

CHARGE: 403(a)—when shipped, the label 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: 9-22-61. Default—destruction.

27511. Canned mushrooms. (F.D.C. No. 46296. S. No. 59-877 R.)

QUANTITY: 35 cases, 12 cans each, at Honolulu, Hawaii.

SHIPPED: 7-13-61, from Lacey, Wash., by Olympia Mushroom Farms, Inc.

LABEL IN PART: (Can) "Dawn Fresh Fancy Buttons Mushrooms Net Drained Wt. 16 Oz. Avd. Distributed by Olympia Mushroom Farms, Inc., Olympia, Wash."

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

LIBELED: 8-18-61, Dist. Hawaii.

CHARGE: 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents; and 403(h) (2)—the article fell below the standard of fill of container for canned mushrooms since the article was in a container designated in the trade as 307 x 510 and the weight of drained mushrooms therein was less than 16 ounces avoirdupois, and its label failed to bear, as required by regulations, a statement that it fell below such standard.

DISPOSITION: 9-22-61. Default—delivered to charitable institutions.

27512. Cocktail mushrooms. (F.D.C. No. 46089. S. No. 79-571 R.)

QUANTITY: 8 cases, 24 jars each, at Baltimore, Md.

SHIPPED: 3-22-61, from Kennett Square, Pa., by D. Vincenti & Co.

LABEL IN PART: (Jar lid) "Vincenti Cocktail Mushrooms * * * Wt. 3½ Ozs. Net Avd. D. Vincenti & Co. Packers, Kennett Square, Pa.

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

LIBELED: 7-18-61, Dist. Md.

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

DISPOSITION: 8-10-61. Default—destruction.

27513. Mung beans. (F.D.C. No. 45832. S. No. 64-836 R.)

QUANTITY: 64 100-lb. bags at San Francisco, Calif., in possession of Wing Sing Chong Co., Inc.