6520. Misbranding of canned peas and canned tomatoes. U. S. v. The H. J. McGrath Co. Plea of guilty. Fine, $125 and costs. (F. D. C. No. 11375. Sample Nos. 36955-F, 46348-F, 46393-F, 53185-F, 53409-F, 53433-F.)

INFORMATION FILED: On March 31, 1944, in the District of Maryland, against the H. J. McGrath Co., a corporation, Baltimore, Md.

ALLEGED SHIPMENT: From on or about August 10, 1942, to August 21, 1943, from the State of Maryland into the States of Virginia, West Virginia, and North Carolina.

LABEL, IN PART: "Sword Early June Peas * * * Distributed By Household Products Co., General Offices, Chicago, U. S. A.," or "Champion Brand * * * McGrath's Tomatoes."

VIOLATIONS CHARGED: Misbranding, Section 403 (h) (1), in addition to the high alcohol-insoluble solids content of all the peas, a portion of the peas were below standard because of the high percentage of ruptured peas in the container; the canned tomatoes were substandard because of low drained weight, i. e., excessive liquid and small particles in proportion to large pieces of tomatoes, and because of an excessive amount of peel; the products were not labeled as being substandard; and, Section 403 (a), the statements on the label of the peas, "Sword foods are full flavored and fresh, conforming to the United States Government regulations for standard grade merchandise," and the design consisting of green peas, green pods, and green leaves, all in the succulent stage, were false and misleading as applied to the product, which was substandard and consisted of peas that had reached the stage of maturity beyond the succulent stage.

DISPOSITION: May 25, 1944. A plea of guilty having been entered, the defendant was fined $25 on each of 5 counts, a total of $125, with costs.

6521. Misbranding of canned peas. U. S. v. 144 Cases of Canned Peas. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 11325. Sample No. 46400-F.)

LIBEL FILED: December 16, 1943, District of Columbia.

ALLEGED SHIPMENT: On or about October 14, 1943, by the Greenmount Canning Co., from Greenmount, Md.

PRODUCT: 144 cases, each containing 24 1-pound, 4-ounce cans, of peas at Washington, D. C.

LABEL, IN PART: (Cans) "Happy Meal Brand * * * Early June Peas."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: April 17, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to local charitable institutions.

6522. Misbranding of canned peas. U. S. v. 428 Cases of Canned Peas. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 11255. Sample No. 57808-F.)

LIBEL FILED: December 10, 1943, District of Colorado.

ALLEGED SHIPMENT: On or about Auugst 11, 1943, by the Kaysville Canning Corporation, from Kaysville, Utah.

PRODUCT: 428 cases, each containing 24 cans, of peas at Pueblo, Colo.

LABEL, IN PART: (Cans) "Western Girl Brand June Peas."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: March 13, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions.

6523. Misbranding of canned peas. U. S. v. 576 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 11050. Sample No. 38467-F.)

LIBEL FILED: November 5, 1943, Northern District of Indiana.

ALLEGED SHIPMENT: On or about August 13 and September 7, 1943, by the W. R. Roach Co., Owosso, Mich.

PRODUCT: 576 cases, each containing 24 cans, of peas at South Bend, Ind.

LABEL, IN PART: "Junior Brand Early June Peas."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), the product was below standard.