

DISPOSITION: June 8, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for use as animal feed.

20476. Adulteration and misbranding of canned black-eyed peas. U. S. v. 296 Cases, etc. (F. D. C. No. 34787. Sample Nos. 53615-L, 53616-L.)

LIBEL FILED: On or about April 9, 1953, Western District of Missouri.

ALLEGED SHIPMENT: On or about February 10, 1953, by the Good Canning Co., from Fort Smith, Ark.

PRODUCT: 296 cases, each containing 24 cans, and 146 cases, each containing 24 cans, of black-eyed peas at Springfield, Mo.

LABEL, IN PART: (Can) "Contents 1 Lb. 0 Oz. G. D. M. Brand Fresh Shelled Blackeye Peas" or "Contents 1 Lb. 3 Oz. G. D. M. Brand Fresh Shelled Blackeye Peas."

NATURE OF CHARGE: Adulteration (146-case lot), Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of worms.

Misbranding (296-case lot), Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Contents 1 Lb. 0 Oz." was inaccurate. (Examination showed that this lot was short weight.)

DISPOSITION: On June 16, 1953, the Good Canning Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the 296-case lot of the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. This lot of the product was relabeled. In July 1953, the court entered an order directing that the 146-case lot be destroyed.

20477. Adulteration of canned black-eyed peas. U. S. v. 26 Cases * * *. (F. D. C. No. 34737. Sample Nos. 29388-L, 29691-L.)

LIBEL FILED: March 6, 1953, Western District of Washington.

ALLEGED SHIPMENT: On or about December 3, 1952, from Fort Smith, Ark., by the Good Canning Co.

PRODUCT: 26 cases, each containing 24 15-ounce cans, of black-eyed peas at Seattle, Wash.

LABEL, IN PART: (Can) "Dependable Brand * * * Fresh Shelled Blackeye Peas."

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 larvae.

DISPOSITION: May 18, 1953. Default decree of condemnation and destruction

20478. Adulteration of kosher style gherkins. U. S. v. 198 Cases * * *. (F. D. C. No. 34927. Sample No. 45174-L.)

LIBEL FILED: March 31, 1953, District of Massachusetts.

ALLEGED SHIPMENT: On or about July 30, 1952, by the Original Canning Co. from Brooklyn, N. Y.

PRODUCT: 198 cases, each containing 12 1-quart jars, of kosher style gherkins at Worcester, Mass.

LABEL, IN PART: (Jar) "Lush'us Kosher Style Gherkins."