

9123. Misbranding of canned peas. U. S. v. 165 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16274. Sample No. 19146-H.)

LIBEL FILED: June 2, 1945, Southern District of Iowa.

ALLEGED SHIPMENT: On or about September 29, 1944, by the Chippewa Canneries, from Stanley, Wis.

PRODUCT: 165 cases, each containing 24 1-pound, 4-ounce cans, of peas at Ottumwa, Iowa.

LABEL, IN PART: "Mayflower Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: June 12, 1945. The Western Grocer Co., Ottumwa, Iowa, 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 the Food and Drug Administration.

9124. Misbranding of canned peas. U. S. v. 257 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16256. Sample No. 19147-H.)

LIBEL FILED: May 29, 1945, Southern District of Iowa.

ALLEGED SHIPMENT: On or about October 12, 1944, by Smith Frozen Foods, from Lewiston, Idaho.

PRODUCT: 257 cases, each containing 24 1-pound, 4-ounce cans, of peas at Ottumwa, Iowa.

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

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: June 12, 1945. The Western Grocer Co., Ottumwa, Iowa, 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 the Food and Drug Administration.

9125. Misbranding of canned peas. U. S. v. 65 Cases of Canned Peas. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 15371. Sample No. 5619-H.)

LIBEL FILED: On or about March 20, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about November 2, 1944, by A. W. Feeser and Co., from Littlestown, Pa.

PRODUCT: 65 cases, each containing 24 1-pound, 4-ounce cans, of peas at Monmouth Junction, N. J.

LABEL, IN PART: "Keymar Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: March 12, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution, conditioned that the labels be destroyed under the supervision of the Food and Drug Administration.

9126. Adulteration of chick peas. U. S. v. 75 Bags of Chick Peas. Default decree of condemnation. Product ordered delivered to a public institution, for use as stock feed. (F. D. C. No. 15180. Sample No. 17406-H.)

LIBEL FILED: February 2, 1945, Northern District of Illinois.

ALLEGED SHIPMENT: On or about December 14, 1945, by the Bissman Co., from Mansfield, Ohio.

PRODUCT: 75 110-pound bags of chick peas at Chicago, Ill.

LABEL, IN PART: "Garbanzo de Sinaloa * * * Mexico."

NATURE OF CHARGE: 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, and insect-damaged peas.

DISPOSITION: June 14, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. This order was amended on September 7, 1945, to permit the product to be delivered to a public institution, for use as stock feed.

9127. Adulteration of canned sweet peppers. U. S. v. 150 Cases of Canned Sweet Peppers (and 2 other seizure actions against canned sweet peppers). Default decrees of condemnation and destruction. (F. D. C. Nos. 15840, 15841, 15874, 15906. Sample Nos. 18351-H, 20368-H, 26642-H to 26644-H, incl.)

LIBELS FILED: Between April 6 and 12, 1945, Northern Districts of Iowa and Oklahoma and District of Colorado.

ALLEGED SHIPMENT: Between the approximate dates of February 14 and 24, 1945, by the W. B. Schneider Pickle and Vinegar Co., from Kansas City, Mo.

PRODUCT: Canned sweet peppers. 150 cases at Tulsa, Okla., 49 cases at Sioux City, Iowa, and 447 cases at Denver, Colo. Examination of samples showed that the product had undergone or was undergoing active fermentation.

LABEL, IN PART: "Superior Fancy [or "Schneider's Superior Fancy"] * * * Sweet Peppers."

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

DISPOSITION: Between April 23 and May 7, 1945, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

9128. Adulteration of peperoncini (canned peppers). U. S. v. 100 Cases of Peperoncini. Default decree of condemnation and destruction. (F. D. C. No. 16147. Sample No. 5827-H.)

LIBEL FILED: May 17, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about March 24, 1945, by the Encinal Terminals, from Fruitvale, Calif.

PRODUCT: 100 cases, each containing 24 1-pint jars, of peperoncini.

LABEL, IN PART: (Jars) "Lumbardo Brand Peperoncini Italian Style * * * Galati Packing Co. San Jose, Calif."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of underprocessed, fermented, and decomposed peppers.

DISPOSITION: June 6, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9129. Adulteration of chili peppers. U. S. v. 134 Bags of Chili Peppers. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15656. Sample No. 31721-H.)

LIBEL FILED: March 21, 1945, Southern District of California.

ALLEGED SHIPMENT: On or about February 9, 1945, by the Howard E. Ames Co., from Douglas, Ariz.

PRODUCT: 134 bags, each containing about 186 pounds, of chili peppers at Los Angeles, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy peppers.

DISPOSITION: April 6, 1945. The C. B. Gentry Co., Los Angeles, Calif., claimant, having admitted the allegations of 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.

9130. Adulteration of chili peppers. U. S. v. 90 Bags of Chili Peppers. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15670. Sample No. 22637-H.)

LIBEL FILED: March 21, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about May 27, 1944, by P. H. Petry, from New York, N. Y.

PRODUCT: 90 bags, each containing about 54 pounds, of chili peppers at St. Louis, Mo.