

Syrup," whereas the article was packed in sirup designated as "light sirup" in the regulation.

Further misbranding, Section 403 (h) (2), the article fell below the standard of fill of container for canned peaches since the cans did not contain the maximum quantity of peach halves which could be sealed in the container and processed by heat to prevent spoilage, without crushing or breaking such ingredient, as specified by the standard; and the label failed to bear a statement that the article fell below such standard.

DISPOSITION: November 23, 1949. The Puccinelli Packing Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Food and Drug Administration.

FROZEN FRUIT

15684. Adulteration of frozen strawberries. U. S. v. 39 Cans * * *. (F. D. C. No. 27628. Sample No. 8650-K.)

LIBEL FILED: August 11, 1949, Southern District of New York.

ALLEGED SHIPMENT: On or about May 23, 1949, by the Bateman Frozen Foods Co., from Macon, Ga.

PRODUCT: 39 25-pound cans of frozen strawberries at New York, N. Y.

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

DISPOSITION: December 19, 1949. Default decree of condemnation and destruction.

MISCELLANEOUS FRUIT PRODUCT

15685. Adulteration of black raspberry puree. U. S. v. 300 Cans * * *. (F. D. C. No. 27885. Sample No. 42852-K.)

LIBEL FILED: October 10, 1949, Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 11 and 24, 1949, by the Sodus Fruit Exchange, from Sodus, Mich.

PRODUCT: 300 30-pound cans of black raspberry puree at Evanston, Ill.

LABEL, IN PART: "Frozen Black Raspberry Puree Sugar Added."

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

DISPOSITION: November 10, 1949. Default decree of condemnation and destruction.

VEGETABLES AND VEGETABLE PRODUCTS

15686. Misbranding of fresh mushrooms. U. S. v. Joseph Teti (Joseph Teti & Son). Plea of nolo contendere. Fine, \$500. (F. D. C. No. 27519. Sample Nos. 13503-K, 13507-K.)

INFORMATION FILED: October 10, 1949, Eastern District of Pennsylvania, against Joseph Teti, trading as Joseph Teti & Son, Toughkenamon, Pa.

ALLEGED SHIPMENT: On or about April 20 and 21, 1949, from the State of Pennsylvania into the State of New York.

LABEL, IN PART: "3 Lb. Net Mushrooms Joseph Teti & Son."

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 contained less than the declared weight of 3 pounds.

DISPOSITION: January 16, 1950. A plea of nolo contendere having been entered, the court fined the defendant \$500.

15687. Adulteration of canned black-eyed peas. U. S. v. 113 Cases * * * (F. D. C. No. 27732. Sample No. 52312-K.)

LIBEL FILED: August 31, 1949, Middle District of Tennessee.

ALLEGED SHIPMENT: On or about August 2, 1949, by J. W. Wood, Lynchburg, Va., and H. L. Lawson & Sons, Roanoke, Va.

PRODUCT: 113 cases, each containing 24 1-pound, 4-ounce cans, of black-eyed peas at Hohenwald, Tenn.

LABEL, IN PART: "LaRue * * * Blackeyed Peas."

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

DISPOSITION: December 29, 1949. Default decree of destruction.

15688. Adulteration of potato chips and pecans. U. S. v. James P. Bush (Bush & Long Potato Chip Co.). Plea of guilty. Fine, \$150. (F. D. C. No. 27513. Sample Nos. 49432-K, 49437-K.)

INFORMATION FILED: August 24, 1949, Western District of Texas, against James P. Bush, trading as the Bush & Long Potato Chip Co., El Paso, Tex.

ALLEGED SHIPMENT: On or about May 14 and 18, 1949, from the State of Texas into the State of New Mexico.

LABEL, IN PART: (Bags) "Bush's Fresh Pecans * * * Net Weight 4 oz." and "Longhorn Potato Chips Net Weight 8 oz."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the products failed to bear labels containing an accurate statement of the quantity of the contents since the bags of pecans contained less than the declared 4 ounces and the bags of potato chips contained less than the declared 8 ounces.

DISPOSITION: January 11, 1950. A plea of guilty having been entered, the court fined the defendant \$150.

TOMATOES AND TOMATO PRODUCTS*

15689. Adulteration of canned tomatoes. U. S. v. Frank I. Mease (Reeds Spring Canning Co.). Plea of guilty. Sentence of 1 year in jail suspended and defendant placed on probation for 2 years. (F. D. C. No. 26813. Sample Nos. 20437-K, 27660-K, 27663-K.)

INFORMATION FILED: July 19, 1949, Western District of Missouri, against Frank I. Mease, trading as Reeds Spring Canning Co., Reeds Spring, Mo.

ALLEGED SHIPMENT: On or about September 15, 16, and 29, 1948, from the State of Missouri into the States of Arkansas and Kansas.

LABEL, IN PART: "Big League [or "Cheerio Brand" or "Red Raven"] Hand Packed Tomatoes."

*See also Nos. 15653-15655.