

Misbranding, Section 403 (a), the label statements, "Pure Wine Vinegar * * * We guarantee this product to be made from pure wine," were false and misleading as applied to a mixture of wine vinegar and distilled vinegar or acetic acid.

DISPOSITION: November 14 and December 17 and 18, 1945. No claimant having appeared for any of the 3 lots, judgments of condemnation were entered and the product was ordered destroyed.

The containers of the New Haven lot were ordered salvaged, by amended decree dated November 16, 1945.

VEGETABLES AND VEGETABLE PRODUCTS

10159. Adulteration of canned beans. U. S. v. 61 Cases of Canned Beans. Default decree of condemnation and destruction. (F. D. C. No. 17350. Sample No. 7701-H.)

LABEL FILED: On or about September 10, 1945, District of Connecticut.

ALLEGED SHIPMENT: On or about January 20, 1945, by the Mason Canning Co., from Pocomoke City, Md.

PRODUCT: 61 cases, each containing 6 6-pound, 5-ounce cans, of wax beans at Hartford, Conn. This product was undergoing progressive spoilage.

LABEL, IN PART: "Connecticut Valley Brand Round Pod Cut Wax Beans."

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

DISPOSITION: November 14, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10160. Adulteration of canned pork and beans. U. S. v. 22 Cases of Canned Pork and Beans. Default decree of condemnation and destruction. (F. D. C. No. 17319. Sample No. 4267-H.)

LABEL FILED: August 27, 1945, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 29, 1945, by the Edgar F. Hurff Co., from Swedesboro, N. J.

PRODUCT: 22 cases, each containing 24 20-ounce unlabeled cans, of pork and beans at Philadelphia, Pa.

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

DISPOSITION: September 25, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

10161. Adulteration of canned corn. U. S. v. 49 Cases of Canned Corn (and 2 other seizure actions against canned corn). Default decrees of condemnation and destruction. (F. D. C. Nos. 16803, 16997, 17154. Sample Nos. 27275-H, 27847-H, 36262-H.)

LABELS FILED: July 18, August 20, and September 11, 1945, District of Oregon.

ALLEGED SHIPMENT: On or about August 20 and 25, 1944, and July 25, 1945, by the Pacific Fruit and Produce Co., from Walla Walla, Centralia, and Aberdeen, Wash.

PRODUCT: 49 cases, 20 cases, and 36 cases, each containing 24 1-pound, 4-ounce cans, of corn at La Grande, Baker, and Portland, Oreg., respectively.

LABEL, IN PART: "Nation's Garden Brand Cream Style Golden Sweet Corn."

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

DISPOSITION: August 8 and October 4, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

10162. Adulteration of green split peas. U. S. v. 185 Bags of Green Split Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17430. Sample No. 12950-H.)

LABEL FILED: September 6, 1945, Southern District of Ohio.

ALLEGED SHIPMENT: On or about December 9, 1944, from Lewiston, Idaho.

PRODUCT: 185 25-pound bags of green split peas at Cincinnati, Ohio, in the possession of Baltimore and Ohio Warehouse. The product was stored under

insanitary conditions after shipment. Some of the bags were rodent-gnawed, and urine stains were observed on them. Examination showed that the product contained rodent pellets, rodent hairs, and larvae.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 20, 1945. Mark Means Co., Lewiston, Idaho, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion that had been contaminated by rodents be segregated and disposed of for purposes other than human food, and that the remainder be cleaned under the supervision of the Food and Drug Administration.

10163. Misbranding of canned peas. U. S. v. 1,500 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17629. Sample No. 6174-H.)

LABEL FILED: October 4, 1945, Eastern District of New York.

ALLEGED SHIPMENT: On or about July 31, 1945, by the Deerfield Packing Corporation, from Seabrook, N. J.

PRODUCT: 1,500 cases, each containing 24 1-pound, 4-ounce cans, of peas at Brooklyn, N. Y. The product was substandard because of alcohol-insoluble solids in excess of 21 percent. The substandard statement was not in the form specified in the regulations since it did not read "Below Standard in Quality," and it was not so placed as to be easily read but appeared on a side panel.

LABEL, IN PART: "Songstress Brand Sweet Peas [Picture of green peas in the pod] * * * Below Standard in Maturity."

NATURE OF CHARGE: Misbranding, Section 403 (a), the vignette of green peas in the pod appearing on the label was misleading since the peas were not a normal green color but were lighter and had more of a yellow hue; and, Section 403 (h) (1), the product was below standard, and its label failed to bear in the manner and form required by the regulations a statement that it fell below such standard.

DISPOSITION: November 1, 1945, the Deerfield Packing Corporation, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

10164. Misbranding of canned peas. U. S. v. 800 and 340 Cases of Canned Peas. Consent decrees of condemnation. Product released under bond. (F. D. C. Nos. 17466, 17467. Sample Nos. 22190-H, 22191-H.)

LABELS FILED: September 13, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about August 3, 1945, by the Geidel Canneries, Inc., from Adell, Wisconsin.

PRODUCT: 1,140 cases, each containing 24 20-ounce cans, of peas at St. Louis, Mo.

LABEL, IN PART: "Ransom. Size 4 Early June Peas," or "Highland Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was substandard.

DISPOSITION: November 1, 1945, The Geidel Canneries, Inc., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

10165. Misbranding of canned peas. U. S. v. 400 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17642. Sample No. 7350-H.)

LABEL FILED: October 10, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about July 16, 1945, by the Lake Shore Canning Co., from Cleveland, Wis.