

20879. Misbranding of canned pineapple. U. S. v. 139 Cases \* \* \*. (F. D. C. No. 35245. Sample No. 69307-L.)

**LIBEL FILED:** May 15, 1953, Western District of Texas.

**ALLEGED SHIPMENT:** The product originally was shipped from Mexico to Los Angeles, Calif., from where it was shipped to the Valley Canning Co. at Canutillo, Tex., on or about April 7, 1953, after which it was transported to the James A. Dick Co. at El Paso, Tex.

**PRODUCT:** 139 cases, each containing 24 1-pound, 4-ounce cans, of pineapple at El Paso, Tex.

**RESULTS OF INVESTIGATION:** When the product originally was shipped from Mexico, the cans were labeled, in part, "Product of Mexico." However, upon instructions from James A. Dick Co., the Valley Canning Co. stripped the cans of their original label and applied the label set forth below:

**LABEL, IN PART:** (Can) "Avondale Brand \* \* \* 10 Slices Sliced Pineapple Packed In Extra Heavy Syrup \* \* \* Packed in U. S. A."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement "Packed in U. S. A." was false and misleading as applied to the article, which was packed in Mexico. The article was misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** June 11, 1953. Safeway Stores, Inc., 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.

#### DRIED FRUIT

20880. Adulteration of raisins. U. S. v. 106 Cases, etc. (F. D. C. No. 35532. Sample Nos. 56134-L, 56135-L.)

**LIBEL FILED:** October 5, 1953, Western District of New York.

**ALLEGED SHIPMENT:** On or about June 2, 1953, from Del Rey, Calif.

**PRODUCT:** 151 30-pound cases of raisins at Buffalo, 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 insects. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** November 18, 1953. Default decree of condemnation and destruction.

20881. Adulteration of raisins. U. S. v. 17 Boxes \* \* \*. (F. D. C. No. 35504. Sample No. 56128-L.)

**LIBEL FILED:** September 22, 1953, Western District of New York.

**ALLEGED SHIPMENT:** On or about October 31, 1952, from San Jose, Calif.

**PRODUCT:** 17 30-pound boxes of raisins at Buffalo, 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 insects. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** October 21, 1953. Default decree of condemnation and destruction.