17473. Misbranding of canned peaches. U. S. v. 90 Cases * * *. (F. D. C. No. 30454. Sample No. 67844–K.)

LIBEL FILED: December 26, 1950, District of Utah.

ALLEGED SHIPMENT: On or about September 1, 1950, by Soule-Gibbs & Co., from San Francisco, Calif.

PRODUCT: 90 cases, each containing 24 1-pound, 13-ounce cans, of peaches at Salt Lake City, Utah.

LABEL, IN PART: "Fascination Elberta Yellow Freestone Peaches In Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the product purported to be and was represented as canned peaches, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear the name of the optional packing medium present since the label bore the statement "In Heavy Syrup," whereas the product was packed in sirup designated as "Light Sirup" in the standard.

DISPOSITION: January 26, 1951. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled under the supervision of the Food and Drug Administration.

DRIED FRUIT

17474. Adulteration of dried peaches. U. S. v. 300 Cases * * *. (F. D. C. No. 29737. Sample No. 35554–K.)

LIBEL FILED: September 18, 1950, District of Massachusetts.

ALLEGED SHIPMENT: On or about August 8, 1950, by the Not-A-Seed Sales Co., from San Francisco, Calif.

PRODUCT: 300 30-pound cases of dried peaches at Boston, Mass.

LABEL, IN PART: (Case) "Aserco Brand California Dried Peaches Packed By American Seedless Raisin Co. San Francisco—Calif."

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 insect-infested and dirty peaches, and of a decomposed substance by reason of the presence of decomposed peaches.

DISPOSITION: July 24, 1951. Default decree of condemnation and destruction.

VEGETABLES AND VEGETABLE PRODUCTS

17475. Adulteration of artichokes in olive oil. U. S. v. 200 Cases * * *. (F. D. C. No. 30761. Sample No. 24194–L.)

LIBEL FILED: March 7, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about October 28, 1950, the product was shipped from a foreign country.

PRODUCT: 200 cases, each containing 24 5½-ounce jars, of artichokes in olive oil at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of its fermentation. It was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 23, 1951. Default decree of condemnation and destruction.