

**ALLEGED SHIPMENT:** On or about July 31 and August 1 and 23, 1945, from the State of Wisconsin into the States of Maryland, Virginia, and Nebraska.

**LABEL, IN PART:** The cans were unlabeled, but the shipments were invoiced "Std #4 Alaska."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the quality of the article was below standard because of its high percentage of alcohol-insoluble solids; Section 403 (e) (1), 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, or any statement whatever, of the quantity of the contents; and, Section 403 (g) (2), it bore no label containing the name of the food specified in the definition and standard of identity for canned peas.

**DISPOSITION:** December 3, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$400 on each of 3 counts, a total fine of \$1,200.

**11244. Misbranding of canned peas. U. S. v. 1,296 Cases \* \* \*. (F. D. C. No. 20220. Sample Nos. 43019-H, 43020-H.)**

**LIBEL FILED:** June 6, 1946, District of Columbia.

**ALLEGED SHIPMENT:** On or about August 3 and September 6, 1945, by the Lineboro Canning Co., Inc., from Lineboro, Md.

**PRODUCT:** 1,296 cases, each containing 24 1-pound, 4-ounce cans, of peas at Washington, D. C.

**LABEL, IN PART:** "Hi-Chief [or "Mason-Dixon"] Brand Early June Peas."

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

**DISPOSITION:** July 31, 1946. The Lineboro Canning Co., Inc., 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.

**11245. Misbranding of canned peas. U. S. v. 822 Cases and 448 Cases \* \* \*. (F. D. C. Nos. 19105, 19217. Sample Nos. 34903-H, 34905-H.)**

**LIBELS FILED:** On or about February 14 and March 6, 1946, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about October 31, 1945, by the Frank Herfort Canning Co., Inc., from Baraboo, Wis.

**PRODUCT:** 822 cases and 448 cases, each containing 24 1-pound, 4-ounce cans, of peas at Joplin and Webb City, Mo., respectively.

**LABEL, IN PART:** "Devil's Lake \* \* \* Early June Peas."

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

**DISPOSITION:** On or about February 17 and 19, 1947. The Frank Herfort Canning Co., Inc., having appeared as claimant, judgments of condemnation were entered and the product was ordered released under bond, conditioned that it be relabeled in compliance with the law, under the supervision of the Food and Drug Administration.

**11246. Misbranding of canned peas. U. S. v. 793 Cases \* \* \*. (F. D. C. No. 20330. Sample No. 15402-H.)**

**LIBEL FILED:** June 17, 1946, Northern District of Indiana.

**ALLEGED SHIPMENT:** On or about August 28, 1945, by the Lancaster Canning Co., from Lancaster, Wis.

**PRODUCT:** 793 cases, each containing 48 1-pound, 4-ounce cans, of peas at Fort Wayne, Ind.

**LABEL, IN PART:** "Merrit Brand No. 4 Sieve Early June Peas \* \* \* Packed for A. H. Perfect & Co., Inc., Fort Wayne, Ind. Sturgis, Mich."

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

**DISPOSITION:** September 20, 1946. The Lancaster Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered

and the product was ordered released under bond, conditioned that it be relabeled under the supervision of the Federal Security Agency.

**11247. Misbranding of canned peas. U. S. v. 250 Cases \* \* \*. (F. D. C. No. 19589. Sample No. 23175-H.)**

**LIBEL FILED:** On or about April 17, 1946, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about November 3, 1945, by the Seymour Canning Co., from Seymour, Wis.

**PRODUCT:** 250 cases, each containing 24 1-pound, 2-ounce cans, of peas at Chillicothe, Mo.

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

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

**DISPOSITION:** May 20, 1946. The Seymour Canning Co. having appeared as claimant, judgment was entered finding the product misbranded as alleged and ordering that it be released to the claimant to be relabeled under the supervision of the Food and Drug Administration.

**11248. Adulteration of dill pickles. U. S. v. Sparks Pickle Company. Plea of guilty. Fine, \$500. (F. D. C. No. 19544. Sample Nos. 360-H, 23030-H, 31635-H, 31636-H.)**

**INFORMATION FILED:** May 16, 1946, Middle District of Georgia, against the Sparks Pickle Co., a partnership, Sparks, Ga.

**ALLEGED SHIPMENT:** On or about May 31 and June 8 and 15, 1945, from the State of Georgia into the States of Florida, California, and Missouri.

**LABEL, IN PART:** "Sparks \* \* \* Dill Pickles."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insects, insect excreta, sand, and grit; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** March 17, 1947. A plea of guilty having been entered on behalf of the defendant, a fine of \$500 was imposed.

**11249. Adulteration of potato chips. U. S. v. Philip Frank and Charles Zeitz (Hygrade Bakery). Plea of nolo contendere. Defendants fined \$480 and \$6.00, respectively. (F. D. C. No. 20144. Sample Nos. 4365-H, 4758-H, 4856-H, 4861-H, 4862-H, 7355-H.)**

**INFORMATION FILED:** August 26, 1946, Eastern District of Pennsylvania, against Philip Frank and Charles Zeitz, trading as the Hygrade Bakery, Philadelphia, Pa.

**ALLEGED SHIPMENT:** Between the approximate dates of August 31 and September 20, 1945, from the State of Pennsylvania into the States of Delaware and New Jersey.

**LABEL, IN PART:** "Hygrade Golden Crisp Potato Chips."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), a portion of the product consisted in part of a filthy and decomposed substance by reason of the presence of worm-damaged and rot-damaged potato chips, and the remainder was unfit for food by reason of the presence of worm holes and by reason of the fact that portions had been prepared from potatoes, some of which were green, decomposed, or wormy.

**DISPOSITION:** September 24, 1946. Both defendants having entered pleas of nolo contendere, the court imposed fines of \$80 on each count, a total of \$480, against Philip Frank, and \$1.00 on each count, a total of \$6.00, against Charles Zeitz.

**11250. Adulteration of potato chips. U. S. v. Conway W. Williamson (Maxine Sandwich Co.). Plea of guilty. Fine, \$150, or 3 months' imprisonment. (F. D. C. No. 20158. Sample Nos. 294-H, 673-H, 674-H, 791-H.)**

**INFORMATION FILED:** July 24, 1946, Western District of South Carolina, against Conway W. Williamson, trading as the Maxine Sandwich Co., Greenville, S. C.

**ALLEGED SHIPMENT:** On or about July 25 and 31 and August 1, 1945, from the State of South Carolina into the State of North Carolina.