

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of maggots.

**DISPOSITION:** November 14, 1947. A plea of guilty having been entered, the defendant was fined \$1,500.

**13138. Adulteration of fig paste and figs. U. S. v. Roeding Fig Co. Plea of guilty. Fine of \$250 on each of counts 1 and 2; suspended sentence on count 3.** (F. D. C. No. 21561. Sample Nos. 5710-H, 14858-H, 21579-H.)

**INFORMATION FILED:** October 7, 1947, Southern District of California, against the Roeding Fig Co., Fresno, Calif.

**ALLEGED SHIPMENT:** On or about January 12, November 14, and December 7, 1945, from the State of California into the States of Illinois, New Jersey, and Nebraska.

**LABEL, IN PART:** "Mecca Brand Fig Paste," or "Arabian Brand White Figs."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the fig paste consisted in part of a filthy substance by reason of the presence of whole insects, insect heads, larvae, larvae heads, worm fragments, and insect fragments; the figs consisted in part of a filthy and decomposed substance by reason of the presence of insect-infested, moldy, and sour figs.

**DISPOSITION:** October 20, 1947. A plea of guilty having been entered on behalf of the defendant, a fine of \$250 on each of counts 1 and 2 was imposed. Sentence was suspended on count 3 for 3 years, conditioned that there be no further violation of the Federal Food, Drug, and Cosmetic Act.

**13139. Adulteration of spiced olives. U. S. v. 9 Cases, etc.** (F. D. C. No. 24014. Sample Nos. 36514-K to 36516-K, incl., 36519-K.)

**LABEL FILED:** December 16, 1947, District of Oregon.

**ALLEGED SHIPMENT:** On or about August 16, 1946, by the Globe Sales Co., from San Francisco, Calif.

**PRODUCT:** 549 cases, each containing 24 9-ounce jars, of olives at Portland, Oreg.

**LABEL, IN PART:** "Valley Bloom \* \* \* Natural Ripe Calimata Style California Spiced Olives [or "Ripe Calimata Style Spiced Olives," or "Calispice California Green Olives Spiced"]."

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

**DISPOSITION:** April 6, 1948. \* Default decree of condemnation and destruction.

**13140. Adulteration of watermelon rind pickle. U. S. v. 39 Cartons \* \* \*.** (F. D. C. No. 22749. Sample No. 64283-H.)

**LABEL FILED:** April 2, 1947, Southern District of New York.

**ALLEGED SHIPMENT:** On or about August 16 and 17, 1946, by the Gerry & Charles Co., from St. Petersburg, Fla.

**PRODUCT:** 39 cartons, each containing 12 1-pound, 9-ounce jars, of watermelon rind pickle at New York, N. Y.

**LABEL, IN PART:** "Sunshine Pickled Watermelon Rind."

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

**DISPOSITION:** April 23, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**13141. Adulteration and misbranding of wine vinegar. U. S. v. Anthony Grieco (Paramount Vinegar Sales Co.). Plea of guilty. Fine, \$300.** (F. D. C. No. 22033. Sample Nos. 5320-H, 6537-H, 42834-H, 42835-H.)

**INFORMATION FILED:** November 17, 1947, Southern District of New York, against Anthony Grieco, trading as the Paramount Vinegar Sales Co., New York, N. Y.

**ALLEGED SHIPMENT:** On or about March 20 and 26 and April 16, 1946, from the State of New York into the States of New Jersey, Maryland, and Pennsylvania.

**LABEL, IN PART:** "Quality Paramount Brand \* \* \* Pure Wine Vinegar."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a mixture consisting mainly of distilled vinegar had been substituted in whole or in part for wine vinegar; and, Section 402 (b) (4), distilled vinegar or acetic acid had been mixed and packed with the article so as to reduce its quality and strength.

Misbranding, Section 403 (a), the label statement "Pure Wine Vinegar" was false and misleading, since the product did not consist entirely of wine vinegar but consisted of a mixture comprised mainly of distilled vinegar.

**DISPOSITION:** November 20, 1947. A plea of guilty having been entered, the defendant was fined \$300.

#### VEGETABLES AND VEGETABLE PRODUCTS

**13142. Misbranding of frozen asparagus. U. S. v. 25 Cases \* \* \*. (F. D. C. No. 24215. Sample No. 4136-K.)**

**LIBEL FILED:** December 26, 1947, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about February 6, 1947, by Atlas Foods, Inc., from New York, N.Y.

**PRODUCT:** 25 cases, each containing 36 12-ounce boxes, of frozen asparagus at Boston, Mass.

**LABEL, IN PART:** "Berry Brand Asparagus \* \* \* Marvin Berry Co. \* \* \* Bakersfield, California."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the vignette on the label depicting whole asparagus spears was false and misleading, since the product consisted of either asparagus spears cut in short pieces, or cut lower portions of asparagus stalks with tips mostly removed.

**DISPOSITION:** March 1, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution.

**13143. Adulteration of canned green beans. U. S. v. Alma Canning Co. Plea of nolo contendere. Fine, \$100. (F. D. C. No. 23295. Sample Nos. 38594-H, 38595-H.)**

**INFORMATION FILED:** July 11, 1947, Western District of Arkansas, against the Alma Canning Co., a corporation, Alma, Ark.

**ALLEGED SHIPMENT:** On or about October 12, 1946, from the State of Arkansas into the State of Illinois.

**LABEL, IN PART:** "Alma Select Whole Green Beans Blue Lake," or "Alma Brand Extra Standard Whole Green Beans."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of worms, insect excreta, and insect-damaged beans.

**DISPOSITION:** November 5, 1947. A plea of nolo contendere having been entered, the defendant was fined \$100.

**13144. Adulteration of canned corn. U. S. v. 176 Cases \* \* \*. (F. D. C. No. 24361. Sample Nos. 9367-K, 9368-K.)**

**LIBEL FILED:** March 4, 1948, Southern District of New York.

**ALLEGED SHIPMENT:** On or about December 16, 1947, by Libby, McNeill & Libby, from Chicago, Ill.

**PRODUCT:** 176 cases, each containing 24 1-pound, 4-ounce cans, of corn at Bronx, N.Y.

**LABEL, IN PART:** "Libby's Country Gentleman White Sweet Corn Cream Style."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments.

**DISPOSITION:** March 30, 1948. Default decree of condemnation and destruction.

**13145. Adulteration of canned mustard greens. U. S. v. 45 Cases \* \* \*. (F. D. C. No. 24451. Sample No. 22832-K.)**

**LIBEL FILED:** February 25, 1948, Western District of Louisiana.