

Misbranding, Section 403 (g) (1), the product fell below the definition and standard of identity for canned corn since it had not been so processed by heat as to prevent spoilage.

DISPOSITION: September 28, 1949. Default decree of destruction.

15387. Adulteration and misbranding of canned corn. U. S. v. 23 Cases * * *.
(F. D. C. No. 27786. Sample No. 61118-K.)

LIBEL FILED: August 22, 1949, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about March 23, 1949, by the Douglas County Canning Co., from Tuscola, Ill.

PRODUCT: 23 cases, each containing 24 1-pound, 4-ounce cans, of corn at St. Louis, Mo.

LABEL, IN PART: (Can) "Once-Always Cream Style Golden Corn."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for canned corn since it had not been sealed in a container and so processed by heat as to prevent spoilage, as required by the definition and standard.

DISPOSITION: September 23, 1949. Default decree of condemnation and destruction.

15388. Misbranding of canned mushrooms. U. S. v. 58 Cases, etc. (F. D. C. No. 27566. Sample No. 56611-K.)

LIBEL FILED: July 14, 1949, District of Connecticut.

ALLEGED SHIPMENT: On or about June 13, 1949, by the K-B Products Corp., from New York, N. Y.

PRODUCT: Canned mushrooms. 58 cases, each containing 24 3½-ounce cans, and 37 cases, each containing 24 7-ounce cans, at East Hartford, Conn.

LABEL, IN PART: "Knaust Brand * * * Better Halves Sauté Mushrooms In Butter * * * Made of Mushroom Halves, Butter & Salt."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Sauté Mushrooms In Butter" was false and misleading since the product was not sautéed but consisted of mushrooms, with added mushroom broth and a small amount of added butter, and the label statement "Made of Mushroom Halves, Butter & Salt" was false and misleading since the added mushroom broth was not declared.

DISPOSITION: September 23, 1949. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

15389. Adulteration of dried split peas. U. S. v. 40 Bales, etc. (F. D. C. No. 27618. Sample No. 1588-K.)

LIBEL FILED: August 1, 1949, Southern District of Florida.

ALLEGED SHIPMENT: On or about March 29, 1949, from Denver, Colo.

PRODUCT: 40 bales, each containing 24 1-pound packages, and 42 100-pound bags of dried split peas at Jacksonville, Fla.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects.