

VEGETABLES AND VEGETABLE PRODUCTS

9942. Adulteration of canned artichoke pulp. U. S. v. San Martin Canning Company. Plea of guilty. Fine, \$100. (F. D. C. No. 20148. Sample No. 29789-H.)

INFORMATION FILED: July 18, 1946, Northern District of California, against the San Martin Canning Co., a partnership, San Martin, Calif.

ALLEGED SHIPMENT: On or about June 20, 1945, from the State of California into the State of Massachusetts.

LABEL, IN PART: "Pony Brand Artichoke Cream Pulp * * * Packed by Bottled Pure Juice Company, Campbell, Calif."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance in that it had undergone chemical decomposition, and it was otherwise unfit for food by having acquired a metallic, astringent taste.

DISPOSITION: August 6, 1946. A plea of guilty having been entered, the defendant was fined \$100.

9943. Adulteration of dried beans. U. S. v. 10 Bags of Dried Beans. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 19737. Sample No. 65201-H.)

LIBEL FILED: May 1, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about January 26, 1946, by Rowe and Kennedy, Inc., from Canaseraga, N. Y.

PRODUCT: 10 100-pound bags of dried beans at Philadelphia, Pa.

LABEL, IN PART: "New York State Grown Choice Hand Picked Eatmore Quality Beans."

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

DISPOSITION: July 26, 1946. Rowe and Kennedy, Inc., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

9944. Adulteration of canned pinto beans. U. S. v. 485 Cases of Canned Pinto Beans (and 2 other seizure actions against canned pinto beans). Default decrees of condemnation. One lot ordered delivered to a Federal institution, for use as hog feed; remaining lots ordered delivered to a charitable institution. (F. D. C. Nos. 19774 to 19776, incl. Sample Nos. 47607-H, 47613-H, 47614-H.)

LIBELS FILED: April 22 and 24, 1946, Western District of Texas.

ALLEGED SHIPMENT: On or about February 7 and 26 and March 7, 1946, by the Domingo Packing Co., Albuquerque, N. Mex.

PRODUCT: 1,570 cases, each containing 24 1-pound, 4-ounce cans, of pinto beans at El Paso, Tex. Examination showed that 200 cases were undergoing bacterial decomposition, and that the remainder of the product contained stones.

LABEL, IN PART: "Domingo Pinto Beans In Chili Sauce."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), (200 cases) the product consisted in whole or in part of a decomposed substance; Section 402 (b) (2), (1,370 cases) stones had been substituted in whole or in part for pinto beans; and, Section 402 (b) (4), stones had been packed with the product so as to reduce its quality.

DISPOSITION: June 25 and July 23, 1946. No claimant having appeared, judgments of condemnation were entered and the 200 cases containing the decomposed substance were ordered delivered to a Federal institution, for use as hog feed, and the remaining lots were ordered delivered to charitable institutions.

9945. Adulteration of canned pork and beans. U. S. v. 228 Cases of Canned Pork and Beans. Default decree of destruction. (F. D. C. No. 19820. Sample No. 14364-H.)

LIBEL FILED: May 3, 1946, Southern District of Ohio.

ALLEGED SHIPMENT: On or about December 21, 1945, by the Illinois Canning Co., Hoopston, Ill.

PRODUCT: 228 cases, each containing 24 1-pound, 3-ounce cans, of pork and beans at Cincinnati, Ohio. Examination showed that the product was sour.

LABEL, IN PART: "Joan of Arc Pork and Beans With Tomato Sauce."

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

DISPOSITION: June 19, 1946. No claimant having appeared, judgment was entered ordering the product destroyed.

9946. Adulteration of canned string beans. U. S. v. 244 Cases of Canned String Beans. Default decree of condemnation and destruction. (F. D. C. No. 19937. Sample No. 65311-H.)

LABEL FILED: May 17, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about August 13, 1943, by the Phillips Sales Co., Inc., from Cambridge, Md.

PRODUCT: 244 cases, each containing 24 1-pound, 3-ounce cans, of string beans at Philadelphia, Pa.

LABEL, IN PART: "Choptank Stringless Beans."

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

DISPOSITION: August 14, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9947. Adulteration of canned bean sprouts. U. S. v. 20 Cases of Canned Bean Sprouts. Default decree of condemnation and destruction. (F. D. C. No. 20399. Sample No. 40433-H.)

LABEL FILED: On or about July 19, 1946, Southern District of Illinois.

ALLEGED SHIPMENT: On or about December 21, 1945, by La Choy Food Products, Division of Beatrice Creamery, Archbold, Ohio.

PRODUCT: 20 cases, each containing 6 6-pound cans, of bean sprouts at Granite City, Ill.

LABEL, IN PART: "La Choy Bean Sprouts."

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

DISPOSITION: August 14, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9948. Adulteration of canned cut beets. U. S. v. 37 Cases of Canned Cut Beets. Default decree of condemnation and destruction. (F. D. C. No. 19750. Sample No. 65304-H.)

LABEL FILED: On or about May 8, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about November 9, 1945, by George S. Washington and Sons, from Philadelphia, Pa.

PRODUCT: 37 cases, each containing 24 1-pound, 4-ounce cans, of cut beets at Atlantic City, N. J.

LABEL, IN PART: "Burns Cut Beets * * * Packed by Alton Canning Company, Inc. Alton, N. Y."

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

DISPOSITION: June 7, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9949. Misbranding of canned mushrooms. U. S. v. 7 Cases of Canned Mushrooms. Default decree of condemnation. Product ordered delivered to a charitable organization. (F. D. C. 20273. Sample No. 65509-H.)

LABEL FILED: On or about July 2, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about April 20, 1946, by Food Fair, Incorporated, from Philadelphia, Pa.

PRODUCT: 7 cases, each containing 24 4-ounce cans, of mushrooms at Collingswood, N. J.

LABEL, IN PART: "Mushrooms Fancy Buttons Quaker State Brand * * * Grown and Packed by J. B. Swayne & Son Kennett Square, Pennsylvania."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation "Mushrooms Fancy Buttons" and the vignette depicting fancy button mushrooms were false and misleading since the product was not fancy button mushrooms by reason of excessively long stems and spotted or dark units.