

**DISPOSITION:** November 4, 1952. Default decree of condemnation and destruction.

## **FRUITS AND VEGETABLES**

### **CANNED FRUIT**

**19425. Adulteration of canned oranges. U. S. v. 413 Cases, etc. (F. D. C. No. 31039. Sample No. 27701-L.)**

**LIBEL FILED:** May 9, 1951, Northern District of California.

**ALLEGED SHIPMENT:** On or about January 26, 1951, by Naigai Trading Co., Ltd., from Shimizu, Japan.

**PRODUCT:** 1,023 cases, each containing 48 11-ounce cans, of oranges at San Francisco, Calif.

**LABEL, IN PART:** "Food Crest Peeled Sections Mandarin Oranges In Light Syrup."

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

**DISPOSITION:** August 3, 1951. The American Trading Co., 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 to be reconditioned and salvaged under the supervision of the Federal Security Agency. 519 cases and 39 cans were brought into compliance with the law, and 460 cases and 38 cans were destroyed.

**19426. Misbranding of canned peaches. U. S. v. 149 Cases \* \* \*. (F. D. C. No. 33556. Sample No. 28203-L.)**

**LIBEL FILED:** August 29, 1952, Southern District of New York.

**ALLEGED SHIPMENT:** On or about May 22, 1952, by the Pacific Grape Products Co., from Modesto, Calif.

**PRODUCT:** 149 cases, each containing 24 cans, of peaches at Kingston, N. Y.

**LABEL, IN PART:** (Can) "Cheerio Brand In Heavy Syrup Halves Yellow Home Style Freestone Peaches \* \* \* Contents 1 Lb. 13 Oz."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (2), the product failed to meet the standard of fill of container for canned peaches, and the label failed to bear a statement that the product fell below the standard.

**DISPOSITION:** January 6, 1953. F. B. Matthews & Co., Inc., Kingston, N. Y., 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 to be relabeled, under the supervision of the Federal Security Agency.

**19427. Misbranding of canned peaches. U. S. v. 99 Cases \* \* \*. (F. D. C. No. 33488. Sample No. 40711-L.)**

**LIBEL FILED:** July 25, 1952, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about June 9, 1952, by the Olympia Canning Co., from Olympia, Wash.

**PRODUCT:** 99 cases, each containing 24 1-pound, 1-ounce cans, of peaches at Philadelphia, Pa.