

The grapefruit rind and the pickled pears were alleged to be misbranded in that they were foods in package form and their labels failed to bear accurate statements of the quantity of the contents.

On December 17, 1942, a plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$100 on count 1 and suspended imposition of sentence for 1 year on counts 2 to 7 inclusive.

4499. Adulteration and misbranding of pea soup. U. S. v. 11 Cases and 9 Cases of Pea Soup. Default decree of condemnation and destruction. (F. D. C. No. 8375, 8376. Sample Nos. 19435-F, 19801-F.)

This product was in part underprocessed and decomposed. In 1 lot the cans were on an average 10.2 percent short in volume.

On September 17 and 18, 1942, the United States attorneys for the District of Rhode Island and Massachusetts filed libels against 20 cases, each containing 24 cans, of pea soup at Providence, R. I., and Worcester, Mass., alleging that the article had been shipped in interstate commerce on or about September 2 and 15, 1941 by the Gauthier Canning Co. from Rumford, Maine; and charging that it was adulterated and misbranded. It was labeled in part: (Cans) "Canada Brand French Canadian Style Pea Soup."

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed substance. The 11-case lot at Worcester was also alleged to be misbranded in that the statement in the labeling "Contents 1 Pint 11 Fl. Oz." was false and misleading as applied to an article that was short volume, and in that it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

On October 19 and December 14, 1942, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

4500. Adulteration and misbranding of pea soup. U. S. v. 94 Cases, 36 Cases, 29 Cases, and 12 Cases of Pea Soup. Default decrees of condemnation and destruction. (F. D. C. Nos. 7791, 8441, 8451, 8452. Sample Nos. 90900-E, 19649-F, 19650-F, 19651-F.)

This product was underprocessed and in part decomposed. A portion was also short volume.

On July 13, September 28 and 30, 1942, the United States attorneys for the Districts of Rhode Island and Massachusetts filed libels against 36 cases, each case containing 24 cans, of pea soup at Boston, Mass., 29 cases at Salem, Mass., 12 cases at Lawrence, Mass., and 94 cases at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about October 13, 28, 29, and 31, 1941, by the Southern Canning Co., from Rumford, Maine; and charging that it was adulterated and misbranded. The article was labeled in part: (Cans) "Canada Brand French Canadian Style Pea Soup * * * Packed by Gauthier Canning Co. Rumford, Me."

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed substance.

The portion located at Boston, Mass., was also alleged to be misbranded in that it was in package form and failed to bear labels containing an accurate statement of the quantity of the contents since the statement "Contents 1 Pint 11 Fl. Oz." was incorrect.

On October 1 and December 14, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

INDEX TO NOTICES OF JUDGMENT F. N. J. NOS. 4251-4500

PRODUCTS

	N. J. No.		N. J. No.
Almond paste	4491	Candy	4319-4331
Apple(s)	4393, 4394	Cereal binder	4318
butter	4458, 4459	products	4251-4318
dried	4441	Cheese	¹ 4355-4371
Apricots, dried	4440	grated	4370
glace	4491	Cherries, canned	4401, 4402
Asparagus, canned	4410, 4411	Chicken fat	4465
Bakery products	4300-4308	Chocolate, coating	4335, 4337
Barley	4309	sirup	4336
Beans, green, canned	4412-4415	Coconut	4469
Beverage bases	4490	Cookies	4300, 4303, 4306-4308
Blueberry filling	4492	Corn flour, gelatinized	4310
Brazil nuts	4467-4468	meal	4290-4299
Bread	4304		
Butter	4338-4354		
Cake flour	4270		

¹ 4356—Seizure contested.