

RESULTS OF INVESTIGATION: Examination showed the product to be canned apricots consisting of whole, unpeeled apricots containing more than 5 percent of crushed and broken units.

LIBELED: 6-21-61, Dist. S. Dak.

CHARGE: 403(a)—when shipped, the vignette depicting whole, unbroken apricots, and the label statement "mixed pieces of irregular sizes and shapes" were false and misleading; 403(g)(2)—the article purported to be and was represented as canned apricots, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear, as required by regulations, the name of the optional apricot ingredient, namely, "Whole"; and 403(h)(1)—the article fell below the standard of quality for canned apricots, since more than 5 percent of the units in a container of 20 or more units were crushed and broken, and its label failed to bear, as required by regulations, the statement "Below Standard in Quality Partly Crushed or Broken."

DISPOSITION: 7-20-61. Consent—delivered to a charitable institution.

27427. Glace cherries. (F.D.C. No. 44777. S. No. 21-434 R.)

QUANTITY. 5 30-lb. cans at Cleveland, Ohio.

SHIPPED: 2-29-60, from North East, Pa., by Ohio Fruit Products Co., Inc.

LABEL IN PART: (Can) "Garden of Eden Whole and Broken Glaced Cherries."

LIBELED: 8-23-60, N. Dist. Ohio.

CHARGE: 402(a)(3)—contained maggots, insect fragments, insect head capsules, and fly fragments; and 402(a)(4)—prepared and packed under unsanitary conditions.

DISPOSITION: 9-5-61. Default—destruction.

27428. Spiced peaches. (F.D.C. No. 45851. S. No. 60-533 R.)

QUANTITY: 129 cases, 12 1-lb. 14-oz. jars each, at Cullman, Ala.

SHIPPED: 3-11-61, from Zebulon, Ga.

LIBELED: 6-29-61, N. Dist. Ala.

CHARGE: 402(a)(3)—contained decomposed peaches while held for sale.

DISPOSITION: 7-31-61. Default—destruction.

DRIED FRUIT

27429. Dried prunes. (F.D.C. No. 45492. S. No. 33-807 R.)

QUANTITY: 265 22-lb. cases at Jersey City, N.J.

SHIPPED: 6-21-60, from Brooklyn, N.Y.

LIBELED: On or about 3-7-61, Dist. N.J.

CHARGE: 402(a)(3)—contained insects and rodent hairs while held for sale.

DISPOSITION: 4-10-61. Default—destruction.

27430. Dates. (F.D.C. No. 46145. S. Nos. 97-290/1 R.)

QUANTITY: 14 cases, 24 pkgs. each, and 12 cases, 24 pkgs. each, at Buffalo, N.Y.

SHIPPED: Prior to 7-13-61, by National Biscuit Co., Special Products Div., Lyons, N.Y., where the article was repacked after having been imported into the United States in bulk lots from Iraq.

LABEL IN PART: (Pkg.) "Dromedary Fancy Imported Pitted Dates * * * One Pound [or "8 Ozs."] National Biscuit Company, Special Products Division, New York, N.Y."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 7-28-61, W. Dist. N.Y.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: 9-1-61. Default—delivered to a charitable institution.

VEGETABLES AND VEGETABLE PRODUCTS*

27431. Canned corn. (F.D.C. No. 45825. S. No. 86-058 R.)

QUANTITY: 79 cases, 24 1-lb. 1-oz. cans each, at Tulsa, Okla.

SHIPPED: 4-7-61, from Elgin, Iowa, by Elgin Canning Co.

LABEL IN PART: (Can) "Garden-Side Cream Style White Corn * * * Distributed by Regent Food Company * * * San Francisco, California."

LIBELED: 6-13-61, N. Dist. Okla.

CHARGE: 402(a)(3)—contained insects and insect parts when shipped.

DISPOSITION: 8-14-61. Default—destruction.

27432. Canned potatoes. (F.D.C. No. 46133. S. No. 85-094 R.)

QUANTITY: 111 cases, 48 cans each, at St. Louis, Mo.

SHIPPED: 6-15-61, from Colorado Springs, Colo., by F & L Food Products, Inc.

LABEL IN PART: (Can) "Supper Club Shoestring Potatoes Net Weight 1- $\frac{3}{4}$ Oz. Avd * * * Packed by F & L Food Products, Inc., Colorado Springs, Colorado."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 7-21-61, E. Dist. Mo.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: 9-15-61. Default—delivered to charitable institutions.

27433. Canned potatoes. (F.D.C. No. 46129. S. No. 71-267 R.)

QUANTITY: 27 cases, 48 cans each, at St. Paul, Minn.

SHIPPED: 4-20-61, from Denver, Colo., by Tasty Foods, Inc.

LABEL IN PART: (Can) "Kobey's Tasty Foods Brand Ready to Serve Shoestring Potatoes Contents 2 Oz. Avoir * * * Manufactured by Tasty Foods, Inc. Denver, Colo."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 7-25-61, Dist. Minn.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: 9-12-61. Default—delivered to charitable institutions.

* See also No. 27405.