it was misbranded. The article was labeled in part: "Rich-Pak Brand * * * Sweetened Yellow Variety Field Corn Cream Style."

The article was alleged to be misbranded in that it purported to be and was represented as a food for which a definition and standard of identity had been prescribed by regulations promulgated pursuant to law, but it failed to conform to such definition and standard since it was not prepared from succulent ears of field corn from which the seed was cut and scraped as required by the definition and standard of identity.

On June 28, 1943, Rich & Morgan, Atlanta, Ga., having appeared as claimants and 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.

5370. Adulteration of canned mustard greens. U. S. v. 615 Cases of Mustard Greens. Default decree of condemnation and destruction. (F. D. C. No. 10096. Sample No. 10300–F.)

On June 18, 1943, the United States attorney for the Eastern District of Louisiana filed a libel against 615 cases, each containing 24 unlabeled cans, of mustard greens at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about November 16, 1942, by the Bentonville Canning Co. from Bentonville, Ark.; and charging that it was adulterated in that it consisted in whole or in part of filthy substances, insects, insect fragments, caterpillars, and aphids.

On July 23, 1943, no claimant having appeared, judgment of condemnatiton was entered and the product was ordered destroyed.

5371. Misbranding of canned peas. U. S. v. 334 Cases of Canned Peas. Default decree of condemnation. Product ordered delivered to welfare organizations. (F. D. C. No. 10137. Sample No. 48092–F.)

On June 23, 1943, the United States attorney for the Southern District of Ohio filed a libel against 334 cases of canned peas at Cincinnati, Ohio, which had been consigned on or about February 25, 1943, alleging that the article had been shipped in interstate commerce by the Cambria Canning Corporation from Jonesville, Wis.; and charging that it was misbranded. The article was labeled in part: (Cans) "Star of Wisconsin * * * Small Early Peas Distributed by Mammoth Spring Canning Company Main Office Sussex * * * Wisconsin."

The article was alleged to be misbranded in that it purported to be and was represented as a food for which a standard of quality had been prescribed by regulations promulgated pursuant to law, and its quality fell below such standard since the weight of extraneous vegetable material (chiefly thistle buds) was more than one-half of one percent of the drained weight of the peas in the container, and its label failed to bear, in such manner and form as such regulations specify, a statement that it fell below such standard.

On July 23, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to welfare organizations.

5372. Adulteration of spinach. U. S. v. 1,284 Cases of Spinach. Default decree of condemnation and destruction. (F. D. C. No. 9437. Sample No. 41623–F.)

On February 26, 1943, the United States attorney for the Southern District of Ohio filed a libel against 1,284 cases, each case containing 6 cans, of spinach at Columbus, Ohio, alleging that the article had been shipped in interstate commerce on or about October 6, 1942, by the H. J. McGrath Co. from Baltimore, Md.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, maggots. The article was labeled in part: (Cans) "McGrath's Champion Brand Spinach."

On October 14, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5373. Adulteration of dried blackeye beans. U. S. v. 15 Cases of Dried Blackeye Beans. Default decree of condemnation and destruction. (F. D. C. No. 10107. Sample No. 42814–F.)

On or about July 1, 1943, the United States attorney for the District of Montana filed a libel against 15 cases, each containing 72 1-pound bags, of dried blackeye beans at Great Falls, Mont., alleging that the article had been shipped in interstate commerce on or about November 7, 1942, and February 10, 1943, by the Washburn-Wilson Seed Co. from Moscow, Idaho; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance, beans