

ALLEGED SHIPMENT: On or about March 8, 1948, by Colonial Stores, Inc., Whse., from Atlanta, Ga.

PRODUCT: 75 cases, each containing 24 1-pound, 3-ounce cans, of field peas at Greenville, S. C.

LABEL, IN PART: "Shaver's Brand Dried Soaked Field Peas * * * Packed by Georgia Canning Co. Wayside, Georgia."

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 larvae and other insects.

DISPOSITION: June 3, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution, for use as animal feed.

Nos. 13150 to 13154 report actions involving canned peas that purported to be a food for which a standard of quality has been prescribed by law, but the quality was charged to fall below the standard because of higher alcohol-insoluble solids than the maximum permitted by the standard, and the labels failed to bear, in the manner and form that the regulations specify, a statement that the product was below the standard.

13150. Misbranding of canned peas. U. S. v. 1,298 Cases * * *. (F. D. C. No. 22488. Sample No. 50164-H.)

LIBEL FILED: February 6, 1947, Southern District of Texas.

ALLEGED SHIPMENT: On or about November 1, 1946, by the Lancaster Canning Co., from Lancaster, Wis.

PRODUCT: 1,298 cases, each containing 24 1-pound, 4-ounce cans, of peas at Houston, Tex.

LABEL, IN PART: "Early Peas Sunbeam * * * Francis H. Leggett & Co. New York, N. Y."

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

DISPOSITION: March 10, 1947. The Lancaster Canning Co., claimant, having admitted that the product was misbranded, 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.

13151. Misbranding of canned peas. U. S. v. 377 Cases * * * (and 3 other seizure actions). (F. D. C. Nos. 22667, 22708, 23139, 23203. Sample Nos. 42116-H, 54139-H, 54157-H, 68163-H.)

LIBELS FILED: On March 4 and 26, May 21, and July 2, 1947, Southern District of West Virginia, Southern District of Indiana, and District of Kansas.

ALLEGED SHIPMENT: On August 19 and December 5, 1946, and January 27, 1947, by Libby, McNeill & Libby, from Leipsic, Ohio, and Eureka, Ill.

PRODUCT: Canned peas. 377 cases at Huntington, W. Va., 209 cases at Indianapolis, Ind., and 232 cases at Hutchinson, Kans. Each case contained 24 1-pound, 4-ounce cans.

LABEL, IN PART: "Happy-Vale Garden Early Peas * * * Emery Food Co. Chicago, Illinois Distributors."

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

DISPOSITION: May 22, June 16, and December 4, 1947. Libby, McNeill & Libby having appeared as claimant, judgments of condemnation were entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

13152. Misbranding of canned peas. U. S. v. 348 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 20422, 22175, 22176. Sample Nos. 43106-H, 53821-H, 53898-H.)

LIBELS FILED: July 24, 1946, and January 10, 1947, Southern District of West Virginia and Eastern District of Kentucky.

ALLEGED SHIPMENT: On or about June 24 and 27, 1946, by the H. J. McGrath Co., from Baltimore, Md.

PRODUCT: Canned peas. 348 cases at Bradshaw, W. Va., 111 cases at Lexington, Ky., and 88 cases at Winchester, Ky. Each case contained 24 1-pound, 4-ounce cans.

LABEL, IN PART: "McGrath's Champion Brand * * * Early June Peas."

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

DISPOSITION: September 23, 1946, and February 13, 1947. The H. J. McGrath Co. having appeared as claimant, judgments of condemnation were entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

13153. Misbranding of canned peas. U. S. v. 105 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 21341, 21343, 22776. Sample Nos. 43130-H, 43132-H, 83019-H.)

LABELS FILED: October 22 and 29, 1946, and March 27, 1947, Western District of Virginia and Eastern District of Tennessee.

ALLEGED SHIPMENT: On or about August 9 and 15, 1946, by the Chilton Canning Co., from Chilton, Wis.

PRODUCT: Canned peas. 105 cases at Bristol, Va., 122 cases at Bristol, Tenn., and 152 cases at Johnson City, Tenn., each case containing 24 1-pound, 4-ounce cans.

LABEL, IN PART: "Little Sailor Wisconsin Early June Peas."

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

DISPOSITION: November 25, 1946, and January 29 and June 14, 1947. The sole intervener for the Bristol, Va., lot having consented to the entry of a decree, and no claimant having appeared for the remaining lots, judgments of condemnation were entered and the product was ordered delivered to charitable institutions.

13154. Misbranding of canned peas. U. S. v. 219 Cases * * *. (F. D. C. No. 21250. Sample No. 1954-H.)

LABEL FILED: October 25, 1946, Southern District of Georgia.

ALLEGED SHIPMENT: On or about August 26, 1946, by the Friday Canning Corp. from New Richmond, Wis.

PRODUCT: 219 cases, each containing 24 1-pound, 4-ounce cans, of peas at Augusta, Ga.

LABEL, IN PART: "St. Croix County * * * Early June Peas."

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

DISPOSITION: December 21, 1946. The Friday Canning Corp., 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.

13155. Adulteration of pickles. U. S. v. 11 Cases * * *. (F. D. C. No. 24400. Sample No. 36140-K.)

LABEL FILED: January 8, 1948, District of Oregon.

ALLEGED SHIPMENT: On or about October 8, 1946, by Nalley's, Inc., from Tacoma Wash.

PRODUCT: 11 cases, each containing 12 1-pound, 8-fluid-ounce jars, of pickles at Baker, Oreg.

LABEL, IN PART: "Nalley's * * * Banquet Pickles."

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 dirty pickles.

DISPOSITION: March 9, 1948. Default decree of condemnation and destruction.

13156. Adulteration of sweet gherkin pickles. U. S. v. 12 Cases * * *. (F. D. C. No. 24725. Sample No. 335-K.)

LABEL FILED: April 19, 1948, Northern District of Florida.