

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination showed that the cans were badly rusted and that the product was in a large part decomposed.) The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 28, 1949. Default decree of condemnation and destruction.

15341. Adulteration of canned peas and carrots. U. S. v. 71 Cases * * *.
(F. D. C. No. 27602. Sample No. 56619-K.)

LABEL FILED: July 25, 1949, District of New Jersey.

ALLEGED SHIPMENT: On or about August 26, 1948, from Fairmont, Minn.

PRODUCT: 71 cases, each containing 48 10½-ounce cans, of peas and carrots at Newark, N. J.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 14, 1949. Default decree of condemnation and destruction.

15342. Adulteration and misbranding of canned spinach. U. S. v. 125 Cases * * *.
(F. D. C. No. 27563. Sample No. 49813-K.)

LABEL FILED: July 11, 1949, District of New Mexico.

ALLEGED SHIPMENT: On or about February 22, 1949, by the L. H. Moore Canning Co., from McAllen, Tex.

PRODUCT: 125 cases, each containing 24 1-pound, 2-ounce cans, of spinach at Gallup, N. Mex.

LABEL, IN PART: (Can) "Marshall Seal Spinach * * * Distributed by Marshall Food Products Company, Marshalltown, Iowa [or "Distributed by Sales Producers Associates, Inc., Chicago, Ill.]."

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

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

DISPOSITION: August 10, 1949. Default decree of condemnation and destruction.

15343. Adulteration of pickles. U. S. v. Berger Foods Co., a partnership, and Archie H. Berger. Pleas of nolo contendere. Partnership fined \$850; individual defendant fined \$200. (F. D. C. No. 27505. Sample Nos. 27705-K, 45800-K, 60766-K.)

INFORMATION FILED: August 9, 1949, Eastern District of Missouri, against the Berger Foods Co., St. Louis, Mo., and Archie H. Berger, plant manager.

ALLEGED SHIPMENT: On or about January 28 and March 28, 1949, from the State of Missouri into the State of Illinois.

LABEL, IN PART: "Berger's Sweet [or "Sour"] Pickles" or "Tast. Good Brand Sweet Pickles * * * Packed For Empire Distributing Co., St. Louis, Mo."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insect fragments