

DISPOSITION: December 12, 1944. The Eavey Co., 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.

8050. Adulteration of frozen peas. U. S. v. 250 Cases of Frozen Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13837. Sample No. 76754-F.)

LIBEL FILED: October 10, 1944, District of New Jersey.

ALLEGED SHIPMENT: On or about June 27, 1944, by the S. A. Moffett Co., from Grandview, Wash.

PRODUCT: 250 cases, each containing 36 12-ounce cartons, of frozen peas at Jersey City, N. J.

LABEL, IN PART: (Cartons) "Polar Frosted Foods Green Peas."

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

DISPOSITION: November 22, 1944. Samuel A. Moffett, trading as the S. A. Moffett Co., claimant, having admitted the allegations in the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and destroyed under the supervision of the Food and Drug Administration.

8051. Misbranding of potatoes. U. S. v. Edison Produce Co. Plea of nolo contendere. Fine, \$50. (F. D. C. No. 12524. Sample No. 37988-F.)

INFORMATION FILED: July 5, 1944, Southern District of California, against the Edison Produce Co., a partnership, Wasco, Calif.

ALLEGED SHIPMENT: On or about June 1, 1943, from the State of California into the State of Illinois.

LABEL, IN PART: (Sacks) "California Potatoes R. W. Ferguson Bakersfield, Calif. 100 Lbs. Net Weight."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement "100 Lbs. Net Weight" was false and misleading as applied to the article, which was short-weight; and, Section 403 (e) (2), the product was in package form and its label failed to bear an accurate statement of the quantity of the contents.

DISPOSITION: October 23, 1944. A plea of nolo contendere having been entered, a fine of \$50 was imposed.

8052. Misbranding of potatoes. U. S. v. Michael-Swanson-Brady Produce Co. Plea of guilty. Fine, \$25. (F. D. C. No. 14213. Sample Nos. 61681-F, 66645-F.)

INFORMATION FILED: March 1, 1945, Eastern District of Louisiana, against the Michael-Swanson-Brady Produce Co., a corporation, Kansas City, Mo.

ALLEGED SHIPMENT: On or about May 22, 1944, from the State of Louisiana into the State of Missouri.

LABEL, IN PART: (Sacks) "100 Lbs. Net Lafourche Triumphs Potatoes Lafourche Parish, La."

VIOLATION CHARGED: Misbranding, Section 403 (e), the label on the sacks failed to bear an accurate statement of the quantity of the contents, since the sacks contained less than 100 pounds net.

DISPOSITION: May 16, 1945. A plea of guilty having been entered on behalf of the defendant, a fine of \$25 was imposed.

8053. Misbranding of potatoes. U. S. v. The Miller Fruit Co., Inc. Plea of nolo contendere. Fine, \$10. (F. D. C. No. 12523. Sample No. 38165-F.)

INFORMATION FILED: September 11, 1944, Southern District of California, against the Miller Fruit Co., Inc., Magunden, Calif.

ALLEGED SHIPMENT: On or about June 10, 1943, from the State of California into the State of Illinois.

LABEL, IN PART: (Sacks) "U. S. No. 1 Long White California Potatoes * * * 100 Lbs. Net Weight."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement on the sacks, "100 Lbs. Net Weight," was false and misleading since the product was