

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: May 4, 1945. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$250.

**8941. Misbranding of canned peas. U. S. v. 590 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15217. Sample No. 22613-H.)**

**LIBEL FILED:** February 6, 1945, Southern District of Iowa.

**ALLEGED SHIPMENT:** On or about September 21, 1944, by the Lakeside Packing Co., from Sheboygan, Wis.

**PRODUCT:** 590 cases, each containing 24 cans, of peas at Des Moines, Iowa.

**LABEL, IN PART:** "Sea Gem Brand Early Peas Size 4 Net Wt. 1 Lb. 4 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was sub-standard.

DISPOSITION: March 19, 1945. The Lakeside Packing Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

**8942. Misbranding of canned peas. U. S. v. 360 Cases of Canned Peas. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 14454. Sample No. 97610-F.)**

**LIBEL FILED:** November 10, 1944, District of Minnesota.

**ALLEGED SHIPMENT:** On or about September 17, 18, and 24, 1943, by the Hancock-Nelson Mercantile Co., from Stanley, Wis.

**PRODUCT:** 360 cases, each containing 24 20-ounce cans, of peas at Saint Paul, Minn.

**LABEL, IN PART:** "Fawn June Peas \* \* \* Packed by Chippewa Canneries, Chippewa Falls, Wisconsin."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article was sub-standard.

DISPOSITION: November 13, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution. On June 27, the decree was amended to authorize distribution of the product to several other institutions of similar nature.

**8943. Misbranding of canned peas. U. S. v. 145 Cases of Canned Peas. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 15446. Sample No. 10011-H.)**

**LIBEL FILED:** February 27, 1945, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about January 15, 1945, by A. W. Feeser & Co., Inc., from Taneytown, Md.

**PRODUCT:** 145 cases, each containing 24 cans, of peas at Johnstown, Pa.

**LABEL, IN PART:** "Keymar Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: April 3, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

**8944. Misbranding of canned peas. U. S. v. 136 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15187. Sample No. 18313-H.)**

**LIBEL FILED:** February 2, 1945, Northern District of Iowa.

**ALLEGED SHIPMENT:** On or about October 28, 1944, by the Mineral Point Cooperative Packers, from Mineral Point, Wis.

**PRODUCT:** 136 cases, each containing 24 cans, of peas at Laurens, Iowa.

**LABEL, IN PART:** "Good Meal Brand Wisconsin Early June Peas Contents 1 Lb. 4 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was sub-standard.

**DISPOSITION:** March 2, 1945. M. & J. R. Hakes, Laurens, Iowa, 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, under the supervision of the Food and Drug Administration.

**8945. Misbranding of canned peas. U. S. v. 83 Cases of Canned Peas. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 15214. Sample No. 18921-H.)**

**LIBEL FILED:** February 6, 1945, Western District of Michigan.

**ALLEGED SHIPMENT:** On or about October 6, 1944, by the Whitewater Canning Co., from Whitewater, Wis.

**PRODUCT:** 83 cases, each containing 24 cans, of peas at Marquette, Mich.

**LABEL, IN PART:** "Contents 1 Lb. 4 Oz. Allrite Brand Wisconsin Early June Peas."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the product was substandard.

**DISPOSITION:** April 16, 1945. The Roach and Seeber Co., Marquette, 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.

**8946. Misbranding of canned peas. U. S. v. 35 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15354. Sample No. 6086-H.)**

**LIBEL FILED:** March 6, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about November 28, 1944, by Draper & Co., Inc., Milford, Del.

**PRODUCT:** 35 cases, each containing 24 1-pound, 3-ounce cans, of peas at New York, N. Y.

**LABEL, IN PART:** "You No Brand Run of the Pod Early June Peas."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the product was below standard.

**DISPOSITION:** April 4, 1945. Draper & Co., Inc., 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.

**8947. Misbranding of canned peas. U. S. v. 392 Cases of Canned Peas. Consent decree ordering the release of the product under bond. (F. D. C. No. 15186. Sample No. 26604-H.)**

**LIBEL FILED:** February 5, 1945, District of Colorado.

**ALLEGED SHIPMENT:** On or about December 19, 1944, by the Woods Cross Canning Co., from Clearfield, Utah.

**PRODUCT:** 392 cases, each containing 24 1-pound, 4-ounce cans, of peas at Denver, Colo. Examination showed that the article was substandard in quality because of the presence of hard peas in excess of the maximum permitted by the standard.

**LABEL, IN PART:** "Clearfield Brand Ungraded Sweet Peas."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the product purported to be and was represented as canned peas, a food for which a standard of quality has been prescribed by law, but its quality fell below the standard and its label failed to bear the substandard legend.

**DISPOSITION:** April 23, 1945. The Woods Cross Canning Co., claimant, having admitted the allegations of the libel, judgment was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

**8948. Misbranding of canned strained peas. U. S. v. 2,100 Cans and 194 Dozen Cans of Strained Peas. Decrees of condemnation. Product ordered delivered to charitable institutions. (F. D. C. Nos. 15409, 15441. Sample Nos. 10219-H, 18933-H.)**

**LIBELS FILED:** On or about February 21 and 26, 1945, Western District of Pennsylvania and District of Minnesota.

**ALLEGED SHIPMENT:** On or about January 3 and 6, 1945, by Harold H. Clapp, Inc., from Rochester, N. Y.