

ALLEGED SHIPMENT: On or about December 12, 1952, from San Francisco, Calif.
PRODUCT: 148 cases, each containing 6 6-pound, 7-ounce cans, of pie peaches at Jacksonville, Fla.

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

DISPOSITION: May 14, 1953. Default decree of condemnation and destruction.

20434. Misbranding of canned peaches. U. S. v. 680 Cases * * *. (F. D. C. No. 34801. Sample No. 58856-L.)

LIBEL FILED: April 13, 1953, Northern District of Indiana.

ALLEGED SHIPMENT: On or about August 25, 1952, by the Carolina Canning Co., from Inman, S. C.

PRODUCT: 680 cases, each containing 24 1-pound, 13-ounce cans, of peaches at Fort Wayne, Ind.

LABEL, IN PART: (Can) "Campton Brand * * * Mixed Pieces of Irregular Sizes and Shapes Yellow Freestone Peaches Packed in Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the article 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, as required by the regulations, the name of the optional packing medium present in the article since its label bore the statement "in Heavy Syrup," whereas the article was packed in sirup designated as light sirup in the regulations.

DISPOSITION: April 25, 1953. The Carolina Canning Co., 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 Department of Health, Education, and Welfare.

JAMS, JELLIES, AND PRESERVES

20435. Misbranding of jelly, preserves, and marmalade. U. S. v. 15 Cases, etc. (F. D. C. No. 34604. Sample Nos. 43877-L, 43893-L to 43896-L, incl.)

LIBEL FILED: January 13, 1953, District of Nebraska.

ALLEGED SHIPMENT: On or about August 9 and September 15, 1952, by St. Joseph Foods, Inc., from St. Joseph, Mo.

PRODUCT: 15 cases, each containing 12 jars, of strawberry jelly; 21 cases, each containing 12 jars, of grape jelly; 35 cases, each containing 12 jars, of raspberry jelly; 23 cases, each containing 12 jars, of pineapple preserves; and 23 cases, each containing 12 jars, of orange marmalade, at Omaha, Nebr.

LABEL, IN PART: (Jars) "Albert's Finest '69' Pure Strawberry [or "Grape" or "Red Raspberry"] Jelly * * * Net Wt. 12 Ozs." and "Albert's Finest '69' Pure Pineapple Preserves [or "Sweet Orange Marmalade"] Net Wt. 12 Ozs."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the products failed to bear a label containing an accurate statement of the quantity of the contents since the jars contained less than the labeled "Net Wt. 12 Ozs."

Further misbranding, Section 403 (g) (1), the strawberry jelly and red raspberry jelly failed to conform to the definitions and standards of identity for such jellies since they were made from mixtures composed of less than 45 parts by weight of the fruit juice ingredients (strawberry or red rasp-