

Idaho, alleging that the article had been shipped in interstate commerce on or about December 30, 1940, by Olympia Canning Co. from Olympia, Wash.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: "Olympia Brand Gooseberries."

On June 4, 1941, no claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.

2227. Adulteration of canned huckleberries. U. S. v. 50 Cases and 50 Cases of Canned Huckleberries. Default decrees of condemnation, forfeiture, and destruction. (F. D. C. Nos. 4594, 4811. Sample Nos. 53611-E, 60591-E.)

Examination showed that this product contained insect larvae.

On May 3 and 21, 1941, the United States attorneys for the District of Idaho and the Southern District of California filed libels against 50 cases each containing 6 No. 10 cans of huckleberries at Boise, Idaho, and 50 cases each containing 6 No. 10 cans of huckleberries at Los Angeles, Calif., alleging that the article had been shipped on or about April 1 and May 7, 1941, by Fassett & Co. from Tacoma, Wash.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: (Cans) "Plaza Brand Pie Huckleberries Water Pack," or "Eagle Crest Brand Huckleberries."

On July 28 and September 6, 1941, no claimant having appeared, judgments of condemnation and forfeiture were entered ordering that the product be destroyed.

2228. Adulteration and misbranding of canned asparagus. U. S. v. 24 Cases of Canned Asparagus. Default decree of condemnation and destruction. (F. D. C. No. 5211. Sample No. 50851-E.)

Examination showed that this product consisted principally of the lower inedible portions of the asparagus sprout.

On July 24, 1941, the United States attorney for the District of Columbia filed a libel against 24 cases, each containing 6 No. 10 cans, of asparagus at Washington, D. C., alleging that the article had been shipped on or about July 9, 1941, by Security Warehouse Co. from Atlanta, Ga.; and charging that it was adulterated and misbranded. It was labeled in part: "Eatmore Green Center Cuts Asparagus * * * Packed For Eatmore Distributing Co. Atlanta, Ga."

The article was alleged to be adulterated in that the lower inedible portions of the asparagus sprout had been substituted wholly or in part for edible asparagus.

It was alleged to be misbranded in that it purported to be a food for which a definition and standard of identity had been prescribed by regulations as provided by law, but it failed to conform to such definition and standard since it did not consist of the edible portions of sprouts of the asparagus plant.

On August 15, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2229. Adulteration of canned lima beans, beets, mixed vegetables, and tomato juice. U. S. v. 105 Cases of Canned Lima Beans, et al. Default decree of condemnation and destruction. (F. D. C. No. 5355. Sample Nos. 69575-E to 69580-E, incl.)

Examination showed that these products had undergone chemical or bacteriological decomposition, or both, and were otherwise unfit for food. All of the cans containing these products were unlabeled, but the cases were stenciled with the name and variety of their contents.

On August 14, 1941, the United States attorney for the Southern District of New York filed a libel against 255 cases of lima beans, 73 cases each containing 6 cans of beets, 137 cases each containing 24 cans of tomato juice, and 82 cases each containing 24 cans of mixed vegetables at New York, N. Y., alleging that the articles had been shipped on or about April 23, 1941, by G. L. Webster Co., Inc., from Cheriton, Va.; and charging that they were adulterated in that they consisted in whole or in part of decomposed substances and were otherwise unfit for food.

On September 10, 1941, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

2230. Adulteration of canned sweetpotatoes, carrots and peas, lima beans, vegetable soup, and tomato soup. U. S. v. 346 Dozen Cans of Mashed Sweetpotatoes, et al. Default decree of condemnation and destruction. (F. D. C. No. 5081. Sample Nos. 69191-E to 69197-E, incl.)

Examination showed that the inside surface of the cans containing these products was corroded and that the contents had a metallic and astringent taste. All of the cans were unlabeled.

On July 11, 1941, the United States attorney for the Southern District of New York filed a libel against 346 dozen cans of dry-pack mashed sweetpotatoes, 470 dozen cans of sirup-pack whole sweetpotatoes, 133 cases each containing 6 cans of carrots and peas, 290 cases each containing 24 cans of mixed lima beans, 299 cases each containing 24 cans of tiny lima beans, 249 cases each containing 48 cans of vegetable soup, and 249 cases each containing 48 cans of tomato soup at New York, N. Y., alleging that the articles had been shipped within the period from on or about February 17 to on or about March 28, 1941, by G. L. Webster Co., Inc., from Cheriton, Va.; and charging that they were adulterated in that they consisted in whole or in part of decomposed substances and were otherwise unfit for food.

On September 10, 1941, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

2231. Adulteration of canned stringless green beans. U. S. v. 130 Cases of Stringless Green Beans. Default decree of condemnation and destruction. (F. D. C. No. 5378. Sample No. 37938-E.)

Examination showed that this product was decomposed.

On August 15, 1941, the United States attorney for the Northern District of Georgia filed a libel against 130 cases of stringless green beans at East Point, Ga., alleging that the article had been shipped in interstate commerce on or about July 22, 1941, by Fox Bros. Co. from Chattanooga, Tenn.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Pine Grove Brand Cut Stringless Green Beans Packed by Pine Grove Canning Co. St. Martinville, La."

On September 16, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2232. Adulteration of canned pork and beans. U. S. v. 151 Cases of Canned Pork and Beans. Default decree of condemnation and destruction. (F. D. C. No. 5029. Sample No. 44860-E.)

This product contained decomposed material, as evidenced by the presence of excessive mold.

On June 27, 1941, the United States attorney for the District of Idaho filed a libel against 151 cases of canned pork and beans at Twin Falls, Idaho, alleging that the article had been shipped in interstate commerce on or about February 5, 1941, by the Associated Canneries, Inc., from Ogden, Utah; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Olson's Regal Brand Pork and Beans in Tomato Sauce."

On July 24, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2233. Misbranding of canned beets. U. S. v. 110 Cases of Canned Beets. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 4453. Sample No. 46577-E.)

Examination showed that this product was not of Fancy quality, as labeled, because of the presence of tough or hard beets and because of ragged appearance.

On April 22, 1941, the United States attorney for the Eastern District of New York filed a libel against 110 cases, each containing 24 No. 2 cans, of beets at Brooklyn, N. Y., alleging that the article had been shipped on or about February 7, 1941, by Seymour Canning Co., Seymour, Wis.; and charging that it was misbranded in that the term "Fancy" was false and misleading as applied to an article that was not Fancy because of the presence of tough or hard beets and because of ragged appearance. The article was labeled in part: "Gerbro Fancy Whole Beets."

On June 18, 1941, Gerber Bros., Brooklyn, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

2234. Adulteration of canned carrot chunks. U. S. v. 70 Cases, 22 Cases, and 94 Cases of Carrot Chunks. Default decrees of condemnation and destruction. (F. D. C. Nos. 4018, 4558, 4559. Sample Nos. 22528-E, 22529-E, 55428-E.)

Examination of samples of this product disclosed the presence of dirty, worm-damaged carrot chunks.

On March 19 and May 2, 1941, the United States attorneys for the Western District of Washington and the Northern District of California filed libels