LABEL, IN PART: "Patapsco Brand Apples."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: June 7, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9927. Adulteration of strained peaches. U. S. v. 41 Dozen Cans of Strained Peaches (and 3 seizure actions against other lots of the same product). Default decrees of condemnation and destruction. (F. D. C. Nos. 19858, 19859, 19897, 20029. Sample Nos. 5278–H, 35727–H, 59653–H, 59654–H.)

LIBELS FILED: May 8, 9, and 21, 1946, Eastern and Western Districts of Pennsylvania, Northern District of Ohio, and Eastern District of Missouri.

ALLEGED SHIPMENT: On or about November 20 and 23, 1945, and March 6 and 7, 1946, by Harold H. Clapp, Inc., from Rochester, N. Y.

PRODUCT: Strained peaches. 41 dozen cans at Youngstown, Ohio, 465 dozen cans at Sharon, Pa., 2,898 dozen cans at Philadelphia, Pa., and 60 dozen cans at St. Louis, Mo.

LABEL, IN PART: (Can) "Clapp's Strained Baby Foods Strained Peaches Slightly Sweetened with Sugar Net Weight 4½ Oz."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect fragments.

DISPOSITION: June 7 and 17, August 15, and September 4, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

9928. Misbranding of canned fruit cocktail. U. S. v. 128 Cases of Canned Fruit Cocktail. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19943. Sample No. 46207–H.)

LIBEL FILED: May 21, 1946, District of Massachusetts.

ALLEGED SHIPMENT: On or about April 26, 1946, by Frank M. Wilson Co., Inc., from Stockton, Calif.

PRODUCT: 128 cases, each containing 6 6-pound, 12-ounce cans, of fruit cocktail at Somerville, Mass. The product contained 65.5 percent of diced peaches, 20 percent of diced pears, 4.6 percent of pineapple sectors, and 1.1 percent of halved cherries. The standard for fruit cocktail provides that it contain not more than 50 percent of diced peaches, not less than 25 percent of diced pears, not less than 6 percent of pineapple cut into sectors or diced, and not less than 2 percent of one of the optional cherry ingredients.

LABEL, IN PART: "California's Golden Brand Fruit Cocktail."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard for fruit cocktail.

DISPOSITION: July 10, 1946. The George D. Emerson Co., Somerville, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

9929. Adulteration of dates. U. S. v. 49 Boxes of Dates. Default decree of condemnation and destruction. (F. D. C. No. 19843. Sample Nos. 32116–H, 32118–H.)

LIBEL FILED: May 7, 1946, Southern District of California.

ALLEGED SHIPMENT: On or about November 13 and 15, 1945, by M. L. Reid, from Yuma, Ariz.

PRODUCT: 49 boxes, each containing 15 pounds, of dates at Los Angeles, Calif.

LABEL, IN PART: "Desert Dawn Fresh Dates."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles.

DISPOSITION: May 31, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9930. Adulteration of dried figs. U. S. v. 131 Cases of Figs. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19865. Sample Nos. 58127–H, 58134–H.)

LIBEL FILED: May 10, 1946, Western District of Washington.

ALLEGED SHIPMENT: On or about January 30, 1946, by the Merzoian Packing Co., from Fresno, Calif.