

DISPOSITION: March 3, 1944. The Crawford Canning Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond, to be brought into compliance with the law under the supervision of an employee designated by the Federal Security Administrator.

6956. Misbranding of canned peas. U. S. v. D. E. Foote & Co., Inc. Plea of guilty. Fine, \$100, plus costs. (F. D. C. No. 11357. Sample Nos. 35522-F, 46343-F, 46347-F.)

INFORMATION FILED: March 7, 1944, District of Maryland, against D. E. Foote & Co., Inc., Baltimore, Md.

ALLEGED SHIPMENT: On or about June 25 and 28, 1943, from the State of Maryland into the State of North Carolina.

LABEL, IN PART: "Family Brand [or "Foote's Best"] Early June Peas."

VIOLATIONS CHARGED: Misbranding, Section 403 (h) (1), in addition to the high alcohol-insoluble solids content, these peas were below standard because of the high percentage of ruptured peas; and, Section 403 (h) (2), the peas in two of the shipments also fell below the standard of fill of container.

DISPOSITION: May 25, 1944. The defendant entered a plea of guilty, and a fine of \$25 was imposed on each of 4 counts, or a total fine of \$100, plus costs.

6957. Misbranding of canned peas. U. S. v. 1,273 Cases and 250 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 12665, 12666. Sample No. 66793-F.)

LIBEL FILED: June 9, 1944, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about August 2, 1943, by Green Valley Food Products, from Germantown, Wis.

PRODUCT: 1,273 cases and 250 cases, each containing 24 cans, of canned peas at Oklahoma City, and Clinton, Okla.

The product was shipped unlabeled, and no written agreement existed between the shipper and consignee as to the labeling; the peas were invoiced as Standard Alaska unlabeled peas.

VIOLATIONS CHARGED: Misbranding, Section 403 (h) (1), the article was below standard; and, Sections 403 (e) (1) and (2), it was in package form and failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents.

DISPOSITION: November 4, 1944. The Fleming Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, to be brought into compliance with the law under the supervision of the Food and Drug Administration.

6958. Misbranding of canned peas. U. S. v. Southern Packing Co., Inc. Plea of guilty. Fine of \$100, and costs. (F. D. C. No. 11378. Sample Nos. 37346-F, 46126-F, 46129-F, 53419-F, 53420-F.)

INFORMATION FILED: March 31, 1944, District of Maryland, against the Southern Packing Co, Baltimore, Md.

ALLEGED SHIPMENT: From on or about July 12 to August 16, 1943, from the State of Maryland into the States of West Virginia and South Carolina.

LABEL, IN PART: "Value Brand Early June Peas," or "Mountain Lake Brand June Peas."

VIOLATION CHARGED: Misbranding, Section 403 (h) (1), the product was substandard since it contained an excessive amount of alcohol-insoluble solids, and since in one portion the skins of more than 25 percent by count of the peas in the container were ruptured to a width of more than $\frac{1}{16}$ of an inch.

DISPOSITION: June 2, 1944. A plea of guilty was entered, and a fine of \$25 was imposed on each of 4 counts, plus costs.

6959. Adulteration of canned spinach. U. S. v. 77 Cases of Canned Spinach (and 4 other seizure actions against canned spinach). Default decrees of condemnation and destruction. (F. D. C. Nos. 12927, 12928, 13230, 13435, 13436. Sample Nos. 54834-F, 54844-F, 69358-F, 69359-F, 87508-F.)

LIBELS FILED: Between July 11 and September 2, 1944, Eastern District of Wisconsin, Western District of Wisconsin, and District of Montana.

ALLEGED SHIPMENT: On or about January 31, February 7, and February 8, 1944, by the Meyer Canning Co., from Edinburg, Tex.

PRODUCT: 77 cases and 123 cases of canned spinach at Milwaukee, Wis., 27 cases at Wisconsin Rapids, Wis., and 33 cases and 43 cases at Great Falls, Mont., each case containing 24 cans.

LABEL, IN PART: (Cans) "Gold Inn Brand Spinach Contents 1 Lb. 2 Oz."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), (all lots) the product was unfit for food by reason of the presence of sand and dirt; and, Section 402 (b) (4), (lots at Milwaukee) sand and dirt had been mixed and packed with the product so as to reduce its quality.

DISPOSITION: Between August 15 and November 3, 1944. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

6960. Adulteration of turnip greens. U. S. v. 184 Cases of Turnip Greens. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 13260. Sample Nos. 80650-F, 80651-F.)

LABEL FILED: August 17, 1944, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about August 3, 1943, by Central Cannery, Inc., for Whiteside Cannery, from Fayetteville, Ark.

PRODUCT: 184 cases, each containing 24 1-pound, 11-ounce cans, of turnip greens at St. Louis, Mo.

Examination showed that the turnip greens contained an average of 7 pieces of grass per can, the blades averaging 1 to 17 inches in length.

LABEL, IN PART: (Cans) "Mayfair Turnip Greens."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (2), grass had been substituted in part for turnip greens; and, Section 402 (b) (4), grass had been mixed and packed with the product so as to reduce its quality.

DISPOSITION: October 4, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution, for its use.

6961. Adulteration of canned sweetpotatoes. U. S. v. 137 Cases of Canned Sweet Potatoes. Decree of condemnation and destruction. (F. D. C. No. 13016. Sample No. 69160-F.)

LABEL FILED: July 25, 1944, District of Colorado.

ALLEGED SHIPMENT: On or about April 13, 1944, by John H. Dulany & Son, from Fruitland, Md.

PRODUCT: 137 cases, each containing 24 cans, of sweetpotatoes at Denver, Colo. The product was sour and decomposed.

LABEL, IN PART: (Cans) "J. H. D. [or "Dulany"] Dry Pack Mashed Sweet Potatoes."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: August 8, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6962. Adulteration and misbranding of asparagus puree. U. S. v. 165 Cases of Asparagus Puree. Default decree of condemnation and destruction. (F. D. C. No. 13023. Sample No. 77941-F.)

LABEL FILED: July 22, 1944, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about May 28, 1943, by the Edgar F. Hurff Co. from Swedesboro, N. J.

PRODUCT: 165 cases, each containing 6 No. 10 cans, of asparagus puree at Philadelphia, Pa.

LABEL, IN PART: (Cans) "Hurff Asparagus Puree."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

Misbranding, Section 403 (a), the name on the label, "Asparagus Puree," was misleading in the absence of a statement revealing the material fact that the article was produced from asparagus butts.

DISPOSITION: August 16, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.