

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."