

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."

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

DISPOSITION: Between the dates of March 6 and May 1, 1951. Default decrees of condemnation. The courts in all instances, with the exception of the seizure at Minneapolis, ordered the product destroyed, and that the portion of the product seized in Minneapolis be destroyed or denatured and disposed of as animal feed.

17234. Adulteration and misbranding of canned spinach. U. S. v. 165 Cases * * * (and 23 other seizure actions). (F. D. C. Nos. 30501, 30510, 30517 to 30519, incl., 30523, 30524, 30534 to 30536, incl., 30547, 30645, 30646, 30654, 30657, 30658, 30665, 30669, 30676, 30708, 30763, 30764, 30818, 30830. Sample Nos. 4832-L, 4833-L, 5258-L, 5259-L, 5269-L, 6864-L, 7053-L, 7061-L, 7064-L, 7067-L, 9951-L to 9954-L, incl., 15052-L, 15053-L, 15757-L, 16163-L, 16164-L, 30760-L, 30954-L, 31263-L, 31358-L, 31493-L to 31498-L, incl., 31862-L, 31864-L, 31866-L, 32154-L to 32157-L, incl., 32166-L, 32169-L.)

LIBELS FILED: Between February 1 and March 15, 1951, Southern District of Illinois, Eastern and Western Districts of Missouri, Eastern District of Wisconsin, Western District of Pennsylvania, Northern District of Ohio, District of Nebraska, Western District of Oklahoma, District of Maine, and District of Massachusetts.

ALLEGED SHIPMENT: Between July 19, 1950, and January 23, 1951, by the Russellville Canning Co., from Russellville, Ark.

PRODUCT: 5,820 cases of canned spinach at Bloomington, Quincy, and Granite City, Ill.; St. Louis and Kansas City, Mo.; Milwaukee, Wis.; Pittsburgh and Beaver Falls, Pa.; Youngstown, Ohio; Omaha, Nebr.; Enid, Okla.; Augusta, Waterville, and Portland, Maine; and Brighton, Mass.

A portion of the cases contained 6 cans in a 6-pound, 2-ounce size; a portion contained 24 cans in 1-pound, 2-ounce, and 1-pound, 11-ounce, sizes; and other cases contained 48 cans in a 10-ounce size.

LABEL, IN PART: (Portions) "Camel Garden [or "Red Robe," "Russellville Brand," "White Ribbon," "Haase's Brand Early Garden," "Like Fresh Brand Topmost," "Topmost Brand," "American Lady Brand," "Roundy's White Label," "My-Te-Good Brand," "Arkoma Brand," "Brimfull Brand," "Nation Wide New-Process," "G. W. Brand," "Fort Western Brand," "Nation Wide," or "Elm Farm"] Spinach."

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.

Misbranding, Section 403 (e) (2), the article in one of the St. Louis lots failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Contents 1 Lb. 2 Ozs." was inaccurate. (The article in this lot was packed in No. 10 cans holding approximately 6 pounds and 2 ounces.)

DISPOSITION: Between February 28 and May 7, 1951. Default decrees of condemnation. The courts ordered that certain lots of the product be delivered to public institutions, for use as animal feed, and that the other lots be destroyed.