

27810. Canned mushrooms. (F.D.C. No. 46820. S. Nos. 19-609/11 T.)

QUANTITY: 11 cases, 48 4-oz. cans each, 4 cases, 24 8-oz. cans each, and 36 cases, 16 16-oz. cans each, at Fort Worth, Tex.

SHIPPED: Prior to 1947, from Avondale, Pa.

RESULTS OF INVESTIGATION: Examination showed that the article was undergoing chemical decomposition.

LIBELED: On or about 12-1-61, N. Dist. Tex.

CHARGE: 402(a) (3)—contained a decomposed substance while held for sale.

DISPOSITION: 1-23-62. Default—destruction.

27811. Canned peas. (F.D.C. No. 46889. S. No. 4-501 T.)

QUANTITY: 152 cases, 24 15-oz. cans each, at Charlottesville, Va.

SHIPPED: 9-2-61 and 9-16-61, from Siloam Springs, Ark., by Allen Canning Co.

LABEL IN PART: (Can) "The Allens Early June Peas * * * Prepared from dry Peas * * * Allen Canning Company, Packers & Distributors Siloam Springs, Ark."

RESULTS OF INVESTIGATION: Examination showed the article to be green peas of a smooth skin variety substandard in quality because of the presence therein of an excessive number of ruptured peas and because the amount of alcohol-insoluble solids was more than 23.5 percent.

LIBELED: 1-4-62, W. Dist. Va.

CHARGE: 403(a)—when shipped, the vignette depicting succulent green peas was false and misleading as applied to an article which was prepared from dried peas; 403(g) (2)—the article purported to be and was represented as canned peas, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the name of the optional pea ingredient present in such food since such definition and standard provides that the label for canned peas shall name the optional pea ingredient present in such food by the use of the words "Dried Early" or "Dried June" or "Dried Early June"; and 403(h) (1)—the article fell below the standard of quality for canned peas since the article contained more than 25 percent by count of peas ruptured to a width of more than $\frac{1}{16}$ ", and the article was a smooth skin variety of peas and the alcohol-insoluble solids of peas in the container were more than 23.5 percent, and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 3-19-62. Default—delivered to a public institution.

27812. Canned peas. (F.D.C. No. 46916. S. No. 17-428 T.)

QUANTITY: 72 cases, 48 15½-oz. cans each, at Middlesboro, Ky.

SHIPPED: 10-12-61, from Atlanta, Ga., by Allied Food Distributors, Inc.

LABEL IN PART: (Can) "Dixie Chef Brand Early June Peas Prepared From Dry Stock * * * Packed By Bilt-More Food Products Co., Inc. Atlanta, Ga."

LIBELED: 1-18-62, E. Dist. Ky.

CHARGE: 403(g) (2)—when shipped, the article purported to be and was represented as canned peas, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the name of the optional pea ingredient present in such food since such definition and standard provides that the label for canned peas shall name the optional pea ingredient present in such food by the use of the words "Dried Early" or

"Dried June" or "Dried Early June" and its label bore the name "Early June Peas"; and 403(h) (1)—the article fell below the standard of quality for canned peas since the article contained more than 25 percent by count of peas ruptured to a width of more than $\frac{1}{16}$ "', and the article was a smooth skin variety of peas and the alcohol-insoluble solids of peas in the container were more than 23.5 percent, and its label failed to bear, as required by regulations, a statement that it fell below such standard.

DISPOSITION: 3-29-62. Default—destruction.

27813. Sauerkraut. (F.D.C. No. 46324. S. Nos. 94-784/5 R.)

QUANTITY: 908 cases, 24 cans each, at Detroit, Mich.

SHIPPED: 5-8-61 and 6-23-61, from Phelps, N.Y., by Empire State Pickling Co.

LABEL IN PART: (Can) "Silver Floss Sauerkraut Net Contents 1 Lb. Packed by Empire State Pickling Co., Phelps, N.Y."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 8-28-61, E. Dist. Mich.

CHARGE: 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 1-12-62. Default—delivered to a public institution.

27814. Sauerkraut. (F.D.C. No. 46922. S. No. 13-777 T.)

QUANTITY: 164 cases, 12 jars each, at Chicago, Ill.

SHIPPED: 11-6-61, from Redgranite, Wis., by Chicago Pickle Co., Inc.

LABEL IN PART: (Jar) "Chipico * * * Fresh Bulk Style Sauerkraut * * * Packed by Chicago Pickle Co., Inc., Chicago, Illinois. Contents: Cabbage. Salt. Water $\frac{1}{10}$ of 1% Benzoate of Soda 1 Fl. Qt."

RESULTS OF INVESTIGATION: Examination showed that the firm name and address, and ingredient and net content statements were printed at right angles to the principal display panel and in very small type on a two-color label making it difficult to read, and examination showed that the article contained sodium bisulfite, an undeclared chemical preservative.

LIBELED: 1-16-62, N. Dist. Ill.

CHARGE: 403(f)—when shipped, the information required by 403 (e) (1), (e) (2), and (i) (2), to appear on the label, namely, the name and place of business of the manufacturer, packer, or distributor, the quantity of contents statement, and the common or usual name of each ingredient, was not prominently placed thereon with such conspicuousness (as compared with other words and statements on the label) as to render such information likely to be read by the ordinary individual under customary conditions of purchase and use; 403(i) (2)—the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient, since sodium bisulfite was not declared; and 403(k)—the article contained sodium bisulfite, a chemical preservative, and it failed to bear labeling stating that fact.

DISPOSITION: 2-8-62. Default—delivered to charitable institutions.

27815. Dried black-eyed beans. (F.D.C. No. 47014. S. No. 22-977 T.)

QUANTITY: 30 100-lb. bags at Twin Falls, Idaho.

SHIPPED: Prior to 10-14-61, from Crows Landing, Calif.