1765. Adulteration of canned rhubarb. U. S. v. 62 Cases of Canned Rhubarb. Default decree of destruction. (F. D. C. No. 3838. Sample No. 16950–E.)

The interiors of the cans containing this product were partly corroded and pieces of enamel had been mixed with the contents.

On February 25, 1941, the United States attorney for the Western District of Missouri filed a libel against 62 cases of canned rhubarb at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about January 31 and February 1, 1940, by the Pure Foods Corporation of Los Angeles, Calif., from Des Moines, Iowa, and Omaha, Nebr.; and charging that it was adulterated in that it was unfit for food.

On April 22, 1941, no claimant having appeared, judgment was entered ordering destruction of the product.

1766. Misbranding of canned prunes. U. S. v. 23 Cases of Canned Prunes. Default decree of condemnation. Product ordered distributed to charitable institutions. (F. D. C. No. 3625. Sample No. 55383–E.)

This product was short weight.

On January 10, 1941, the United States attorney for the Eastern District of Washington filed a libel against 23 cases of canned prunes at Yakima, Wash., alleging that the article had been shipped in interstate commerce on or about July 13, 1940, by the Winchester Dried Fruit Co. from San Jose, Calif.; and charging that it was misbranded. The article was labeled in part: (Cans) "Prunepak Brand * * * Prunes * * * Contents 1 Lb. 14 Oz. or 850 Grams."

It was alleged to be misbranded in that the statement "Contents 1 Lb. 14 Oz. or 850 Grams" was false and misleading since it was incorrect. It was alleged to be misbranded further in that it was in package form and did not bear an accurate statement of the quantity of the contents.

On March 18, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution after removal of the labels.

1767. Adulteration and misbranding of canned asparagus. U. S. v. 18 Cases of Canned Asparagus. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 3584. Sample No. 44020–E.)

This product was represented to consist of tips and cuts of asparagus but contained but a negligible amount of tips.

On October 26, 1940, the United States attorney for the District of Colorado filed a libel against 18 cases of canned asparagus which had been consigned by the Otoe Food Products Co., alleging that the article had been shipped in interstate commerce on or about April 23, 1940, from Nebraska City, Nebr.; and charging that it was adulterated and misbranded. It was labeled in part: (Cans) "Otoe Brand Contents 10 Oz. Avoir. * * * Tips & Cuts All Green Asparagus."

The article was alleged to be adulterated in that a product consisting of cut pieces of asparagus with a negligible amount of tips had been substituted wholly or in part for "Tips & Cuts," which it purported to be. It was alleged to be misbranded in that the picture of a dish of asparagus containing a considerable proportion of tips, and the statement "Tips & Cuts," on the label, were false and misleading as applied to an article consisting essentially of cut pieces of asparagus with a negligible amount of tips.

On January 3, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

1768. Adulteration of canned field peas with snaps. U. S. v. 7 Cases of Field Peas with Snaps. Default decree of condemnation and destruction. (F. D. C. No. 3616. Sample No. 37217–E.)

This product contained insect larvae and eggs.

On January 2, 1941, the United States attorney for the Southern District of Florida filed a libel against 7 cases of the above-named product at Tampa, Fla., alleging that the article had been shipped in interstate commerce on or about September 15, 1940, by R. O. Kelly from Mitchell, Ga.; 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) "Kelly's Best Georgia Field Peas with Snaps."

On January 27, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.