9760. Adulteration of pickled beets. U. S. v. 1,400 Cases of Pickled Beets. Default decree of condemnation and destruction. (F. D. C. No. 16410. Sample No. 23971–H.)

LIBEL FILED: June 7, 1945, Middle District of Alabama.

ALLEGED SHIPMENT: On or about November 9, 1943, by the Mayfair Food Products Co., Chicago, Ill.

PRODUCT: 1,400 cases, each containing 12 1-pint jars, of pickled beets at Montgomery, Ala.

LABEL, IN PART: "Mayfair Set Pickled Beets."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: June 30, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9761. Misbranding of canned corn. U. S. v. 1,070 Cases of Canned Corn. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 15597. Sample No. 17329–H.)

LIBEL FILED: March 7, 1945, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about October 6, 1943, by the Wisconsin Canning Co., Sterling, Ill.

PRODUCT: 1,070 cases, each containing 24 1-pound, 4-ounce cans, of corn at Milwaukee, Wis. Examination showed that the product was not "extra standard," since it was overmature and had poor flavor.

LABEL, IN PART: "Worthmore Extra Standard Cream Style Golden Sweet Corn."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement, "Extra Standard Cream Style Golden Sweet Corn," was false and misleading.

DISPOSITION: October 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered disposed of in compliance with the law. The Albert Wholesale Grocers having subsequently appeared as claimant and having moved that the decree be vacated, a decree was entered on May 16, 1946, permitting the release of the product under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

9762. Misbranding of mushrooms. U. S. v. Armani and Filosi. Plea of nolo contendere. Fine, $250. (F. D. C. No. 16551. Sample Nos. 85128–F, 85216–F.)

INFORMATION FILED: October 11, 1945, Eastern District of Pennsylvania, against Armani and Filosi, a partnership, Toughkenamon, Pa.

ALLEGED SHIPMENT: On or about November 2 and 28, 1944, from Kennett Square, Pa., into the States of Maryland and New Jersey.

LABEL, IN PART: "3 Lb. Net Mushrooms."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents, since the baskets contained less than the declared weight of 3 pounds.

DISPOSITION: December 4, 1945. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of $125 on each count, a total fine of $250.

9763. Misbranding of mushrooms. U. S. v. Michael Francescon. Plea of nolo contendere. Fine, $250. (F. D. C. No. 16549. Sample Nos. 50997–F, 85130–F.)

INFORMATION FILED: September 25, 1945, Eastern District of Pennsylvania, against Michael Francescon, Avondale, Pa.

ALLEGED SHIPMENT: On or about November 8 and 29, 1944, from the State of Pennsylvania into the State of New York.

LABEL, IN PART: "Extra Fancy White 3 Lb. Net Mushrooms."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents, since the baskets contained less than 3 pounds of mushrooms.

DISPOSITION: December 4, 1945. The defendant having previously entered a plea of nolo contendere, the court imposed a fine of $125 on each count, a total fine of $250.