

**ALLEGED SHIPMENT:** On or about May 15, 1950, from Yakima, Wash.

**PRODUCT:** 119 100-pound bags of apple chops at Louisville, Ky.

**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 insect-infested apple chops. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** December 12, 1950. Default decree of condemnation. The court ordered that the product be delivered to a public institution, for use as animal feed.

**16835. Adulteration of dried peaches. U. S. v. 128 Cartons \* \* \*. (F. D. C. No. 29977. Sample No. 77562-K.)**

**LIBEL FILED:** November 1, 1950, Eastern District of Missouri.

**ALLEGED SHIPMENT:** During June and July 1947, from Fresno, Calif.

**PRODUCT:** 128 25-pound cartons of dried peaches at St. Louis, Mo.

**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 rotten and moldy peaches. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** November 27, 1950. Default decree of condemnation and destruction.

**16836. Adulteration of seedless raisins. U. S. v. 35 Boxes, etc. (F. D. C. No. 29777. Sample No. 81976-K.)**

**LIBEL FILED:** On or about October 4, 1950, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about August 17 and October 1 and 24, 1949, from Dinuba and San Jose, Calif.

**PRODUCT:** 40 30-pound boxes of seedless raisins at Atlanta, Ga.

**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 insects, and was otherwise unfit for food by reason of its bitter, sour taste. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** November 2, 1950. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

#### VEGETABLES

**16837. Misbranding of canned cut green beans and tomato puree. U. S. v. San Jose Canning Co. and Ignatius Rancadore. Pleas of nolo contendere. Fine of \$150 against each defendant. (F. D. C. No. 29995. Sample Nos. 58410-K, 68422-K, 68863-K.)**

**INFORMATION FILED:** November 27, 1950, Northern District of California, against the San Jose Canning Co., a corporation, San Jose, Calif., and Ignatius Rancadore, president of the corporation.

**ALLEGED VIOLATION:** On or about October 28, 1949, and January 18, 1950, the defendants caused quantities of misbranded tomato puree to be introduced into interstate commerce at San Jose, Calif., for delivery to Seattle, Wash.

The defendants also caused to be given a false guaranty with respect to a quantity of canned cut green beans which they delivered between March 7,

1949, and January 10, 1950, within the State of California, to the holder of the guaranty, who was engaged in the business of introducing and delivering for introduction into interstate commerce, quantities of vegetable products. The guaranty was given to the holder thereof on or about September 12, 1946, and it provided, among other things, that no article shipped or delivered thereunder would be adulterated or misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act.

**LABEL, IN PART:** "Buon Gusto Brand Fancy Tomato Puree \* \* \* Packed For Angelo Merlino & Sons Seattle, U. S. A. Net Weight 6 Lbs. 6 Ozs." and "Pacific Island Brand Cut Green Beans Net Weight 6 Lbs. 5 Oz. S. E. Rykoff & Co. Distributors Los Angeles, California."

**NATURE OF CHARGE:** Tomato puree. Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (The article was short of the declared weight.)

Canned cut green beans. Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned green beans since there were present in the article pods or pieces of pods .27/64 inch or more in diameter; there were in the article more than 12 strings per 12 ounces of drained weight, which would support 1/2 pound for 5 seconds or longer when tested by the method prescribed in the standard; the deseeded pods of the article contained more than 0.15 percent by weight of fibrous material when tested by the prescribed method; and the label of the article did not bear a statement that the article fell below the standard.

**DISPOSITION:** December 14, 1950. Pleas of nolo contendere having been entered, the court imposed a fine of \$150 against each defendant.

**16838. Adulteration of canned corn. U. S. v. 1,500 Cases \* \* \*. (F. D. C. No. 29921. Sample Nos. 52298-K, 52299-K.)**

**LABEL FILED:** October 9, 1950, Western District of Kentucky.

**ALLEGED SHIPMENT:** On or about April 20, 21, and 26, 1950, by W. A. Long & Sons, from Monticello, Iowa.

**PRODUCT:** 1,500 cases, each containing 24 1-pound, 4-ounce cans, of corn at Henderson, Ky.

**LABEL, IN PART:** "Starlet [or "Blue Jean"] Cream Style White Sweet Corn Packed By Durbrow Bros. Canning Co. Cedar Rapids, Iowa."

**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 and worm parts.

**DISPOSITION:** December 12, 1950. Default decree of condemnation. The court ordered that the product be delivered to a public institution, for use as animal feed.

**16839. Adulteration of canned corn. U. S. v. 399 Cases \* \* \*. (F. D. C. No. 29888. Sample No. 77558-K.)**

**LABEL FILED:** On or about September 21, 1950, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about July 19, 1950, by W. A. Long & Sons, from Monticello, Iowa.

**PRODUCT:** 399 cases, each containing 24 1-pound, 4-ounce cans, of corn at St. Louis, Mo.