

DISPOSITION: January 3, 1946. The Safeway Stores, Inc., Tulsa, Okla., 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 Federal Security Agency.

9565. Misbranding of canned peas. U. S. v. 494 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 18369-A. Sample No. 35142-H.)

LIBEL FILED: November 19, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about September 14, 1945, by the Fowler Canning Co., from Fowler, Ind.

PRODUCT: 494 cases, each containing 24 20-ounce cans, of peas at St. Louis, Mo.

LABEL, IN PART: "Benton County Brand Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (b) (1), the article was substandard in quality.

DISPOSITION: December 11, 1945. The L. Pearlman Grocer 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 Federal Security Agency.

9566. Misbranding of canned peas. U. S. v. 349 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17527. Sample No. 19984-H.)

LIBEL FILED: February 26, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about September 12, 1945, by the Wisconsin Canning Co., from Winneconne, Wis.

PRODUCT: 349 cases, each containing 24 1-pound, 4-ounce cans, of peas at Duluth, Minn.

LABEL, IN PART: "Nation's Garden Brand Early June Peas * * * Packed For Fine Foods, Inc. Minneapolis, Minn. Seattle, Wash."

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

DISPOSITION: June 26, 1946. The Wisconsin Canning Co., claimant, having consented to the entry of a decree, 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.

9567. Misbranding of canned peas. U. S. v. 348 Cases of Canned Peas (and 2 other seizure actions against canned peas). Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 17644, 17743, 17977. Sample Nos. 19278-H, 20300-H, 22390-H.)

LIBELS FILED: Between October 4 and 18, 1945, Southern District of Illinois, Northern District of Iowa, and Northern District of Oklahoma.

ALLEGED SHIPMENT: Between the approximate dates of August 21 and September 18, 1945, by the Klindt-Geiger Canning Co., from Cassville, Wis.

PRODUCT: 348 cases, each containing 24 unlabeled cans, of peas at Bloomington, Ill., and 487 cases and 97 cases, each containing 24 labeled cans, of peas at Dubuque, Iowa, and Tulsa, Okla., respectively. No written agreement existed between the shipper and consignee of the lot of unlabeled cans as to the labeling of the product.

LABEL, IN PART: (Stenciling on cases of unlabeled cans) "24 No. 2 Cans Unlabeled No. 4 Early June Peas"; (labeled cans) "Overland Brand Wisconsin [or "Badger Brand"] Early June Peas * * * 1 Lb. 4 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article was below the standard of quality for canned peas.

Further misbranding, Section 403 (e) (1) (2), the Illinois lot failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (g) (2), the label of the Illinois lot failed to bear the name of the food specified in the definition and standard for canned peas.

DISPOSITION: Between October 30, 1945, and January 7, 1946, the Campbell-Holton and Co., Bloomington, Ill., the Klindt-Geiger Canning Co., Cassville, Wis., and the Warehouse Market, Tulsa, Okla., claimants for the Illinois,