Misbranding, Section 403 (a), the label statements, "Pure Wine Vinegar * * * We guarantee this product to be made from pure wine," were false and misleading.

DISPOSITION: November 21, 1946. Pleas of guilty having been entered on behalf of the defendants, the court imposed a total fine of $500.

CANNED VEGETABLES

11649. Adulteration and misbranding of canned asparagus. U. S. v. 248 Cases * * *. (F. D. C. No. 20783. Sample No. 46918–H.)

LIBEL FILED: September 12, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about August 5, 1946, by the Consolidated Freight Forwarding Co., from Oakland, Calif.

PRODUCT: 248 cases, each containing 24 1-pound, 2-ounce cans, of asparagus at Winona, Minnesota. The product consisted of the tough, fibrous, and inedible parts of asparagus. The regulations require that the product shall consist of the edible portions of asparagus sprouts from which the tips have been removed.

LABEL, IN PART: "Exposition Brand All Green and White—Cuts—Tips Removed Asparagus Packed for Parrott & Co. San Francisco California."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), tough, fibrous, and inedible parts of asparagus had been substituted in whole or in part for asparagus cuts, tips removed.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for canned asparagus cuts, tips removed.

DISPOSITION: May 15, 1947. No claimant having appeared, judgment was entered ordering the product denatured and disposed of as animal feed; otherwise, it was to be destroyed.

11650. Adulteration and misbranding of canned asparagus. U. S. v. 74 Cases * * *. (F. D. C. No. 20782. Sample No. 45692–H.)

LIBEL FILED: September 24, 1946, District of Puerto Rico.

ALLEGED SHIPMENT: On or about August 9, 1946, by Del Valle, Kahman & Co., from San Francisco, Calif.

PRODUCT: 74 cases, each containing 24 1-pound, 3-ounce cans, of asparagus at Mayaguez, P. R.

LABEL, IN PART: "Fairplay Brand White Cuts—Tips Removed Asparagus * * * Packed for Parrott & Co. San Francisco California."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), tough, fibrous, and inedible parts of asparagus had been substituted in whole or in part for asparagus cuts, tips removed, which the article was represented to be.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for canned asparagus, which requires that asparagus cuts, tips removed, shall be the edible portion of asparagus sprouts from which the tips have been removed, cut in pieces. The article consisted in whole or in part of tough, fibrous, and inedible parts of asparagus.

DISPOSITION: October 22, 1946. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

11651. Adulteration and misbranding of canned beans with pork. U. S. v. 82 Cases * * *. (F. D. C. No. 20833. Sample No. 35000–H.)

LIBEL FILED: August 30, 1946, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about July 3, 1946, by the Northwestern Canning & Packing Co., from Seffner, Fla.

PRODUCT: 82 cases, each containing 6 6-pound, 12-ounce cans, of beans with pork at St. Louis, Mo.

LABEL, IN PART: "Old Glory Brand Beans and Pork with Tomato Sauce."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, pork, had been in whole or in part omitted from the article; and, Section 402 (b) (2), an article containing a small piece of inedible pork or bacon rind had been substituted in whole or in part for beans and pork with tomato sauce.

Misbranding, Section 403 (a), the picture on the label of a dish of beans showing a substantial amount of pork, and the designation "Beans and Pork