

**PRODUCT:** 284 25-pound bags and 50 100-pound bags of split peas at New York, N. Y.

**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 insects. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** February 21, 1950. The Spokane Seed Co., Spokane, Wash., and L. N. White & Co., New York, N. Y., claimants for the respective lots, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the product be released under bond to be brought into compliance with the law by brushing, blowing, and cleaning, under the supervision of the Food and Drug Administration. Reconditioning operations resulted in the salvage of 12,079 pounds of the product. (A total of 12,281 pounds was seized.)

**16142. Misbranding of canned peas. U. S. v. 1,350 Cases \* \* \*. (F. D. C. No. 28872. Sample Nos. 60144-K, 60152-K.)**

**LIBEL FILED:** March 7, 1950, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about November 17, 18, and 21, 1949, by Cambria Canning Corp., Inc., from Cambria, Wis.

**PRODUCT:** 1,350 cases, each containing 6 6-pound, 9-ounce cans, of peas at Chicago, Ill.

**LABEL, IN PART:** (Can) "Railton's Barco Brand."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the product fell below the standard of quality for a smooth skin variety of peas since the alcohol-insoluble solids were more than 23.5% and the label failed to bear a statement that the product fell below the standard.

**DISPOSITION:** May 8, 1950. Cambria Canning Corp., Inc., claimant, having admitted the allegation of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled, under the supervision of the Food and Drug Administration.

**16143. Misbranding of potatoes. U. S. v. 500 Bags, etc. (F. D. C. No. 28494. Sample Nos. 62937-K to 62939-K, incl.)**

**LIBEL FILED:** December 22, 1949, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about November 28, 1949, from Woodstock, New Brunswick, Canada.

**PRODUCT:** 750 15-pound bags of potatoes at Warren, Mass. These potatoes were repacked by Ralph Petruzzi in second-hand bags bearing the names of Maine packers.

**NATURE OF CHARGE:** Misbranding, Section 403 (a), statements on the bags which represented and suggested that the potatoes were Maine-grown and had been packed by Maine firms, were false and misleading since the product had been grown in Canada and had been packed by Ralph Petruzzi of Warren, Mass.; and, Section 403 (e) (1), (200 bags) the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor. The product was misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** April 26, 1950. Default decree of condemnation and destruction.