3962. Misbranding of canned corn. U. S. v. 149 Cases, 314 Cases, and 99 Cases of Canned Corn. Decrees of condemnation. Product ordered released under bond for relabeling. (F. D. C. Nos. 7056, 7521. Sample Nos. 64828–E, 64881–E, 64882–E.)

This product was not Fancy as labeled because it was overmature and a portion had a thin consistency and poor flavor, a portion was too thick and pasty, and the remainder had a poor flavor because it was too salty and not sweet enough. One lot was wide-grain corn and not narrow-grain as labeled.

On March 18 and May 22, 1942, the United States attorneys for the Western District of Pennsylvania and the Northern District of West Virginia filed libels against 149 cases, each containing 24 cans, of corn at Pittsburgh, Pa., and 314 cases, each containing 24 cans, of corn at Moundsville, W. Va., alleging that the article had been shipped in interstate commerce within the period from on or about September 18, 1941, to on or about February 3, 1942, by Crites Milling Co., from Circleville and Ashville, Ohio; and charging that it was misbranded. The article was labeled in part: (Cans) "Fancy Flavor Brand Cream Style Golden Sweet Corn," or "Narrow Grain Fancy Flavor Brand Cream Style White Sweet Corn."

The article was alleged to be misbranded in that the statement "Fancy Flavor" was false and misleading as applied to an article that was not of fancy quality. A portion was alleged to be misbranded further in that the statement "Narrow Grain" was false and misleading as applied to an article that was not of a narrow-grain variety of sweet corn.

On May 8 and July 22, 1942, the Crites Milling Co., having appeared as claimant, judgments of condemnation were entered and the product was ordered released under bond conditioned that it be relabeled.

3963. Adulteration of canned mustard greens. U. S. v. 66 Cases and 145 Cases of Mustard Greens. Consent decrees of condemnation and destruction. (F. D. C. Nos. 7996, 7997. Sample Nos. 2902–F, 2903–F.)

This product contained insects and insect fragments.

On or about August 1, 1942, the United States attorney for the Western District of Missouri filed libels against a total of 211 cases, each containing 24 cans, of mustard greens at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about April 7 and 28, 1942, by the Alma Canning Co. from Alma, Ark.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Cans) "Alma Mustard Greens."

On August 5, 1942, judgments of condemnation were entered by consent and the product was ordered destroyed.

3964. Misbranding of canned peas. U. S. v. 72 Cases of Canned Peas. Default decree of condemnation and destruction. (F. D. C. No. 7581. Sample No. 70372–E.)

On May 29, 1942, the United States attorney for the Middle District of Alabama filed a libel against 72 cases of canned peas at Dothan, Ala., alleging that the article had been shipped in interstate commerce on or about April 30, 1942, by the Concord Corporation (Crine Enterprises) from Cairo, Ga.; and charging that it was misbranded. It was labeled in part: "Crines Quality Early June Peas."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard, since the alcohol-insoluble solids of the peas were more than 23.5 percent, and its label failed to bear in such manner and form as the regulations specify a statement that it fell below such standard.

On July 14, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3965. Adulteration of canned turnip greens. U. S. v. 178 Cases and 174 Cases of Canned Turnip Greens. Default decree of condemnation and destruction. (F. D. C. No. 8107. Sample No. 28110–F.)

Examination of this product showed that it contained insects.

On August 13, 1942, the United States attorney for the Southern District of Florida filed a libel against 352 cases, each containing 24 cans, of turnip greens at Tampa Fla., alleging that the article had been shipped in interstate commerce on or about January 15 and February 16, 1942, by the Concord Corporation from Cairo, Ga.; and charging that it was adulterated in that it con-