8769. Adulteration and misbranding of sauerkraut. U. S. v. 199 Cases of Sauer Kraut. Default decree of condemnation and destruction. (F. D. C. No. 15227. Sample Nos. 9502–H, 9518–H.)

LIBEL FILED: February 9, 1945, Western District of New York.

ALLEGED SHIPMENT: On or about December 6, 1944, by the Morgan Packing Co., from Austin, Ind.

PRODUCT: 199 cases, each containing 12 jars, of sauerkraut at Buffalo, N. Y. Examination showed that the article was short-weight.

LABEL, IN PART: (Jars) "Scott Co. Sauer Kraut * * * Contents 2 Lbs."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), brine had been substituted in part for sauerkraut, which the product was represented to be. Misbranding, Section 403 (d), the container was so filled as to be misleading since the jars containing the article appeared to contain more sauerkraut than was actually the case; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

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

8770. Adulteration of sauerkraut. U. S. v. 56 Kegs of Sauerkraut. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15346. Sample No. 5982–H.)

LIBEL FILED: March 7, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about February 13, 1945, by Silver Shredded Sauerkraut, from Port Gibson, N. Y.

PRODUCT: 56 kegs, each containing 11 gallons, of sauerkraut at Perth Amboy, N. J.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of the presence of waxy and resinous material.

DISPOSITION: April 4, 1945. Silver Shredded Sauerkraut, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for segregation and denaturing, or destruction, of the unfit portion, under the supervision of the Food and Drug Administration.

8771. Adulteration of canned spinach. U. S. v. 379 Cases of Canned Spinach. Default decree of condemnation and destruction. (F. D. C. No. 15407. Sample No. 22606–H.)

LIBEL FILED: February 20, 1945, Southern District of Iowa.

ALLEGED SHIPMENT: On or about October 10, 1944, by the Clarksville Cooperative Canning Association of Clarksville, Ark., from Kansas City, Mo.

PRODUCT: 379 cases, each containing 24 cans, of spinach at Davenport, Iowa.

LABEL, IN PART: "Golden Valley Spinach Contents 1 lb. 2 Oz."

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

DISPOSITION: April 3, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8772. Adulteration of frozen squash. U. S. v. 65 Cases of Frozen Squash. Default decree of condemnation and destruction. (F. D. C. No. 15447. Sample No. 27328–H.)

LIBEL FILED: March 2, 1945, District of Oregon.

ALLEGED SHIPMENT: On or about January 24, 1945, by the Cedergreen Frozen Pack Corporation, from Wenatchee, Wash.

PRODUCT: 65 30-pound cases of frozen squash at Portland, Oreg.

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

DISPOSITION: April 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.