

19833. Adulteration and misbranding of canned lima beans. U. S. v. 44 Cases * * *. (F. D. C. No. 33653. Sample No. 22700-L.)

LIBEL FILED: August 21, 1952, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about May 21, 1952, by the Fresh Canning Co., from Spiro, Okla.

PRODUCT: 44 cases, each containing 48 15-ounce cans, of lima beans at Baton Rouge, La.

LABEL, IN PART: (Can) "Baby Shug Green & White Baby Lima Beans."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing dried soaked lima beans had been substituted for canned lima beans, which the article was represented to be.

Misbranding, Section 403 (g) (1), the article purported to be and was represented as canned lima beans, a food for which a definition and standard of identity has been prescribed by the regulations, and it failed to conform to such definition and standard. The definition and standard of identity provides that the vegetable ingredient of canned lima beans is obtained by proper preparation from the succulent vegetable, whereas the article was prepared from dried soaked lima beans.

DISPOSITION: October 13, 1952. The Fresh 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, conditioned that it be relabeled in compliance with the law, under the supervision of the Federal Security Agency.

19834. Adulteration of canned red beans. U. S. v. 63 Cases * * *. (F. D. C. No. 33652. Sample No. 64821-L.)

LIBEL FILED: August 20, 1952, District of South Dakota.

ALLEGED SHIPMENT: During the latter part of 1945 or the early part of 1946, from Cambridge, Md.

PRODUCT: 63 cases, each containing 48 15½-ounce cans, of red beans at Mitchell, S. Dak.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 23, 1952. The consignee having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be destroyed.

TOMATOES AND TOMATO PRODUCTS

19835. Adulteration of canned tomatoes. U. S. v. 624 Cases * * *. (F. D. C. No. 34128. Sample No. 39313-L.)

LIBEL FILED: November 13, 1952, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about October 1, 1952, by Phillips Sales Co., Inc., from Cambridge, Md.

PRODUCT: 624 cases, each containing 24 1-pound cans, of tomatoes at Norfolk, Va.

LABEL, IN PART: (Can) "Phillips Delicious * * * Tomatoes."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: February 26, 1953. Default decree of condemnation and destruction.

19836. Adulteration of tomato catsup. U. S. v. 266 Cases * * *. (F. D. C. No. 33616. Sample No. 4330-L.)

LIBEL FILED: On or about August 14, 1952, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about August 1, 1952, by Gibbs & Co., Inc., from Baltimore, Md.

PRODUCT: 266 cases, each containing 24 14-ounce bottles, of tomato catsup at New Orleans, La.

LABEL, IN PART: "Gibbs Tomato Catsup."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: September 15, 1952. Default decree of condemnation and destruction.

19837. Adulteration of tomato sauce. U. S. v. 247 Cases * * *. (F. D. C. No. 33696. Sample No. 46370-L.)

LIBEL FILED: September 15, 1952, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about February 29 and March 1, 1952, from Fullerton, Calif.

PRODUCT: 247 cases, each containing 72 8-ounce cans, of tomato sauce at New Orleans, La.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 8, 1952. Hunt Foods, Inc., Fullerton, Calif., 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 the segregation of the fit from the unfit portion, under the supervision of the Federal Security Agency. 80 cases and 44 cans were salvaged and released to the claimant, and approximately 160 cases were destroyed.

OILS AND FATS

19838. Adulteration and misbranding of table and cooking oil, misbranding of olive oil, and adulteration of macaroni and spaghetti. U. S. v. Chicago Macaroni Co. and Steve Matalone and Joseph S. Matalone. Pleas of nolo contendere. Fine of \$3,000, plus costs, against defendants jointly. (F. D. C. No. 32794. Sample Nos. 14772-L, 14773-L, 15133-L, 15366-L, 15724-L, 16197-L, 19200-L, 32340-L, 35503-L, 48213-L, 48214-L.)

INFORMATION FILED: July 24, 1952, Northern District of Illinois, against the Chicago Macaroni Co., a corporation, Chicago, Ill., and Steve Matalone, president, and Joseph S. Matalone, secretary, of the corporation.