

10437. Misbranding of canned peas. U. S. v. 1,298 Cases * * *. (F. D. C. No. 21629. Sample No. 40919-H.)

LIBEL FILED: November 8, 1946, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about August 14, 1946, by Tigerton Foods, from Tigerton, Wis.

PRODUCT: 1,298 cases, each containing 24 unlabeled cans, of peas at St. Louis, Mo. The consignee had a written agreement with the shipper to label the product as "Standard Peas."

NATURE OF CHARGE: Misbranding, Section 403 (e) (1), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), it failed to bear an accurate statement of the quantity of the contents; Section 403 (g) (2), it purported to be and was represented as canned peas, and its label failed to bear, as required by regulation, the name of the food specified in the definition and standard; and, Section 403 (h) (1), it was below standard.

DISPOSITION: December 6, 1946. Tigerton Foods, 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.

10438. Misbranding of canned peas. U. S. v. 1,000 Cases * * *. (F. D. C. No. 21730. Sample No. 53477-H.)

LIBEL FILED: November 20, 1946, Southern District of Ohio.

ALLEGED SHIPMENT: On or about September 7, 1946, by Bloomer Farm Products Co., from Bloomer, Wis.

PRODUCT: 1,000 cases, each containing 24 1-pound, 4-ounce cans, of peas at Xenia, Ohio.

LABEL, IN PART: "Bloomer Early Peas."

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

DISPOSITION: February 8, 1947. The Eavey Co., 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 under the supervision of the Food and Drug Administration.

10439. Misbranding of canned peas. U. S. v. 515 Cases * * *. (F. D. C. No. 21372. Sample No. 51890-H.)

LIBEL FILED: October 26, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about September 9, 1946, by Bloomer Farm Products Co., from Bloomer, Wis.

PRODUCT: 515 cases, each containing 24 1-pound, 4-ounce cans, of peas at Minneapolis, Minn.

LABEL, IN PART: "Nation's Garden Brand Early June Peas."

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

DISPOSITION: January 17, 1947. The Bloomer Farm Products Co., claimant, 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 in compliance with the law, under the supervision of the Federal Security Agency.

10440. Misbranding of canned peas. U. S. v. 395 Cases * * *. (F. D. C. No. 21835. Sample No. 67400-H.)

LIBEL FILED: December 4, 1946, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about September 12, 1946, by Owen Canning Corporation, from Owen, Wis.

PRODUCT: 395 cases, each containing 24 1-pound, 4-ounce cans, of peas at Cushing, Okla.

LABEL, IN PART: "Cloverbelt Brand Early June Peas."

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

DISPOSITION: January 31, 1947. The Owen Canning Corporation, claimant, 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 Federal Security Agency.

10441. Misbranding of canned peas. U. S. v. 308 and 72 Cases * * *. (F. D. C. Nos. 21823, 21862. Sample Nos. 53483-H, 53489-H.)

LIBELS FILED: December 6 and 17, 1946, Eastern District of Tennessee.

ALLEGED SHIPMENT: On or about August 19 and September 21, 1946, by Lord-Mott and Co., from Baltimore, Md.

PRODUCT: 72 cases and 308 cases, each containing 6 6-pound, 9-ounce cans, of peas at Chattanooga, Tenn.

LABEL, IN PART: "Old Reliable Early June Peas."

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

DISPOSITION: January 10, 1947. Lord-Mott and Co., having appeared as claimant for both lots, judgments of forfeiture were 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.

10442. Misbranding of canned peas. U. S. v. 31 and 210 Cases * * *. (F. D. C. Nos. 21185, 21258. Sample Nos. 57167-H, 59907-H.)

LIBELS FILED: October 15 and on or about October 25, 1946, Western District of Pennsylvania and District of Rhode Island.

ALLEGED SHIPMENT: On or about August 8 and 10, 1946, by A. W. Feeser and Co., Inc., from Westminster and Silver Run, Md.

PRODUCT: Canned Peas. 31 cases at Pittsburgh, Pa., and 210 cases at Providence, R. I. Each case contained 24 1-pound, 4-ounce cans.

LABEL, IN PART: "Elmdale Sieve 4 Early June Peas National Retailer-Owned Grocers, Inc., Distributors General Offices Chicago, Ill."

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

DISPOSITION: December 16, 1946, and January 21, 1947. No claimant having appeared, judgments of condemnation were entered and the product was ordered delivered to charitable institutions.

10443. Adulteration of canned field peas. U. S. v. 499 Cases * * * (and 3 other seizure actions). (F. D. C. Nos. 21230, 21256, 21257, 21587. Sample Nos. 1948-H, 54584-H, 54585-H, 54588-H.)

LIBELS FILED: October 10 and 21 and November 1, 1946, Eastern and Western Districts of South Carolina.

ALLEGED SHIPMENT: On or about August 24, 29, and 30, 1946, by R. O. Kelley and the R. O. Kelley Cannery, from Midville, Ga.

PRODUCT: Canned field peas. 499 cases at Charleston and 531 cases at Greenville, S. C. Each case contained 24 1-pound, 3-ounce cans.

LABEL, IN PART: "Kelly's Best Georgia Field Peas."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae and (one lot only) insect fragments and insect eggs.

DISPOSITION: December 16, 1946, and January 13, 1947. No claimant having appeared, judgments of condemnation were entered. It was ordered that the Greenville lots be delivered to a charitable institution, for use as animal feed, and that the Charleston lot be destroyed.

10444. Adulteration of canned field peas. U. S. v. 471 Cases * * * (and 3 other seizure actions). (F. D. C. Nos. 21583 to 21585, incl., 21621. Sample Nos. 54581-H, 54582-H, 54586-H, 54591-H.)

LIBELS FILED: October 30 and November 1 and 6, 1946, Western Districts of North Carolina and South Carolina.

ALLEGED SHIPMENT: Between the approximate dates of July 26 and August 21, 1946, by Georgia Canning Co., from Wayside, Ga.