

**DRIED FRUIT**

**17228. Misbranding of dried pitted dates. U. S. v. 11 Cases \* \* \*. (F. D. C. No. 30391. Sample No. 4793-L.)**

**LABEL FILED:** On or about February 2, 1951, District of Rhode Island.

**ALLEGED SHIPMENT:** On or about December 12, 1950, by National Date Co., Inc., from Boston, Mass.

**PRODUCT:** 11 cases, each containing 24 packages, of dried pitted dates at West Warwick, R. I.

**LABEL, IN PART:** (Package) "Valley Farm Brand Pasteurized Pitted Dates Net Wt. 7¼ Oz."

**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. (The article was short of the declared weight.)

**DISPOSITION:** March 27, 1951. Default decree of condemnation. The court ordered that the product be delivered to public or charitable institutions.

**VEGETABLES**

**17229. Adulteration of canned kidney beans. U. S. v. 21 Cases \* \* \*. F. D. C. No. 30154. Sample No. 90123-K.)**

**LABEL FILED:** On or about November 21, 1950, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about September 22, 1950, by the Norfolk Packing Co., from Plattsmouth, Nebr.

**PRODUCT:** 21 cases, each containing 48 11-ounce cans, of kidney beans at Kansas City, Mo.

**LABEL, IN PART:** (Can) "Summer Girl Brand Red Kidney Beans."

**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 insects, insect parts, and rodent hairs.

**DISPOSITION:** On January 24, 1951, the court ordered that the product be destroyed. On or about February 7, 1951, the order was amended to provide for delivery of the product to the Municipal Farm, for use as hog feed.

**17230. Misbranding of canned carrots and peas. U. S. v. 80 Cases \* \* \*. (F. D. C. No. 30438. Sample No. 23151-L.)**

**LABEL FILED:** February 15, 1951, Southern District of New York.

**ALLEGED SHIPMENT:** On or about December 27, 1950, by Charles G. Summers, Jr., Inc., from New Freedom, Pa.

**PRODUCT:** 80 cases, each containing 24 1-pound, 4-ounce cans, of carrots and peas at Bronx, N. Y.

**LABEL, IN PART:** "Tremont Carrots and Peas."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the vignette which appeared on the label was false and misleading since it depicted the presence of green peas in the container, whereas many of the peas in the container were white.

Further misbranding, Section 403 (a), the label designation "Carrots and Peas" was misleading since it failed to reveal the material fact that the peas contained therein were hard and mealy and failed to meet the standard of quality for canned peas.

**DISPOSITION:** March 9, 1951. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

**17231. Adulteration of canned black-eyed peas. U. S. v. 686 Cases \* \* \*  
(F. D. C. No. 30185. Sample No. 78016-K.)**

**LIBEL FILED:** December 4, 1950, Western District of Tennessee.

**ALLEGED SHIPMENT:** Between the approximate dates of July 26 and October 5, 1950, by the Thomas & Drake Canning Co., from Haskell, Okla.

**PRODUCT:** 686 cases, each containing 24 1-pound, 4-ounce cans, of black-eyed peas at Memphis, Tenn.

**LABEL, IN PART:** (Can) "Black Eye Peas Lahoma."

**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 worms.

**DISPOSITION:** January 24, 1951. Default decree of condemnation. The court ordered that the product be delivered to a public institution, for use as hog feed.

**17232. Adulteration of dried black-eyed peas. U. S. v. 25 Bags \* \* \* (and 2 other seizure actions). (F. D. C. Nos. 30275 to 30277, incl. Sample Nos. 80130-K, 80132-K, 80133-K.)**

**LIBEL FILED:** November 17, 1950, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about August 22, 1950, by the Potts-Wilson Co., from Kansas City, Mo.

**PRODUCT:** 44 100-pound bags of dried black-eyed peas at Boston, Mass.

**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 insects.

**DISPOSITION:** January 9, 1951. The libel actions having been consolidated for purpose of decree, and Aileen Quirk & Sons, Inc., North Kansas City, Mo., 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 segregation of the unfit portion, under the supervision of the Federal Security Agency. 426 pounds of the product were found unfit and were destroyed.

**17233. Adulteration of canned spinach. U. S. v. 85 Cases \* \* \* (and 6 other seizure actions). (F. D. C. Nos. 30457, 30539, 30540, 30635, 30648, 30799, 30829. Sample Nos. 802-L, 9235-L, 10756-L, 10757-L, 19221-L, 19500-L, 21291-L, 31272-L.)**

**LIBELS FILED:** Between February 7 and March 6, 1951, Eastern District of Missouri, Eastern District of Louisiana, Southern District of Florida, Southern District of Indiana, District of Minnesota, Western District of Wisconsin, and Northern District of Illinois.

**ALLEGED SHIPMENT:** Between November 13, 1950, and January 23, 1951, by the Van Buren Canning Co., from Van Buren, Ark.

**PRODUCT:** Spinach. 458 cases, each containing 24 1-pound, 2-ounce cans; 835 cases, each containing 24 15-ounce cans; and 17 cases, each containing 48 10-ounce cans, at St. Louis, Mo.; New Orleans, La.; Miami, Fla.; Indianapolis, Ind.; Minneapolis, Minn.; Eau Claire, Wis.; and Chicago, Ill.

**LABEL, IN PART:** "Dark Green Spinach," "Gooding's Spinach," "Ko-We-Ba Fancy Spinach," "Future Spinach," and "June Addams Brand Spinach."