

peas; and, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for canned field peas, since the definition and standard provides that the vegetable ingredient of canned field peas is obtained from the seed shelled from the pods of succulent field peas with or without snaps, whereas the vegetable ingredient of the product was soaked dried field peas.

PRAYER OF COMPLAINT: That the defendants be perpetually enjoined from commission of the acts complained of and that a preliminary injunction be granted during the pendency of the action.

DISPOSITION: October 20, 1947. The defendant having admitted the allegations in the complaint and having consented to the entry of a decree, the court issued an order perpetually enjoining the defendant from introducing or delivering for introduction into interstate commerce adulterated or misbranded canned field peas or canned soaked dried field peas.

13314. Adulteration of canned field peas with snaps. U. S. v. 497 Cases * * *. (F. D. C. No. 22725. Sample No. 54838-H.)

LABEL FILED: March 31, 1947, Northern District of Florida.

ALLEGED SHIPMENT: On or about August 12, 1946, by the Kent Canning Co., from Gibson, Ga.

PRODUCT: 497 cases, each containing 24 1-pound, 3-ounce cans, of peas at Tallahassee, Fla.

LABEL, IN PART: "Kent's Pride Georgia Field Peas with Snaps."

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.

DISPOSITION: May 9, 1947. Default decree of condemnation. The product was ordered delivered to a Federal institution, for use as hog feed.

13315. Misbranding of canned black-eyed peas. U. S. v. 64 Cases, etc. (F. D. C. Nos. 24352, 24408. Sample Nos. 3824-K, 22678-K.)

LABELS FILED: On or about January 13 and April 8, 1948, Eastern District of Louisiana and Eastern District of Virginia.

ALLEGED SHIPMENT: On or about October 21 and 24, 1947, by Leverton & Co., from Houston and Alvin, Tex.

PRODUCT: 64 cases and 149 cases, each containing 6 6-pound, 4-ounce cans, of black-eyed peas at Baton Rouge, La., and Richmond, Va., respectively.

LABEL, IN PART: "Rio Grande Fresh Green Shelled Blackeyed Peas."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for canned black-eyed peas, in that it was food sealed in a container and was not so processed by heat as to prevent spoilage. (The product was in whole or in part decomposed.)

DISPOSITION: March 27 and June 30, 1948. Default decrees of condemnation and destruction.

Nos. 13316 to 13320 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.

13316. Misbranding of canned peas. U. S. v. 774 Cases * * *. (F. D. C. No. 24668. Sample No. 27908-K.)

LABEL FILED: June 7, 1948, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about May 24, 1948, by Charles H. Johnston's Sons Co., from Greensburg, Ind.

PRODUCT: 774 cases, each containing 24 1-pound, 4-ounce cans, of peas at St. Louis, Mo.

LABEL, IN PART: "Newport Brand Early June Peas * * * Distributed by Newport Can Co., Indianapolis, Ind."

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