

ALLEGED SHIPMENT: On or about June 8, 1951, by the Regent Canfood Co., from San Francisco, Calif.

PRODUCT: 183 cases, each containing 24 1-pound, 12-ounce cans, of peaches at Salt Lake City, Utah.

Examination showed that a portion of the article consisted of excessively trimmed peach halves and that a portion consisted of mixed pieces of irregular sizes and shapes.

LABEL, IN PART: (Can) "Halves Yellow Cling Peaches Mixed Pieces of Irregular Sizes and Shapes Golden Orchard Brand."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned peach halves since all peach halves of the article were not untrimmed or were so trimmed as not to preserve their normal shape, and the label failed to bear a statement that the article fell below the standard.

Further misbranding, Section 403 (a), the vignette on the label depicting a dish containing 3 peach halves, together with the label designation "Mixed Pieces of Irregular Sizes and Shapes," was false and misleading as applied to that portion of the article which contained excessively trimmed peach halves; and the vignette, together with the label designation "Halves," was false and misleading as applied to that portion of the article which contained mixed pieces of irregular sizes and shapes.

DISPOSITION: October 5, 1951. Safeway Stores, Inc., Oakland, Calif., 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 for relabeling, under the supervision of the Federal Security Agency.

DRIED FRUIT

18074. Adulteration of dried apricots. U. S. v. 218 Cases * * *. (F. D. C. No. 31720. Sample No. 8813-L.)

LABEL FILED: September 21, 1951, Northern District of Illinois.

ALLEGED SHIPMENT: On or about August 3, 1951, by the Mayfair Packing Co., from San Jose, Calif.

PRODUCT: 218 25-pound cases of dried apricots at Chicago, Ill.

LABEL, IN PART: "Sexton Brand Extra Fancy Blenheim Apricots."

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 rodent excreta, and it was otherwise unfit for food by reason of the presence of stones; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 7, 1952. Default decree of condemnation and destruction.

18075. Adulteration of figs. U. S. v. 999 Bags, etc. (F. D. C. No. 31764. Sample Nos. 37536-L, 37537-L.)

LABEL FILED: October 9, 1951, Eastern District of New York.

ALLEGED SHIPMENT: Prior to November 13, 1950, from Calamata, Greece.

PRODUCT: 1,292 50-pound bags of figs at Brooklyn, N. Y.

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-infested figs, and of a decomposed substance by reason of the presence of moldy