

On November 3 and December 5, 1942, the Stilwell Canning Co., having appeared as claimant, judgments of condemnation were entered and the product was ordered released under bond for salvaging the fit portion under the supervision of the Food and Drug Administration.

**4190. Misbranding of canned corn. U. S. v. 115 Cases of Canned Corn. Consent decree of condemnation. Product ordered released under bond for re-labeling.** (F. D. C. No. 7385. Sample No. 80680-E.)

On July 13, 1942, the United States attorney for the Southern District of Ohio filed a libel against 115 cases, each containing 24 cans, of corn at Springfield, Ohio, alleging that the article had been shipped in interstate commerce on or about March 12, 1942, by A. W. Sisk & Son from Aberdeen, Md.; and charging that it was misbranded in that the term "Fancy," appearing on the label was false and misleading as applied to an article that was not fancy because it was over-mature and contained pieces of cob or husk. The article was labeled in part: (Cans) "Preston Brand Fancy Shoe Peg Corn Whole Kernel." On September 11, 1942, A. W. Sisk & Son, 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.

**4191. Adulteration of canned mustard greens. U. S. v. 45 Cases of Canned Mustard Greens. Default decree of condemnation and destruction.** (F. D. C. No. 7959. Sample No. 4502-F.)

This product contained insects.

On July 24, 1942, the United States attorney for the Southern District of Indiana filed a libel against 45 cases, each containing 24 cans, of mustard greens at Terre Haute, Ind., alleging that the article had been shipped in interstate commerce on or about May 28, 1942, by Bohannon Canning Company, Inc., from Van Buren, Ark.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Cans) "Van Buren Arkansas, 'Home of Bob Burns' Mustard Greens Contents 1 Lb. 2 Oz."

On September 3, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**4192. Adulteration of spinach. U. S. v. 14 Cases of Spinach. Default decree of condemnation and destruction.** (F. D. C. No. 7795. Sample No. 91601-E.)

On June 29, 1942, the United States attorney for the Northern District of Illinois filed a libel against 14 cases, each case containing 49 cans, of spinach at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about April 13, 1942, by the Val Vita Food Products Co. from Fullerton, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Blytheville Brand Spinach \* \* \* Distributed by Grocery Trade Supply Co., Chicago, Ill."

On October 27, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### TOMATOES AND TOMATO PRODUCTS

**4193. Adulteration of canned tomatoes. U. S. v. 696 Cases of Tomatoes. Decree of condemnation. Product ordered released under bond for segregation and destruction of unfit portion.** (F. D. C. No. 8147. Sample No. 29529-F.)

A portion of this product was undergoing progressive spoilage.

On August 18, 1942, the United States attorney for the Northern District of Georgia filed a libel against 696 cases, each case containing 6 cans, of tomatoes at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about July 20, 1942, by Green Bros. from Seffner, Fla.; 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) "Old Glory Brand Tomatoes \* \* \* Packed by Northwestern Canning & Packing Co., Seffner, Fla."

On September 22, 1942, Harman & Hulsey, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that the unfit portion be separated and destroyed, under the supervision of the Food and Drug Administration.