about January 31, 1944, by Honor Brand Frosted Foods (Santa Cruz Packing Co.), from Modesto, Calif.

PRODUCT: 832 cases, each containing 6 4-pound packages, of frozen broccoli, at Tacoma, Wash.

LABEL, IN PART: (Packages) "Honor Brand * * * Distributed by Honor Brand Frosted Foods Division of Stokely Brothers & Company, Inc."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of aphids.

DISPOSITION: October 13, 1944. Stokely Foods, Inc., claimant, having filed an application for permission to take samples, and the product having been found adulterated as alleged, judgment of condemnation was entered and it was ordered that the product be destroyed and the cartons salvaged.

7310. Misbranding of canned okra. U. S. v. 554 Cases of Okra. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 14328. Sample No. 85152–F.)

LIBEL FILED: October 30, 1944, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 20, 1944, by Evangeline Pepper and Food Products, from St. Martinsville, La.

PRODUCT: 554 cases, each containing 24 jars, of okra, at Philadelphia, Pa. Examination disclosed that the product was short-weight.

LABEL, IN PART: "Bulliard's Evangeline Brand Okra Fresh Picked * * * 1 Lb. Net."

VIOLATION CHARGED: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: November 28, 1944. Evangeline Pepper and Food Products, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

Nos. 7311 to 7315 report actions involving canned peas that purported to be a food for which a standard of quality has been prescribed by law, but the quality fell below the standard because of higher alcohol-insoluble solids than the maximum permitted by the standard, and the labels failed to bear, in the manner and form that the regulations specify, a statement that the product was below the standard.

7311. Adulteration and misbranding of canned peas. U. S. v. 32 Cases of Canned Peas. Default decree of condemnation and destruction. (F. D. C. No. 11780. Sample No. 53274–F.)

LIBEL FILED: February 10, 1944, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about November, 1942, by J. Langrall & Bro., Inc., from Baltimore, Md.