

PRODUCT: 483 cases, each containing 24 1-pound, 13-ounce cans, of peaches at South Boston, Mass.

LABEL, IN PART: "Isle O'Gold Sliced Elberta Freestone Yellow Peaches in Heavy Syrup * * * National Retailer-Owned Grocers, Inc. Distributors * * * Chicago, Ill."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the product was canned peaches, a food for which a definition and standard of identity had been prescribed by the regulations, and its label failed to bear, as required by the regulations, the name of the optional packing medium present, since the label bore the statement "in Heavy Syrup," whereas the article was packed in light sirup.

DISPOSITION: April 26, 1948. The G. W. Hume Co., claimant, having consented to the entry of a decree, 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.

13121. Misbranding of canned peaches. U. S. v. 154 Cases * * *. (F. D. C. No. 23442. Sample No. 54438-H.)

LIBEL FILED: September 4, 1947, Middle District of Georgia.

ALLEGED SHIPMENT: On or about July 17, 1947, by the Greenville Canning Co., from Greenville, S. C.

PRODUCT: 154 cases, each containing 24 cans, of peaches at Milledgeville, Ga.

LABEL, IN PART: "Mid Summer Brand Yellow Freestone Peaches Halves in Heavy Syrup. Contents 1 Lb. 14 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product was in package form and failed to bear a label containing an accurate statement of the quantity of the contents. (The cans contained less than the declared weight.)

Further misbranding, Section 403 (g) (2), the label failed to bear the name of the optional packing medium present in the article, since it was labeled "in Heavy Syrup," whereas it was packed in light sirup.

DISPOSITION: September 30, 1947. The Greenville 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 Federal Security Agency.

13122. Misbranding of canned peaches. U. S. v. 61 Cases * * *. (F. D. C. No. 24393. Sample No. 33242-K.)

LIBEL FILED: March 18, 1948, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 10, 1948, by Parrott & Co., from Stockton, Calif.

PRODUCT: 61 cases, each containing 24 1-pound, 13-ounce cans, of peaches at Philadelphia, Pa.

LABEL, IN PART: "Norris Ole Fashion Yellow Elberta Freestone Peaches in Extra Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the product purported and was represented to be canned peaches, and its label failed to bear, as required by the definition and standard of identity, the name of the optional peach ingredient and the name of the optional packing medium used, since the label bore the statement "Yellow Freestone Peaches in Extra Heavy Syrup" and the cans contained yellow clingstone peaches in heavy sirup.

DISPOSITION: May 25, 1948. A. E. Turner & Co., Philadelphia, Pa., claimant, having consented to the entry of a decree, 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.

13123. Misbranding of canned peaches. U. S. v. 49 Cases * * *. (F. D. C. No. 23970. Sample No. 14710-K.)

LIBEL FILED: November 20, 1947, Northern District of Illinois.

ALLEGED SHIPMENT: On or about August 2, 1947, by Flotill Products, Inc., from Stockton, Calif.

PRODUCT: 49 cases, each containing 48 cans, of peaches at Chicago, Ill.

LABEL, IN PART: "Flotill Sliced [or "Halves"] Yellow Cling Peaches in Heavy Syrup Net Wt. 1 Lb."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the product purported to be and was represented as canned peaches, a food for which a definition and standard of identity had been prescribed by the regulations, and the labels on some of the cans failed to bear the name of the optional packing medium present in the food, since the labels bore the statement "in Heavy Syrup" and a portion of the product was packed in light sirup.

DISPOSITION: April 16, 1948. Flotill Products, Inc., 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 Federal Security Agency.

13124. Misbranding of canned peaches. U. S. v. 48 Cases * * *. (F. D. C. No. 24644. Sample Nos. 32251-K, 32266-K.)

LIBEL FILED: May 19, 1948, Southern District of Ohio.

ALLEGED SHIPMENT: On or about April 27, 1948, by the Atwater Packing Co., Atwater, Calif.

PRODUCT: 48 cases, each containing 6 6-pound, 12-ounce cans, of peaches at Cincinnati, Ohio.

LABEL, IN PART: "Lazy Daisy Choice Halves Yellow Free Elberta Peaches In Heavy Syrup * * * Packed by Capolina Packing Co., Atwater, Calif."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the article purported to be and was represented as canned peaches, a food for which a definition and standard of identity had been prescribed by the regulations, and its label failed to bear, as required by the regulations, the name of the optional packing medium present. The label bore the statement "In Heavy Syrup," whereas the article was packed in sirup designated as light sirup in the definition and standard.

DISPOSITION: June 23, 1948. The Atwater Packing 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.

FROZEN FRUIT

13129. Adulteration of frozen strawberries. U. S. v. 100 Cans * * *. (F. D. C. No. 21698. Sample No. 51458-H.)

LIBEL FILED: November 15, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about August 3, 1946, by Carol Parker Frozen Foods, Inc., from Pasadena, Calif.

PRODUCT: 44 cases, each containing 33 14-ounce cartons, of frozen boysenberries at Minneapolis, Minn. The cartons contained approximately 7 ounces of boysenberries, with approximately 8 ounces of sugar solution.

LABEL, IN PART: "Carol Parker Fresh Frozen Boysenberries Sugar Added Syrup."

NATURE OF CHARGE: Adulteration, Section 403 (b) (2), water, or water and sugar, had been substituted in part for boysenberries.

DISPOSITION: February 20, 1947. Carol Parker Frozen Foods, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be repackaged under the supervision of the Federal Security Agency.

13126. Adulteration of frozen huckleberries. U. S. v. 35 Cartons * * * (and 1 other seizure action). (F. D. C. Nos. 24456, 24457. Sample Nos. 32223-K, 32381-K.)

LIBELS FILED: February 27, 1948, Northern District of California.

ALLEGED SHIPMENT: On or about November 5 and 21, 1947, by M. E. Mercer, from Tacoma, Wash.

PRODUCT: 35 cartons at San Jose, Calif., and 73 cartons at San Francisco, Calif., each carton containing 25 pounds of frozen huckleberries.

LABEL, IN PART: "Olympic Huckleberries."