

On November 17, 1942, and January 19, 1943, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

4415. Adulteration of canned cut green beans. U. S. v. 197 Cases of Canned Cut Green Beans. Decree of condemnation. Product ordered released under bond for segregation and destruction of the unfit portion. (F. D. C. No. 8857. Sample No. 15499-F.)

This product was underprocessed and in part decomposed.

On November 17, 1942, the United States attorney for the District of New Mexico filed a libel against 197 cases, each containing 24 cans, of cut green beans at Clovis, N. M., which had been consigned by the Muleshoe Canning Co. from Muleshoe, Tex., alleging that the article had been shipped in interstate commerce on or about August 8, 1942; 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: (Can) "Heart of the Plains Brand Cut Green Beans."

On December 21, 1942, no appearance having been entered or answer filed, judgment of condemnation was entered. The court ordered that the product might be released under bond to the Muleshoe Canning Co. for elimination of all bad or decomposed material under the supervision of the Food and Drug Administration.

4416. Adulteration of canned mustard greens. U. S. v. 82 Cases of Canned Mustard Greens. Default decree of condemnation and destruction. (F. D. C. No. 7592. Sample No. 73665-E.)

Examination of this product showed the presence of larvae, insects, and insect fragments.

On or about June 9, 1942, the United States attorney for the Western District of Missouri filed a libel against 82 cases of canned mustard greens at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about March 21, 1942, by the Alma Canning Co. from Alma, Ark.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: "Alma Mustard Greens."

On November 7, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

Nos. 4417 to 4423 represent actions involving canned peas that 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 the manner and form that the regulations specify, a statement that it fell below the standard.

4417. Misbranding of canned peas. U. S. v. 359 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 8366. Sample No. 4648-F.)

On September 17, 1942, the United States attorney for the Northern District of Ohio filed a libel against 359 cases, each containing 24 cans, of peas at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about July 20, 1942, by the Kroger Grocery & Baking Co. from Franklin, Ind.; and charging that it was misbranded since it was below standard. The article was labeled in part: (Cans) "Kroger's Big K Brand Standard—Grade C * * * Early Variety Peas."

On November 11, 1942, the Kroger Grocery & Baking Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

4418. Misbranding of canned peas. U. S. v. 237 Cases of Canned Peas (and 4 additional seizure actions against canned peas). Decrees of condemnation entered for portions. Orders releasing product under bond for relabeling entered in all cases. (F. D. C. Nos. 8627, 8710, 8717, 8873, 8940. Sample Nos. 4437-F, 4370-F, 31829-F, 4683-F, 4463-F.)

Between October 22 and November 28, 1942, the United States attorneys for the Southern District of Ohio, the Northern District of Ohio, the Middle District of Tennessee, and the Eastern District of Kentucky filed libels against 237 cases of canned peas at Ironton, Ohio, 133 cases at Cincinnati, Ohio, 115 cases at Cleveland, Ohio, 149 cases at Paintsville, Ky., and 463 cases at Nashville, Tenn., alleging that the article had been shipped in interstate commerce within the