

Va., alleging that the article had been transported in interstate commerce on or about March 15, 1940, by the Harrisonburg Grocery Co., Inc., from Baltimore, Md., to the place of business of the shipper in Harrisonburg, Va.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: (Cans) "Temptu Early Variety Peas Distributed by King Foods Co. Baltimore, Md."

On July 17, 1940, no claim having been entered, judgment of condemnation was entered and the product was ordered destroyed.

1464. Adulteration and misbranding of canned peas. U. S. v. Uco Food Corporation. Plea of guilty. Fine, \$400. (F. D. C. No. 2102. Sample Nos. 68760-D, 68762-D, 68763-D, 68764-D.)

This product consisted of mature peas and not early June peas as labeled.

On September 21, 1940, the United States attorney for the District of New Jersey filed an information against the Uco Food Corporation, Newark, N. J., alleging shipment within the period from on or about August 4 to on or about November 10, 1939, from the State of New Jersey into the State of New York of quantities of canned peas that were adulterated and misbranded. The article was labeled in part: "Lawn Dale Brand * * * Early June Peas * * * Distributed by Westside Wholesale Grocery Company Chicago"; or "Pultney Brand Early June Peas packed by K. M. Davies Company Williamson, N. Y."

It was alleged to be adulterated in that mature dried peas had been substituted in whole or in part for early June peas, i. e., immature succulent peas, which it purported to be.

It was alleged to be misbranded in that the statements "Early June Peas," together with a design of peas in pods with respect to both brands, and the statement "Distributed by the West Side Wholesale Grocery Co., Chicago Ill.," with respect to the Lawn Dale brand, and the statement "Packed by K. M. Davies Co., Inc., at Williamson, N. Y.," with respect to the Pultney brand, borne on the labels, were false and misleading in that they represented that the article consisted of immature succulent peas and that it was distributed or packed by the firms named on their respective labels; whereas it did not consist of immature succulent peas but did consist in whole or in part of mature, dried peas and had not been distributed or packed by said firms.

On October 22, 1940, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$400.

1465. Misbranding of canned peas. U. S. v. 38 Cases of Unlabeled Canned Peas and 1 Case of Labeled Canned Peas. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 1181. Sample No. 68771-D.)

This product was canned soaked dry peas. A portion was labeled to indicate that it was canned immature peas and a portion was unlabeled.

On December 12, 1939, the United States attorney for the District of New Jersey filed a libel against 39 cases of canned peas at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about October 27, 1939, by the York Star Canning Co., Inc., from New York, N. Y.; and charging that it was misbranded. One case was labeled in part: (Design of peas in pod) "Lincoln Highway Brand Peas * * * Packed by Geo. E. Stocking Canning Factory Rochelle, Ill."

The labeled portion of the product was alleged to be misbranded in that the statement "Peas" and the design of peas in a pod were false and misleading as applied to canned soaked dry peas. The labeled portion was alleged to be misbranded further in that the statement "Packed by Geo. E. Stocking Canning Factory Rochelle, Ill." was false and misleading since the article was packed by the York Star Canning Co. Inc., New York.

The unlabeled portion was alleged to be misbranded in that it was in package form and did not bear an accurate statement of the quantity of the contents.

On February 21, 1941, judgment was entered nunc pro tunc as of June 11, 1940, condemning the product and ordering that it be delivered to a charitable institution.

1466. Adulteration of canned pumpkin. U. S. v. 63 Cases and 194 Cases of Canned Pumpkin. Default decrees of condemnation and destruction. (F. D. C. Nos. 3479, 3480. Sample Nos. 39254-E, 39841-E.)

This product contained a glasslike mineral substance.

On December 5, 1940, the United States attorney for the Eastern District of Missouri filed libels against 63 cases and 194 cases of canned pumpkin at