

18722. Misbranding of canned peaches. U. S. v. 542 Cases * * *. (F. D. C. No. 32359. Sample No. 15621-L.)

LIBEL FILED: January 10, 1952, District of Kansas.

ALLEGED SHIPMENT: On or about September 13, 1951, by the George Noroian Co., from Dinuba, Calif.

PRODUCT: 542 cases, each containing 24 cans, of peaches at Coffeyville, Kans.

LABEL, IN PART: "Contents 1 Lb. 13 Oz. Irregular, Ripe and Ragged Fruitful Valley Brand Halved Nectar Peaches in Extra Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the product 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 peach ingredient used and the optional packing medium present since the product was white freestone peaches of irregular sizes and shapes and was not packed in extra heavy sirup.

DISPOSITION: June 23, 1952. The shipper, claimant, having consented to the entry of a decree, judgment was entered ordering the product released under bond to be relabeled, under the supervision of the Food and Drug Administration.

18723. Misbranding of canned pears. U. S. v. 101 Cases, etc. (F. D. C. No. 32262. Sample Nos. 12990-L, 13246-L, 13699-L.)

LIBEL FILED: December 3, 1951, District of Colorado.

ALLEGED SHIPMENT: On or about August 1 and October 24, 1951, by Hunt Foods, Inc., from Campbell, Calif., and Sumner, Wash.

PRODUCT: 101 cases, each containing 48 15-ounce cans, and 660 cases, each containing 24 1-pound, 13-ounce cans, of pears at Denver, Colo.

LABEL, IN PART: "Hunt's Halves Bartlett Pears in Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (h) (2), the product fell below the standard of fill of container for canned pear halves, and the label failed to bear a statement that the product was below the standard.

DISPOSITION: March 31, 1952. 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 for segregating and relabeling of the substandard portion, under the supervision of the Federal Security Agency, and the release of the remainder to the claimant.

MISCELLANEOUS FRUIT PRODUCTS

18724. Adulteration of apple juice. U. S. v. 11 Cases * * *. (F. D. C. No. 32123. Sample No. 13509-L.)

LIBEL FILED: November 26, 1951, District of Utah.

ALLEGED SHIPMENT: On or about May 1, 1951, from Hood River, Oreg.

PRODUCT: 11 cases, each containing 12 1-quart, 14-fluid-ounce cans, of apple juice at Ogden, Utah.

LABEL, IN PART: "Hood River * * * Pure Apple Juice."

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

DISPOSITION: June 6, 1952. Default decree of condemnation and destruction.