

532 cases. Adulteration, Section 402 (b) (2), mature peas containing no snaps had been substituted in whole or in part for tender young field peas with snaps, which the article was represented to be. Misbranding, Section 403 (a), the statements "Young Tender Field Peas with Snaps * * * Contents of this can are young tender peas and not to be confused with soaked dried peas," appearing on the can labels, were false and misleading since the product consisted of mature field peas and contained no snaps; and, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for canned field peas with snaps since the vegetable ingredient was not obtained by proper preparation from the succulent vegetable, as required by the regulations.

DISPOSITION: November 7, 1947. The Georgia Canning Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for salvaging of the fit portion, under the supervision of the Food and Drug Administration. Of the lot that showed decomposition, 1,997 cases were seized; of this lot, 757 cases were salvaged and the rest destroyed. In the other lot, 578 cases were seized, 41 cases destroyed, and the remainder released.

13833. Adulteration of frozen peas. U. S. v. 197 Cases * * *. (F. D. C. No. 25049. Sample No. 32295-K.)

LABEL FILED: July 14, 1948, Northern District of California.

ALLEGED SHIPMENT: On or about March 27, 1947, from Freewater, Oreg.

PRODUCT: 197 cases, each containing 6 5-pound packages, of frozen peas at Oakland, Calif.

NATURE OF CHARGE: The article was adulterated while held for sale after shipment in interstate commerce under Section 402 (a) (3), in that it was unfit for food by reason of its off-flavor and disagreeable taste, rendering it unpalatable.

DISPOSITION: September 20, 1948. Default decree of condemnation and destruction.

13834. Adulteration of pickles. U. S. v. Sidney Sparer (New England Pickle Co.). Plea of nolo contendere. Fine, \$10. (F. D. C. No. 25298. Sample No. 8772-K.)

INFORMATION FILED: September 23, 1948, District of Connecticut, against Sidney Sparer, trading as the New England Pickle Co., Rockville, Conn.

ALLEGED SHIPMENT: On or about October 9, 1947, from the State of Connecticut into the State of New York.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance by reason of the presence of decomposed pickles and was otherwise unfit for food by reason of the presence of soft and slimy pickles.

DISPOSITION: October 18, 1948. A plea of nolo contendere having been entered, the defendant was fined \$10.

13835. Misbranding of cucumber pickles. U. S. v. 38 Barrels * * *. (F. D. C. No. 25003. Sample No. 20513-K.)

LABEL FILED: July 14, 1948, District of Kansas.

ALLEGED SHIPMENT: On or about June 10, 1948, by the Atkins Packing Co., from Atkins, Ark.

139001

PRODUCT: 38 unlabeled barrels, each containing 50 gallons, of cucumber pickles in Kansas City, Kans. Examination showed that the product consisted of sweet pickles in brine with sodium benzoate.

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; Section 403 (i) (1), it failed to bear a label containing the common or usual name of the article; Section 403 (i) (2), it failed to bear a label containing the common or usual name of each ingredient; and, Section 403 (k) it contained a chemical preservative and failed to bear a label stating that fact.

DISPOSITION: October 5, 1948. The Goldsmith Pickle Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for proper labeling, under the supervision of the Federal Security Agency.

13336. Adulteration of potatoes. U. S. v. 51 Bags * * *. (F. D. C. No. 25440. Sample No. 6148-K.)

LABEL FILED: September 2, 1948, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about August 11, 1948, by Harold C. Mount, Inc., from Hightstown, N. J.

PRODUCT: 51 100-pound bags of potatoes at Indiana, Pa.

LABEL, IN PART: "Victory B. M. Brand Potatoes Bennett-Mount Co., Hightstown, N. J."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of its musty odor and taste, rendering it unpalatable.

DISPOSITION: September 21, 1948. Default decree of condemnation and destruction.

13337. Adulteration of canned sauerkraut. U. S. v. 58 Cases * * *. (F. D. C. No. 25114. Sample No. 165-K.)

LABEL FILED: July 27, 1948, Southern District of Georgia.

ALLEGED SHIPMENT: On or about February 25, 1946, from Mineral Springs, N. C.

PRODUCT: 58 cases, each containing 24 1-pound, 12-ounce cans, of sauerkraut at Augusta, Ga.

NATURE OF CHARGE: The article was adulterated while held for sale after shipment in interstate commerce under Section 402 (a) (3), in that it consisted in whole or in part of a decomposed substance.

DISPOSITION: August 21, 1948. Default decree of condemnation and destruction.

13338. Adulteration of canned sauerkraut. U. S. v. 37 Cases * * *. (F. D. C. No. 25455. Sample No. 479-K.)

LABEL FILED: August 13, 1948, Middle District of North Carolina.

ALLEGED SHIPMENT: On or about August 8, 1946, from Roanoke, Va.

PRODUCT: 37 cases, each containing 24 1-pound, 11-ounce cans, of sauerkraut at Asheboro, N. C.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. The product was adulterated while held for sale after shipment in interstate commerce.