4827. Misbranding of canned peas. U. S. v. 1,066 Cases of Canned Peas. Decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 9418. Sample No. 13628–F.)

On February 25, 1943, the United States attorney for the District of Arizona filed a libel against 1,066 cases, each containing 24 cans, of peas at Phoenix, Ariz., alleging that the article had been shipped in interstate commerce on or about February 10, 1943, by R. D. Pringle & Co. from Cambria, Wis.; and charging that it was misbranded since it was below standard. The article was labeled in part: (Cans) "Little Farmer Brand * * * Large Sweet Peas."

On April 26, 1943, the Safeway Stores having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

4828. Misbranding of canned peas. U. S. v. 547 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 6798. Sample No. 84082–E.)

On February 3, 1942, the United States attorney for the Northern District of New York filed a libel against 547 cases, each containing 24 cans, of peas at Syracuse, N. Y., alleging that the article had been shipped in interstate commerce on or about December 31, 1941, by the Greenmount Canning Co. from Greenmount, Md.; and charging that it was misbranded since it was below standard. The article was labeled in part: (Cans) "Happy Meal Brand Run of Pod Early June Peas."

On May 14, 1943, the Greenmount Canning Co., claimant, having admitted the allegations of the libel and 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.

4829. Misbranding of canned peas. U. S. v. 279 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 9370. Sample No. 36955–F.)

On February 12, 1943, the United States attorney for the Eastern District of Virginia filed a libel against 279 cases, each containing 24 cans, of peas at Culpeper, Va., alleging that the article had been shipped in interstate commerce on or about August 10, 1942, by the H. J. McGrath Co. from Baltimore, Md.; and charging that it was misbranded since it was below standard. The article was labeled in part: (Cans) "Sword Early June Peas * * * Nationally Distributed By Household Products Co. * * * Chicago."

The article was further alleged to be misbranded in that the statement "Sword foods are full flavored and fresh, conforming to the United States Government regulations for standard grade merchandise," borne on the label, was false and misleading since the article was of sub-standard quality. In addition to containing high alcohol-insoluble solids, more than 25 percent by count of the peas in the container were ruptured.

On March 12, 1943, the H. J. McGrath Co., claimant, having admitted the allegations of the libel and 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.

4830. Misbranding of canned peas. U. S. v. 600 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 8398. Sample No. 17978–F.)

On September 28, 1942, the United States attorney for the Southern District of New York filed a libel against 600 cases, each containing 6 cans, of early June peas at New York, N. Y., which had been consigned by Albert W. Sisk, alleging that the article had been shipped in interstate commerce on or about August 28, 1942, from Baltimore, Md.; and charging that it was misbranded since it was below standard. The article was labeled in part: (Can) "Old Reliable Brand Early June Peas Packed by Lord-Mott Co. Inc Baltimore, Md."

In addition to charging violation of the standard of quality, the libel alleged that the article purported to be and was represented as a food for which a standard of fill of container had been prescribed, but fell below such standard of fill of container and its label failed to bear a statement that it fell below such standard.

On October 29, 1942, the Lord-Mott Co., Inc., of Baltimore, Md., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for proper relabeling under the supervision of the Food and Drug Administration.