

Philadelphia, Pa., alleging that the article had been shipped on or about January 6, 1941, by W. H. Roberts & Co. from Baltimore, Md.; and charging that it was misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label did not bear in such manner and form as the regulations specify, a statement that it fell below such standard. The article was labeled in part: "Sunset Brand \* \* \* Ripe [or "Dried Early June"] Peas."

On May 19, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a local charitable institution.

**1993. Misbranding of canned peas. U. S. v. 267 Cases of Canned Peas (and 5 other seizure actions against canned peas). Consent decrees of condemnation. Product ordered released under bond for relabeling.** (F. D. C. Nos. 2415, 2481, 3434, 3458, 3613, 3872. Sample Nos. 2659-E, 24978-E, 28943-E, 33186-E, 34683-E, 34684-E, 50055-E.)

Between July 24, 1940, and February 26, 1941, the United States attorneys for the District of New Jersey, District of Massachusetts, District of Connecticut, District of Maryland, District of Columbia, and the Eastern District of Pennsylvania filed libels against 267 cases of canned peas at Jersey City, N. J., 130 cases at Boston, Mass., 343 cases at New Haven, Conn., 611 cases at Baltimore, Md., 314 cases at Washington, D. C., and 394 cases at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce within the period from on or about June 6 to on or about December 2, 1940, by A. W. Sisk & Son, the shipments having been made from Machipongo, Va., to Newark, N. J., and Boston, Mass.; and from Lewes, Del., to New Haven, Conn., Baltimore, Md., Washington, D. C., and Philadelphia, Pa. The article was labeled variously in part: "Escco Brand [or "Virginia's Best"] Early June Peas \* \* \* Packed by Eastern Shore Canning Co. Machipongo, Va."; "L. D. Early June Peas \* \* \* Packed by Charles Mills, Lewes, Delaware"; and "S C [or "Columbus Quality"] Brand Early June Peas."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard, and its label did not bear, in such manner or form as the regulations specify, a statement that it fell below such standard.

Between September 13, 1940, and March 24, 1941, the Eastern Shore Canning Co. having appeared as claimant for the lot seized at Boston, Mass., and A. W. Sisk & Son having appeared as claimant in the remaining actions, judgments of condemnation were entered and the product in each instance was ordered released under bond to the respective claimants conditioned that it be relabeled in compliance with the law.

**1994. Misbranding of canned peas. U. S. v. 535 Cases and 150 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond for relabeling.** (F. D. C. No. 4090. Sample Nos. 47054-E, 47055-E.)

On April 2, 1941, the United States attorney for the Northern District of Illinois filed a libel against 685 cases, each containing 24 cans, of peas at Chicago, Ill., alleging that the article had been shipped by the Waupun Canning Co. from Waupun, Wis., on March 8, 1941; and charging that it was misbranded. It was labeled in part: "Security Brand Small Fancy Sifted [or "Fancy Extra Sifted"] Early June Peas Size 3 [or "2"]."

The article was alleged to be misbranded in that the term "Fancy," appearing in the labeling, was false and misleading as applied to peas that were not sufficiently young and tender and were not free from defects.

On May 26, 1941, Mid City Wholesale Grocers, Inc., of Chicago and Cicero, Ill., 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.

**1995. Misbranding of canned peas. U. S. v. 85 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond to be relabeled.** (F. D. C. No. 4456. Sample No. 69016-E.)

This product, which was represented to be of Fancy grade or quality sweet or sugar peas, was not Fancy because of the presence of hard peas.

On April 23, 1941, the United States attorney for the District of New Jersey filed a libel against 85 cases, each containing 48 cans of peas at Newark, N. J.,