

**DISPOSITION:** October 1, 1952. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$200.

## FRUITS AND VEGETABLES

### FROZEN FRUIT

**19476. Misbranding of frozen peaches.** U. S. v. 498 Cases \* \* \*. (F. D. C. No. 33996. Sample No. 33823-L.)

**LABEL FILED:** October 8, 1952, Western District of Michigan.

**ALLEGED SHIPMENT:** On or about September 14, 1952, by the Winter Garden Co., from Knoxville, Tenn.

**PRODUCT:** 498 cases, each containing 24 cans, of frozen peaches at Grand Rapids, Mich.

**LABEL, IN PART:** "Winter Garden Frozen Sliced with Syrup Peaches Net Wt. 10½ Ozs."

**NATURE OF CHARGE:** Misbranding, Section 403 (d), the container was so filled as to be misleading since the cans could hold more peaches than were contained therein; and, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Net Wt. 10½ Ozs." was inaccurate (the article was short of the declared weight).

**DISPOSITION:** November 3, 1952. The Winter Garden Co., Knoxville, Tenn., 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 brought into compliance with the law and relabeled, under the supervision of the Federal Security Agency.

**19477. Adulteration of frozen strawberries.** U. S. v. 346 Cases \* \* \*. (F. D. C. No. 34075. Sample No. 13943-L.)

**LABEL FILED:** September 29, 1952, District of Colorado.

**ALLEGED SHIPMENT:** On or about August 11, 1952, by the Northwest Cold Pack Co., from Seattle, Wash.

**PRODUCT:** 346 cases, each containing 4 10-pound cartons, of frozen strawberries at Denver, Colo.

**LABEL, IN PART:** "Camano Brand Sliced Marshall Strawberries \* \* \* Packed By Twin City Foods, Inc. Stanwood, Washington."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed strawberries.

**DISPOSITION:** November 18, 1952. Decree of condemnation and destruction.

### VEGETABLES AND VEGETABLE PRODUCTS

**19478. Adulteration and misbranding of canned white kidney beans.** U. S. v. D. E. Foote & Co., Inc., Vernon S. Crawford, and Charles W. St. Clair. Pleas of guilty. Fine of \$500, plus costs, against corporation and fine of \$100 against each individual. (F. D. C. No. 33821. Sample Nos. 6382-L, 38512-L.)