NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. The product was adulterated while held for sale after shipment in interstate commerce. (Examination showed that the product was undergoing chemical decomposition.)

DISPOSITION: August 31, 1948. Default decree of condemnation and destruction.

13466. Adulteration of frozen broccoli. U. S. v. 500 Cases * * *. (F. D. C. No. 22284. Sample No. 3980–H.)

LIBEL FILED: February 17, 1947, District of New Jersey.

ALLEGED SHIPMENT: On or about December 11, 1946, by the R. D. Bodle Co., from Seattle, Wash.

PRODUCT: 500 cases, each containing 24 10-ounce packages, of frozen broccoli at Camden, N. J.

LABEL, IN PART: "Penguin Brand Frozen Fresh Green Broccoli * * * Packed by Washington Frosted Foods, Inc., Seattle, Wash."

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 aphids, thrips, larvae, and insect fragments.

DISPOSITION: June 30, 1947. The R. D. Bodle Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation of the fit from the unfit portion, under the supervision of the Food and Drug Administration. Of the seized goods, 24½ cases and 2 10-ounce packages were released and the remainder was destroyed.

13467. Adulteration of canned corn. U. S. v. 141 Cases, etc. (F. D. C. No. 25113. Sample Nos. 2725–K, 2726–K.)

LIBEL FILED: July 22, 1948, District of Columbia.

ALLEGED SHIPMENT: On or about May 25, 1948, by the Monocacy Valley Canning Co., from Frederick, Md.

PRODUCT: 190 cases, each containing 24 1-pound, 4-ounce cans, of corn at Washington, D. C.

LABEL, IN PART: "Monocacy Valley Brand Cream Style Golden Sweet Corn," or "Indian Spring Brand Cream Style White Sugar Corn."

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

DISPOSITION: August 18, 1948. Default decree of condemnation. The product was ordered released for the use of the National Zoological Park.

13468. Adulteration of canned corn. U. S. v. 54 Cases * * *. (F. D. C. No. 24639. Sample No. 28039–K.)

LIBEL FILED: May 20, 1948, District of Colorado.

ALLEGED SHIPMENT: On or about April 26, 1948, by the Box Elder Packing Corp., from Brigham City, Utah.

PRODUCT: 54 cases, each containing 24 cans, of corn at Denver, Colo.

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

DISPOSITION: July 12, 1948. The shipper having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

TOMATOES AND TOMATO PRODUCTS

13469. Adulteration and misbranding of canned tomatoes. U. S. v. Clarence T. Smith (Smith Canning Co.). Plea of nolo contendere. Fine, $1,200. (F. D. C. No. 23220. Sample Nos. 24997–H, 40504–H, 49195–H, 51772–H.)

INFORMATION FILED: September 9, 1947, Western District of Arkansas, against Clarence T. Smith, trading as the Smith Canning Co., Fayetteville, Ark.

ALLEGED SHIPMENT: On or about August 3 and 16 and September 2 and 16, 1946, from the State of Arkansas into the States of Texas, Missouri, and Minnesota.

LABEL, IN PART: (Portion) "Big Smith Brand * * * Tomatoes Distributed by Smith Canning Company Fayetteville, Arkansas." The remainder of the product was shipped unlabeled and invoiced as "Tomatoes."