

ALLEGED SHIPMENT: On or about September 25, 1951, from Chicago, Ill.

PRODUCT: 3 70-pound boxes of dates at Yankton, S. Dak.

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. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: June 20, 1953. The owner of the product having admitted the allegations of the libel and consented to the disposition of the product without further notice, judgment of condemnation was entered and the court ordered that the product be destroyed.

VEGETABLES

20824. Adulteration of dried lima beans. U. S. v. 265 Bags, etc. (F. D. C. No. 35648. Sample Nos. 2271-L, 2272-L.)

LIBEL FILED: September 18, 1953, Southern District of Florida.

ALLEGED SHIPMENT: On or about November 1, 1952, and February 18, 1953, from Crows Landing, Calif.

PRODUCT: 265 100-pound bags of dried calico lima beans and 350 100-pound bags of dried white lima beans at Jacksonville, Fla.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of insects, insect excreta, and insect webbing. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 29, 1953. Frank D. Powers Co., Inc., Jacksonville, Fla., 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 for recleaning and reprocessing under the supervision of the Department of Health, Education, and Welfare. As a result of these operations, 11 $\frac{3}{4}$ 100-pound bags of lima beans were found unfit.

20825. Adulteration of canned black-eyed peas. U. S. v. 43 Cases * * *. (F. D. C. No. 35515. Sample Nos. 18549-L, 74453-L.)

LIBEL FILED: September 28, 1953, Southern District of California.

ALLEGED SHIPMENT: On or about July 18, 1953, by the Steele Canning Co., from Springdale, Ark.

PRODUCT: 43 cases, each containing 24 1-pound cans, of black-eyed peas at Riverside, Calif.

LABEL, IN PART: "Del Haven Blackeyed Peas."

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 insect infestation.

DISPOSITION: October 27, 1953. Default decree of condemnation and destruction.

20826. Adulteration of dried black-eyed peas. U. S. v. 175 Bags * * *. (F. D. C. No. 35081. Sample No. 47281-L.)

LIBEL FILED: June 16, 1953, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about November 9, 1948, from Lisbon, Portugal.

PRODUCT: 175 100-pound bags of dried black-eyed peas at New Orleans, La.

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 rodent pellets, live insects, insect-damaged peas, and insect webbing. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: July 16, 1953. Default decree of condemnation and destruction.

TOMATOES AND TOMATO PRODUCTS

20827. Misbranding of canned tomatoes. U. S. v. 998 Cases * * *. (F. D. C. No. 35206. Sample No. 44620-L.)

LABEL FILED: April 27, 1953, District of Maine.

ALLEGED SHIPMENT: On or about March 30, 1953, by the Hopewell Canning Co., from Hopewell, Md.

PRODUCT: 998 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Portland, Maine.

LABEL, IN PART: (Can) "Iona Tomatoes Net Wt. 1 Lb. 3 Ozs."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned tomatoes because of excessive tomato peel and the label failed to bear a statement that the article fell below such standard.

DISPOSITION: May 28, 1953. The Hopewell Canning Co., 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 relabeling under the supervision of the Department of Health, Education, and Welfare.

20828. Misbranding of canned tomatoes. U. S. v. 898 Cases * * *. (F. D. C. No. 35207. Sample No. 6701-L.)

LABEL FILED: April 24, 1953, District of Massachusetts.

ALLEGED SHIPMENT: On or about March 18, 1953, by the Hopewell Canning Co., from Hopewell, Md.

PRODUCT: 898 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Somerville, Mass.

LABEL, IN PART: (Can) "Iona Tomatoes."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned tomatoes because of excessive tomato peel, and the label failed to bear a statement that the article fell below such standard.

DISPOSITION: May 28, 1953. The Hopewell Canning Co., 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 relabeling under the supervision of the Department of Health, Education, and Welfare.

20829. Adulteration of tomato juice. U. S. v. H. C. Hemingway & Co. Plea of guilty. Fine, \$600. (F. D. C. No. 35109. Sample Nos. 8257-L, 44740-L, 54213-L.)

INFORMATION FILED: July 21, 1953, Western District of New York, against H. C. Hemingway & Co., a corporation, doing business at Auburn and Clyde, N. Y.