

**ALLEGED SHIPMENT:** On or about December 12, 1952, from San Francisco, Calif.  
**PRODUCT:** 148 cases, each containing 6 6-pound, 7-ounce cans, of pie peaches at Jacksonville, Fla.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** May 14, 1953. Default decree of condemnation and destruction.

**20434. Misbranding of canned peaches. U. S. v. 680 Cases \* \* \*. (F. D. C. No. 34801. Sample No. 58856-L.)**

**LIBEL FILED:** April 13, 1953, Northern District of Indiana.

**ALLEGED SHIPMENT:** On or about August 25, 1952, by the Carolina Canning Co., from Inman, S. C.

**PRODUCT:** 680 cases, each containing 24 1-pound, 13-ounce cans, of peaches at Fort Wayne, Ind.

**LABEL, IN PART:** (Can) "Campton Brand \* \* \* Mixed Pieces of Irregular Sizes and Shapes Yellow Freestone Peaches Packed in Heavy Syrup."

**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 has been prescribed by regulations, and its label failed to bear, as required by the regulations, the name of the optional packing medium present in the article since its label bore the statement "in Heavy Syrup," whereas the article was packed in sirup designated as light sirup in the regulations.

**DISPOSITION:** April 25, 1953. The Carolina Canning 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 for relabeling under the supervision of the Department of Health, Education, and Welfare.

### **JAMS, JELLIES, AND PRESERVES**

**20435. Misbranding of jelly, preserves, and marmalade. U. S. v. 15 Cases, etc. (F. D. C. No. 34604. Sample Nos. 43877-L, 43893-L to 43896-L, incl.)**

**LIBEL FILED:** January 13, 1953, District of Nebraska.

**ALLEGED SHIPMENT:** On or about August 9 and September 15, 1952, by St. Joseph Foods, Inc., from St. Joseph, Mo.

**PRODUCT:** 15 cases, each containing 12 jars, of strawberry jelly; 21 cases, each containing 12 jars, of grape jelly; 35 cases, each containing 12 jars, of raspberry jelly; 23 cases, each containing 12 jars, of pineapple preserves; and 23 cases, each containing 12 jars, of orange marmalade, at Omaha, Nebr.

**LABEL, IN PART:** (Jars) "Albert's Finest '69' Pure Strawberry [or "Grape" or "Red Raspberry"] Jelly \* \* \* Net Wt. 12 Ozs." and "Albert's Finest '69' Pure Pineapple Preserves [or "Sweet Orange Marmalade"] Net Wt. 12 Ozs."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the products failed to bear a label containing an accurate statement of the quantity of the contents since the jars contained less than the labeled "Net Wt. 12 Ozs."

Further misbranding, Section 403 (g) (1), the strawberry jelly and red raspberry jelly failed to conform to the definitions and standards of identity for such jellies since they were made from mixtures composed of less than 45 parts by weight of the fruit juice ingredients (strawberry or red rasp-

berry) to each 55 parts by weight of one of the saccharine ingredients specified in the definitions and standards.

Further misbranding, Section 403 (g) (1), the pineapple preserves failed to conform to the definition and standard of identity for such preserves since the soluble-solids content of the article was less than 68 percent, the minimum permitted by the definition and standard.

DISPOSITION: January 30, 1953. Default decree of condemnation. The court ordered that the products be delivered to charitable institutions.

**20436. Misbranding of peach preserves and apricot preserves. U. S. v. 145 Cases, etc. (F. D. C. No. 34763. Sample Nos. 16540-L, 16541-L, 61232-L to 61234-L, incl.)**

**LIBEL FILED:** March 24, 1953, District of Kansas.

**ALLEGED SHIPMENT:** On or about May 20 and June 12, 1952, by Colonial Mfg. Co., Inc., from Oklahoma City, Okla.

**PRODUCT:** 145 cases, each containing 24 jars, of peach preserves, and 234 cases, each containing 24 jars, of apricot preserves at Coffeyville, Kans.

**LABEL, IN PART:** (Jars) "Zestee Pure Peach [or "Apricot"] Preserves Net Wt. 12 Oz."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the articles failed to bear labels containing accurate statements of the quantity of the contents. (Examination showed that the articles were short weight.)

**DISPOSITION:** May 14, 1953. Default decree of condemnation. The court ordered that the products be delivered to a charitable institution.

### VEGETABLES

**20437. Adulteration of canned cut green beans. U. S. v. 119 Cases \* \* \*. (F. D. C. No. 34751. Sample No. 19806-L.)**

**LIBEL FILED:** March 16, 1953, District of Minnesota.

**ALLEGED SHIPMENT:** During September 1950, from Merrill, Wis.

**PRODUCT:** 119 cases, each containing 24 15-ounce cans, of cut green beans at Mankato, Minn. Examination showed that the article had undergone chemical decomposition.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** June 18, 1953. A default decree was entered providing for the destruction of the product unless denatured for use as animal feed.

**20438. Adulteration of navy beans. U. S. v. 16 Bags \* \* \*. (F. D. C. No. 34778. Sample No. 55455-L.)**

**LIBEL FILED:** March 26, 1953, Northern District of New York.

**ALLEGED SHIPMENT:** On or about October 21 and 27, 1952, from North Branch and Bad Axe, Mich.

**PRODUCT:** 16 100-pound bags of navy beans at Albany, N. Y., in the possession of the George Terminal Warehouse.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby