

LABEL, IN PART: (Portions) "Upper Deck Wisconsin Peas * * * Contents 1 lb. 4 oz. Fall River Canning Co. Distributors Fall River, Wisconsin," "Iona Early June Peas Large Size Net Wt. 1 Lb. 4 Ozs. Standard Quality Grade C," or "Wiscos Brand Early June Peas Size 4 Contents 1 Lb. 4 Oz. Distributed by Fall River Canning Co. Fall River, Wis." Two of the shipments were unlabeled. One of the unlabeled lots was invoiced "Std #4 Alaska." The other unlabeled lot was labeled by the consignee as "Selected Early June Peas." No written agreement existed between the shipper of the last lot and the consignee.

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), all shipments of the product were substandard in quality; Section 403 (e) (1) (2), the Baltimore and Lincoln lots failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 403 (g) (2), the labels failed to bear the name of the food specified in the standard.

Further misbranding, Section 403 (a), the statement "Standard Quality Grade C," on the label of the Toledo lot, was false and misleading.

DISPOSITION: Between November 14, 1945, and March 28, 1946, the Stoughton Canning Co., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond to be labeled or relabeled in compliance with the law, under the supervision of the Food and Drug Administration.

9556. Misbranding of canned peas. U. S. v. 497 Cases and 1,997 Cases of Canned Peas. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 17438, 17586. Sample Nos. 18063-H, 24551-H.)

LIBELS FILED: September 12 and October 4, 1945, Eastern District of Louisiana and Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 26 and August 2, 1945, by the Cambria Canning Corporation, from Cambria, Wis.

PRODUCT: 497 cases and 1,997 cases, each containing 24 20-ounce cans, of peas at New Orleans, La., and Chicago, Ill., respectively.

LABEL, IN PART: (New Orleans lot) "Eatmor Brand * * * Early June Peas Size 4 Distributed by Fall River Canning Co. Fall River, Wis."

NATURE OF CHARGE: Misbranding (Chicago lot), Section 403 (e) (1) (2), the article 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; and, Section 403 (g) (2), its label failed to bear the name of the food specified in the definition and standard of identity for canned peas.

Further misbranding (both lots), Section 403 (h) (1), the article was substandard in quality.

DISPOSITION: November 5, 1945, and January 9, 1946. The Cambria Canning Corporation, claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

9557. Misbranding of canned peas. U. S. v. 1,300 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19091. Sample No. 21786-H.)

LIBEL FILED: On or about February 15, 1946, District of Kansas.

ALLEGED SHIPMENT: On or about September 15, 1945, by the Perry Canning Co., from Perry, Utah.

PRODUCT: 1,300 cases, each containing 24 20-ounce cans, of peas at Coffeyville, Kans.

LABEL, IN PART: "Midwest Brand * * * Sweet Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article was substandard in quality because more than 10 percent of the peas were too hard to be crushed by a weight of 2 pounds, and because the article was a sweet, wrinkled variety of pea and the alcohol-insoluble solids were more than 21 percent.

DISPOSITION: March 4, 1946. The Perry Canning Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

9558. Misbranding of canned peas. U. S. v. 1,198 Cases of Canned Peas. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 18370. Sample No. 14564-H.)

LIBEL FILED: November 9, 1945, Eastern District of Kentucky.

ALLEGED SHIPMENT: On or about August 25, 1945, by the Oconomowoc Canning Co., from Waunakee, Wis.

PRODUCT: 1,198 cases, each containing 24 1-pound, 4-ounce cans, of peas at Winchester, Ky.

LABEL, IN PART: "Buddie Brand Medium June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: December 5, 1945. The Oconomowoc Canning Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

9559. Misbranding of canned peas. U. S. v. 1,122 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 17754. Sample No. 25111-H.)

LIBEL FILED: October 22, 1945, Northern District of Texas.

ALLEGED SHIPMENT: On or about August 17, 1945, by the Athens Canning Co., from Athens, Wis.

PRODUCT: 1,122 cases, each containing 24 cans, of peas at Fort Worth, Tex.

LABEL, IN PART: "Arion Brand Early Peas Contents 1 Lb. 4 Oz. Size 4."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article was below standard.

DISPOSITION: January 28, 1946. The Athens Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

9560. Misbranding of canned peas. U. S. v. 760 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 18275. Sample No. 35132-H.)

LIBEL FILED: November 5, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about August 17, 1945, by Tigerton Foods, from Tigerton, Wis.

PRODUCT: 760 cases, each containing 24 cans, of peas at St. Louis, Mo. The product was shipped unlabeled and invoiced as standard peas. No written agreement existed between the shipper and consignee as to the labeling of the product.

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was below standard; Section 403 (e) (1) (2), it 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; and, Section 403 (g) (2), the label failed to bear, as required by the regulations, the name of the food specified in the definition and standard of identity for canned peas.

DISPOSITION: November 26, 1945. The General Grocer Co., St. Louis, Mo., claimant, having consented to the entry of a decree, 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.

9561. Misbranding of canned peas. U. S. v. 749 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19322. Sample No. 17790-H.)

LIBEL FILED: March 26, 1946, Northern District of Illinois.

ALLEGED SHIPMENT: On or about September 12, 1945, by the Osseo Canning Co., from Osseo, Wis.