PRODUCT: 24 cases, each containing 24 12-ounce bottles, of sauerkraut juice at Phoenix, Ariz. Examination showed that the product had undergone fermentation.

LABEL, IN PART: (Bottles) "Supreme Brand Sauerkraut Juice From Selected White Cabbage."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: September 12, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8625. Adulteration of spinach. U. S. v. 150 Cases and 8 Cases of Spinach. Consent decree of condemnation and destruction. (F. D. C. No. 16954. Sample Nos. 26744–H, 26745–H.)

LIBEL FILED: August 2, 1945, District of Colorado.

ALLEGED SHIPMENT: On or about January 22, 1945, by the Deck Brothers Produce Co., from Springfield, Mo.

PRODUCT: 150 cases, each containing 6 cans, and 8 cases, each containing 24 cans, of spinach at Colorado Springs, Colo.

LABEL, IN PART: "May-Flower Brand Spinach Contents 6 Pounds Distributed by Marshall Canning Co. Marshalltown, Iowa," or "Mayflower [or "Staff-O-Life"] Brand Spinach Contents 1 Lb. 2 Oz."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: September 4, 1945. The Deck Brothers Produce Co. having executed an acceptance of service and authorization for taking of final decree, judgment of condemnation was entered and the product was ordered destroyed.

8626. Adulteration of vinegar. U. S. v. 1 Barrel and 2 Barrels of Vinegar. Default decrees of condemnation and destruction. (F. D. C. Nos. 16183, 16252. Sample Nos. 17936–H, 18021–H.)

LIBELS FILED: May 23 and June 5, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 25 and December 5, 1944, by Galvanoni & Nevy Bros., Inc., from New York, N. Y.

PRODUCT: 1 34-gallon barrel and 2 50-gallon barrels of vinegar at Chicago, Ill.

LABEL, IN PART: (Portion) "Red Wine Vinegar." The remainder of the product was unlabeled but was invoiced as "Wine Vinegar."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), an artifically colored mixture of wine vinegar and acetic acid, or distilled vinegar, in the 2-barrel lot, and an artificially colored distilled vinegar, or diluted acetic acid, containing little or no wine vinegar, in the 1-barrel lot, had been substituted in whole or in part for wine vinegar; and, Section 402 (b) (4), artificial coloring had been added to the product or mixed or packed with it so as to make it appear better or of greater value than it was.

DISPOSITION: September 14 and November 7, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

8627. Adulteration and misbranding of wine vinegar. U. S. v. 18 Cases of Wine Vinegar. Default decree of condemnation and destruction. (F. D. C. No. 16238. Sample No. 18022–H.)

LIBEL FILED: On or about June 11, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 31, 1944, by A. Bertola and Co., from New York, N. Y.

PRODUCT: 18 cases, each containing 24 1-pint bottles of wine vinegar at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), an artificially colored mixture of wine vinegar and distilled vinegar, or acetic acid, had been substituted in whole or in part for wine vinegar, which the article was represented to be; and, Section 402 (b) (4), artificial coloring had been added to the article and mixed and packed with it so as to make it appear better or of greater value than it was.

Misbranding, Section 403 (a), the label statement, "Wine Vinegar," was false and misleading.

DISPOSITION: October 22, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.