

was released to the claimant for relabeling under the supervision of the Food and Drug Administration.

**3324. Misbranding of canned corn. U. S. v. 25 Cases of Canned Corn. Default decree of condemnation. Product ordered delivered to a local charitable agency. (F. D. C. No. 6863. Sample No. 83219-E.)**

On February 17, 1942, the United States attorney for the Southern District of Texas filed a libel against 25 cases, each containing 24 No. 2 cans, of corn at Houston, Tex., alleging that the article had been shipped on or about January 8 and February 28, 1941, by Marshall Canning Co. from Marshalltown, Iowa; and charging that it was misbranded. It was labeled in part: (Cans) "Uncle William Fancy Country Gentleman Corn."

The article was alleged to be misbranded in that the term "Fancy" was false and misleading as applied to an article that was not Fancy because the kernels were too mature.

On April 15, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a local charitable agency.

**3325. Misbranding of canned corn. U. S. v. 37 Cases of Shoe Peg Corn. Consent decree ordering the product released under bond to be relabeled. (F. D. C. No. 7150. Sample No. 87948-E.)**

On April 7, 1942, the United States attorney for the Southern District of West Virginia filed a libel against 37 cases, each containing 24 No. 2 cans, of corn at Charleston, W. Va., alleging that the article had been shipped in interstate commerce on or about January 23, 1942, by the H. J. McGrath Co. from Baltimore, Md.; and charging that it was misbranded. It was labeled in part: (Cans) "McGrath's Fancy Shoe Peg Corn Champion Brand."

The article was alleged to be misbranded in that the term "Fancy" was false and misleading as applied to an article that was not of Fancy quality because the kernels were too mature.

On April 23, 1942, Elk Grocery Co., Charleston, W. Va., claimant having admitted the allegations of the libel, judgment was entered ordering that the product be released under bond to be relabeled under the supervision of the Food and Drug Administration.

**3326. Misbranding of canned corn. U. S. v. 124 Cases of Canned Corn. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 7045. Sample No. 64827-E.)**

On March 17, 1942, the United States attorney for the Northern District of Ohio filed a libel against 124 cases of canned corn at Youngstown, Ohio, alleging that the article had been shipped in interstate commerce on or about September 23, 1941, and January 5, 1942, by Morgan-Adams Co., Inc., from Terre Haute, Ind.; and charging that it was misbranded in that the term "Fancy" was false and misleading as applied to an article that was not of Fancy quality because the kernels were too old. It was labeled in part: "Pride of Eugene \* \* \* Fancy Whole Kernel Golden Cross Bantam Corn."

On May 22, 1942, the Morgan-Adams Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling in compliance with the law.

**3327. Misbranding of canned corn. U. S. v. 518 Cases of Canned Corn. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 6561. Sample No. 37592-E.)**

On or about December 30, 1941, the United States attorney for the Northern District of Georgia filed a libel against 518 cases, each containing 24 No. 2 cans, of corn at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about November 15, 1941, by Stokely Bros. & Co., Inc., from Sevierville, Tenn.; and charging that it was misbranded. It was labeled in part: (Cans) "Southern Manor \* \* \* Cream Style White Sugar Corn Grade A."

The article was alleged to be misbranded in that the statement "Grade A" was false and misleading as applied to an article that was not Grade A because of overmaturity.

On January 31, 1942, Stokely Bros. & Co., Inc., 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.

Nos. 3328 to 3334 report the seizure and disposition of canned peas that fell below the standard of quality for canned peas because of excessive mealiness, as evidenced by the fact that their alcohol-insoluble solids were more than 23.5 percent, and they were not labeled to indicate that they were of substandard quality.

**3328. Misbranding of canned peas. U. S. v. 224 Cases of Canned Peas. Default decree of condemnation. Product ordered delivered to a Federal institution. (F. D. C. No. 6659. Sample No. 30489-E.)**

On January 6, 1942, the United States attorney for the Eastern District of Michigan filed a libel against 224 cases, each containing 24 No. 2 cans, of peas at Detroit, Mich., alleging that the article had been shipped in interstate commerce on or about November 12, 1941, by De Graff Food Co. from De Graff, Ohio; and charging that it was misbranded. It was labeled in part: (Cans) "Miami Leader Brand Sifted Early Peas."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On February 5, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a Federal institution.

**3329. Misbranding of canned peas. U. S. v. 796 Cases of Canned Peas. Consent decree ordering the product released under bond to be relabeled. (F. D. C. No. 6748. Sample No. 87300-E.)**

On January 23, 1942, the United States attorney for the Southern District of West Virginia filed a libel against 796 cases, each containing 6 No. 10 cans, of peas at Charleston, W. Va., alleging that the article had been shipped by Walker [Walter] English from Brownsville, Wis., on or about November 21, 1941; and charging that it was misbranded. It was labeled in part: (Cans) "Green Vine Brand \* \* \* Early Variety Peas Packed By Brownsville Canning Co., Brownsville, Wis."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On February 20, 1942, Walter English, claimant, having admitted the allegations of the libel, judgment was entered ordering that the product be released under bond to be relabeled under the supervision of the Food and Drug Administration.

**3330. Misbranding of canned peas. U. S. v. 291 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 6235. Sample No. 42780-E.)**

On November 21, 1941, the United States attorney for the Western District of Pennsylvania filed a libel against 291 cases, each containing 24 No. 2 cans, of peas at Erie, Pa., alleging that the article had been shipped on or about October 1, 1941, by McCoy Canned Foods Co. from Urbana, Ohio; and charging that it was misbranded. It was labeled in part: (Cans) "McCoy Brand Early June Peas."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On January 9, 1942, McCoy Canned Foods 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.

**3331. Misbranding of canned peas. U. S. v. 398 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 6702. Sample No. 87322-E.)**

On January 16, 1942, the United States attorney for the Eastern District of Virginia filed a libel against 398 cases, each containing 24 No. 2 cans, of peas at Norfolk, Va., alleging that the article had been shipped in interstate commerce on or about July 19, 1941, by Melrose Canning Co. from Baltimore, Md.; and charging that it was misbranded. It was labeled in part: (Cans) "Loveland \* \* \* June Peas."