

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.

DISPOSITION: February 28, March 26, and May 1, 2, 5, and 28, 1951. Default decrees of condemnation. The court ordered that the product be destroyed, with the exception of the 80 cases at Louisville, Ky., which were ordered delivered to a public institution, for use as animal feed.

17337. Adulteration of canned spinach. U. S. v. 75 Cases * * * (and 3 other seizure actions). (F. D. C. Nos. 30521, 30532, 30659, 30698. Sample Nos. 11062-L, 11265-L, 11266-L, 11571-L, 11572-L, 31492-L.)

LIBELS FILED: February 1, 5, and 20, and March 15, 1951, Eastern District of Missouri and Southern and Northern Districts of Ohio.

ALLEGED SHIPMENT: On or about November 8 and 25 and December 2, 16, and 18, 1950, by the Steele Canning Co., from Springdale, Ark.

PRODUCT: Spinach. 75 cases, each case containing 24 1-pound, 11-ounce cans, at St. Louis, Mo.; 106 cases, each case containing 24 1-pound, 2-ounce cans, and 108 cases, each case containing 24 1-pound, 11-ounce cans, at Findlay, Ohio; 69 cases, each case containing 24 1-pound, 2-ounce cans, at Cincinnati, Ohio; and 68 cases, each case containing 24 1-pound, 11-ounce cans, and 159 cases, each case containing 6 6-pound, 2-ounce cans, at Portsmouth, Ohio.

LABEL, IN PART: (Can) "Nancy Lee [or "Clarion" or "Little Mill"] 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.

DISPOSITION: February 28, March 20, and April 12, 1951. Default decrees of condemnation and destruction.

17338. Adulteration of canned spinach. U. S. v. 110 Cases, etc. (and 1 other seizure action). (F. D. C. Nos. 30649, 30652. Sample Nos. 31868-L to 31871-L, incl.)

LIBELS FILED: February 16 and 20, 1951, Eastern District of Missouri and Southern District of Illinois.

ALLEGED SHIPMENT: On or about January 22 and 23, 1951, by the Van Buren Canning Co., from Van Buren, Ark.

PRODUCT: Spinach. 265 cases at Alton, Ill., and 49 cases at St. Louis, Mo. Each case contained 24 1-pound, 2-ounce cans.

LABEL, IN PART: "Our Value [or "Honor," "Red and White," or "Gooding"] 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.

DISPOSITION: March 12 and 14, 1951. Default decrees of condemnation and destruction.

17339. Adulteration of canned spinach. U. S. v. 80 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 30527, 30551. Sample Nos. 11652-L, 31271-L.)

LIBELS FILED: On or about February 2 and 13, 1951, Southern District of Ohio and Eastern District of Missouri.

ALLEGED SHIPMENT: On or about October 21 and November 16, 1950, by the Good Canning Co., from Fort Smith, Ark.

PRODUCT: Spinach. 80 cases, each containing 6 6-pound, 2-ounce cans, at Cincinnati, Ohio, and 41 cases, each containing 24 15-ounce cans, at St. Louis, Mo.