

24239. Dried peas. (F. D. C. No. 40629. S. No. 84-706 M.)

QUANTITY: 277 100-lb. bags at Chicago, Ill., in possession of Benson Fish Co., Inc.

SHIPPED: 9-28-56, from Spokane, Wash.

LIBELED: 9-5-57, N. Dist. Ill.

CHARGE: 402 (a) (3)—contained rodent urine; and 402 (a) (4)—held under insanitary conditions.

DISPOSITION: 9-16-57. Consent—claimed by Benson Fish Co. Inc. The article was cleaned and packed into new bags so as to be brought into compliance with the law.

24240. Canned mushrooms. (F. D. C. No. 40243. S. No. 53-263 M.)

QUANTITY: 24 cases, 24 cans each, at Dallas, Tex.

SHIPPED: 2-12-57, from Chace, France, by Etablissements Blanchaud.

LABEL IN PART: (Can) "Royalty Brand Mushrooms * * * Drained Weight 8 Oz. Pieces and Stems Product of France."

LIBELED: 5-14-57, N. Dist. Tex.

CHARGE: 402 (a) (3)—contained a decomposed substance when shipped.

DISPOSITION: 6-17-57. Default—delivered to a Federal institution, for use as animal feed.

24241. Canned mushrooms. (F. D. C. No. 40326. S. Nos. 25-647/9 M.)

QUANTITY: 195 cases, 24 cans each and 61 cases, 24 cans each, at Portland, Harbor, Roseburg, Eugene, and Klamath Falls, Oreg.

SHIPPED: Between 12-22-55 and 2-20-57, from Hudson, N. Y., by Pacific Coast Merchandise Co.

LABEL IN PART: (Can) "S S & G Chopped Mushrooms Net Weight 8 Ozs," "Knaust's Cavern Sliced Mushrooms * * * Drained Wgt. 1 Lb. Net Avd," and "Knaust's Cavern Pieces and Stems Mushrooms * * * Drained Wgt. 1 Lb. Net Avd."

LIBELED: 7-1-57, Dist. Oreg.

CHARGE: 403 (a)—the statement "Drained Wgt. 1 Lb. Net Avd" on the label of the 61 case lot, when shipped, was false and misleading as applied to a product which contained less than 1 lb. drained weight avoirdupois; and 403 (b) (2)—all lots of the article purported to be and were represented as canned mushrooms, a food for which a standard of fill of container had been prescribed by regulations, and the article fell below such standard since the weight of the drained mushrooms in the container was less than that prescribed by the regulations, and the label of the article failed to bear a statement that it fell below such standard.

DISPOSITION: 11-4-57. Default—delivered to public and charitable institutions for their use.

OILS AND FATS

24242. Olive oil. (F. D. C. No. 40177. S. No. 61-266 M.)

QUANTITY: 8 1-gal. cans at Somerville, Mass.

SHIPPED: A quantity of cottonseed oil was shipped from Philadelphia, Pa., and Chattanooga, Tenn., to the Marconi Olive Oil Co., at Boston, Mass.,

where it was used in the manufacture of a product consisting of a mixture of cottonseed oil with little or no olive oil. Such product was shipped by the Marconi Olive Oil Co., to Somerville, Mass., in cans labeled as described below.

LABEL IN PART: (Can) "One Gallon Imported Product 100% Pure Olive Oil Marconi Brand Packed by Marconi Olive Oil Co."

LIBELED: 4-24-57, Dist. Mass.

CHARGE: 402 (b) (2)—while the article was held for sale, cottonseed oil with little or no olive oil had been substituted for olive oil; 402 (b) (4)—cottonseed oil had been added to the article or mixed or packed with it so as to increase its bulk or weight and reduce its quality; and 403 (a)—the label statement "Imported Product * * * Pure Olive Oil" was false and misleading.

DISPOSITION: 6-3-57. Default—delivered to a charitable institution for its use, and not for sale.

24243. Olive oil. (F. D. C. No. 40554. S. No. 68-653 M.)

QUANTITY: 9 cases, 6 cans each, at Brooklyn, N. Y.

SHIPPED: 5-7-57, from West New York, N. J., by Lionelli Packing Co.

LABEL IN PART: (Can) "One Gallon Net Imported Produce Lionelli Superfine Olive Oil Guaranteed 100% Pure."

RESULTS OF INVESTIGATION: Examination showed that the article was short volume.

LIBELED: 8-12-57, E. Dist. N. Y.

CHARGE: 403 (e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 10-25-57. Default—delivered to a charitable institution for its use, and not for sale.

24244. Hydrogenated cottonseed oil. (F. D. C. No. 40540. S. No. 64-387 M.)

QUANTITY: 63 400-lb. drums at Coraopolis, Pa.

SHIPPED: Between November, 1956 and January 24, 1957, from East St. Louis, Ill.

LIBELED: 8-9-57, W. Dist. Pa.

CHARGE: 402 (a) (3)—contained paint flakes, metal particles, dirt, insect parts, rodent hairs, and rodent excreta pellets while held for sale.

DISPOSITION: 10-25-57. Consent—claimed by A. C. Co., Coraopolis, Pa., and converted into inedible rendered grease.

24245. Edible oil. (F. D. C. No. 40619. S. No. 72-206 M.)

QUANTITY: 3 cases, each containing 6 cans, and 6 additional cans at Benton Harbor, Mich.

SHIPPED: 7-10-57, from Chicago, Ill., by Chicago Macaroni & Food Products Co.

LABEL IN PART: (Case) "6-1 Gal. Italy Brand Table Oil Blend * * * 20% Olive Oil 80% Corn Oil," and (can) "One Gallon * * * Italy Brand * * * Table Oil * * * An excellent composition of eighty per cent corn oil and twenty per cent imported olive oil guaranteed."

RESULTS OF INVESTIGATION: Examination showed that the article was vegetable oil with little or no olive oil present.

LIBELED: 8-28-57, W. Dist. Mich.