

**6100. Adulteration and misbranding of canned corn. U. S. * * * v. 630
Cases of Corn. Consent decree of condemnation and forfeiture.
Product ordered released on bond. (F. & D. No. 351-c.)**

On December 6, 1917, the United States attorney for the Western District of Oklahoma, acting upon a report by the State Food Commissioner of Oklahoma, filed in the District Court of the United States for the said district a libel for the seizure and condemnation of 630 cases, each containing 24 cans of corn, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped on or about November 20, 1917, by the Weir Canning Co., Toledo, Iowa, and transported from the State of Iowa into the State of Oklahoma, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

Misbranding of the article was alleged in substance for the reason that it was invoiced as "Country Gentleman Corn," and was labeled in part, "Purity Brand Country Gentleman Corn. * * * Purity Guaranteed * * *". This sweet corn contains the following ingredients and none other:—salt, water, and cane sugar," when, in truth and in fact, it did not consist of sweet corn containing only the ingredients of salt, water, and cane sugar and none other, but in fact contained corn cobs, corn husks, and the contents of the cans, in whole or in part, consisted of a filthy, decomposed, or putrid vegetable substance, unfit for food, and injuriously affecting the quality, and contained substitutes of corn cobs and corn husks.

On February 5, 1918, the said Weir Canning Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act, conditioned in part that the said claimant should, at its factory at Toledo, Iowa, under the supervision of a representative of this department, make the proper scientific tests in order to determine what portion of said product might be unfit for food and what portion should be permitted to be again transported in interstate commerce.

CARL VROOMAN, *Acting Secretary of Agriculture.*