

FRUITS AND VEGETABLES**CANNED FRUIT**

16176. Misbranding of canned cherries. U. S. v. 49 Cases * * *. (F. D. C. No. 29023. Sample No. 50972-K.)

LIBEL FILED: March 29, 1950, District of Massachusetts.

ALLEGED SHIPMENT: On or about February 24, 1950, by Apple Growers Assn., from Hood River, Oreg.

PRODUCT: 49 cases, each containing 6 6-pound, 12-ounce cans, of cherries at Boston, Mass.

LABEL, IN PART: (Can) "Double G Brand * * * Royal Anne Cherries."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the article purported to be and was represented as canned cherries, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear, as the regulations require, the name of the optional cherry ingredient present in the article, namely, "light sweet," and the name of the optional packing medium present in the article, namely, "heavy sirup."

DISPOSITION: May 19, 1950. The G. Giovino Co., Boston, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.

16177. Adulteration of canned black raspberries. U. S. v. 343 Cases * * *. (F. D. C. No. 28928. Sample Nos. 42629-K, 59314-K.)

LIBEL FILED: March 28, 1950, Western District of Michigan.

ALLEGED SHIPMENT: On or about February 16, 1950, from Chicago, Ill. (This was a return shipment.)

PRODUCT: 343 cases, each containing 24 15-ounce cans, of black raspberries at Keeler, Mich.

LABEL, IN PART: (Can) "Cherry Valley Black Raspberries."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination disclosed the presence of moldy berries.)

DISPOSITION: May 10, 1950. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

16178. Adulteration of canned black raspberries. U. S. v. 84 Cases * * *. (F. D. C. No. 28922. Sample No. 42637-K.)

LIBEL FILED: March 29, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about February 27, 1950, by the Burnette Farms Packing Co., from Hartford, Mich.

PRODUCT: 84 cases, each containing 24 15-ounce cans, of black raspberries at Chicago, Ill.

LABEL, IN PART: (Can) "Cherry Valley Black Raspberries."

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

DISPOSITION: May 9, 1950. Default decree of condemnation and destruction.