

cent, the minimum permitted by the standard; and, further, the article contained artificial color, which is not permitted as an ingredient of strawberry jam in the definition and standard.

DISPOSITION: January 18, 1952. Leverton & 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 relabeling, under the supervision of the Federal Security Agency.

VEGETABLES

18033. Adulteration of dried fava beans. U. S. v. 78 Bags * * * (and 2 other seizure actions). (F. D. C. Nos. 31769, 31770, 31785. Sample Nos. 24063-L to 24065-L, incl.)

LIBELS FILED: October 15 and 16, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about August 17 and 19, 1951, from Bari, Italy.

PRODUCT: 302 bags, each containing 49 kilograms, of dried fava beans at New York, N. Y.

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.

DISPOSITION: December 14, 1951. Default decrees of condemnation. The court ordered that the product be delivered to a Federal institution, for use as hog feed.

18034. Adulteration of canned beets, dried black-eyed peas, and dried kidney beans. U. S. v. 79 Cases, etc. (F. D. C. No. 31737. Sample Nos. 20852-L, 20853-L, 20944-L, 20945-L.)

LIBEL FILED: October 1, 1951, Western District of Louisiana.

ALLEGED SHIPMENT: On or about February 13 and November 17, 1950, and July 10, 1951, from Harlingen and Jefferson, Tex., and Perry, N. Y.

PRODUCT: 79 cases, each containing 24 No. 2 cans, of small whole beets; 34 cases, each containing 24 No. 2 cans, of sliced beets; 31 100-pound bags of black-eyed peas; and 73 100-pound bags of red kidney beans, at Shreveport, La.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the canned beets consisted in whole or in part of a decomposed substance; the dried black-eyed peas consisted in whole or in part of a filthy substance by reason of the presence of insects; and the dried red kidney beans consisted in whole or in part of a decomposed substance by reason of the presence of moldy beans. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 5, 1951. Default decree of condemnation. The court ordered that the products be destroyed or otherwise disposed of by the marshal as provided by law.

18035. Adulteration of canned spinach. U. S. v. 162 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 31756, 31760. Sample Nos. 5743-L, 23840-L.)

LIBELS FILED: October 4 and 5, 1951, District of Massachusetts and District of New Jersey.

ALLEGED SHIPMENT: On or about April 26 and July 23, 1951, by Flotill Products, Inc., from Stockton, Calif.

PRODUCT: 319 cases, each containing 6 6-pound, 2-ounce cans, of spinach at Union, N. J., and Springfield, Mass.

LABEL, IN PART: (Can) "Flotill Fancy Spinach" and "Fancy California Spinach * * * Sweet Life."

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 aphids and other insects.

DISPOSITION: December 17 and 27, 1951. Default decrees of condemnation and destruction.

TOMATOES AND TOMATO PRODUCTS

18036. Adulteration and misbranding of canned tomatoes. U. S. v. 40 Cases * * *. (F. D. C. No. 31751. Sample No. 1228-L.)

LIBEL FILED: On or about October 2, 1951, Northern District of Georgia.

ALLEGED SHIPMENT: On or about August 21, 1951, by J. W. Siegfried, Jr., from Hague, Va.

PRODUCT: 40 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Atlanta, Ga.

LABEL, IN PART: (Can) "Dixianna Brand 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.

Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned tomatoes because of excessive peel, and the label failed to bear a statement that the article fell below the standard.

DISPOSITION: October 30, 1951. Default decree of condemnation. The court ordered that the product be destroyed; otherwise, that it be delivered to a Federal institution, for use as animal feed.

18037. Misbranding of canned tomatoes. U. S. v. 358 Cases * * *. (F. D. C. No. 31721. Sample No. 1443-L.)

LIBEL FILED: On or about October 1, 1951, Eastern District of South Carolina.

ALLEGED SHIPMENT: On or about July 26, 1951, by the Lake Packing Co., from Lake, Va.

PRODUCT: 358 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Columbia, S. C.

LABEL, IN PART: (Can) "Red-Glo Tomatoes."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned tomatoes because of excessive peel and the label failed to bear a statement that the article fell below the standard.

DISPOSITION: October 30, 1951. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for use on its premises.