

**DISPOSITION:** November 4, 1952. Default decree of condemnation and destruction.

## FRUITS AND VEGETABLES

### CANNED FRUIT

**19425. Adulteration of canned oranges. U. S. v. 413 Cases, etc. (F. D. C. No. 31039. Sample No. 27701-L.)**

**LIBEL FILED:** May 9, 1951, Northern District of California.

**ALLEGED SHIPMENT:** On or about January 26, 1951, by Naigai Trading Co., Ltd., from Shimizu, Japan.

**PRODUCT:** 1,023 cases, each containing 48 11-ounce cans, of oranges at San Francisco, Calif.

**LABEL, IN PART:** "Food Crest Peeled Sections Mandarin Oranges In Light Syrup."

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

**DISPOSITION:** August 3, 1951. The American Trading 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 to be reconditioned and salvaged under the supervision of the Federal Security Agency. 519 cases and 39 cans were brought into compliance with the law, and 460 cases and 38 cans were destroyed.

**19426. Misbranding of canned peaches. U. S. v. 149 Cases \* \* \*. (F. D. C. No. 33556. Sample No. 28203-L.)**

**LIBEL FILED:** August 29, 1952, Southern District of New York.

**ALLEGED SHIPMENT:** On or about May 22, 1952, by the Pacific Grape Products Co., from Modesto, Calif.

**PRODUCT:** 149 cases, each containing 24 cans, of peaches at Kingston, N. Y.

**LABEL, IN PART:** (Can) "Cheerio Brand In Heavy Syrup Halves Yellow Home Style Freestone Peaches \* \* \* Contents 1 Lb. 13 Oz."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (2), the product failed to meet the standard of fill of container for canned peaches, and the label failed to bear a statement that the product fell below the standard.

**DISPOSITION:** January 6, 1953. F. B. Matthews & Co., Inc., Kingston, N. Y., 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 to be relabeled, under the supervision of the Federal Security Agency.

**19427. Misbranding of canned peaches. U. S. v. 99 Cases \* \* \*. (F. D. C. No. 33488. Sample No. 40711-L.)**

**LIBEL FILED:** July 25, 1952, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about June 9, 1952, by the Olympia Canning Co., from Olympia, Wash.

**PRODUCT:** 99 cases, each containing 24 1-pound, 1-ounce cans, of peaches at Philadelphia, Pa.

**LABEL, IN PART:** "Class 'A' Sliced Elberta Yellow Freestone Peaches In Extra Heavy Syrup Net Weight 1 Lb. 1 Oz."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement "Class 'A'" and the vignette on the label showing evenly sliced peaches of apparently top quality were false and misleading since the product was not class A and was not of top quality since the peaches had a poor appearance due to crushed and broken pieces and uneven slices.

**DISPOSITION:** September 16, 1952. The Olympia Canning Co., Olympia, Wash., 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 to be relabeled, under the supervision of the Federal Security Agency.

### VEGETABLES AND VEGETABLE PRODUCTS

**19428. Adulteration of mung beans. U. S. v. 5 Bags \* \* \*. (F. D. C. No. 33549. Sample No. 37874-L.)**

**LABEL FILED:** August 25, 1952, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about July 18, 1952, from Indochina.

**PRODUCT:** 5 100-pound bags of mung beans at Brooklyn, 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 insect-bored beans, manure, dirt, and miscellaneous debris, and of a decomposed substance by reason of the presence of moldy beans.

**DISPOSITION:** February 9, 1953. Default decree of condemnation and destruction.

**19429. Adulteration of canned spinach. U. S. v. 113 Cases \* \* \*. (F. D. C. No. 33626. Sample No. 33805-L.)**

**LABEL FILED:** August 4, 1952, Eastern District of Michigan.

**ALLEGED SHIPMENT:** On or about June 10, 1952, by the Fayetteville Canning & Supply Co., From Springdale, Ark.

**PRODUCT:** 113 cases, each containing 24 1-pound, 2-ounce cans, of spinach at Detroit, Mich. Examination showed that the product was undergoing decomposition.

**LABEL, IN PART:** (Can) "Queen's Taste Brand \* \* \* Spinach Packed By Rush Canning Co. Springdale, Arkansas."

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

**DISPOSITION:** September 5, 1952. Default decree of condemnation and destruction.

**19430. Adulteration of canned chopped turnip greens. U. S. v. 199 Cases \* \* \*. (F. D. C. No. 33546. Sample No. 2152-L.)**

**LABEL FILED:** August 27, 1952, Western District of North Carolina.

**ALLEGED SHIPMENT:** On or about May 28, 1952, by the Besco Products Co., from Zebulon, Ga.

**PRODUCT:** 199 cases, each containing 24 1-pound, 2-ounce cans, of chopped turnip greens at Charlotte, N. C.

**LABEL, IN PART:** (Can) "Miss Georgia Brand Chopped Turnip Greens."