

fruit ingredients to each 55 parts by weight of the optional saccharine ingredients specified in the standard.

DISPOSITION: October 30, 1952. A plea of nolo contendere having been entered, the court fined the defendant \$3,000.

19831. Misbranding of plum jam, peach jam, and grape jelly. U. S. v. 12 Cases, etc. (F. D. C. No. 34601. Sample Nos. 61142-L to 61144-L, incl.)

LIBEL FILED: January 15, 1953, District of Kansas.

ALLEGED SHIPMENT: On or about October 24, 1952, by the J. F. Garvey Co., from Lincoln, Nebr.

PRODUCT: 12 cases, each containing 6 cans, of plum jam, 34 cases, each containing 6 cans, of peach jam, and 28 cases, each containing 6 cans, of grape jelly, at Leavenworth, Kans.

LABEL, IN PART: (Can) "Garvey's Plum [or "Peach"] Jam 8¼ lb. Net Weight" or "Garvey's Grape Jelly * * * 8¼ lb. Net Weight."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), (plum jam and peach jam) the products failed to bear labels containing an accurate statement of the quantity of the contents since the cans contained less than the labeled 8¼ pounds; and, Section 403 (g) (1), (all products) the products failed to conform to the definitions and standards of identity for plum jam, peach jam, and grape jelly since the soluble-solids content of the products was less than 65 percent.

DISPOSITION: April 8, 1953. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond to be relabeled under the supervision of the Food and Drug Administration.

VEGETABLES

19832. Adulteration and misbranding of canned lima beans. U. S. v. 46 Cases * * *. (F. D. C. No. 33654. Sample No. 22701-L.)

LIBEL FILED: August 25, 1952, Western District of Louisiana.

ALLEGED SHIPMENT: On or about May 19, 1952, by the Fresh Canning Co., from Spiro, Okla.

PRODUCT: 46 cases, each containing 48 15-ounce cans, of lima beans at Alexandria, La.

LABEL, IN PART: (Can) "Baby Shug Green & White Baby Lima Beans."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing dried soaked lima beans had been substituted for canned lima beans.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for canned lima beans since the vegetable ingredient was not obtained by proper preparation from the succulent vegetable as required by the definition and standard. The product was prepared from dried soaked lima beans.

DISPOSITION: October 20, 1952. The shipper, 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 to be relabeled under the supervision of the Federal Security Agency.