

PRODUCT: Peas. 122 cases at Dubuque, Iowa, 236 cases at Chicago, Ill., and 588 dozen cans at Louisville, Ky. Each case contained 24 1-pound, 4-ounce cans.

LABEL, IN PART: "Roma Early June Peas," "Belle of Belgium Wisconsin * * * June Peas," or "Ube See Brand Sifted Early June Peas."

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

DISPOSITION: November 14, 1946, and February 25 and March 7, 1947. The Krier Preserving Co., claimant, having consented to the entry of decrees, judgments of condemnation were 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.

11797. Misbranding of canned peas. U. S. v. 726 Cases * * *. (F. D. C. No. 21217. Sample Nos. 3738-H, 3739-H.)

LIBEL FILED: October 2, 1946, District of Maryland.

ALLEGED SHIPMENT: On or about July 26 and August 10, 1946, by Burgoon & Yingling, from Gettysburg, Pa.

PRODUCT: 726 cases, each containing 24 1-pound, 4-ounce cans, of peas at Baltimore, Md.

LABEL, IN PART: "National Park Brand Run of the Pod Early June Peas."

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

DISPOSITION: October 18, 1946. Burgoon & Yingling, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

11798. Misbranding of canned peas. U. S. v. 890 Dozen Cans * * *. (F. D. C. No. 21345. Sample No. 49976-H.)

LIBEL FILED: October 22, 1946, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about August 7, 1946, by the Minnesota Valley Canning Co., from Belvidere, Ill.

PRODUCT: 890 dozen 1-pound, 4-ounce cans, of peas at New Orleans, La.

LABEL, IN PART: "Coaster Brand Early June Peas * * * Distributed by Central Wisconsin Canneries Inc. Beaver Dam, Wis."

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

DISPOSITION: November 14, 1946. The Minnesota Valley Canning Co., Inc., Le Sueur, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

11799. Adulteration of dill pickles. U. S. v. 618 Cases * * * (and 4 other seizure actions). F. D. C. Nos. 20578, 20756, 21141, 21391, 21392. Sample Nos. 48141-H, 48166-H, 48167-H, 48179-H, 65224-H, 65342-H.)

LIBELS FILED: Between the dates of July 31 and October 31, 1946, District of Utah, District of Wyoming, and Eastern District of Pennsylvania.

ALLEGED SHIPMENT: Between the approximate dates of November 14, 1945, and June 8, 1946, by the Sparks Pickle Co., from Sparks, Ga.

PRODUCT: Dill Pickles. 880 cases, each containing 6 3-quart, 9-ounce cans, at Philadelphia, Pa.; 177 cases, each containing 12 25-ounce jars, at Salt Lake City, and 199 cases, each containing 25 15¼-ounce jars, at Provo, Utah; and 167 cases, each containing 12 25-ounce jars, at Kemmerer, Wyo. Two lots of the product were found to contain wormy pickles and dirt, and the remainder contained mold.

LABEL, IN PART: "Sparks Brand Fresh Pack [or "Crosscut"] Dill Pickles," or "Sparks Dill Mixed Pickles."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3) and (4), two lots of the article consisted in whole or in part of a filthy substance and had been prepared under insanitary conditions whereby they may have become contaminated with filth. The remainder consisted in whole or in part of a decomposed substance.

DISPOSITION: October 22, November 9, and December 20 and 31, 1946. No claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

11800. Misbranding of dill pickle chips. U. S. v. 97 Cases * * *. (F. D. C. No. 20549. Sample No. 44607-H.)

LABEL FILED: July 19, 1946, District of Arizona.

ALLEGED SHIPMENT: On or about June 7, 1946, by the Miracle Maid Products Co., from San Gabriel, Calif.

PRODUCT: 97 cases, each containing 24 jars, of dill pickle chips at Phoenix, Ariz. Examination showed that the jars would not hold one pint.

LABEL, IN PART: "HAV-SUM Fancy DILL PICKLES * * * Net Contents one pint."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: November 29, 1946. The Miracle Maid Products Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling in compliance with the law, under the supervision of the Federal Security Agency.

11801. Misbranding of potatoes. U. S. v. Gilcrest Early Potato Assoc. Plea of nolo contendere. Fine, \$50. (F. D. C. No. 21534. Sample Nos. 35568-H, 48255-H.)

INFORMATION FILED: February 10, 1947, District of Colorado, against the Gilcrest Early Potato Assoc., a corporation, Gilcrest, Colo.

ALLEGED SHIPMENT: On or about August 15, 1946, from the State of Colorado into the States of Tennessee and Missouri.

LABEL, IN PART: "U. S. No. 1 Western Grown M. P. Co. Potatoes Mathews Produce Co. Greeley, Colo."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the labels on the bags failed to contain an accurate statement of the quantity of the contents, in that the labels bore the statement "100 Lbs. Net," which was incorrect since the bags contained less than 100 pounds.

DISPOSITION: May 20, 1947. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$50.

11802. Adulteration of frozen spinach. U. S. v. 500 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 21395, 21731, 22897. Sample Nos. 35802-H, 61564-H, 65684-H.)

LABELS FILED: On or about October 30 and November 22, 1946, and April 9, 1947, Eastern District of Missouri, District of Oregon, and District of New Jersey.

ALLEGED SHIPMENT: On or about July 6, August 14, and November 8, 1946, by the S. A. Moffett Co., Inc., from Mt. Vernon and Seattle, Wash.

PRODUCT: Frozen spinach. 500 cases at St. Louis, Mo., 350 cases at Portland, Oreg., and 140 cases at Camden, N. J. Each case in the Portland lot contained 36 14-ounce packages, and each case in the other lots contained 12 2½-pound packages.

LABEL, IN PART: "Polar Frosted Foods Spinach."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), weeds and grass in all lots, together with excess water in the Portland lot, and excess water and pieces of wood in the Camden lot, had been substituted in part for spinach; and, Section 402 (b) (4), water had been added to the Portland and Camden lots so as to increase their bulk and weight, and weeds and grass in the Portland and St. Louis lots had been mixed and packed with the article so as to reduce its quality.

DISPOSITION: November 20, 1946, and January 14 and May 23, 1947. The S. A. Moffett Co., Inc., having appeared as claimant for the St. Louis lot and having consented to the entry of a decree, and no claimant having appeared for the other lots, judgments of condemnation were entered. The St. Louis lot was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency, and the other lots were ordered destroyed.