ALLEGED SHIPMENT: On or about July 15, 1943, and August 9, 1944, from the State of Wisconsin into the States of Texas and Missouri. A portion of the product was shipped unlabeled, invoiced as "Std. No. 3 Sv. Alaska Peas."

LABEL, IN PART: (Portion) "Maplewood * * * Wisconsin Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was below standard because of high alcohol-insoluble solids; and, Section 403 (e) (1) and (2), a portion of the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor and a statement of the quantity of the contents.

DISPOSITION: October 18, 1945. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of $1,000.

8618. Misbranding of canned peas. U. S. v. Harold H. Clapp, Inc. Plea of nolo contendere. Fine, $200. (F. D. C. No. 15548. Sample Nos. 10219–H, 75941–H.)

INFORMATION FILED: July 30, 1945, Western District of New York, against Harold H. Clapp, Inc., Rochester, N. Y.

ALLEGED SHIPMENT: Between the approximate dates of August 21, 1944, and January 3, 1945, from the State of New York into the State of Pennsylvania.

LABEL, IN PART: "Clapp's Strained Baby Foods Strained Peas * * * Net Weight 5 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the cans contained less than 5 ounces.

DISPOSITION: October 22, 1945. A plea of nolo contendere having been entered on behalf of the defendant, a fine of $200 was imposed.

8619. Adulteration of dried peppers. U. S. v. 99 Bags and 112 Bags of Dried Peppers. Decrees of condemnation. Portion of product ordered destroyed; remainder ordered released under bond. (F. D. C. Nos. 15766, 16176. Sample Nos. 4059–H, 9905–H.)

LIBELS FILED: March 29 and May 12, 1945, Eastern District of Pennsylvania and Western District of New York.

ALLEGED SHIPMENT: On or about November 17, 1944, and January 13, 1945, by Young & Patterson, Timmonsville, S. C.

PRODUCT: 99 100-pound bags and 112 97-pound bags of dried peppers at Philadelphia, Pa., and Rochester, N. Y., respectively.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy peppers.

DISPOSITION: October 2 and 22, 1945. The R. T. French Co., Rochester, N. Y., having appeared as claimant for the Rochester lot and having admitted the allegations of the libel, and no claimant having appeared for the Philadelphia lot, judgments of condemnation were entered. The Philadelphia lot was ordered destroyed, and the Rochester lot was ordered released under bond for conversion to industrial use or poultry feed, under the supervision of the Food and Drug Administration.

8620. Adulteration of dill pickles. U. S. v. 419 Cases and 534 Cases of Dill Pickles. Decrees of condemnation. Portion of product ordered destroyed and containers salvaged; remainder of product ordered released under bond but subsequently ordered destroyed. (F. D. C. Nos. 16661, 17180. Sample Nos. 360–H, 31635–H, 31636–H.)

LIBELS FILED: June 29 and August 24, 1945, Southern District of Florida and Southern District of California.

ALLEGED SHIPMENT: On or about May 31 and June 8, 1945, by the Sparks Pickle Co., from Sparks, Ga.

PRODUCT: 419 cases, each containing 12 1-quart jars, of dill pickles at Jacksonville, Fla., and 534 cases, each case containing 24 1-pint jars, of dill pickles at San Diego, Calif.

LABEL, IN PART: "Sparks Brand Dill Pickles."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of filthy substances by reason of the presence of worm-cut pickles, worms, and worm excreta in one lot and of sand and dirt in the other lot; and, Section 402 (a) (4), both lots had been prepared under insanitary conditions whereby the pickles might have become contaminated with filth.