

ALLEGED SHIPMENT: On or about January 19, 1952, by W. H. Roberts & Co., from Baltimore, Md.

PRODUCT: 299 cases, each containing 24 1-pound, 4-ounce cans, of beans at Brooklyn, N. Y.

LABEL, IN PART: "Cobo Brand White Kidney Beans * * * Cannellini."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a variety of beans other than white kidney or Cannellini beans had been substituted in whole or in part for white kidney or Cannellini beans.

Misbranding, Section 403 (a), the label statement "White Kidney Beans * * * Cannellini" was false and misleading.

DISPOSITION: May 7, 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 Food and Drug Administration.

19238. Misbranding of frozen peas and carrots. U. S. v. 71 Cases * * *. (F. D. C. No. 33124. Sample No. 17732-L.)

LIBEL FILED: May 7, 1952, Southern District of California.

ALLEGED SHIPMENT: On or about January 7, 1952, by Pictsweet Foods, Inc., from Mount Vernon, Wash.

PRODUCT: 71 cases, each containing 24 packages, of frozen peas and carrots at Glendale, Calif.

LABEL, IN PART: "Frozen Fresh Pictsweet Net Wt. 12 Oz. Peas and Carrots Quantity 12 Ounces."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the packages contained less than the labeled 12 ounces.

DISPOSITION: June 11, 1952. The Market Distributors, 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 repackaged, under the supervision of the Federal Security Agency.

19239. Adulteration of potatoes. U. S. v. 1,098 Bags * * *. (F. D. C. No. 32857. Sample Nos. 17006-L to 17008-L, incl.)

LIBEL FILED: March 7, 1952, Southern District of California; amended libel filed March 13, 1952.

ALLEGED SHIPMENT: On or about February 16, 18, and 20, 1952, by George C. Burger, from Merrill, Oreg.

PRODUCT: 1,098 100-pound bags of potatoes at Calexico, Calif.

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 parasitic worms.

DISPOSITION: April 18, 1952. Default decree of condemnation and destruction.

19240. Adulteration of fresh spinach. U. S. v. 510 Cases * * *. (F. D. C. No. 32927. Sample No. 16469-L.)

LIBEL FILED: On or about April 1, 1952, Western District of Missouri.

ALLEGED SHIPMENT: On or about March 26, 1952, by the Meyers Commission Co., from Van Buren, Ark.

PRODUCT: 510 cases, each containing 12 12-ounce packages, of fresh spinach at Kansas City, Mo.

LABEL, IN PART: "Green Valley Brand * * * Packed and Distributed by Valley Growers Packing Company Turner, Kansas."

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 aphids.

DISPOSITION: April 4, 1952. The shipper and the consignee of the product having consented to the destruction of the product, judgment of condemnation was entered and the court ordered that the product be delivered to a municipal farm, for use as animal feed.

TOMATOES AND TOMATO PRODUCTS

19241. Misbranding of canned tomatoes. U. S. v. 41 Cases * * *. (F. D. C. No. 32987. Sample No. 13023-L.)

LABEL FILED: March 28, 1952, District of New Mexico.

ALLEGED SHIPMENT: On or about July 13, 1951, by the Akin Products Co., from Mission, Tex.

PRODUCT: 41 cases, each containing 6 6-pound, 6-ounce cans, of tomatoes at Albuquerque, N. Mex.

LABEL, IN PART: "Val-Tex Brand."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned tomatoes since it failed to meet the requirements for color and its label failed to bear a statement that it fell below the standard.

DISPOSITION: April 29, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

19242. Adulteration of tomato juice. U. S. v. 1,425 Cases * * *. (F. D. C. No. 33144. Sample No. 48820-L.)

LABEL FILED: May 24, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about April 8, 1952, by the Wann Packing Co., from Frankton, Ind.

PRODUCT: 1,425 cases, each containing 12 cans, of tomato juice at Hopkins, Minn.

LABEL, IN PART: "Roy Boy Indiana Tomato Juice Contents 1 Qt. 14 Fl. Oz."

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 tomato material.

DISPOSITION: August 25, 1952. A default decree of condemnation was entered, and the court ordered that the product be denatured for use as animal feed or be destroyed.

POULTRY

19243. Adulteration of dressed poultry. U. S. v. Penobscot Poultry Co., Inc., and Abraham I. Savitz. Pleas of guilty. Corporation fined \$500; individual defendant fined \$250. (F. D. C. No. 32814. Sample Nos. 24337-L, 24368-L, 24373-L.)

INFORMATION FILED: September 25, 1952, District of Maine, against Penobscot Poultry Co., Inc., Belfast, Maine, and Abraham I. Savitz, director and plant manager.