

PRODUCT: 2 unlabeled bags containing 41 pounds of dried mushrooms.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of maggots and larvae.

DISPOSITION: December 10, 1946. Default decree of condemnation and destruction.

11237. Adulteration of canned peas and carrots. U. S. v. 79 Cases * * * (and 3 other seizure actions). (F. D. C. Nos. 20020, 20087, 20370, 20420. Sample Nos. 58939-H, 58967-H, 58968-H, 59163-H.)

LIBELS FILED: May 24 and July 25, 1946, Eastern District of Washington.

ALLEGED SHIPMENT: March 21, 1946, by the Nelson Packing Co., San Francisco, Calif.

PRODUCT: 79 cases and 670 cases at Yakima and Spokane, Wash., respectively. Each case contained 24 cans of peas and carrots.

LABEL, IN PART: "Winners Brand Contents 1 Lb. 3 Oz. Dried Sweet Peas & Diced Carrots."

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

DISPOSITION: On August 13, 1946, the Nelson Packing Co., claimant for 143 cases of the product at Spokane, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the segregation of the good from the bad, under the supervision of the Federal Security Agency. On September 27, 1946, the claimant having been unable to segregate the product, the court ordered it destroyed. On July 22 and 30 and September 23, 1946, default decrees of condemnation and destruction were entered against the remaining lots.

11238. Adulteration of canned peas. U. S. v. 380 Cases * * *. (F. D. C. No. 20082. Sample No. 34946-H.)

LIBEL FILED: June 10, 1946, Southern District of Illinois.

ALLEGED SHIPMENT: On or about November 21, 1945, by the Antigo Canning Factory, from Antigo, Wis.

PRODUCT: 380 cases, each containing 24 No. 5 cans, of peas at Jacksonville, Ill. Examination showed that the product was undergoing bacterial decomposition.

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

DISPOSITION: March 12, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

Nos. 11239 to 11247 report actions involving canned peas that purported to be a food for which a standard of quality has been prescribed by law, but the quality fell below the standard because of higher alcohol-insoluble solids than the maximum permitted by the standard, and the labels failed to bear, in the manner and form that the regulations specify, a statement that the product was below the standard.

11239. Misbranding of canned peas. U. S. v. Cambria Canning Corp. Plea of guilty. Fine, \$800. (F. D. C. No. 20195. Sample Nos. 18063-H, 24551-H.)

INFORMATION FILED: November 4, 1946, Western District of Wisconsin, against the Cambria Canning Corp., Cambria, Wis.

ALLEGED SHIPMENT: On or about July 26 and August 2, 1945, from the State of Wisconsin into the States of Illinois and Louisiana.

LABEL, IN PART: (Cases) "Eatmor Brand Peas," or "STD 3 ALA."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the product was below standard because of a high percentage of alcohol-insoluble solids; Section 403 (e) (1), (portion) the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), the article failed to bear a label containing an accurate statement, or any statement whatever, of the quantity of the contents; and, Section 403 (g) (2), it bore no label containing the name of the food specified in the definition and standard of identity for canned peas.

DISPOSITION: December 5, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$400 on each count, a total fine of \$800.

11240. Misbranding of canned peas. U. S. v. Dorchester Canning Co. Plea of guilty. Fine, \$400. (F. D. C. No. 20193. Sample No. 41701-H.)

INFORMATION FILED: November 4, 1946, Western District of Wisconsin, against the Dorchester Canning Co., a corporation, Hillsboro, Wis.

ALLEGED SHIPMENT: On or about August 23, 1945, from the State of Wisconsin into the State of West Virginia.

LABEL, IN PART: "Wiscos Brand Wisconsin Peas Early June Peas * * * Packed By Fall River Canning Co. Fall River, Wis."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article was below standard in quality because of the high percentage of alcohol-insoluble solids and the high percentage of ruptured peas.

DISPOSITION: December 3, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$400.

11241. Misbranding of canned peas. U. S. v. Fall River Canning Co. Plea of guilty. Fine, \$2,800. (F. D. C. No. 20196. Sample Nos. 22381-H, 23511-H, 23899-H, 24880-H, 24901-H, 24921-H, 52583-H, 52584-H.)

INFORMATION FILED: November 4, 1946, Western District of Wisconsin, against the Fall River Canning Co., Fall River and Janesville, Wis.

ALLEGED SHIPMENT: Between the approximate dates of July 18 and August 30, 1945, from the State of Wisconsin into the States of Illinois, Missouri, Texas, and Kentucky.

LABEL, IN PART: (Cans, 3 shipments) "Eatmor Brand Wisconsin Peas," "Upper Deck June Peas," or "Wiscos Brand Wisconsin Peas Early June Peas"; (Cases, 2 shipments) "Merit Peas," or "Peas." The remainder was invoiced Std #4 Alaska," or "Std #3 Alaska."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the product as a whole was below standard because of the high percentage of alcohol-insoluble solids.

Various portions of product. Misbranding, Section 403 (e) (1), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (e) (2), it failed to bear a label containing an accurate statement, or any statement whatever, of the quantity of the contents; and, Section 403 (g) (2), it failed to bear a label containing the name of the food specified in the definition and standard of identity.

DISPOSITION: December 3, 1946. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$400 on each of the 7 counts, a total fine of \$2,800.

11242. Misbranding of canned peas. U. S. v. River View Canning Corp. and Wallace W. Evans. Pleas of guilty. Fines, \$250 against corporation and \$100 against individual. (F. D. C. No. 20194. Sample No. 16784-H.)

INFORMATION FILED: April 9, 1947, Eastern District of Wisconsin, against the River View Canning Corp., Markesan, Wis., and Wallace W. Evans, president.

ALLEGED SHIPMENT: On or about September 1, 1945, from the State of Wisconsin into the State of Illinois.

LABEL, IN PART: "The Great Atlantic & Pacific Tea Co., New York, N. Y. Distributors Early June Peas."

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

DISPOSITION: April 21, 1947. Pleas of guilty having been entered, the court imposed fines of \$250 and \$100 against the corporation and the individual defendant, respectively.

11243. Misbranding of canned peas. U. S. v. Stoughton Canning Co. Plea of guilty. Fine, \$1,200. (F. D. C. No. 20197. Sample Nos. 3660-H, 21530-H, 43231-H.)

INFORMATION FILED: November 4, 1946, Western District of Wisconsin, against the Stoughton Canning Co., a corporation, Stoughton, Wis.