

4823. Adulteration of canned corn. U. S. v. 220 Cases of Canned Corn. Default decree of condemnation and destruction. (F. D. C. No. 9234. Sample No. 33802-F.)

This product contained corn ear worms, corn ear worm fragments, insects, and insect fragments.

On January 25, 1943, the United States attorney for the Western District of New York filed a libel against 220 cases, each containing 24 cans, of corn at Buffalo, N. Y., alleging that the article had been shipped in interstate commerce on or about October 6, 1942, by the New Oxford Canning Co. from New Oxford, Pa.; 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) "Pine Cone Brand Cream Style White Sugar Corn * * * Albert W. Sisk and Son Distributors—Not Manufacturers Preston, Md. and Aberdeen, Md."

On March 9, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4824. Adulteration of canned mustard greens. U. S. v. 438 Cases of Canned Mustard Greens. Default decree of condemnation and destruction. (F. D. C. No. 9164. Sample No. 6074-F.)

On January 15, 1943, the United States attorney for the Western District of Arkansas filed a libel against 438 cases of canned mustard greens at Ozark, Ark., alleging that the article had been shipped in interstate commerce from Kansas City, Mo., and that it had been shipped to Kansas City by the Ozark Canning Co. on November 7, 1942, and was returned to the shipper on or about December 15, 1942, because of spoilage. It was labeled in part: "Pride of Ozark Brand Mustard Greens * * * Packed by Ozark Canning Co. Ozark, Ark."

The article was alleged to be adulterated in that it was under-processed and was undergoing progressive decomposition and consisted wholly or in part of a decomposed substance.

On April 13, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

Nos. 4825 to 4830 represent actions involving canned peas that purported to be a food for which a standard of quality had been prescribed by law, but its quality fell below such standard because of higher alcohol insoluble solids than the maximum permitted by the standard, and its label failed to bear, in the manner and form that the regulations specify, a statement that it fell below the standard.

4825. Misbranding of canned peas. U. S. v. 298 Cases and 199 Cases of Canned Peas. Orders entered releasing product under bond for relabeling. (F. D. C. Nos. 8663, 8664. Sample Nos. 32702-F, 32703-F, 32706-F.)

On October 28, 1942, the United States attorney for the Western District of Kentucky filed 2 libels against a total of 497 cases, each containing 24 cans, of peas at Louisville, Ky., alleging that the article had been shipped in interstate commerce within the period from on or about June 22 to October 6, 1942, by the Morgan-Adams Co., Inc., Cayuga, Ind.; and charging that it was misbranded since it was below standard. The article was labeled in part: (Can) "Daisy brand * * * Early June Peas."

On December 11, 1942, the Morgan-Adams Co., Inc., claimant, having admitted the allegations of the libel, orders were entered releasing the product under bond for relabeling under the supervision of the Food and Drug Administration.

4826. Misbranding of canned peas. U. S. v. 991 Cases of Canned Peas. Decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 8727. Sample No. 25682-F.)

On November 7, 1942, the United States attorney for the Northern District of Alabama filed a libel against 991 cases, each containing 24 cans, of peas at Birmingham, Ala., alleging that the article had been shipped in interstate commerce on or about August 14, 1942, by the Green Bay Canning Corporation, Green Bay, Wis.; and charging that it was misbranded in that it was below standard. The article was labeled in part: (Can) "TA-KO-MA Brand * * * Early Peas."

On February 22, 1943, the Ragland Brothers Co., Birmingham, Ala., having appeared as claimants and having admitted the allegation of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.