

**FRUITS AND VEGETABLES****CANNED FRUIT**

**20675. Adulteration of canned applesauce. U. S. v. 86 Cases \* \* \*. (F. D. C. No. 35486. Sample No. 61500-L.)**

**LIBEL FILED:** September 14, 1953, Western District of Oklahoma.

**ALLEGED SHIPMENT:** On or about August 5, 1953, from Sebastopol, Calif.

**PRODUCT:** 86 cases, each containing 24 1-pound, 1-ounce cans, of applesauce at Oklahoma City, Okla.

**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 applesauce. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** October 16, 1953. Default decree of condemnation and destruction.

**20676. Misbranding of canned cherries. U. S. v. 21 Cases \* \* \*. (F. D. C. No. 35687. Sample No. 69995-L.)**

**LIBEL FILED:** October 21, 1953, District of Wyoming.

**ALLEGED SHIPMENT:** On or about August 7, 1953, by the Utah Wholesale Grocery Co., from Salt Lake City, Utah.

**PRODUCT:** 21 cases, each containing 24 cans, of cherries at Rock Springs, Wyo.

**LABEL, IN PART:** (Can) "Leota Brand Red Sour Pitted Cherries Packed In Water Contents 1 Lb. 3 Oz. Packed by Varney Canning Inc. Plants Roy, Utah, and Veradale, Wash."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the article fell below the standard of quality for canned pitted cherries since the article contained more than 1 pit in each 20 ounces of the cherries.

**DISPOSITION:** December 18, 1953. Varney Canning, Inc., claimant, having accepted service of the libel and authorized the entry of a final decree, judgment of condemnation was entered and the court ordered that the product be released to a local hospital.

**20677. Misbranding of canned peaches. U. S. v. 677 Cases \* \* \*. (F. D. C. No. 35400. Sample No. 82092-L.)**

**LIBEL FILED:** August 20, 1953, District of Kansas.

**ALLEGED SHIPMENT:** On or about July 10, 1953, by the Southern States Canning Co., from Fort Valley, Ga.

**PRODUCT:** 677 cases, each containing 24 cans, of peaches at Topeka, Kans.

**LABEL, IN PART:** (Can) "Contents 1 Lb. 13 Oz. Oak Hill Brand Yellow Freestone Peaches Halves In Heavy Syrup Packed in U. S. A. by Markham Bros. & Company Fort Valley Georgia."

**NATURE OF CHARGE:** Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned peaches since the article contained peach halves weighing less than  $\frac{3}{8}$  ounce; the weight of the largest peach unit in the container of the article was more than twice the weight of the smallest peach unit therein; and all peach units 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.