

ALLEGED SHIPMENT: On or about November 17, 1947, by the Summit Packing Co., from La Porte, Ind.

PRODUCT: 378 1-pound, 3-ounce cans, of corn at Grand Rapids, Mich.

LABEL, IN PART: "Pagin's Brand Cream Style Golden Corn."

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 worms, worm parts, and rodent excreta.

DISPOSITION: September 8, 1949. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

15288. Adulteration and misbranding of canned spinach. U. S. v. 168 Cases * * *. (F. D. C. No. 27671. Sample No. 51470-K.)

LIBEL FILED: August 8, 1949, Southern District of Indiana.

ALLEGED SHIPMENT: On or about March 25, April 29, and May 19, 1949, by the Fresh Canning Co., from Fort Smith, Ark., and Spiro, Okla.

PRODUCT: 168 cases, each containing 24 1-pound, 2-ounce cans, of spinach at Indianapolis, Ind.

LABEL, IN PART: "Ko-We-Ba * * * Fancy Spinach."

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

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for canned spinach since it had not been so processed by heat as to prevent spoilage.

DISPOSITION: August 24, 1949. The Fresh Canning Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration. The segregation operations resulted in the destruction of 13 1/24 cases of the product as unfit.

15289. Adulteration of canned sauerkraut. U. S. v. 865 Cases * * *. (F. D. C. No. 27670. Sample No. 47163-K.)

LIBEL FILED: August 2, 1949, Northern District of Ohio.

ALLEGED SHIPMENT: On or about June 4, 1949, by C. C. Lang & Son, Inc., from Hall, N. Y.

PRODUCT: 865 cases, each containing 24 1-pound, 11-ounce cans, of sauerkraut at Youngstown, Ohio.

LABEL, IN PART: "Grade A A & P Sauerkraut."

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 and insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 30, 1949. Default decree of condemnation and destruction.

TOMATOES AND TOMATO PRODUCTS

15290. Adulteration of canned tomatoes. U. S. v. 422 Cases * * *. (F. D. C. No. 27477. Sample No. 60421-K.)

LIBEL FILED: July 15, 1949, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about March 3, 1949, by the Indiana Mushroom Corp., from West Terre Haute, Ind.

PRODUCT: 422 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Milwaukee, Wis.

LABEL, IN PART: (Can) "Co-Op Tomatoes."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: October 5, 1949. Default decree of condemnation and destruction.

15291. Adulteration of tomato catsup. U. S. v. 492 Cases * * *. (F. D. C. No. 27683. Sample Nos. 60849-K, 60850-K.)

LIBEL FILED: August 5, 1949, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about January 12 and April 1, 1949, by the Fettig Canning Corp., from Elwood, Ind.

PRODUCT: 492 cases, each containing 24 14-ounce bottles, of tomato catsup at St. Louis, Mo.

LABEL, IN PART: "Mary's Choice Tomato Catsup."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: September 7, 1949. Default decree of condemnation and destruction.

15292. Adulteration of tomato paste. U. S. v. 465 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 26929, 26930. Sample No. 13106-K.)

LIBELS FILED: March 21, 1949, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about January 13, 1949, by the Gangi Bros. Packing Co., from Santa Clara, Calif.

PRODUCT: 1,465 cases, each containing 96 6-ounce cans, of tomato paste at Philadelphia, Pa.

LABEL, IN PART: (Can) "Ideal Brand Tomato Paste."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: August 10, 1949. No claimant having appeared, and the court having found that only 812 cases of the product had been shipped by the Gangi Bros. Packing Co. and were adulterated out of a total of 1,377 cases which had been seized, judgment of condemnation was entered against the 812 cases. The court ordered that the 812 cases be destroyed and that the remainder of the product be released.

15293. Adulteration of tomato puree. U. S. v. 450 Cases * * *. (F. D. C. No. 27375. Sample No. 41346-K.)

LIBEL FILED: May 27, 1949, Northern District of Illinois.

ALLEGED SHIPMENT: On or about March 3 and April 11, 1949, by Finer Foods, Inc., from Terre Haute, Ind.

PRODUCT: 450 cases, each containing 6 cans, of tomato puree at Chicago, Ill.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3); the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: July 27, 1949. Default decree of condemnation and destruction.