

Iowa, and Oklahoma lots, respectively, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

**9568. Misbranding of canned peas. U. S. v. 194 Cases of Canned Peas. Default decree ordering product delivered to a charitable institution.** (F. D. C. No. 19333. Sample No. 52821-H.)

**LIBEL FILED:** March 11, 1946, Middle District of Tennessee.

**ALLEGED SHIPMENT:** On or about November 15, 1945, by the Morgan Packing Co., from Austin, Ind.

**PRODUCT:** 194 cases, each containing 24 1-pound, 4-ounce cans, of peas at Nashville, Tenn.

**LABEL, IN PART:** Scott Co. Early June Peas."

**NATURE OF CHARGE:** Misbranding, Section 403(h)(1), the product was below standard.

**DISPOSITION:** May 31, 1946. Only 8 cases of the product having been seized, and no claimant having appeared, judgment was entered ordering the product delivered to a charitable institution.

**9569. Misbranding of canned peas. U. S. v. 175 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 19164. Sample No. 35609-H.)

**LIBEL FILED:** February 4, 1946, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about August 17, 1945, by the Oostburg Canning Co., from Oostburg, Wis.

**PRODUCT:** 175 cases, each containing 24 cans, of peas at St. Louis, Mo. The product was shipped unlabeled to St. Louis, at which point the cans were labeled as set forth below.

**LABEL, IN PART:** "Contents 1 Lb. 4 Oz. From the Heart of Dairyland Wisconsin Medium Early June Peas."

**NATURE OF CHARGE:** Misbranding, Section 403(e), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; Section 403(g)(2), the label failed to bear, as required by the regulations, the name of the food specified in the definition and standard of identity for canned peas; and, Section 403(h)(1), the product fell below the standard.

**DISPOSITION:** March 8, 1946. The Oostburg Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

**9570. Misbranding of canned peas. U. S. v. 113 Cases of Canned Peas (and 3 other seizure actions against canned peas). Consent decrees of condemnation. Product ordered released under bond.** (F. D. C. Nos. 18805 to 18807, incl., 19163. Sample Nos. 13160-H, 14275-H, 35030-H, 35039-H, 35040-H.)

**LIBELS FILED:** January 10 and February 5, 1946, Eastern District of Arkansas and Eastern District of Kentucky.

**ALLEGED SHIPMENT:** On or about October 3 and November 16, 1945, by John S. Mitchell, Inc., from Windfall, Ind.

**PRODUCT:** 113 cases at Blytheville, Ark., 123 cases at Paragould, Ark., 275 cases at Jonesboro, Ark., and 543 cases at Covington, Ky. Each case contained 24 1-pound, 4-ounce cans, of peas.

**LABEL, IN PART:** "Early June Peas Sweet William Brand," or "Sales Brand Early June Peas Packed for Empire Distributing Company, St. Louis, Mo."

**NATURE OF CHARGE:** Misbranding, Section 403(h)(1), the article was below standard.

**DISPOSITION:** March 13 and 27, 1946. John S. Mitchell, Inc., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.