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

DISPOSITION: February 1 and 8, 1945. The Southland Products Co., claimant for the Washington lot, having consented to the entry of a decree, and the claimant for the Harrisburg lot having withdrawn its claim, judgments of condemnation were entered and the product was ordered destroyed or disposed of as animal feed.

9542. Adulteration and misbranding of vinegar. U. S. v. 43 Cartons of Vinegar. Default decree of condemnation and destruction. (F. D. C. No. 19178. Sample No. 9114-H.)

LIBEL FILED: February 11, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about January 2, 1946, by the Acierno Brothers, Inc., from Brooklyn, N. Y.

PRODUCT: 43 cartons, each containing 12 bottles, of vinegar at Newark, N. J.

LABEL, IN PART: "Contents 1 Quart Zucca Pure Wine Vinegar."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of wine vinegar and distilled vinegar or acetic acid had been substituted in whole or in part for pure wine vinegar; and, Section 402 (b) (4), distilled vinegar or acetic acid had been added to the product and mixed and packed with it so as to reduce its quality or strength.

Misbranding, Section 403 (a), the label statement "Pure Wine Vinegar" was false and misleading; and, Section 403 (e) (2), the label failed to bear an accurate statement of the quantity of the contents since the bottles contained less than 1 quart.

DISPOSITION: March 11, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9543. Adulteration and misbranding of wine vinegar. U. S. v. 17 and 13 Cases of Wine Vinegar. Default decree of condemnation and destruction. (F. D. C. No. 18371. Sample No. 4649-H.)

LIBEL FILED: November 9, 1945, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 14, 1945, by the Muro Importing Co., from Brooklyn, N. Y.

PRODUCT: 17 cases, each containing 12 1-quart bottles, and 13 cases, each containing 24 1-pint bottles, of wine vinegar at Philadelphia, Pa.

LABEL, IN PART: (Bottle) "Muro Pure Wine Vinegar."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of wine vinegar and distilled vinegar or acetic acid had been substituted in whole or in part for pure wine vinegar, which the article was represented to be; and, Section 402 (b) (4), distilled vinegar or acetic acid had been added to the article and mixed and packed with it so as to reduce its quality or strength.

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

DISPOSITION: January 3, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

VEGETABLES AND VEGETABLE PRODUCTS

9544. Adulteration of frozen asparagus. U. S. v. 1,095 Cartons of Frozen Asparagus. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17685. Sample Nos. 16113-H, 16114-H, 16116-H, 16117-H.)

LIBEL FILED: October 10, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: August 9, 1945, by the Midfield Packers, from Tacoma, Wash.

PRODUCT: 932 25-pound cartons and 163 20-pound cartons of frozen asparagus at Chicago, Ill.

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

DISPOSITION: January 8, 1946, Ginocchio Bros., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for the separation of the good portion from the bad, under the supervision of the Food and Drug Administration, and the disposition of both in compliance with the law.