

**ALLEGED SHIPMENT:** On or about June 1 and 2, 1950, by Brown's Frosted Foods, Inc., from Franklin, Ky.

**PRODUCT:** 3,380 30-pound cans of frozen strawberries at Cincinnati, Ohio.

**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 berries.

**DISPOSITION:** February 6, 1951. Brown's Frosted Foods, Inc., Philadelphia, Pa., claimant, having admitted the allegations of the libel, judgment of condemnation was entered. The decree provided that the product might be released under bond for separation of the fit portion from the unfit. However, 3,320 cans which actually were seized were destroyed.

#### VEGETABLES\*

**17829. Misbranding of mushrooms. U. S. v. Patsy Bartogli & Son. Plea of nolo contendere. Fine, \$50. (F. D. C. No. 31094. Sample No. 25244-L.)**

**INFORMATION FILED:** June 6, 1951, Eastern District of Pennsylvania, against Patsy Bartogli & Son, a partnership, Avondale, Pa.

**ALLEGED SHIPMENT:** On or about March 7, 1951, from the State of Pennsylvania into the State of New Jersey.

**LABEL, IN PART:** (Basket) "Special Mushrooms 3 Lb. Net."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the baskets contained less than the declared weight of 3 pounds.

**DISPOSITION:** September 24, 1951. A plea of nolo contendere having been entered, the court fined the defendant \$50.

**17830. Adulteration of canned black-eyed peas. U. S. v. Thomas & Drake Canning Co. Plea of nolo contendere. Fine, \$50. (F. D. C. No. 31131. Sample No. 78016-K.)**

**INFORMATION FILED:** August 13, 1951, Eastern District of Oklahoma, against the Thomas & Drake Canning Co., a partnership, Haskell, Okla.

**ALLEGED SHIPMENT:** Within the period from on or about July 26 to on or about October 5, 1950, from the State of Oklahoma into the State of Tennessee.

**LABEL, IN PART:** (Can) "Prepared From Fresh Green Shelled Black Eye Peas \* \* \* Packed By Thomas & Drake Canning Co., Haskell, Oklahoma."

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

**DISPOSITION:** December 5, 1951. A plea of nolo contendere having been entered, the court imposed a fine of \$50.

#### TOMATOES AND TOMATO PRODUCTS

**17831. Adulteration and misbranding of canned tomatoes. U. S. v. 659 Cases \* \* \* (and 1 other seizure action). (F. D. C. Nos. 29752, 29782. Sample Nos. 66951-K, 81893-K.)**

**LIBELS FILED:** October 2 and 3, 1950, Middle and Western Districts of North Carolina.

\*See also No. 17813.