Nos. 3328 to 3334 report the seizure and disposition of canned peas that fell below the standard of quality for canned peas because of excessive mealiness, as evidenced by the fact that their alcohol-insoluble solids were more than 23.5 percent, and they were not labeled to indicate that they were of substandard quality.

3328. Misbranding of canned peas. U. S. v. 224 Cases of Canned Peas. Default decree of condemnation. Product ordered delivered to a Federal institution. (F. D. C. No. 6659. Sample No. 30489–E.)

On January 6, 1942, the United States attorney for the Eastern District of Michigan filed a libel against 224 cases, each containing 24 No. 2 cans, of peas at Detroit, Mich., alleging that the article had been shipped in interstate commerce on or about November 12, 1941, by De Graff Food Co. from De Graff, Ohio; and charging that it was misbranded. It was labeled in part: (Cans) "Miami Leader Brand Sifted Early Peas."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On February 5, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a Federal institution.

3329. Misbranding of canned peas. U. S. v. 796 Cases of Canned Peas. Consent decree ordering the product released under bond to be relabeled. (F. D. C. No. 6748. Sample No. 87300–E.)

On January 23, 1942, the United States attorney for the Southern District of West Virginia filed a libel against 796 cases, each containing 6 No. 10 cans, of peas at Charleston, W. Va., alleging that the article had been shipped by Walker [Walter] English from Brownsville, Wis., on or about November 21, 1941; and charging that it was misbranded. It was labeled in part: (Cans) "Green Vine Brand * * * Early Variety Peas Packed By Brownsville Canning Co., Brownsville, Wis."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On February 20, 1942, Walter English, claimant, having admitted the allegations of the libel, judgment was entered ordering that the product be released under bond to be relabeled under the supervision of the Food and Drug Administration.

3330. Misbranding of canned peas. U. S. v. 291 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 6235. Sample No. 42780–E.)

On November 21, 1941, the United States attorney for the Western District of Pennsylvania filed a libel against 291 cases, each containing 24 No. 2 cans, of peas at Erie, Pa., alleging that the article had been shipped on or about October 1, 1941, by McCoy Canned Foods Co. from Urbana, Ohio; and charging that it was misbranded. It was labeled in part: (Cans) "McCoy Brand Early June Peas."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On January 9, 1942, McCoy Canned Foods Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

3331. Misbranding of canned peas. U. S. v. 398 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 6702. Sample No. 87322–E.)

On January 16, 1942, the United States attorney for the Eastern District of Virginia filed a libel against 398 cases, each containing 24 No. 2 cans, of peas at Norfolk, Va., alleging that the article had been shipped in interstate commerce on or about July 19, 1941, by Melrose Canning Co. from Baltimore, Md.; and charging that it was misbranded. It was labeled in part: (Cans) "Loveland * * * June Peas."

The article was allegad to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On April 6, 1942, Melrose Canning Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

3332. Misbranding of canned peas. U. S. v. 169 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 6238. Sample No. 66319-E.)

On November 18, 1941, the United States attorney for the Northern District of Illinois filed a libel against 169 cases, each containing 48 cans, of peas at Chicago, Ill., alleging that the article had been shipped in interstate commerce on July 24, 1941, by John S. Mitchell Co. [John S. Mitchell, Inc.] from Windfall, Ind.; and charging that it was misbranded. It was labeled in part: (Cans) "Contents 8 Oz. Avd. Little Sport Brand Early June Peas."

The article was alleged to be misbranded in that it had purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On February 6, 1942, John S. Mitchell, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

3333. Misbranding of canned peas. U. S. v. 349 and 359 Cases of Canned Peas. Consent decrees of condemnation. Product ordered released under bond for relabeling. (F. D. C. Nos. 6350, 6511. Sample Nos. 79046-E, 79047-E.)

On December 6 and 15, 1941, the United States attorney for the Eastern District of Kentucky filed libels against 708 cases of canned peas at Covington, Ky., alleging that the article had been shipped in interstate commerce within the period from on or about June 28 to on or about July 14, 1941, by the Morgan Packing Co. from Austin, Ind.; and charging that it was misbranded. The article was labeled in part: (Cans) "Scott Co. Garden Run Early June Peas"; or "Idyl Brand * * * Early June Peas."

It was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On January 9, 1942, the Morgan Packing Co., claimant, having admitted the allegations of the libel, judgments of condemnation were entered and the product was ordered released under bond conditioned that it be relabeled.

3334. Misbranding of canned peas. U. S. v. 46 Cases and 1,304 Cases of Canned Peas. Decrees of condemnation. Portion of product ordered released under bond to be relabeled; remainder ordered destroyed. (F. D. C. Nos. 6733, 7445. Sample Nos. 59877-E, 59884-E, 87327-E.)

On January 19 and May 1, 1942, the United States attorneys for the Eastern District of Virginia and the District of Maryland filed libels against 46 cases each containing 24 No. 2 cans of peas at Norfolk, Va., and 781 cases each containing 24 No. 2 cans of peas at Baltimore, Md. (libel amended on May 13, 1942, to include 523 additional cases), alleging that the article had been shipped in interstate commerce on or about November 11, 1941, and January 26 and February 2, 9, and 10, 1942, by Chas. G. Summers, Jr., Inc., from Baltimore, Md., and New Freedom, Pa.; and charging that it was misbranded. It was labeled in part: (Cans) "Legion Brand Early June Peas."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On February 20, 1942, no claimant having appeared for the peas seized at Norfolk, judgment of condemnation was entered and the product was ordered destroyed. On May 25, 1942, Chas. G. Summers, Jr., Inc., claimant for the peas seized at Baltimore, having admitted the allegations of the libel, judgment