FRUITS AND VEGETABLES

CANNED FRUIT

25969. Canned peaches. (F.D.C. No. 43909. S. No. 56–834 P.)

QUANTITY: 949 cases, 24 1-lb. 13-oz. cans each, at Hialeah, Fla.

SHIPPED: 8–4–59, from Easley, S.C., by Jones Canning Co.

LABEL IN PART: (Can) "Hill Top Yellow Freestone Peaches Halves in Heavy Syrup * * * Packed * * * By Jones Canning Company, Easley, S.C."

LIBELED: 11–13–59, S. Dist. Fla.

CHARGE: 403(h)(1)—when shipped, the article purported to be and was represented as canned peaches, a food for which a standard of quality has been prescribed by regulations, and its quality fell below such standard since all peach units of the article tested in accordance with the method prescribed in such standard were not pierced by a weight of not more than 300 grams; the weight of the largest unit in some containers was more than twice the weight of the smallest unit therein; and all units were not untrimmed or so trimmed as to preserve normal shape; and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 12–8–59. Default—delivered to charitable institutions.

FROZEN FRUIT

25970. Frozen blueberries. (F.D.C. No. 43450. S. No. 65–758 P.)

QUANTITY: 902 20-lb. cans at Buffalo, N.Y.

SHIPPED: 9–1–59, from Somerville, Mass., by Nova Scotia Blueberry Exchange Co.

LIBELED: 9–18–59, W. Dist. N.Y.

CHARGE: 402(a)(3)—when shipped, the article contained sour and decomposed blueberries and had a bitter taste; 403(e)—the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; and 403(i)(1)—the label failed to bear the common or usual name of the food.

DISPOSITION: 10–19–59. Default—destruction.

25971. Frozen blueberries. (F.D.C. No. 43579. S. Nos. 64–219/20 P.)

QUANTITY: 35 ctns., 24 1-qt. boxes each, at Providence, R.I.

SHIPPED: 7–31–59 and 8–5–59, from Boston, Mass., by York & Whitney Co.

LABEL IN PART: (Ctn.) "UCF United Co-Operative Farmers, Inc. Fitchburgh, Mass. York & Whitney Co. Boston, Mass."

LIBELED: 10–6–59, Dist. R.I.

CHARGE: 402(a)(3)—contained maggots when shipped.

DISPOSITION: 11–13–59. Default—destruction.

25972. Frozen strawberries. (F.D.C. No. 42081. S. No. 29–069 P.)

QUANTITY: 296 cases, 24 10-oz. pkgs. each, at Houston, Tex.

SHIPPED: 7–9–58, by Ark-Homa Farms Frozen Foods, Inc., from Fort Smith, Ark.

LABEL IN PART: (Pkg.) "Hills 'O Home Brand."

LIBELED: 8–12–58, S. Dist. Tex.