

DISPOSITION: March 1, 1944. The W. R. Roach Co., claimant, having admitted the facts in 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.

6524. Misbranding of canned peas. U. S. v. 1,443 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 12171. Sample Nos. 58826-F, 58832-F to 58834-F, incl.)

LIBEL FILED: April 12, 1944, District of Maryland.

ALLEGED SHIPMENT: On or about December 29, 1943, by the McMillan Canning Co., from Anacortes, Wash.

PRODUCT: 1,443 cases, each containing 24 1-pound, 4-ounce cans, of peas at Baltimore, Md.

LABEL, IN PART: (Cans) "Dykeland Brand Sweet Peas."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), in addition to the high alcohol-insoluble solids content, these peas were below standard because of the high percentage of peas that were not tender.

DISPOSITION: May 2, 1944. The McMillan Canning Co., Inc., having consented to the entry of a decree, 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.

6525. Misbranding of canned peas. U. S. v. 403 Cases of Canned Peas. Decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 12079. Sample No. 40351-F.)

LIBEL FILED: March 25, 1944, District of Minnesota.

ALLEGED SHIPMENT: On or about July 17, 1943, by the Lange Canning Corporation, from Eau Claire, Wis.

PRODUCT: 403 cases, each containing 24 1-pound, 4-ounce cans, of peas at Minneapolis, Minn.

LABEL, IN PART: (Cans) "Nation's Garden Brand * * * Early June Peas * * * Packed For Fine Foods, Inc. Minneapolis, Minn. Seattle, Wash."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: May 20, 1944. The Lange Canning Corporation, claimant, having admitted the material 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.

6526. Misbranding of canned peas. U. S. v. 400 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 12293. Sample No. 80044-F.)

LIBEL FILED: April 29, 1944, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about October 1, 1943, by the Oostburg Canning Co., from Oostburg, Wis.

PRODUCT: 400 cases, each containing 24 1-pound, 4-ounce cans, of peas at St. Louis, Mo.

LABEL, IN PART: (Cans) "From the Heart of Dairyland Wisconsin Large Early June Peas"

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: May 23, 1944. The Oostburg 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.

6527. Misbranding of canned peas. U. S. v. 309 Cases of Canned Peas. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 12010. Sample No. 40342-F.)

LIBEL FILED: March 15, 1944, District of Minnesota.

ALLEGED SHIPMENT: On or about November 27, 1943, by the Durand Canning Co., from Durand, Wis.

PRODUCT: 309 cases, each containing 24 1-pound, 4-ounce cans, of peas at Minneapolis, Minn.

LABEL, IN PART: (Cans) "Our Value Brand * * * Early June Peas Distributed by Kitchen Products Inc., Chicago, Ill."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: May 5, 1944. The Durand 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.

6528. Adulteration of red peppers. U. S. v. 160 Bags of Peppers. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 11958. Sample No. 58930-F.)

LIBEL FILED: March 3, 1944, District of Maryland.

ALLEGED SHIPMENT: On or about January 25, 1944, by the Carolina Pepper Association, from Florence, S. C.

PRODUCT: 160 bags, each containing approximately 100 pounds, of peppers at Baltimore, Md.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of rodent excreta and moldy peppers.

DISPOSITION: May 29, 1944. McCormick & Co., Inc., Baltimore, Md., claimant, having admitted the allegations in the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration. The unfit portion was segregated and destroyed.

6529. Adulteration of canned spinach. U. S. v. 1,617 Cases of Canned Spinach. Default decree of condemnation and destruction. (F. D. C. No. 11956. Sample Nos. 66042-F, 66050-F.)

LIBEL FILED: March 6, 1944, Southern District of New York.

ALLEGED SHIPMENT: On or about January 13, 1944, by the W. C. Bohannon Canning Co., Mission, Tex.

PRODUCT: 1,617 cases, each containing 24 1-pound, 2-ounce cans, of spinach at New York, N. Y.

LABEL, IN PART: "Bohannon Spinach."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of the presence of sand; and, Section 402 (b) (4), sand had been mixed and packed therewith so as to reduce its quality.

DISPOSITION: April 3, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

TOMATOES AND TOMATO PRODUCTS*

6530. Adulteration of canned tomatoes. U. S. v. 1,807 Cases and 294 Cases of Canned Tomatoes. Decrees of condemnation. Product ordered released under bond. (F. D. C. No. 11796. Sample No. 10392-F.)

LIBELS FILED: February 11 and 22, 1944, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about December 31, 1942, and January 4, 1943, by Roberts Bros., Inc., from Baltimore, Md.

PRODUCT: 2,101 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at New Orleans, La.

LABEL IN PART: (Cans) "Roberts Big R Brand."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: March 6, 1944. The H. G. Hill Stores, Inc., New Orleans, La., claimant, having admitted the allegations of the libel, judgments of condemnation were entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

6531. Adulteration of tomato paste. U. S. v. 456 Cases of Tomato Paste. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 11920. Sample No. 66051-F.)

LIBEL FILED: On or about March 2, 1944, Southern District of New York.

*See also Nos. 6520 and 6595.