1964. Misbranding of canned cherries. U. S. v. 35 Cases of Canned Cherries. Default decree of condemnation and destruction. (F. D. C. No. 4550. Sample No. 43262–E.)

On May 7, 1941, the United States attorney for the District of Nebraska filed a libel against 35 cases, each containing 24 No. 2 cans, of cherries at North Platte, Nebr., alleging that the article had been shipped in interstate commerce on or about March 26, 1941, by Nash-Finch Co. from Denver, Colo.; and charging that it was misbranded. It was labeled in part: "Loveland Brand Water Pack Colorado Tart Red Pitted Cherries."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard because of the presence of more than 1 pit in each 20 ounces of canned cherries, and its label did not bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On June 27, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1965. Misbranding of canned cherries. U. S. v. 105 Cases of Canned Cherries. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 4031. Sample No. 65419–E.)

On or about March 26, 1941, the United States attorney for the Northern District of Texas filed a libel against 105 cases of canned cherries at Lubbock, Tex., alleging that the article had been shipped in interstate commerce on or about August 3, 1940, by the Perry Canning Co. from Perry, Utah; and charging that it was misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label did not bear, in such manner and form as the aforesaid regulations specify, a statement that it fell below such standard. The article was labeled in part: (Cans) "Gateway Brand Water Pack Red Sour Pitted Cherries."

On May 29, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

1966. Misbranding of canned cherries. U. S. v. 62 Cases of Canned Cherries. Default decree of condemnation. Product ordered delivered to a local charitable institution. (F. D. C. No. 4213. Sample No. 65440–E.)

On or about April 8, 1941, the United States attorney for the Northern District of Texas filed a libel against 62 cases, each containing 6 No. 10 cans, of cherries at Lubbock, Tex., alleging that the article had been shipped in interstate commerce on or about December 11, 1940, by Pleasant Grove Canning Co. from Pleasant Grove, Utah; and charging that it was misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label did not bear, in such manner and form as the regulations specify, a statement that it fell below such standard. The article was labeled in part: (Cans) "Alpine Brand Red Sour Pitted Cherries in Water."

On May 29, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a local charitable institution.

1967. Misbranding of canned cherries. U. S. v. 70 Cases of Canned Cherries. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 4069. Sample No. 60540–E.)

On March 28, 1941, the United States attorney for the District of Montana filed a libel against 70 cases, each containing 6 No. 10 cans, of cherries at Stevensville, Mont., alleging that the article had been shipped on or about December 7, 1940, by the Spokane Valley Canning Co. from Veradale, Wash.; and charging that it was misbranded. It was labeled in part: (Cans) "Spokane Valley Brand Water Pack Red Sour Pitted Cherries."

The article was alleged to be misbranded in that it fell below the standard of quality and condition promulgated for such canned food because of the