

**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.)

**LIBELS 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.)**

**LIBEL 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.)**

**LIBEL 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.)**

**LIBEL FILED:** April 19, 1948, Northern District of Florida.

**ALLEGED SHIPMENT:** On or about October 24, 1947, and March 13, 1948, by the Cairo Pickle Co., from Cairo, Ga.

**PRODUCT:** 12 cases, each containing 24 jars, of sweet gherkin pickles at Quincy, Fla.

**LABEL, IN PART:** "Cairo Beauties Sweet Gherkins 12 Fl. Oz."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product was unfit for food by reason of the presence of grit.

**DISPOSITION:** June 1, 1948. Default decree of condemnation. The product was ordered delivered to a public institution, for use as hog feed or destroyed.

**13157. Misbranding of canned pimientos. U. S. v. Leverton-California Corp. Plea of nolo contendere. Fine, \$500. (F. D. C. No. 23569. Sample Nos. 44716-H, 44722-H.)**

**INFORMATION FILED:** September 30, 1947, Southern District of California, against the Leverton-California Corp., Los Angeles, Calif.

**ALLEGED SHIPMENT:** On or about November 9 and December 31, 1946, from the State of California into the State of Arizona.

**LABEL, IN PART:** "World Over Fancy Pimientos."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for canned pimientos, since it had not been processed by heat so as to prevent spoilage.

**DISPOSITION:** October 20, 1947. A plea of nolo contendere having been entered, a fine of \$500 was imposed.

**13158. Adulteration of dehydrated potatoes. U. S. v. 112 Cartons \* \* \*. (F. D. C. No. 24115. Sample Nos. 9601-K, 9602-K.)**

**LABEL FILED:** November 21, 1947, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about October 30, 1947, by the Hygrade Food Products Corp., from Boston, Mass.

**PRODUCT:** 112 52-pound cartons of dehydrated potatoes at Brooklyn, N. Y.

**LABEL, IN PART:** "Baxters Finest Dehydrated Diced Maine Potatoes H C Baxter & Bro Brunswick Maine."

**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 rodent pellets.

**DISPOSITION:** February 27, 1948. Default decree of condemnation and destruction.

**13159. Adulteration of canned spinach. U. S. v. 1,286 Cases \* \* \*. (F. D. C. No. 22364. Sample No. 25076-H.)**

**LABEL FILED:** January 7, 1947, Southern District of Mississippi.

**ALLEGED SHIPMENT:** On or about June 21 and July 18, 1946, by the Whiteside Cannery, from South Fort Smith, Ark.

**PRODUCT:** 1,286 cases, each containing 24 1-pound, 2-ounce cans, of spinach at Columbia, Miss.

**LABEL, IN PART:** "Gulf Kist Brand."

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

**DISPOSITION:** April 12, 1948. The Dorgan Packing Corp., Columbia, Miss., claimant, having consented to the entry of a decree, judgment of condemnation was 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.

#### TOMATOES AND TOMATO PRODUCTS

**13160. Misbranding of canned tomatoes. U. S. v. 297 Cases \* \* \*. (F. D. C. No. 24440. Sample No. 22827-K.)**

**LABEL FILED:** February 23, 1948, Western District of Louisiana.