DISPOSITION: July 19, 1951. The Colonial Cannery, Inc., having withdrawn its claim and answer, a default decree of condemnation and destruction was entered.

PRESERVES

17373. Adulteration of strawberry preserves. U. S. v. Fruitcrest Corp. Plea of guilty. Fine $1,800. (F. D. C. No. 29591. Sample Nos. 57277–K, 57279–K, 57308–K, 57619–K, 62792–K, 62793–K.)

INFORMATION FILED: September 27, 1950, Eastern District of New York, against the Fruitcrest Corp., Brooklyn, N. Y.

ALLEGED SHIPMENT: On or about July 5, 11, 18, and 19, and August 15, 1949, from the State of New York into the States of Connecticut, New Jersey, and Massachusetts.

LABEL, IN PART: "Fruitcrest Pure De Luxe Strawberry Preserves Packed by Fruitcrest Corp. Brooklyn, N. Y." or "Paramount Pure Strawberry Preserves Packed by Paramount Preserve Co. Brooklyn, N. Y."

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

DISPOSITION: May 23, 1951. A plea of guilty having been entered, the court imposed a fine of $1,800 against the corporation.

17374. Adulteration and misbranding of peach preserves. U. S. v. 25 Cases * * *. (F. D. C. No. 30727. Sample No. 13670–L.)

LIBEL FILED: April 5, 1951, District of Colorado.

ALLEGED SHIPMENT: On or about January 26, 1951, by the J. F. Garvey Co., from Lincoln, Nebr.

PRODUCT: 25 cases, each containing 6 8¼-pound cans, of peach preserves at Denver, Colo.

LABEL, IN PART: "Mrs. Kellogg's Institution Style Peach Preserves Packed by Economy Food Products Co. Omaha, Nebr."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product which was deficient in fruit had been substituted in whole or in part for peach preserves.

Misbranding, Section 403 (g) (1), the product purported to be and was represented as peach preserves, and it failed to comply with the definition and standard of identity for peach preserves since it contained less than 45 parts by weight of the fruit ingredient to each 55 parts by weight of one of the saccharine ingredients specified in the definition and standard.

DISPOSITION: May 21, 1951. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

VEGETABLES

17375. Adulteration of canned black-eyed peas. U. S. v. 77 Cases * * *. (F. D. C. No. 30733. Sample Nos. 15663–L, 15666–L.)

LIBEL FILED: On or about April 3, 1951, Western District of Missouri.

ALLEGED SHIPMENT: On or about December 30, 1950, by the Stilwell Canning Co., from Stilwell, Okla.

PRODUCT: 77 cases, each containing 48 15-ounce cans, of black-eyed peas, at Kansas City, Mo.

LABEL, IN PART: "Stilwell Brand Blackeyed Peas."