10314. Misbranding of canned peas. U. S. v. 599 Cases of Canned Peas (and 6 other seizure actions against canned peas). Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 17343, 17622, 18098, 18201, 18355, 18626, 18627. Sample Nos. 22381-H, 23511-H, 23899-H, 24880-H, 24921-H, 52583-H, 52584-H.)

LIBELS FILED: Between October 2 and December 10, 1945, Southern, Northern, and Western Districts of Texas, Southern District of Illinois, Eastern District of Missouri, and Eastern District of Kentucky.

ALLEGED SHIPMENT: Between the approximate dates of July 16 and August 30, 1945, by the Fall River Canning Co., from Fall River and Janesville, Wis.

PRODUCT: Canned peas. 599 cases, 968 cases, and 79 cases at Houston, Dallas, and Austin, Tex., respectively; 1,447 cases at Bloomington, Ill.; 1,750 cases at St. Louis, Mo.; and 1,796 cases at Paintsville, Ky. Each case contained 24 cans of peas. The cans in the Dallas and Paintsville lots were labeled as indicated below, and the cans in the other lots were shipped unlabeled.

LABEL, IN PART: (Portions of product) "Wiscos Brand [or "Eatmor Brand"] Early June Peas," or "Upper Deck * * * June Peas."

NATURE OF CHARGE: Misbranding (4 lots), Section 403 (e), 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), the label of the article failed to bear, as prescribed by the regulations, the name of the food specified in the definition and standard.

Further misbranding (all lots), Section 403 (h) (1), the article was below standard.

DISPOSITION: Between the dates of December 14, 1945, and April 2, 1946. The Schuhmacher Co., Houston, Tex., having appeared as claimant for the Houston and Austin lots, and the Fall River Canning Co. having appeared as claimant for the remainder, and both claimants having consented to the entry of decrees, judgments of condemnation were entered. The product in all of the lots was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

10315. Misbranding of canned peas. U. S. v. 872 Cases and 158 Cases of Canned Peas. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 17673, 17716. Sample Nos. 19196-H, 19602-H.)

LIBELS FILED: September 27 and October 3, 1945, District of Minnesota and District of South Dakota.

ALLEGED SHIPMENT: On or about August 3 and 6, 1945, by the Lange Canning Corporation, from Eau Claire, Wis.

PRODUCT: 872 cases and 158 cases, each containing 24 cans, of peas at Mankato, Minn., and Sioux Falls, S. Dak., respectively.

LABEL, IN PART: "Nation's Garden Brand [or "Gem Wisconsin"] Early June Peas Contents 1 Lb. 4 Oz."

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

DISPOSITION: November 13 and December 1, 1945. The Lange 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.

10316. Misbranding of canned peas. U. S. v. 50 Cases of Canned Peas. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 17742. Sample No. 19274-H.)

LIBEL FILED: October 4, 1945, Northern District of Iowa.

ALLEGED SHIPMENT: On or about August 6, 1945, by the McGregor Wholesale Grocery Co., from Cassville, Wis.

PRODUCT: 50 cases, each containing 24 1-pound, 4-ounce cans, of peas at McGregor, Iowa.

LABEL, IN PART: "Pride of Cassville Brand Wisconsin Early June Peas * * * Packed by Klindt-Geiger Canning Co., Cassville, Wis."

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