CHARGE: 402(a)(3)—contained insects and insect fragments; 402(a)(prepared under insanitary conditions; 403(b)—the article, when shipped, offered for sale under the name of another food; and 403(e)(2)—the a failed to bear a label containing an accurate statement of the quanti contents.

DISPOSITION: 10–23–58. Default—destruction of 6 cases, all that was avai for seizure.

25231. Canned mushrooms. (F.D.C. No. 42089. S. No. 26–909 P.)

QUANTITY: 19 cases, 24 cans each, at St. Paul, Minn.

SHIPPED: 6–23–58, from Hudson, N.Y., by K–B Products Corp.

LABEL IN PART: (Case) "Knaust's Mushrooms–Elf Brand"; (can) "Elf B Stems and Pieces Mushrooms Drained Wgt. 8 oz. Net Avd."

LIBELED: 8–14–58, Dist. Minn.

CHARGE: 403(h)(2)—the article purported to be and was represente canned mushrooms, a food for which a standard of fill of container has prescribed by regulations, and the article fell below such standard w shipped, since the weight of the drained mushrooms in the container less than that prescribed by the regulations, and the label of the ar failed to bear a statement that it fell below such standard.

DISPOSITION: 10–27–58. Default—delivered to a State institution, for us food.

25232. Canned Mushrooms. (F.D.C. No. 42105. S. No. 25–682 P.)

QUANTITY: 26 cases, 24 cans each, at Minneapolis, Minn.

SHIPPED: 6–23–58, from Hudson, N.Y., by K–B Products Corp.

LABEL IN PART: (Can) "Knaust Brand Net Wt. 8 oz. Pieces and St Mushrooms."

LIBELED: 8–28–58, Dist. Minn.

CHARGE: 403(h)(2)—the article purported to be and was represented canned mushrooms, a food for which a standard of fill of container has b prescribed by regulations, and the article fell below such standard wl shipped, since the weight of the drained mushrooms in the container was l than that prescribed by the regulations, and the label of the article fai to bear a statement that it fell below such standard.

DISPOSITION: 12–4–58. Default—delivered to a local charitable instituti for use as food.

TOMATOES AND TOMATO PRODUCTS

25233. Canned tomatoes. (F.D.C. No. 42125. S. No. 28–680 P.)

QUANTITY: 508 cases, 24 1-lb. cans each, at Shreveport, La.

SHIPPED: 7–25–58, from Donna, Tex., by Knapp-Sherrill Co.

LABEL IN PART: (Can) "Texas Magic Brand * * * Tomatoes."

RESULTS OF INVESTIGATION: Examination showed that the article contained composed tomato material.

LIBELED: 9–22–58, W. Dist. La.

CHARGE: 402(a)(3)—contained a decomposed substance when shipped.

DISPOSITION: 11–14–58. Default—destruction.