

On December 11, 1939, and January 24, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

CANNED PUMPKIN

422. Adulteration of canned pumpkin. U. S. v. 15 Cases of Canned Pumpkin. Default decree of condemnation and destruction. (F. D. C. No. 806. Sample No. 58079-D.)

This product was in interstate commerce at the time of examination, and was found to be undergoing chemical decomposition at that time.

On October 25, 1939, the United States attorney for the District of Arizona filed a libel against 15 cases of canned pumpkin at Nogales, Ariz., alleging that the article had been shipped in interstate commerce on or about August 31, 1935, from Vinton, Iowa, by Iowa Canning Co.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: (Cans) "Fernbrook Brand Pumpkin * * * Sac City Pumpkin Packed by Sac City Canning Co., Sac City and Storm Lake, Iowa."

On February 5, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

423. Adulteration of canned pumpkin. U. S. v. 20 Cases of Canned Pumpkin. Default decree of condemnation and destruction. (F. D. C. No. 860. Sample No. 58092-D.)

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to be in whole or in part decomposed.

On November 13, 1939, the United States attorney for the District of Arizona filed a libel against 20 cases of canned pumpkin at Nogales, Ariz., alleging that it had been shipped on or about March 18, 1935, by Morgan Packing Co. from Austin, Ind.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: "Scott Co. Brand Pumpkin."

On February 5, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

CANNED MIXED VEGETABLES

424. Misbranding of canned mixed vegetables. U. S. v. 45 Cases of Mixed Vegetables. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 815. Sample No. 70669-D.)

This product was a mixture of carrots, string beans, lima beans, and peas. The labeling was misleading since the mixture contained no celery, beets (or pimientos), and potatoes, which were depicted on the vignette on the label while it did contain carrots and lima beans which were not shown on the vignette.

On October 27, 1939, the United States attorney for the District of Colorado filed a libel against 45 cases of canned mixed vegetables at Denver, Colo., consigned by the Rocky Mountain Packing Corporation, alleging that the article had been shipped in interstate commerce on or about September 9, 1939, from Murray, Utah; and charging that it was misbranded. The article was labeled in part: (Cans) "Y B Your Best Brand [vignette of a dish of mixed vegetables] Packed for the Yoelin Bros. Mercantile Co. Denver, Colo."

Misbranding was alleged in that the vignette was false and misleading when applied to an article that did not contain celery, beets (or pimientos), and potatoes, but did contain carrots and lima beans.

On December 7, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

FRUIT AND VEGETABLE PRODUCTS

APPLE BUTTER

425. Adulteration and misbranding of apple butter. U. S. v. 12 Cases of Apple Butter. Default decree of condemnation and destruction. (F. D. C. No. 1022. Sample No. 83642-D.)

This product contained arsenic and lead. It also contained insects and insect fragments and was short of the declared weight.