

ported to be and was represented as a food for which a definition and standard of identity had been prescribed by regulations promulgated pursuant to law and its label failed to bear, as such regulations require, the name of the optional packing medium present in such food, light sirup.

On May 24, 1943, the Standard Grocery Co. of Tacoma, Wash., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for relabeling in order to bring it into compliance with the law.

**5206. Adulteration of canned blackberries. U. S. v. 185 Cases of Canned Blackberries. Default decree of condemnation and destruction. (F. D. C. No. 9815. Sample No. 28942-F.)**

On April 21, 1943, the United States attorney for the Northern District of Georgia filed a libel against 185 cases, each containing 6 No. 10 cans, of blackberries at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about February 8, 1943, by the Mount Airy Canning Co. from Mount Airy, N. C.; and charging that it was adulterated in that it consisted in whole or in part of filthy substances, larvae and insects, and a decomposed substance, moldy berries. The article was labeled in part: (Cans) "Carolina Beauty Blackberries."

On May 11, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**5207. Misbranding of canned peaches. U. S. v. 28 Cartons of Canned Peaches. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 9949. Sample No. 45089-F.)**

On May 20, 1943, the United States attorney for the Southern District of New York filed a libel against 28 cartons, each containing 24 cans, of peaches at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about February 27, 1943, by the Sebastiani Canning Co. from Grand Junction, Colo.; and charging that it was misbranded. The article was labeled in part: (Cans) "Co-Op Elberta Peaches \* \* \* In Heavy Syrup \* \* \* Packed For National Co-Operatives Inc. Chicago Illinois."

It was alleged to be misbranded in that the statements, "In Heavy Syrup" (main panel) and "Syrup . . . Heavy" (side panel), were false and misleading as applied to the article, since it was packed in light sirup.

On July 1, 1943, Eastern Cooperative Wholesale, Inc. of Brooklyn, N. Y., claimant, having admitted the allegations of the libel and 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.

**5208. Misbranding of canned peaches. U. S. v. 431 Cases of Canned Peaches. Decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 9931. Sample No. 12562-F.)**

On May 12, 1943, the United States attorney for the Western District of Washington filed a libel against 431 cases, each containing 24 cans, of peaches at Tacoma, Wash., alleging that the article had been shipped in interstate commerce on or about April 5, 1943, by Ray Chatfield, from Turlock, Calif.; and charging that it was misbranded. The article was labeled in part: (Cans) "Golden State Halves Yellow Cling Peaches \* \* \* Visalia Canning Co. Visalia, Calif. Mel-Williams Company San Francisco California Distributors."

The article was alleged to be misbranded in that it purported to be and was represented as a food for which a definition and standard of identity had been prescribed by regulations promulgated pursuant to law but its label failed to bear, as such regulations require, the name of the optional packaging medium present in such food, light sirup.

On June 11, 1943, the Standard Grocery Co. of Tacoma, Wash., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

**5209. Misbranding of canned peaches. U. S. v. 26 Cases of Canned Peaches. Default decree of condemnation. Product ordered delivered to a welfare organization. (F. D. C. No. 9775. Sample No. 10971-F.)**

On April 8, 1943, the United States attorney for the Southern District of Ohio filed a libel against 26 cases, each containing 72 cans, of sliced peaches at Cincinnati, Ohio, which had been consigned on or about March 16, 1943, alleging that the article had been shipped in interstate commerce by Stokeley Brothers