

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

Misbranding, Section 403 (h) (1), the article was a smooth skin variety of peas, and its quality fell below the standard prescribed by the regulations for such peas because of alcohol-insoluble solids in excess of 23.5 percent, and its label did not bear the substandard legend, as required by the regulations.

DISPOSITION: March 8, 1944. J. Langrall & Bro., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law. The unfit portion of the product was subsequently destroyed, and the remainder was relabeled.

6341. Misbranding of canned peas. U. S. v. 803 Cases of Canned Peas. Product ordered released under bond to be relabeled. (F. D. C. No. 11788. Sample Nos. 57945-F, 57954-F.)

LIBEL FILED: February 11, 1944, District of Colorado.

ALLEGED SHIPMENT: On or about August 14, 1943, by the Rocky Mountain Packing Corporation, from Murray, Utah.

PRODUCT: 803 cases, each containing 6 No. 10 cans, of peas at Denver, Colo.

LABEL, IN PART: (Cans) "Naturipe Brand Sugar Peas."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), the article purported to be and was represented as a food for which a standard of quality has been prescribed by regulations promulgated pursuant to law, and its quality fell below the standard since less than 90 percent by count of the peas in the container of the article were crushed by a weight of not more than 907.2 grams (2 pounds), and its label failed to bear, as required by regulations, a statement that it fell below the standard.

DISPOSITION: March 25, 1944. The Rocky Mountain Packing Corporation, claimant, having admitted the allegations of the libel, judgment was entered ordering that the product be released under bond to be relabeled under the supervision of the Food and Drug Administration.

6342. Misbranding of canned peas. U. S. v. 798 Cases of Canned Peas. Decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 11248. Sample No. 46698-F.)

LIBEL FILED: December 7, 1943, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about August 4, 1943, by the Fox Valley Canning Co., Hortonville, Wis.

PRODUCT: 798 cases, each containing 24 unlabeled cans, of peas at Detroit, Mich.

There was no written agreement between the shipper and the consignee as to the labeling of the product. The shipment was invoiced as substandard peas.

VIOLATIONS CHARGED: Misbranding, Section 403 (e) (1), the product was a food in package form and it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), it failed to bear a label containing an accurate statement of the quantity of the contents; Section 403 (g) (2), it purported to be and was represented as a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the name of the food specified in the definition and standard; and, Section 403 (h) (1), it was a smooth skin variety of peas, and its quality fell below the standard prescribed by the regulations for such peas because of alcohol-insoluble solids in excess of 23.5 percent, and its label did not bear the substandard legend.

DISPOSITION: January 27, 1944. Philip N. Shammas, doing business as the S. & G. Wholesale Grocery Company, Detroit, Mich., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

6343 Misbranding of canned peas. U. S. v. 902 Cases of Canned Peas. Decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 11452. Sample Nos. 46697-F.)

LIBEL FILED: December 20, 1943, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about August 6, 1943, by the River View Canning Corp., Markesan, Wis.