

relabeling under the supervision of the Department of Health, Education, and Welfare.

20468. Misbranding of canned cherries. U. S. v. 240 Cases * * *. (F. D. C. No. 35332. Sample No. 41056-L.)

LIBEL FILED: June 24, 1953, District of Montana.

ALLEGED SHIPMENT: On or about December 3, 1952, by Varney Canning, Inc., from Roy, Utah.

PRODUCT: 240 cases, each containing 24 1-pound, 3-ounce cans, of cherries at Great Falls, Mont.

LABEL, IN PART: (Can) "Leota Brand Red Sour Pitted Cherries Packed in Water."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for pitted canned cherries because of an excessive number of pits and because an excessive number of cherries were blemished with skin discoloration, and the label failed to bear a statement that the article fell below the standard.

DISPOSITION: September 8, 1953. Varney Canning, Inc., 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

20469. Adulteration of jelly. U. S. v. 52 Cases * * *. (F. D. C. No. 34934. Sample No. 53193-L.)

LIBEL FILED: On or about April 9, 1953, Western District of Missouri.

ALLEGED SHIPMENT: On or about October 25 and November 22, 1952, by Colonial Mfg. Co., Inc., from Oklahoma City, Okla.

PRODUCT: 52 cases, each containing 24 12-ounce jars, of assorted jelly at Springfield, Mo.

LABEL, IN PART: (Jar) "Milligan Leader Pure Apple Black Raspberry [or "Apple Strawberry" or "Apple Grape"] Jelly."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), articles containing artificial color had been substituted for apple-black raspberry jelly, apple-strawberry jelly, and apple-grape jelly.

DISPOSITION: June 1953. A default decree was entered providing for the delivery of the products to a charitable organization.

20470. Misbranding of jelly. U. S. v. 16 Cases, etc. (F. D. C. No. 34933. Sample Nos. 53191-L, 53192-L, 53209-L, 53210-L.)

LIBEL FILED: On or about April 9, 1953, Western District of Missouri.

ALLEGED SHIPMENT: On or about September 24, 1952, and March 7, 1953, from Oklahoma City, Okla., by Colonial Mfg. Co., Inc.

PRODUCT: 16 cases, each containing 12 2-pound-size jars, and 49 cases, each containing 24 12-ounce-size jars, of apple-black raspberry jelly; 5 cases, each containing 24 12-ounce-size jars, of apple jelly; and 48 cases, each containing 12 2-pound-size jars, of assorted apple-strawberry, apple-black raspberry, and apple-grape jelly at Springfield, Mo.