

FRUITS AND VEGETABLES*

CANNED AND DRIED FRUITS

7624. Misbranding of canned apricots. U. S. v. 187 Cases of Canned Apricots. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 13494. Sample No. 73421-F.)

LABEL FILED: September 1, 1944, Western District of Arkansas.

ALLEGED SHIPMENT: On or about August 17, 1944, by the Drew Canning Co., from Campbell, Calif.

PRODUCT: 187 cases, each containing 24 cans, of apricots, at Hot Springs, Ark. Examination showed that the article was packed in sirup averaging 19.94 degrees Brix, designated as "light sirup" in the standard of identity for canned apricots.

LABEL, IN PART: "Jack Sprat Unpeeled Halves Apricots in Heavy Syrup * * * Distributed by Jack Spratt Foods, Inc., Marshalltown, Iowa."

VIOLATION CHARGED: Misbranding, Section 403 (a), the statement "in Heavy Syrup" was false and misleading as applied to an article packed in light sirup.

DISPOSITION: October 24, 1944. The C. J. Horner Co., Hot Springs, Ark., 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.

7625. Misbranding of canned apricots. U. S. v. 400 Cases of Canned Apricots. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 12493. Sample No. 73420-F.)

LABEL FILED: September 2, 1944, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about August 11, 1944, by the A. M. Beebe Co., from Oakland, Calif.

PRODUCT: 400 cases, each containing 24 cans, of apricots, at Oklahoma City, Okla.

Examination showed that the article was packed in sirup averaging 15.22 degrees Brix, designated as "slightly sweetened water" in the standard of identity for canned apricots.

LABEL, IN PART: "Flotta Unpeeled Halves Apricots in Light Syrup * * * Packed By Flotill Products, Incorporated, Stockton, Calif."

VIOLATION CHARGED: Misbranding, Section 403 (a), the statement "in Light Syrup" was false and misleading as applied to an article packed in slightly sweetened water.

DISPOSITION: September 29, 1944. The Safeway Stores, Inc., 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.

7626. Misbranding of canned cherries. U. S. v. 99 Cases of Canned Cherries. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13740. Sample No. 73460-F.)

LABEL FILED: October 14, 1944, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about September 13, 1944, by the Cooter Brokerage Co., from Oakland, Calif.

PRODUCT: 99 cases, each containing 24 cans, of cherries at Green Bay, Wis.

LABEL, IN PART: "Hunt's Superior Quality Royal Anne Light Sweet Cherries Contents 1 Lb. 14 Oz."

VIOLATION CHARGED: Misbranding, Section 403 (g) (2); the product failed to bear, as required by the regulations, the name of the optional packing medium, since the label bore the statement "In Heavy Syrup," whereas the product was packed in light sirup.

DISPOSITION: January 9, 1945. The Hunt Brothers Packing Co., Hayward, Calif., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be relabeled and brought into compliance with the law, under the supervision of the Food and Drug Administration.

*See also Nos. 7558, 7573, 7699.