

LABEL, IN PART: "Big League Brand Cut Green Beans * * * Distributed by Cannery Exchange Inc., Springfield, Mo."

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

DISPOSITION: January 19, 1944. Grover Howard, doing business as the Baron Canning Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, the adulterated portion to be segregated and destroyed under the supervision of the Food and Drug Administration.

5924. Adulteration of canned green beans. U. S. v. 370 Cases and 100 Cases of Canned Green Beans. Default decrees of condemnation and destruction. (F. D. C. Nos. 11031, 11778. Sample Nos. 40636-F, 47664-F.)

LIBELS FILED: November 1, 1943, Southern District of Iowa; February 9, 1944, Northern District of Iowa.

ALLEGED SHIPMENT: On or about July 29, August 6, and September 8, 1943, by the Deck Brothers Produce Co., Springfield, Mo.

PRODUCT: 370 cases of green beans at Marshalltown, Iowa, and 100 cases at Mason City, Iowa.

LABEL, IN PART: "Big League Brand Cut Green Beans * * * Distributed by Cannery Exchange, Inc. Springfield, Mo.," or "Mayflower Cut Green Beans * * * Distributed by Marshall Canning Co. Marshalltown, Iowa."

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

This product was undergoing progressive bacterial decomposition.

DISPOSITION: December 7, 1943, and March 10, 1944. No claim having been entered, the product was condemned and ordered destroyed.

Nos. 5925 to 5931 represent actions involving canned peas that purported to be a food for which a standard of quality has been prescribed by law, but its quality fell below the standard because of higher alcohol-insoluble solids than the maximum permitted by the standard, and its label failed to bear, in the manner and form that the regulations specify, a statement that it fell below the standard.

5925. Misbranding of canned peas. U. S. v. 41 Cases and 22 Cases of Canned Peas. Default decrees of condemnation. Product ordered delivered to charitable institutions. (F. D. C. Nos. 10839, 10995. Sample Nos. 46364-F, 53180-F.)

LIBELS FILED: September 27 and October 25, 1943, Eastern District of Virginia.

ALLEGED SHIPMENT: August 10, 1943, by Gibbs & Co., Inc., Baltimore, Md.

PRODUCT: 63 cases of canned peas at Richmond, Va.

LABEL, IN PART: "Gibbs Sifted Early June Peas."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), this product was below standard.

DISPOSITION: December 3 and 4, 1943. No claimant having appeared, decrees of condemnation were entered and the product was ordered delivered to charitable institutions.

5926. Misbranding of peas. U. S. v. 19 Cases of Peas. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 11003. Sample No. 23875-F.)

LIBEL FILED: October 25, 1943, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about July 1, 1943, by the Melrose Canning Co., Melrose, Md.

PRODUCT: 19 cases of canned peas at Philadelphia, Pa.

LABEL, IN PART: "Evelyn run of pod Early June Peas."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), this product was below standard.

DISPOSITION: December 6, 1943. No claim having been entered, the product was condemned and ordered delivered to a charitable institution.

5927. Misbranding of canned peas. U. S. v. 559 Cases of Peas. Decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 11004. Sample No. 53431-F.)

LIBEL FILED: October 27, 1943, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about July 14, 1943, by the St. Mary's Packing Co., Sidney, Ohio.

PRODUCT: 559 cases, each containing 24 cans, of peas at Charleston, W. Va.

LABEL, IN PART: "Mello-Glo * * * Early June Peas."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), in addition to the high alcohol-insoluble solids content, these peas were below standard because of the high percentage of ruptured peas in the containers.

DISPOSITION: January 11, 1944. The St. Mary's Packing Co. appeared as claimant and admitted the allegations of the libel. Judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Federal Security Agency.

5928. Misbranding of canned peas. U. S. v. 249 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 11014. Sample No. 56663-F.)

LIBEL FILED: October 28, 1943, Southern District of New York.

ALLEGED SHIPMENT: On or about August 19, 1943, by the Hanover Canning Co., Hanover, Pa.

PRODUCT: 249 cases of peas at New York, N. Y.

LABEL, IN PART: "Dawn Glo Brand Early June Peas."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), this product was below standard.

DISPOSITION: December 15, 1943. Peter Reeves Markets, Inc., claimant, having entered a consent decree of condemnation, the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

5929. Misbranding of canned peas. U. S. v. 257 Cases, 408 Cases, and 139 Cases of Peas. Consent decrees of condemnation. Product ordered released under bond to be relabeled. (F. D. C. Nos. 10941, 10942, 11099. Sample Nos. 46382-F, 46383-F, 58503-F.)

LIBELS FILED: On or about October 16 and November 17, 1943, Western District of Virginia.

ALLEGED SHIPMENT: From on or about August 19 to 21, 1943, by the Frederick City Packing Co., Thurmont, Md.

PRODUCT: 665 cases at Roanoke, Va., and 139 cases at Radford, Va.

LABEL, IN PART: "Pride of the Valley Brand Early June Peas."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), this product was below standard.

DISPOSITION: December 24, 1943. Claimant, Frederick City Packing Co. Consent decrees of condemnation were entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

5930. Misbranding of canned peas. U. S. v. 249 Cases, 225 Cases, 10 Cases, and 51 Cases of Canned Peas. Decrees of condemnation. Portion of product ordered released under bond for relabeling; remainder ordered delivered to local hospitals. (F. D. C. Nos. 10945, 11177, 11730. Sample Nos. 46393-F, 53185-F, 59021-F.)

LIBELS FILED: On or about October 20 and 21, 1943, Western District of Virginia; December 1, 1943, Northern District of West Virginia; and January 31, 1944, Southern District of West Virginia.

ALLEGED SHIPMENT: From on or about July 19 to September 24, 1943, by the H. J. McGrath Co., Baltimore, Md.

PRODUCT: 249 cases at Lexington, Va., 225 cases at Staunton, Va., 10 cases at Martinsburg, W. Va., and 51 cases at Williamson, W. Va., each case containing 24 cans of peas.

LABEL, IN PART: "Sword Early June Peas * * * Nationally Distributed By Household Products Co.," or "McGrath's Sifted Early June Peas * * * McGrath's Champion Brand."

VIOLATIONS CHARGED: Misbranding (all lots), Section 403 (h) (1), the product was below standard. The lots at Lexington and Staunton, Va., and Martinsburg, W. Va., were misbranded further, Section 403 (a), in that the statement, "Sword foods are full flavored and fresh, conforming to the United States Government regulations for standard grade merchandise," borne on the label,