1769. Misbranding of pork and beans. U. S. v. 80 Cases of Canned Pork and Beans. Consent decree of condemnation. Product released under bond for relabeling. (F. D. C. No. 3652. Sample No. 38869–E.)

This product was short weight.

On January 10, 1941, the United States attorney for the District of Minnesota filed a libel against 80 cases of canned pork and beans at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about November 7, 1940, by the Friday Canning Corporation from New Richmond, Wis.; and charging that it was misbranded. The article was labeled in part: (Cans) "Armour's Star * * * Pork and Beans. * * * 1 Lb. 12 Oz. Net."

It was alleged to be misbranded in that the statement "1 Lb. 12 Oz. Net" was false and misleading since it was incorrect; and in that it was in package form and did not bear an accurate statement of the quantity of the contents.

On February 25, 1941, the Friday Canning Corporation, 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 properly relabeled.

1770. Adulteration of canned pumpkin. U. S. v. 54 Cases of Canned Pumpkin. Consent decree of condemnation and destruction. (F. D. C. No. 3802. Sample No. 43212–E.)

This product contained a glasslike mineral substance.

On February 10, 1941, the United States attorney for the District of Nebraska filed a libel against 54 cases of canned pumpkin at Lincoln, Nebr., alleging that the article had been shipped in interstate commerce on or about October 25, 1939, by Gunter Food Products Co. from Mount Pleasant, Iowa; and charging that it was adulterated. It was labeled in part: (Cans) "Pickfair Brand Pumpkin."

The article was alleged to be adulterated in that it contained an added deleterious glasslike substance which might have rendered it injurious to health; in that it was unfit for food; and in that a glasslike mineral substance had been substituted wholly or in part for pumpkin and had been added thereto or mixed or packed therewith so as to reduce its quality.

On February 27, 1941, the consignee 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 destroyed.

FROZEN FRUITS

1771. Adulteration of frozen blueberries. U. S. v. 1,000 Boxes of Frozen Blueberries. Consent decree entered. Product ordered released under bond for segregation and destruction of unfit portion. (F. D. C. No. 3140. Sample No. 1787–E.)

Samples of this product were found to contain caterpillars.

On October 4, 1940, the United States attorney for the Western District of Virginia filed a libel against 1,000 boxes of frozen blueberries at Winchester, Va., alleging that the article had been shipped in interstate commerce on or about September 23, 1940, by D. Hushion, Ltd., Montreal, Canada; 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 "Saguenay Blu's."

On October 14, 1940, the Zeropack Co., Inc., Winchester, Va., claimant, having admitted the allegations of the libel, judgment was entered ordering that the product be released under bond conditioned that the unfit portion be segregated and destroyed.

1772. Adulteration of frozen huckleberries. U. S. v. 29 Cases and 41 Cases of Huckleberries. Default decrees of condemnation and destruction. (F. D. C. Nos. 3796, 3797. Sample Nos. 32178–E, 32874–E.)

This product contained insect larvae.

On February 7, 1941, the United States attorney for the Southern District of California filed libels against 70 cases of frozen huckleberries at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce from Tacoma, Wash., that 41 cases had been shipped on or about September 27, 1940, in the name of H. T. Burge ex Kelley, Farquhar & Co., and that 29 cases had been shipped on or about December 27, 1940, in the name of Kelley, Farquhar & Co.; and charging that the article was adulterated in that it consisted in whole or in part of a filthy substance. It was labeled in part: (Cans) "Fresh Frozen Sparklets Huckleberries."