

PRODUCT: 536 cases, each containing 6 6-pound, 12-ounce cans, of prunes at Chariton, Iowa.

LABEL, IN PART: "Rose Valley Brand Oregon Prune Plums."

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

DISPOSITION: May 10, 1951. Default decree of condemnation and destruction.

DRIED FRUIT

17332. Adulteration of apple chops. U. S. v. 152 Bags * * *. (F. D. C. No. 30730. Sample No. 10992-L.)

LABEL FILED: March 30, 1951, Southern District of Ohio.

ALLEGED SHIPMENT: On or about January 3, 1951, by the Battletown Fruit Co., from Berryville, Va.

PRODUCT: 152 bags of apple chops, each bag containing 40 pounds, at Cincinnati, Ohio.

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 rodent excreta and insects; and, Section 402 (a) (4), the product had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 6, 1951. Default decree of condemnation and destruction.

17333. Adulteration of dried apricots. U. S. v. 30 Boxes * * *. (F. D. C. No. 30688. Sample No. 35870-K.)

LABEL FILED: March 7, 1951, District of Hawaii.

ALLEGED SHIPMENT: On or about November 24, 1950, by Theo H. Davies & Co., Ltd., from San Francisco, Calif.

PRODUCT: 30 25-pound boxes of dried apricots at Hilo, T. H.

LABEL, IN PART: "Hunt's Whole Dried Apricots."

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 and insect excreta.

DISPOSITION: April 12, 1951. Theo H. Davies & Co., Ltd., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered and the court ordered that the product be destroyed.

VEGETABLES

17334. Misbranding of canned green beans. U. S. v. 488 Cases * * *. (F. D. C. No. 30725. Sample No. 11076-L.)

LABEL FILED: March 26, 1951, Southern District of Ohio.

ALLEGED SHIPMENT: On or about March 2, 1951, by the Paulus Bros. Packing Co., from Salem, Oreg.

PRODUCT: 488 cases, each containing 6 6-pound, 5-ounce cans, of green beans at Dayton, Ohio.

LABEL, IN PART: (Can) "Honey Grove Green Beans."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the product purported to be and was represented as canned, cut green beans, and it failed to comply with the standard of quality since it contained an excessive number of tough strings, and its label failed to bear a statement, as specified by regulations, that it fell below such standard.

DISPOSITION: May 2, 1951. The Paulus Bros. Packing Co., claimant, having admitted the allegations contained in the libel, 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.

17335. Adulteration and misbranding of canned mustard greens. U. S. v. 31 Cases * * *. (F. D. C. No. 30751. Sample No. 12869-L.)

LIBEL FILED: March 15, 1951, District of New Mexico.

ALLEGED SHIPMENT: On or about January 16, 1951, by the Taormina Co., from Donna, Tex.

PRODUCT: 31 cases, each containing 24 cans, of mustard greens at Albuquerque, N. Mex.

LABEL, IN PART: (Can) "Net Wt. 1 Lb. 2 Oz. [or "1 Lb. 3 Oz."] Del Haven Brand Mustard Greens."

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. Misbranding (1-pound, 3-ounce cans), Section 403 (e) (2), the product was food in package form, and it failed to bear a label containing an accurate statement of the quantity of the contents. (The cans contained less than the declared weight.)

DISPOSITION: April 16, 1951. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for use as animal feed.

17336. Adulteration of canned spinach. U. S. v. 444 Cases * * * (and 5 other seizure actions). (F. D. C. Nos. 30511, 30552, 30650, 30662, 30680, 30739. Sample Nos. 771-L, 9327-L, 10774-L, 10775-L, 11869-L, 31265-L, 31359-L, 31957-L.)

LIBELS FILED: February 2, 15, and 21, and on or about February 26 and March 2 and 23, 1951, Eastern and Western Districts of Missouri, Northern and Southern Districts of Indiana, Western District of Kentucky, and Eastern District of South Carolina.

ALLEGED SHIPMENT: On or about October 20 and December 7 and 20, 1950, and January 6 and 8 and February 21, 1951, by the Arkansas Valley Canning Co., from Van Buren, Ark.

PRODUCT: Spinach. 444 cases at South Bend, Ind.; 109 cases at Kokomo, Ind.; 130 cases at Orangeburg, S. C.; 57 cases at St. Louis, Mo.; and 48 cases at Joplin, Mo. Each case contained 24 1-pound, 2-ounce cans. In addition there were 14 cases, each containing 24 1-pound, 11-ounce cans, at Kokomo, Ind., and 80 cases, each containing 6 6-pound, 2-ounce cans, at Louisville, Ky.

LABEL, IN PART: "Defiance [or "Rebecca Lee Brand" or "Wulfing's Brand"] Spinach."

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.