

PRODUCT: 169 cases, each containing 24 1-pound, 4-ounce cans, of peas at Grand Forks, N. Dak.

LABEL, IN PART: "Sellmore Brand Early June Peas."

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

DISPOSITION: February 1, 1945. The St. Cloud Products Association, claimant, 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 an officer designated by the Federal Security Agency Administrator. The product was satisfactorily relabeled.

8440. Misbranding of canned peas. U. S. v. 2,745 Cases of Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13878. Sample No. 67978-F.)

LIBEL FILED: October 3, 1944, Southern District of Ohio.

ALLEGED SHIPMENT: On or about August 1 and 14, 1944, by the Walworth Canning Co., Walworth, Wis.

PRODUCT: 2,745 cases, each containing 24 cans, of peas at Xenia, Ohio. This product was shipped unlabeled, without an agreement as to the labeling.

LABEL, IN PART: (Portion) "Sun Bird Wisconsin Sweet Peas," or "Merritt Brand * * * Early June Peas."

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

DISPOSITION: November 24, 1944. The Eavey Co., Xenia, Ohio, 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. The product was satisfactorily relabeled.

8441. Misbranding of canned peas. U. S. v. 306 Cases of Canned Peas. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 15001. Sample No. 18302-H.)

LIBEL FILED: January 18, 1945, Northern District of Iowa.

ALLEGED SHIPMENT: On or about July 13, 1944, by the Fall River Canning Co., Fall River, Wis.

PRODUCT: 306 cases, each containing 24 1-pound, 4-ounce cans, of peas at Sioux City, Iowa.

LABEL, IN PART: "Upper Deck June Peas."

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

DISPOSITION: February 13, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to several charitable institutions.

8442. Adulteration of split peas. U. S. v. 58 Bags of Split Peas. Default decree of condemnation and destruction. (F. D. C. No. 15159. Sample No. 9483-H.)

LIBEL FILED: January 24, 1945, Western District of New York.

ALLEGED SHIPMENT: On or about November 5, 1943, by the Mark Means Co., from Lewiston, Idaho.

PRODUCT: 58 100-pound bags of split peas at Buffalo, N. Y.

LABEL, IN PART: "Lewis Clark Brand Lewiston Idaho Green Split Peas."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles, larvae, insect fragments, and rodent excreta pellets.

DISPOSITION: March 5, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.