

**7654. Adulteration of canned peas. U. S. v. 1,117 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13935. Sample Nos. 61649-F to 61654-F, incl., 80756-F to 80760-F, incl., 89801-F.)**

**LIBEL FILED:** October 11, 1944, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about July 28, 1944, by the Seymour Canning Co., from Seymour, Wis.

**PRODUCT:** 1,117 cases, each containing 24 cans, of peas at Memphis, Tenn.

**LABEL, IN PART:** "Good Fare Brand \* \* \* Wisconsin Early June Peas," and "Ontra Brand Wisconsin Early June Peas."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (2), the product contained an added poisonous and deleterious substance, borax, which is unsafe under the law, since it is a substance not required in the production of this food, and its use can be avoided by good manufacturing practice.

**DISPOSITION:** October 24, 1944. The Seymour Canning Co., Seymour, Wis., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for the segregation and destruction of the portion containing borax, under the supervision of the Federal Security Agency.

**7655. Misbranding of canned peas. U. S. v. 58 Cases of Canned Peas. Decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 12841. Sample No. 62965-F.)**

**LIBEL FILED:** July 1, 1944, Western District of Arkansas.

**ALLEGED SHIPMENT:** On or about February 2, 1944, by the Klindt-Geiger Canning Co., Cassville, Wis.

**PRODUCT:** 58 cases, each containing 24 1-pound, 4-ounce cans, of peas at Fort Smith, Ark.

**LABEL, IN PART:** (Cans) "Dependon Brand \* \* \* Wisconsin Early June Peas."

**VIOLATIONS CHARGED:** Misbranding, Section 403 (h) (1), the product was substandard; and, Section 403 (a), the label statement, "Standard Quality Grade C," was false and misleading as applied to an article that was substandard in quality.

**DISPOSITION:** October 6, 1944. The Goff Brothers Grocery #1, Fort Smith, Ark., having appeared as claimant, judgment of condemnation was entered. The product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

**7656. Misbranding of canned peas. U. S. v. 1,299 Cases of Canned Peas. Decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 14461. Sample No. 87492-F.)**

**LIBEL FILED:** November 10, 1944, District of Minnesota.

**ALLEGED SHIPMENT:** On or about July 21, 1944, by the West Bend Cannery, Inc., from West Bend, Wis.

**PRODUCT:** 1,299 cases, each containing 24 cans, of peas at Minneapolis, Minn.

**LABEL, IN PART:** "June Peas Size 4 Contents 1 Lb. 4 Oz. River Bend."

**VIOLATION CHARGED:** Misbranding, Section 403 (h) (1), the product was substandard.

**DISPOSITION:** January 16, 1945. The West Bend Cannery, West Bend, Wis., claimant, having admitted the material allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

**7657. Misbranding of canned peas. U. S. v. 1,679 Cases of Canned Peas. Decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 14758. Sample No. 97602-F.)**

**LIBEL FILED:** December 12, 1944, District of Minnesota.

**ALLEGED SHIPMENT:** On or about August 10, 1944, by the Marshall Canning Co., from Marshalltown, Iowa.

**PRODUCT:** 1,679 cases, each containing 24 cans, of peas at Minneapolis, Minn.

**LABEL, IN PART:** "Mayflower Size 4 Early June Peas Contents 1 Lb. 4 Oz."

**VIOLATION CHARGED:** Misbranding, Section 403 (h) (1), the product was substandard.

**DISPOSITION:** January 26, 1945. The Western Grocer Co., Minneapolis, Minn., claimant, having admitted the material allegations of the libel, judgment of

condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

**7658. Misbranding of canned peas. U. S. v. 1,800 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 13434. Sample Nos. 6316-F, 72392-F.)

**LIBEL FILED:** August 26, 1944, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about July 15, 1944, by the Valdars Canning Co., from Valdars, Wis.

**PRODUCT:** 1,800 cases, each containing 24 cans, of peas at St. Louis, Mo.

The peas were shipped unlabeled under an agreement to label as "Standard."

**VIOLATIONS CHARGED:** Misbranding, Section 403 (h) (1), the product was substandard; and, Section 403 (e), it was a food in package form, and it failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of the contents.

**DISPOSITION:** January 12, 1945. The Valdars Canning Co., a corporation, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be destroyed or brought into compliance with the law, under the supervision of the Food and Drug Administration.

**7659. Adulteration of green split peas. U. S. v. 562 Bags and 436 Bags of Green Split Peas. Decrees of condemnation. Product ordered released under bond.** (F. D. C. Nos. 14956, 14957. Sample Nos. 3894-F, 13786-F.)

**LIBELS FILED:** January 4, 1945, Southern District of California.

**ALLEGED SHIPMENT:** On or about December 7, 1944, from the Hullin Transfer Co., Seattle, Wash.

**PRODUCT:** 998 100-pound bags of green split peas, at Los Angeles, Calif.

This product was stored, after shipment, under insanitary conditions at the Hullin Transfer Co. The bags were rodent-gnawed, and rodent pellets and urine stains were observed on the bags. Examination showed that the product contained rodent urine.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** January 29, 1945. The Trinidad Bean & Elevator Co., San Francisco, Calif., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond for segregation of the fit from the unfit portion, under the supervision of the Food and Drug Administration, and disposition of both portions in compliance with the law.

**7660. Misbranding of potatoes. U. S. v. 450 Bags of Potatoes. Consent decree of condemnation. Product ordered released under bond for relabeling.** (F. D. C. No. 14493. Sample No. 83509-F.)

**LIBEL FILED:** November 18, 1944, Southern District of California.

**ALLEGED SHIPMENT:** On or about November 6, 1944, by the Ahlquist Produce Co., from Gooding, Idaho.

**PRODUCT:** 450 100-pound bags of potatoes at Los Angeles, Calif.

Examination showed that the article was short-weight.

**LABEL, IN PART:** "U. S. No. 1 Selected Idaho Buhl Brand Spuds 100 Lbs. Net Weight."

**VIOLATION CHARGED:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents.

**DISPOSITION:** November 30, 1944. Barney Cornett, Los Angeles, Calif., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be relabeled under the supervision of the Food and Drug Administration.

**7661. Adulteration of canned spinach. U. S. v. 95 Cases of Canned Spinach. Default decree of condemnation. Product ordered delivered to a charitable institution.** (F. D. C. No. 13747. Sample No. 61817-F.)

**LIBEL FILED:** September 29, 1944, Northern District of Texas.

**ALLEGED SHIPMENT:** On or about June 14 and 30, 1944, by the Griffin Manufacturing Co., from Muskogee, Okla.