

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the label failed to bear an accurate statement of the quantity of the contents since the drained net weight of the product was less than that declared; and, Section 403 (a), the statement "Mushrooms Fancy Buttons," together with a vignette of mushroom buttons on the cans in two of the shipments, and the statement "Fancy Buttons * * * Mushrooms" on the cartons in one of the stated shipments, were false and misleading since the article consisted of mushroom buttons not of fancy quality, because of blemished units, long stems, and (in some instances) variation in the size of the mushroom buttons.

DISPOSITION: March 20, 1947. Pleas of nolo contendere having been entered, the court imposed a fine of \$250 on each of the 4 counts against the corporation and fined the individual \$100, a total fine of \$1,100.

11790. Misbranding of fresh mushrooms. U. S. v. John Accorsi. Plea of guilty. Fine, \$50. (F. D. C. No. 21526. Sample Nos. 5518-H, 5527-H.)

INFORMATION FILED: February 7, 1947, District of Delaware, against John Accorsi, Hockessin, Del.

ALLEGED SHIPMENT: On or about April 17 and May 1, 1946, from the State of Delaware into the States of New York and Pennsylvania.

LABEL, IN PART: "Special Mushrooms 3 Lbs. Net."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the baskets of mushrooms bore the statement "3 Lbs. Net," but contained less than 3 pounds net of the product.

DISPOSITION: February 25, 1947. A plea of guilty having been entered, the court imposed a fine of \$50 against the defendant.

11791. Misbranding of fresh mushrooms. U. S. v. Leo Furia. Plea of guilty. Fine, \$250. (F. D. C. No. 21491. Sample No. 5523-H.)

LABEL FILED: December 5, 1946, Eastern District of Pennsylvania, against Leo Furia, Kennett Square, Pa.

ALLEGED SHIPMENT: On or about April 24, 1946, from the State of Pennsylvania into the State of New York.

LABEL, IN PART: (Baskets) "Mushrooms 3 Lbs. Net."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the baskets bore the statement "3 Lbs. Net," but contained less than 3 pounds net of the product.

DISPOSITION: February 17, 1947. The defendant having entered a plea of guilty, the court imposed a fine of \$250.

11792. Misbranding of fresh mushrooms. U. S. v. Joseph Teti. Plea of nolo contendere. Fine, \$300. (F. D. C. No. 21507. Sample Nos. 5516-H, 5524-H, 5528-H.)

INFORMATION FILED: January 21, 1947, Eastern District of Pennsylvania, against Joseph Teti, Toughkenamon, Pa.

ALLEGED SHIPMENT: On or about April 16 and 24 and May 1, 1946, from the State of Pennsylvania into the State of New York.

LABEL, IN PART: (Portion) "3 Lb. Net Mushrooms Joseph Teti Special."

NATURE OF CHARGE: Misbranding, Section 402 (e) (2), the article was in package form and failed to bear a label containing an accurate statement of the quantity of the contents since the baskets either bore the statements "3 Lb. Net" and contained less than 3 pounds net, or bore no label containing a statement of the quantity of the contents.

DISPOSITION: March 7, 1947. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$100 on each of the 3 counts.

11793. Adulteration of canned mustard greens and canned turnip greens. U. S. v. 236 Cases * * *. (F. D. C. No. 21328. Sample Nos. 49592-H, 49593-H.)

LABEL FILED: October 15, 1946, Eastern District of Texas.

ALLEGED SHIPMENT: On or about June 29, 1946, by the Hinton Food Products Co., from Rogers, Ark.