

**9575. Adulteration of canned spinach. U. S. v. 1,327 Cases of Canned Spinach. Default decree of forfeiture. Product ordered delivered to a public organization. (F. D. C. No. 17434. Sample No. 21061-H.)**

**LIBEL FILED:** On or about September 25, 1945, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about June 4, 1945, by the Foster and Wood Canning Co., from Lodi, Calif.

**PRODUCT:** 1,327 cases, each containing 6 6-pound, 2-ounce cans, of spinach at Kansas City, Mo.

**LABEL, IN PART:** "Lee Fancy California Spinach."

**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 aphids.

**DISPOSITION:** October 23, 1945. No claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed. In January 1946, the court modified the order of destruction to permit the delivery of the product to a public organization, for denaturing and use as stock feed, under the supervision of the Food and Drug Administration.

**9576. Adulteration of canned spinach. U. S. v. 183 Cases and 875 Cases of Canned Spinach. Product ordered released under bond. (F. D. C. Nos. 17482, 17483. Sample Nos. 25851-H, 25853-H.)**

**LIBELS FILED:** On or about September 21, 1945, District of Colorado.

**ALLEGED SHIPMENT:** On or about June 25, 1945, by the Appleby-Young Canning Co., from Johnson, Ark.

**PRODUCT:** 1,058 cases, each containing 6 6-pound, 2-ounce cans, of spinach at Denver, Colo.

**LABEL, IN PART:** "May-Flower [or "Hiwasse"] Brand."

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

**DISPOSITION:** February 12, 1946. The Appleby-Young Canning Co. having appeared as claimant, judgment was entered ordering the product released under bond, conditioned that all cans of swelled or otherwise abnormal appearance, together with all cans bearing a certain code, be destroyed under the supervision of the Food and Drug Administration.

**9577. Adulteration of canned spinach. U. S. v. 1,014 Cases of Canned Spinach. Default decree of condemnation and destruction. (F. D. C. No. 17026. Sample No. 36622-H.)**

**LIBEL FILED:** August 21, 1945, Western District of Washington.

**ALLEGED SHIPMENT:** On or about January 15, 16, and 17, 1945, by the Baron Canning Co., from Westville, Okla.

**PRODUCT:** 1,014 cases, each containing 6 6-pound, 2-ounce cans, of spinach at Seattle, Wash.

**LABEL, IN PART:** "Baron [or "Big League"] Brand Spinach."

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

**DISPOSITION:** January 17, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9578. Adulteration of spinach. U. S. v. 994 Cases of Spinach. Default decree of condemnation and destruction. (F. D. C. No. 19338. Sample No. 47323-H.)**

**LIBEL FILED:** March 14, 1946, District of Colorado.

**ALLEGED SHIPMENT:** On or about January 12, 1946, by the Sallisaw Canning Co., from Stigler, Okla.

**PRODUCT:** 994 cases, each containing 6 cans, of spinach at Denver, Colo. Examination showed that the product was undergoing progressive decomposition, and that it contained grass and leaves of plants other than spinach.

**LABEL, IN PART:** (Cans) "Mayflower Spinach Contents 6 Pounds."

**NATURE OF CHARGE:** Adulteration, Section 402(a) (3), the article consisted in whole or in part of a decomposed substance; Section 402(b) (2), grass and