

Co., Inc., from Baltimore, Md., to the place of business of the Boyer Grocery Co., Inc., Woodstock, Va., on or about March 31, 1940; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: (Cans) "Temptu Early Variety Peas Distributed by King Foods Company, Baltimore, Md."

On October 29, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1618. Misbranding of canned peas. U. S. v. 187 Cases of Peas. Consent decree of condemnation. Product released under bond to be relabeled. (F. D. C. No. 3158. Sample Nos. 20922-E, 20923-E.)

This product was substandard in quality because the alcohol-insoluble solids of the peas amounted to more than 23.5 percent, and it was not labeled to indicate that it was substandard.

On October 8, 1940, the United States attorney for the Western District of North Carolina filed a libel against 187 cases, each containing 24 cans, of peas at Charlotte, N. C., alleging that the article had been shipped in interstate commerce on or about July 4 and August 21, 1940, by H. E. Kelley from New Church, Va.; and charging that it was misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label did not bear in such manner and form as the regulations specify, a statement that it fell below such standard. It was labeled in part: (Cans) "Kelley's Pod Run [or "Wholesome"] Early June Peas."

On February 19, 1941, H. E. Kelley, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration.

1619. Misbranding of canned peas. U. S. v. 190 Cases of Early June Peas. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 3445. Sample No. 34682-E.)

This product was substandard in quality because the alcohol-insoluble solids of the peas were more than 23.5 percent, and the skins of more than 25 percent of them were ruptured to a width of $\frac{1}{16}$ inch or more. It also fell below the standard of fill of container prescribed for canned peas.

On or about December 2, 1940, the United States attorney for the District of Connecticut filed a libel against 190 cases, each containing 24 cans, of peas at Danbury, Conn., alleging that the article had been shipped in interstate commerce on or about July 30, 1940, by Wm. Silver & Co. from Aberdeen, Md.; and charging that it was misbranded. It was labeled in part: (Cans) "Kent Farm Brand Early June Peas."

The article was alleged to be misbranded (1) in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and the label failed to bear in such manner and form as the regulations specify, that it fell below such standard; and (2) in that it fell below the standard of fill of container for canned peas and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On January 28, 1941, Albert W. Sisk & Son, claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be relabeled in compliance with the law.

1620. Adulteration and misbranding of canned peas. U. S. v. 24 Cases of Canned Peas (and 2 other seizures of canned peas). Default decrees of condemnation. Product ordered distributed to public welfare officers. (F. D. C. Nos. 2774, 3049, 3060. Sample Nos. 28850-E, 28875-E, 28876-E.)

This product was substandard in quality because the alcohol-insoluble solids of the peas were more than 23.5 percent and in two of the three lots the skins of more than 25 percent were ruptured to a width of $\frac{1}{16}$ inch or more. The product was not labeled to indicate that it was substandard.

On September 13 and 25, 1940, the United States attorney for the Eastern District of North Carolina filed libels against 24 cases of canned peas at Weldon, N. C., and 125 cases at Washington, N. C., alleging that the article had been shipped in interstate commerce within the period from on or about June 10 to on or about July 1, 1940, by Southgate Brokerage Co., Inc., from