DISPOSITION: August 23, 1946. No claimant having appeared, judgment was entered and the product was ordered delivered to a charitable institution.

11008. Misbranding of canned pears. U. S. v. 498 Cases, 146 Cases, and 61 Cases * * *. (F. D. C. Nos. 19456, 19482, 19980. Sample Nos. 35932–H, 35945–H, 35948–H, 40403–H.)

LIBELS FILED: On or about March 28, April 15, and June 24, 1946, Western District of Missouri.

ALLEGED SHIPMENT: On or about January 16 and February 12 and 13, 1946, by the Kuhn Cannery Co., from Bonner Springs, Kans.

PRODUCT: Canned pears. 498 and 146 cases at Kansas City and 61 cases at Joplin, Mo. Each case contained 24 1-pound, 12-ounce cans.

LABEL, IN PART: "Dollie Mae Whole Halves Kieffer Pears In Light Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the article failed to bear the name of the optional packing medium ingredient present, as required by the definition and standard of identity for canned pears. It was labeled "In Light Syrup," whereas it was packed in a medium designated in the standard as "Slightly Sweetened Water." Further misbranding, Section 403 (h) (1), the article fell below the standard of quality; it failed to meet the test for tenderness prescribed in the standard; all units were not untrimmed or so trimmed as to preserve their normal shape; and the article was not labeled to show that it was substandard.

DISPOSITION: August 27, 1946. The Kuhn Canning Co., claimant, having consented to the entry of decrees, and the cases having been consolidated, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be brought into compliance with the law, under the supervision of the Food and Drug Administration. The product was relabeled.

11009. Adulteration of figs. U. S. v. 142 Cases * * *. (F. D. C. No. 19607. Sample No. 15322–H.)

LIBEL FILED: April 17, 1946, Northern District of Illinois.

ALLEGED SHIPMENT: On or about November 20, 1945, by Rosenberg Brothers and Co., from Modesto, Calif.

PRODUCT: 142 30-pound cases of figs at Chicago, Ill.

LABEL, IN PART: "Sultan Brand Fancy Adriatic Figs."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of insect-infested, moldy, and sour figs.

DISPOSITION: June 28, 1946. The Steele-Wedeles Co., claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond for distillation into alcohol, under the supervision of the Food and Drug Administration and the Alcohol Tax Unit.

11010. Adulteration of figs. U. S. v. 36 Cases * * *. (F. D. C. No. 19387. Sample No. 25690–H.)

LIBEL FILED: April 2, 1946, District of Colorado.

ALLEGED SHIPMENT: On or about December 7, 1945, by the Braun Importing Co., from New York, N. Y.

PRODUCT: 36 28-pound cases of figs at Denver, Colo.

LABEL, IN PART: "Macaroni Figs * * * Packed and Shipped by Sunhi Erhin & Co. Izmir-Turkey."

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 beetles and larvae.

DISPOSITION: May 20, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11011. Adulteration of dates. U. S. v. 29 Boxes * * *. (F. D. C. No. 19554. Sample No. 58242–H.)

LIBEL FILED: On or about April 4, 1946, District of Montana.