

19984. Misbranding of canned corn. U. S. v. 1,200 Cases * * *. (F. D. C. No. 33900. Sample No. 34836-L.)

LIBEL FILED: On or about October 14, 1952, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about September 3, 1952, by the Clyman Canning Co., from Friesland, Wis.

PRODUCT: 1,200 cases, each containing 24 unlabeled cans, of corn at Hoopeston, Ill. No labeling agreement existed between the consignee and the shipper.

NATURE OF CHARGE: Misbranding, Sections 403 (e) (1) and (2), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (g) (2), the product purported to be and was represented as canned corn, a food of which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the name of the food specified in the standard since the product was yellow whole kernel corn and the cans were unlabeled.

DISPOSITION: January 14, 1953. The Clyman Canning Co. and the Illinois Canning Co., Hoopeston, Ill., claimants, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be labeled under the supervision of the Food and Drug Administration.

19985. Misbranding of canned corn. U. S. v. 1,051 Cases * * *. (F. D. C. No. 33899. Sample No. 34835-L.)

LIBEL FILED: On or about October 16, 1952, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about August 22, 1952, by the Rockfield Canning Co., from Jackson, Wis.

PRODUCT: 1,051 cases, each containing 24 unlabeled cans, of corn at Hoopeston, Ill. No labeling agreement existed between the consignee and the shipper.

NATURE OF CHARGE: Misbranding, Section 403 (e) (1) and (2), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (g) (2), the product purported to be and was represented as canned corn, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the name of the food specified in the standard since the product was yellow whole kernel corn and the cans were unlabeled.

DISPOSITION: January 14, 1953. The Rockfield Canning Co. and the Illinois Canning Co., Hoopeston, Ill., claimants, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be labeled under the supervision of the Food and Drug Administration.

19986. Adulteration of frozen spinach. U. S. v. 71 Cases * * *. (F. D. C. No. 34060. Sample No. 15227-L.)

LIBEL FILED: On or about September 22, 1952, Western District of Missouri.

ALLEGED SHIPMENT: On or about May 11, 1952, by Kingan & Co., from Omaha, Nebr.

PRODUCT: 71 cases, each containing 48 14-ounce packages, of frozen spinach at Kansas City, Mo.

LABEL, IN PART: "JI Frozen Fresh Chopped Spinach * * * John Inglis Frozen Food Company Modesto California."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a substance containing added water in the form of ice had been substituted in whole or in part for frozen spinach; and, Section 402 (b) (4), water in the form of ice had been added to the article or mixed or packed with it so as to increase its bulk or reduce its quality or strength.

DISPOSITION: January 12, 1953. No claimant having appeared, judgment was entered and the court ordered that the product be delivered to a charitable institution for its use and not for sale.

19987. Adulteration of canned chopped turnip greens. U. S. v. 26 Cases * * * (F. D. C. No. 34248. Sample No. 46848-L.)

LIBEL FILED: November 24, 1952, Northern District of Alabama.

ALLEGED SHIPMENT: On or about September 5, 1952, by the Mayhaw Canning Co., from Laurel, Miss.

PRODUCT: 26 cases, each containing 24 1-pound, 11-ounce cans, of chopped turnip greens at Birmingham, Ala.

LABEL, IN PART: "Miss America Brand Chopped Turnip Greens."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), grass had been substituted in part for chopped turnip greens.

DISPOSITION: December 29, 1952. Default decree of condemnation and destruction.

TOMATOES AND TOMATO PRODUCTS

19988. Adulteration of canned tomatoes. U. S. v. Hillard Woodruff (Woodruff Canning Co. Inc.). Plea of nolo contendere. Fine of \$150, plus costs. (F. D. C. No. 32796. Sample No. 8944-L.)

INFORMATION FILED: On or about August 11, 1952, Southern District of Indiana, against Hillard Woodruff, president of Woodruff Canning Co., Inc., Goldsmith, Ind.

ALLEGED SHIPMENT: On or about September 17, 1951, from the State of Indiana into the State of Michigan.

LABEL, IN PART: (Can) "Indiana Tomatoes * * * Packed by Woodruff Canning Co. Inc."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of fly eggs; and, Section 402 (a) (4), the article had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 23, 1953. The defendant having entered a plea of nolo contendere, the court fined him \$150, plus costs.

19989. Adulteration and misbranding of canned tomatoes. U. S. v. 350 Cases * * *. (F. D. C. No. 34107. Sample No. 39297-L.)

LIBEL FILED: November 12, 1952, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about September 15, 1952, by Albert W. Sisk & Son, from Cannon, Del.

PRODUCT: 350 cases, each containing 24 1-pound, 11-ounce cans, of tomatoes at Norfolk, Va.