

**11957. Misbranding of canned peas. U. S. v. 98 Cases, etc., (and 1 other seizure action).** (F. D. C. Nos. 21616, 21617, 21703. Sample Nos. 35583-H to 35585-H, incl., 40121-H.)

**LIBELS FILED:** November 8 and 18, 1946, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about August 23, 1946, by the Seymour Canning Co., from Seymour, Wis.

**PRODUCT:** 494 cases and 488 cases at Memphis and Covington, Tenn., respectively, each case containing 24 1-pound, 4-ounce cans, of peas.

**LABEL, IN PART:** "Ontra [or "Good Fare"] Early June Peas."

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

**DISPOSITION:** December 11, 1946. The Seymour Canning Co., 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.

**11958. Misbranding of canned peas. U. S. v. 498 Cases \* \* \* (and 1 other seizure action).** (F. D. C. Nos. 21850, 22450. Sample Nos. 52049-H, 67737-H.)

**LIBELS FILED:** December 10, 1946, and January 29, 1947, District of Kansas and Northern District of Iowa.

**ALLEGED SHIPMENT:** On or about August 28 and September 9, 1946, by Mineral Point Foods, Inc., from Mineral Point, Wis.

**PRODUCT:** Canned peas. 498 cases at Salina, Kans., and 247 cases at Dubuque, Iowa. Each case contained 24 1-pound, 4-ounce cans.

**LABEL, IN PART:** "Good Meal Brand Early June Peas."

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

**DISPOSITION:** February 22 and February 24, 1947. Mineral Point Foods, Inc., 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 under the supervision of the Federal Security Agency.

**11959. Misbranding of canned peas. U. S. v. 126 Cases \* \* \* (and 4 other seizure actions).** (F. D. C. Nos. 21719, 22397, 22398, 22777, 22778. Sample Nos. 41293-H, 41294-H, 49935-H, 49936-H, 52160-H.)

**LIBELS FILED:** November 19, 1946, and January 21 and March 28, 1947, District of North Dakota, Eastern District of Arkansas, and Northern District of Mississippi.

**ALLEGED SHIPMENT:** Between the approximate dates of July 31 and October 30, 1946, by Stokely-Van Camp, Inc., from Cumberland, Wis., Indianapolis, Ind., and Norwalk, Ohio.

**PRODUCT:** Canned peas. 126 cases at Fargo, N. Dak., 87 cases at Paragould, Ark., 197 cases at Jonesboro, Ark., and 476 cases at Columbus, Miss. Each case contained 24 1-pound, 4-ounce cans.

**LABEL, IN PART:** "Glen Valley Brand Early June Peas \* \* \* Distributed By Jeffersonville Packing Company, Inc. Indianapolis, Ind.," or "Our Favorite Brand Early June Peas \* \* \* Distributed by Fame Canning Company, Inc. Indianapolis."

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

**DISPOSITION:** Between January 6, 1947, and June 20, 1947. Stokely-Van Camp, Inc., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

**11960. Misbranding of canned peas. U. S. v. 52 Cases \* \* \*. (F. D. C. No. 21868. Sample No. 39214-H.)**

**LIBEL FILED:** December 27, 1946, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about November 19, 1946, by Saukville Canned Foods, Inc., from Saukville, Wis.

**PRODUCT:** 52 cases, each containing 24 1-pound, 4-ounce cans, of peas at Chicago, Ill.

**LABEL, IN PART:** "Bill of Fare Brand Early June Peas \* \* \* Distributed by Fredonia Canned Foods Incorporated, Fredonia, Wis."

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

**DISPOSITION:** April 12, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution, or destroyed. The product was delivered to an institution, for use as animal feed.

**11961. Misbranding of canned peas. U. S. v. 91 Cases \* \* \*. (F. D. C. No. 21873. Sample No. 3970-H.)**

**LABEL FILED:** December 19, 1946, Middle District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about June 26, 1946, by H. P. Cannon & Son, from Bridgeville, Del.

**PRODUCT:** 91 cases, each containing 24 1-pound, 4-ounce cans, of peas at Scranton, Pa.

**LABEL, IN PART:** "Diamond State Brand. Early June Peas."

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

**DISPOSITION:** November 4, 1947. Default decree of condemnation. The product was ordered delivered to charitable institutions.

**11962. Misbranding of canned peas. U. S. v. 94 Cases \* \* \* (and 4 other seizure actions). (F. D. C. Nos. 21614, 22201, 22617, 22811, 22859. Sample Nos. 42130-H, 42131-H, 42698-H, 53885-H, 53975-H, 53976-H.)**

**LABELS FILED:** November 7, 1946; and January 27, March 10, and April 9 and 21, 1947, Eastern District of Kentucky, Southern District of West Virginia, and Southern District of Ohio.

**ALLEGED SHIPMENT:** Between the approximate dates of July 18 and December 31, 1946, by the Crites Milling Co., from Ashville, Ohio, and Ashland and Maysville, Ky.

**PRODUCT:** Canned peas. 94 cases at Covington, Ky.; 397 cases at Huntington, 71 cases at Williamson, and 258 cases at Iaeger, W. Va.; and 416 cases at Ashville, Ohio. Each case contained 24 1-pound, 4-ounce cans.

**LABEL, IN PART:** "Royal Taste Brand [or "Sweet Home Brand"] Sifted Early June Peas \* \* \* Crites Milling Co. Packers. Circleville, Ohio," or "Crites Brand Sifted Early June Peas H. M. Crites & Sons Circleville, Ohio Packers."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), all lots of the article were substandard in quality, because the article was a smooth skin variety of peas and the alcohol-insoluble solids were more than 23.5 percent; and, in addition, the Iaeger lot was substandard in quality because more than 10 percent of the peas were too hard to be crushed by a weight of 2 pounds.

Further misbranding, Section 403 (a), the statement "Grade C" on the label of the article in the Covington lot was false and misleading as applied to canned peas of substandard quality.

**DISPOSITION:** December 30, 1946, and February 13, April 22, June 16, and July 11, 1947. No claimant having appeared for the Williamson lot, and the Crites Milling Co. having appeared as claimant for the other lots, judgments of condemnation were entered. The Williamson lot was ordered delivered to a charitable institution, and the other lots were ordered released under bond for relabeling under the supervision of the Federal Security Agency.

**11963. Misbranding of canned peas. U. S. v. 1,992 Cases \* \* \*. (F. D. C. No. 21619. Sample Nos. 51574-H, 51575-H.)**

**LABEL FILED:** November 6, 1946, Northern District of Iowa.

**ALLEGED SHIPMENT:** On or about July 23, 1946, by the Chaska Canning Co., from Chaska, Minn.

**PRODUCT:** 1,992 cases, each containing 24 No. 2 cans, of peas at Sioux City, Iowa. The product was shipped unlabeled, and no written agreement existed between the shipper and the consignee regarding the labeling. The product was invoiced as standard peas, but was substandard by reason of high alcohol-insoluble solids.