

ALLEGED SHIPMENT: On or about September 13, 1943, by Joe Thompson from Nash, N. Dak.

PRODUCT: 198 bags of potatoes at Springfield, Mo.

LABEL, IN PART: "110 lbs. net Northern Flight Far North Seed and Table Potatoes Walsh County, N. D."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), in that the statement "100 lbs. net," appearing in the labeling, was false and misleading as applied to an article that was short-weight; and, Section 403 (e) (2), in that the product was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: January 24, 1944. Malcolm Haseltine, claimant, doing business as the Haseltine Fruit Co., Springfield, Mo., having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for salvaging under the supervision of the Food & Drug Administration. The product was resacked.

5938. Adulteration of sauerkraut. U. S. v. 77 Cases and 110 Jars of Sauerkraut. Default decrees of condemnation and destruction. (F. D. C. Nos. 11303, 11304, 11718. Sample Nos. 14887-F, 39262-F, 53909-F.)

LIBELS FILED: December 10 and 20, 1943, Southern District of California.

ALLEGED SHIPMENT: On or about July 17, 1943, by the Coe Sales Co., Phoenix, Ariz.

PRODUCT: 77 cases, each containing 12 quart jars, and 110 quart jars of sauerkraut at Los Angeles, Calif.

LABEL, IN PART: "Scott Co. Sauer Kraut * * * Packed by Morgan Packing Co. Austin, Ind."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of decomposed substances by reason of the presence of moldy and decomposed sauerkraut.

DISPOSITION: January 6 and 18, 1944. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

5939. Adulteration of sauerkraut. U. S. v. 101 Cases of Sauerkraut. Default decree of condemnation and destruction. (F. D. C. No. 11066. Sample No. 42582-F.)

LIBEL FILED: November 9, 1943, Western District of Washington.

ALLEGED SHIPMENT: On or about March 4, 1943, by the Goldsmith Pickle Co., Chicago, Ill.

PRODUCT: 101 cases, each containing 12 jars, of sauerkraut at Hoquiam, Wash.

LABEL, IN PART: "Goldsmith Brand Sauerkraut."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of mold and discolored, musty sauerkraut.

DISPOSITION: January 6, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5940. Adulteration of canned spinach. U. S. v. 205 Cases of Spinach. Default decree of condemnation. Product ordered sold to the highest bidder, for reclamation by sorting. (F. D. C. No. 10832. Sample No. 6999-F.)

LIBEL FILED: September 24, 1943, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about July 6, 1943, by the Arkansas Valley Canning Co., Van Buren, Ark.

PRODUCT: 205 cases of spinach at St. Louis, Mo.

LABEL, IN PART: "Haase's Brand Early Garden Spinach A. C. L. Haase Co. Distributors, St. Louis, Mo."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), this product consisted in whole or in part of a decomposed substance.

DISPOSITION: December 2, 1943. A default decree of condemnation was entered and the product was ordered sold to the highest bidder, for reclamation by sorting.

5941. Adulteration of vegetable cocktail. U. S. v. 10 Cases and 7 Cases of Vegetable Cocktail. Default decree of condemnation and destruction. (F. D. C. No. 10795. Sample No. 31091-F.)

LIBEL FILED: September 20, 1943, Eastern District of Washington.