FRUITS AND VEGETABLES

CANNED FRUIT

27329. Canned apricots. (F.D.C. No. 45760. S. No. 49-009 R.)

QUANTITY: 64 cases, 24 1-lb. 14-oz. cans each, at Denver, Colo.

SHIPPED: 1-19-61, from San Jose, Calif., by United States Products Corp., Ltd.

LABEL IN PART: (Can) "Dessert Cut Yacht Club Unpeeled Apricots Mixed Pieces of Irregular Sizes and Shapes * * * Consolidated Foods Corporation, Distributors, Chicago, Illinois" and (case) "Yacht Club Very Ripe Whole Unpeeled Apricots."

LIBELED: 5-4-61, Dist. Colo.

CHARGE: 402(a)(3)—when shipped, the article contained moldy pieces of apricot; 403(a)—the label statement (case) "Whole Unpeeled Apricots" was false and misleading as applied to a product consisting of apricot pieces of irregular sizes and shapes; and 403(g)(1)—the article failed to conform to the definition and standard of identity for canned apricots since the article was not pitted.

DISPOSITION: 6-19-61. Default—destruction.

27330. Canned peaches. (F.D.C. No. 45897. S. No. 16-248 R.)

QUANTITY: 283 cases, 24 1-lb. 14-oz. cans each, at Cincinnati, Ohio.

SHIPPED: 2-28-61 and 3-15-61, from Modesto, Calif., by Stanislaus Food Products Co.

LABEL IN PART: (Can) "A & P Sliced Yellow Freestone Peaches In Extra Heavy Syrup * * * The Great Atlantic and Pacific Tea Company, New York, N.Y., Distributor."

LIBELED: 5-18-61, S. Dist. Ohio.

CHARGE: 403(h)(2)—when shipped, the article fell below the standard of fill of container for canned peaches since there was not present in the container of the article the maximum quantity of the optional peach ingredient which can be sealed in the container and processed by heat so as to prevent spoilage, without crushing or breaking such ingredient, as required by regulations, and its label failed to bear, as required by regulations, a statement that it fell below such standard.

DISPOSITION: 6-21-61. Consent—claimed by Stanislaus Food Products Co., and relabeled.

DRIED FRUIT

27331. Raisins. (F.D.C. No. 45450. S. No. 24-331 R.)

QUANTITY: 117 30-lb. ctns. at Nebraska City, Nebr.

SHIPPED: 12-29-60, from Fresno, Calif., by Bonner Packing Co.

LABEL IN PART: "Bonner Extra Choice Golden Seedless Raisins-Bonner Packing Co Fresno California."

LIBELED: 3-7-61, Dist. Nebr.

CHARGE: 402(a)(3)—contained insect fragments, insect larvae, maggots, *Drosophila* fly eggs, and rodent hairs when shipped.

DISPOSITION: 3-17-61. Default—delivered to a public institution for use as animal feed.