

16489. Adulteration of canned spinach. U. S. v. 89 Cases * * *. (F. D. C. No. 29247. Sample No. 75008-K.)

LIBEL FILED: May 26, 1950, District of Colorado.

ALLEGED SHIPMENT: On or about April 12, 1950, by the Larsen Co., Green Bay, Wis.

PRODUCT: 89 cases, each containing 24 15-ounce cans, of spinach at Denver, Colo.

LABEL, IN PART: "Larsen's Freshlike Brand Cut Spinach."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of worms and worm parts; and, Section 402 (b) (2), wood and grass had been substituted in part for spinach.

DISPOSITION: July 6, 1950. Default decree of condemnation and destruction.

16490. Adulteration of Mexicorn. U. S. v. 289 Cases * * *. (F. D. C. No. 28657. Sample No. 14721-K.)

LIBEL FILED: January 16, 1950, Northern District of Indiana.

ALLEGED SHIPMENT: On or about August 25, 1949, by the Minnesota Valley Canning Co., from Montgomery, Minn.

PRODUCT: 289 cases, each containing 24 12-ounce cans, of Mexicorn at Michigan City, Ind.

LABEL, IN PART: (Can) "Niblets Brand Mexicorn Whole Kernel Corn Sweet Red and Green Peppers."

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

DISPOSITION: June 1, 1950. The Minnesota Valley Canning Co., claimant, having consented to the entry of a decree, 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 Federal Security Agency. The segregation operations resulted in the destruction of 4 cases and 16 cans that were unfit.

TOMATOES AND TOMATO PRODUCTS*

16491. Adulteration and misbranding of canned tomatoes. U. S. v. 244 Cases * * *. (F. D. C. No. 28347. Sample No. 42945-K.)

LIBEL FILED: On or about December 15, 1949, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 8, 1949, by Kennard Food Products, Inc., from Kennard, Ind.

PRODUCT: 244 cases, each containing 24 1-pound, 12-ounce cans, of tomatoes at Chicago, Ill.

LABEL, IN PART: (Can) "Elna Tomatoes."

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 fly eggs and maggots; and, Section 402 (b) (4), water had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality or strength.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for canned tomatoes since it contained added water, which is not a permitted ingredient of canned tomatoes.

*See also Nos. 16453, 16454.