

was in package form and its label did not bear an accurate statement of the quantity of contents in the cans.

On December 1, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution with the provision that the labeling be defaced.

**277. Adulteration of canned peas. U. S. v. 194 Cartons and 280 Cartons of Canned Peas. Default decrees of condemnation and destruction. (F. D. C. Nos. 1100, 1109. Sample Nos. 57891-D, 57892-D.)**

Examination of this product showed that it was weevil-infested.

On November 27 and 29, 1939, the United States attorney for the Southern District of California filed libels against 194 cartons of canned peas at Vernon, Calif., and 280 cartons of canned peas at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about August 1, 1939, from Pleasant Grove, Utah, and on or about September 25, 1939, from Provo, Utah, by Pleasant Grove Canning Co.; and charging that it was adulterated. A portion of the article was labeled in part: "Specify Brand Sweet Utah Peas \* \* \* Packed for M. A. Newmark & Company Distributors Los Angeles Calif." The remainder was labeled in part: "Pleasant Grove Brand \* \* \* Blended Sweet Peas. \* \* \* Packed by Pleasant Grove Canning Co."

The article was alleged to be adulterated in that it contained a filthy, putrid, or decomposed substance.

On December 19, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**278. Adulteration of canned peas. U. S. v. 149 Cases of Peas. Default decree of condemnation. Portion of product ordered destroyed; remainder ordered sold. (F. D. C. No. 445. Sample No. 41372-D.)**

Samples of this product were found to contain weevils.

On August 18, 1939, the United States attorney for the District of Idaho filed a libel against 149 cases of canned peas at Idaho Falls, Idaho, alleging that the article had been shipped in interstate commerce on or about July 21, 1939, by Pacific Fruit & Produce Co. from Ogden, Utah; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. It was labeled in part: "Nation's Garden Brand Sweet Peas \* \* \* Packed for Fine Foods, Inc., Seattle—Minneapolis."

On October 9, 1939, no claimant having appeared, judgment of condemnation was entered. It having been ascertained that portions of the product identifiable by certain codes, were free from weevil infestation, such portions were ordered sold and the remainder was ordered destroyed.

CANNED TOMATOES AND TOMATO PRODUCTS

**279. Adulteration of canned tomatoes. U. S. v. 2,381 Cases of Tomatoes. Consent decree of condemnation. Product released under bond. (F. D. C. No. 902. Sample No. 57997-D.)**

This product was in part decomposed.

On November 8, 1939, the United States attorney for the Southern District of California filed in the district court a libel against 2,381 cases of tomatoes at San Diego, Calif., alleging that the article had been shipped in interstate commerce on or about October 23, 1939, by R. D. Pringle & Co. from Ogden, Utah; and charging that it was adulterated in that it contained a filthy, putrid, or decomposed substance. A portion was labeled in part: (Cans) "Craigs Perfection Brand Tomatoes \* \* \* H. D. Olson & Sons Ogden Utah Packers and Distributors." The remainder was labeled in part: (Cans) "Nancy Jane Brand Tomatoes \* \* \* Frank A. Jugler Ogden, Utah, Packer and Distributor."

On November 16, 1939, Associated Canneries, Inc., Ogden, Utah, claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it should not be disposed of in violation of the law.

**280. Adulteration and misbranding of tomato catsup. U. S. v. 49 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. D. C. No. 904. Sample No. 74634-D.)**

This product contained excessive mold and also was short of the declared weight.

On November 9, 1939, the United States attorney for the Western District of Michigan filed a libel against 49 cases of tomato catsup at Ironwood, Mich.,