

PRODUCT: 774 cases, each containing 24 1-pound, 4-ounce cans, of peas at Lubbock, Tex.

LABEL, IN PART: (Cans) "Waubeka Brand Early June Peas."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), this product was below the standard prescribed by the regulations for such peas because of alcohol-insoluble solids in excess of 23.5 percent, and its label did not bear the sub-standard legend, as required by the regulations.

DISPOSITION: September 27, 1944. Fredonia Canned Foods, Inc., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

7149. Misbranding of canned peas. U. S. v. 21 Cases of Canned Peas. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 12298. Sample No. 62455-F.)

LABEL FILED: May 1, 1944, Southern District of Illinois.

ALLEGED SHIPMENT: On or about February 4, 1944, by Lucido Brothers Grocery Co., from St. Louis, Mo.

PRODUCT: 21 cases, each containing 24 1-pound, 4-ounce cans, of peas at Granite City, Ill.

LABEL, IN PART: (Cans) "Sav-on Brand * * * Early June Peas."

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

DISPOSITION: July 1, 1944. No claimant having appeared, judgment of condemnation was entered, and the product was ordered delivered to a charitable institution.

7150. Misbranding of canned peas. U. S. v. 468 Cases of Canned Peas. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 12441. Sample No. 3989-F.)

LABEL FILED: On or about June 2, 1944, Western District of Missouri.

ALLEGED SHIPMENT: On or about October 19, 1943, by Plymouth Canning Co., from Plymouth, Ind.

PRODUCT: 468 cases, each containing 24 1-pound, 4-ounce cans, of peas at Kansas City, Mo.

LABEL, IN PART: (Cans) "Plymouth Brand Early June Peas."

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

DISPOSITION: August 4, 1944. Plymouth Canning Co., claimant, having admitted the misbranding charged, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

7151. Adulteration and misbranding of sauerkraut. U. S. v. 24 Cases of Sauerkraut (and 2 other seizure actions against sauerkraut.) Decrees of condemnation. One lot ordered released under bond. One lot ordered delivered to a Federal institution, and remaining lot ordered destroyed. (F. D. C. Nos. 12757, 12854, 13684. Sample Nos. 71276-F, 71305-F, 75055-F.)

LABELS FILED: From on or about June 28 to September 14, 1944, District of Oregon and Western District of Washington.

ALLEGED SHIPMENT: From on or about May 12 to June 12, 1944, by Goldsmith Pickle Co., from Galewood, Ill.

PRODUCT: 1,300 cases at Portland, Oreg., and 152 cases at Tacoma, Wash., each case containing 12 quart jars of sauerkraut.

The product contained excessive brine, the jars in the 3 shipments averaging 18.9, 21.2, and 20.2 ounces, respectively, of drained kraut, whereas quart jars should contain at least 25 ounces of drained kraut. In the Portland lots the jars appeared to hold more kraut than was actually present because of the tendency of the kraut to disperse in the packing medium.

LABEL, IN PART: (Jars) "Champion Brand," or "Goldsmith Brand."

VIOLATIONS CHARGED: Adulteration (all lots), Section 402 (b) (2), brine had been substituted in part for sauerkraut.

Misbranding, Section 403 (d), (Portland lots) the containers were so filled as to be misleading.