

On April 23, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 576 cases, each containing 24 No. 2 cans, of corn at East Landsdowne, Pa., alleging that the article had been shipped on or about December 4, 1940, by Rosen Brokerage Co. from Onarga, Ill.; and charging that it was misbranded. It was labeled in part: "Tigo * * * Fancy Cream Style Golden Sweet Corn."

The article was alleged to be misbranded in that the term "Fancy" was false and misleading since it was not Fancy because the corn was too mature, tough and starchy, and dark and off-color.

On May 12, 1941, the Giant Tiger Corporation having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration.

1980. Misbranding of canned corn. U. S. v. 49 Cases of Canned Corn. Default decree of condemnation and destruction. (F. D. C. No. 5028. Sample No. 22179-E.)

This product was not Fancy as labeled because of overmaturity, pulled and discolored or damaged kernels, and bits of cob.

On June 30, 1941, the United States attorney for the Northern District of California filed a libel against 49 cases of canned corn at San Francisco, Calif., consigned by the Eugene Fruit Growers Association, alleging that the article had been shipped in interstate commerce on or about May 17, 1941, from Eugene, Oreg.; and charging that it was misbranded in that the term "Fancy" was false and misleading as applied to an article that was not Fancy. The article was labeled in part: (Cans) "Xtra-Nice Brand Fancy Whole Grain Golden Corn."

On August 11, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1981. Misbranding of canned corn. U. S. v. 369 Cases of Canned Corn. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 5231. Sample No. 62153-E.)

This product was not Grade A and Fancy as stated on the label but was in part Grade B and part Grade C.

On or about August 5, 1941, the United States attorney for the Northern District of Illinois filed a libel against 369 cases of canned corn at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about June 14, 1941, by the Portland Packing Co. from Cummings, Maine; and charging that it was misbranded in that the terms "Grade A" and "Fancy" were false and misleading as applied to corn of Grade B and Grade C quality. The article was labeled in part: (Cans) "Grade A Kroger's Country Club Quality Brand Fancy Yellow Corn Cream Style."

On September 5, 1941, the Kroger Grocery & Baking Co., Chicago, Ill., claimant, having admitted the allegations 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.

Nos. 1982 to 1984 report the seizure and disposition of canned corn which, in addition to being erroneously labeled as of Fancy quality, failed to comply with other labeling requirements of the law.

1982. Misbranding of canned corn. U. S. v. 47 Cases of Canned Corn. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 4449. Sample No. 29319-E.)

On April 23, 1941, the United States attorney for the Southern District of Ohio filed a libel against 47 cases, each containing 24 No. 2 cans, of corn at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about October 25, 1940, by the Flat Rock Canning Co. from Flat Rock, Ind.; and charging that it was misbranded. It was labeled in part: (Cans) "A Strictly Fancy Quality Flat Rock Country Gentleman Corn."

The article was alleged to be misbranded (1) in that the statement "A Strictly Fancy Quality" was false and misleading as applied to an article that was not Fancy because the corn was overmature; and (2) in that it purported to be a food for which a definition and standard of identity had been prescribed by regulations as provided by law, but its label failed to bear (a) the name of the food specified in the definition and standard, viz, "White Sweet Corn," "White Corn," or "White Sugar Corn," and (b) a statement of the optional ingredient, that is, "Cream Style [Corn]" or "Crushed [Corn]," as provided by such definition and standard.

On May 9, 1941, the Flat Rock Canning Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

1983. Misbranding of canned corn. U. S. v. 87 Cases of Canned Corn. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 4428. Sample Nos. 35711-E, 35712-E.)

On April 21, 1941, the United States attorney for the Eastern District of Louisiana filed a libel against 87 cases, each containing 24 No. 2 cans, of corn at New Orleans, La., alleging that the article had been shipped in interstate commerce by the Geneva Preserving Co. from Geneva, N. Y., within the period from on or about September 21, 1940, to on or about February 4, 1941; and charging that it was misbranded. It was labeled in part: "Geneva * * * Whole Kernel Sweet [or "Cream Style Golden Bantam"] Corn * * * Fancy Quality."

The whole kernel corn was alleged to be misbranded in that the statement "Fancy Quality" was false and misleading as applied to corn that was not Fancy because of the presence of hard, tough, mature kernels. It was alleged to be misbranded further in that its label failed to bear the name of the food specified in the definition and standard, viz, "White Sweet Corn," "White Corn," or "White Sugar Corn."

The cream style corn was alleged to be misbranded in that the statements "Golden Bantam Corn" and "Fancy Quality" were false and misleading as applied to corn that was not Golden Bantam, and that was not Fancy because of the presence of tough kernels.

On June 4, 1941, Gerde-Newman & Co., New Orleans, La., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration.

1984. Misbranding of canned corn. U. S. v. 67 Cases of Canned Corn. Default decree of condemnation and destruction. (F. D. C. No. 4209. Sample No. 47053-E.)

These cases of canned corn were unlabeled when shipped but were invoiced as Fancy Country Gentleman corn. Subsequently the cans were labeled by the consignee.

On April 12, 1941, the United States attorney for the Northern District of Illinois filed a libel against 67 cases, each containing 24 No. 2 cans, of corn at Cicero, Ill., alleging that the article had been shipped by the Marshall Canning Co. from Marshalltown, Iowa, on January 31, 1941; and charging that it was misbranded. It was labeled in part: (Cans) "Security Brand Fancy Sweet Corn."

The article was alleged to be misbranded (1) in that the term "Fancy" was false and misleading as applied to corn that was not young and tender; and (2) in that it purported to be a food for which a definition and standard of identity had been prescribed by regulations as provided by law, but its label failed to bear (a) the name of the food specified in the definition and standard, viz, "White Sweet Corn," "White Corn," or "White Sugar Corn," and (b) a statement of the optional ingredient, viz, "Cream Style [Corn]" or "Crushed [Corn]," as provided in the definition and standard.

On June 30, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1985. Adulteration and misbranding of canned peas. U. S. v. Jackson Brokerage Co., Inc., Ben H. Jackson, Milton C. Mankowitz, Amboy Food Corporation, and Samuel Mankowitz. Plea of guilty. Fines, \$612. (F. D. C. No. 2101. Sample No. 77706-E.)

This product was represented on the label as fresh Early June peas, but it consisted of soaked dried peas. The label also bore a statement that it had been packed by a firm other than the real packer.

On September 3, 1940, the United States attorney for the District of New Jersey filed an information against the Jackson Brokerage Co., Inc., Newark, N. J., Ben H. Jackson and Milton C. Mankowitz, officers of Jackson Brokerage Co., Inc.; and Amboy Food Corporation, Irvington, N. J., and Samuel Mankowitz, president of Amboy Food Corporation, alleging shipment by said defendants from the State of New Jersey into the State of Pennsylvania on or about August 29, 1939, of a consignment of canned peas that were adulterated and misbranded. They were labeled in part: "Pultney Brand Early June Peas Packed by K. M. Davies Co., Inc., at Williamson, N. Y. Contents 1 lb. 4 oz."