Portions of the article were alleged to be misbranded in that the statement "Contents 1 Pint" was false and misleading as applied to an article that was short volume. The remainder of the article was alleged to be misbranded in that the statement on the jars "Cont. 8 ozs." was false and misleading since it was a gross understatement. Both lots were alleged to be misbranded further in that they were in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

On April 12, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5203. Adulteration of pumpkin seeds. U. S. v. 16 Bags of Pumpkin Seeds. Default decree of condemnation and destruction. (F. D. C. No. 10024. Sample Nos. 14357-F, 14358-F.)

This product was stored under insanitary conditions after shipment in interstate commerce, the plant of the consignee being badly over-run with rodents. Rodent pellets were found on at least half of the bags, and one bag appeared to have been chewed by rodents.

On May 26, 1943, the United States attorney for the Southern District of California filed a libel against 16 100-pound bags of pumpkin seeds at Los Angeles, Calif., in the possession of La Victoria Packing Co., alleging that the article had been shipped in interstate commerce on or about May 7, 1943, from El Paso, Tex.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance, rodent pellets and rodent hairs, and in that had been held under insanitary conditions whereby it may have become contaminated with filth.

On June 17, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FRUIT AND VEGETABLES*

CANNED FRUIT

5204. Misbranding of canned apricots. U. S. v. 499 Cases of Canned Apricots. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 10026. Sample No. 11303-F.)

On May 27, 1943, the United States attorney for the Western District of Pennsylvania filed a libel against 499 cases, each containing 24 cans, of apricots at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about May 13, 1943, by Francis H. Leggett & Co. from Alameda, Calif.; and charging that it was misbranded. The article was labeled in part: (Cans) "Unpeeled Halves Apricots Sunbeam."

It was alleged to be misbranded in that it purported to be and was represented as a food for which a definition and standard of identity had been prescribed by regulations promulgated pursuant to law but its label failed to bear, as such regulations require, the name of the optional packing medium present, light sirup.

On July 1, 1943, Francis H. Leggett and Co. having appeared as claimant and having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

5205. Misbranding of canned apricots. U. S. v. 499 Cases of Canned Apricots. Decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 9879. Sample No. 11274-F.)

This product was packed in light sirup.

On May 3, 1943, the United States attorney for the Western District of Washington filed a libel against 499 cases, each containing 24 cans, of apricots at Tacoma, Wash., alleging that the article had been shipped in interstate commerce on or about April 1, 1943, by the A. M. Beebe Co., Inc., from Alameda, Calif.; and charging that it was misbranded. The article was labeled in part: (Cans) "Kings Delight Halves Unpeeled Apricots In Medium Syrup * * * Kings County Packing Co. Ltd. Distributors, San Francisco Armona California." On some labels the statement "In Medium Syrup" had been obliterated.

The article was alleged to be misbranded in that the statement "In Medium Syrup" appearing on the labels of some of the cans was false and misleading as applied to canned apricots packed in light sirup, and in that the article pur-

* See also No. 5026.