

**11620. Misbranding of canned apricots. U. S. v. 478 Cases \* \* \*. (F. D. C. No. 20850. Sample No. 45836-H.)**

**LIBEL FILED:** September 9, 1946, Western District of Texas.

**ALLEGED SHIPMENT:** On or about August 5, 1946, by the Regent Canfood Co., from Alameda, Calif.

**PRODUCT:** 478 cases, each containing 24 1-pound, 4-ounce cans, of apricots at El Paso, Tex.

**LABEL, IN PART:** "Valley Gold Peeled Whole Apricots in Heavy Syrup."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the label failed to bear the name of the optional packing medium present. The label bore the statement "in Heavy Syrup," whereas the article was packed in sirup designated as "Light Sirup" in the definition and standard.

**DISPOSITION:** October 31, 1946. The Safeway Stores, Inc., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

**11621. Misbranding of canned apricots. U. S. v. 400 Cases \* \* \*. (F. D. C. No. 20915. Sample No. 51865-H.)**

**LIBEL FILED:** September 24, 1946, District of Minnesota.

**ALLEGED SHIPMENT:** On or about August 14, 1946, by the Colorado Mountain Food Co., from Grand Junction, Colo.

**PRODUCT:** 400 cases, each containing 24 1-pound, 13-ounce cans, of apricots at St. Paul, Minn.

**LABEL, IN PART:** "Mellhorn Brand Rocky Mountain Choice Whole Unpeeled Apricots In Heavy Syrup."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (2), the article purported to be and was represented as canned apricots, a food for which a definition and standard of identity has been prescribed, and its label failed to bear, as required by the regulations, the name of the optional packing medium present. The label bore the statement "In Heavy Syrup," whereas the article was packed in sirup designated as "Light Sirup" in the definition and standard.

**DISPOSITION:** October 14, 1946. The Hancock-Nelson Mercantile Co., St. Paul, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

**11622. Misbranding of canned apricots. U. S. v. 894 Cases \* \* \*. (F. D. C. No. 21026. Sample Nos. 57135-H, 57136-H, 62981-H.)**

**LIBEL FILED:** October 4, 1946, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about August 2, 1946, by the Foster & Wood Canning Co., from Lodi, Calif.

**PRODUCT:** Canned apricots. 290 cases of whole peeled, 302 cases of halves unpeeled, and 302 cases of whole unpeeled at Boston, Mass. Each case contained 24 1-pound, 14-ounce cans.

**LABEL, IN PART:** "A&P Apricots in Heavy Syrup Grade A Whole Peeled [or "Halves Unpeeled," or "Whole Unpeeled"] \* \* \* The Great Atlantic & Pacific Tea Co., New York, N. Y., Distributors."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (2), the article failed to conform to the definition and standard of identity for canned apricots, since its label failed to bear, as required by regulations, the name of the optional packing medium present in the article. The label bore the statement "in Heavy Syrup," whereas the article was packed in sirup designated as "Light Sirup" in the definition and standard.

**DISPOSITION:** December 6, 1946. The Foster & Wood Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be relabeled under the supervision of the Federal Security Agency.

**11623. Misbranding of canned apricots. U. S. v. 223 Cases \* \* \*. (F. D. C. No. 21028. Sample No. 45837-H.)**

**LIBEL FILED:** September 23, 1946, District of Maryland.

**ALLEGED SHIPMENT:** On or about August 6, 1946, by the Richmond-Chase Co., from Alameda, Calif.

**PRODUCT:** 223 cases, each containing 24 1-pound, 14-ounce cans, of apricots at Baltimore, Md.

**LABEL, IN PART:** "Heart's Delight Whole Unpeeled Apricots In Heavy Syrup."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (2), the article was 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. The label bore the statement "In Heavy Syrup," whereas the article was packed in sirup designated as "Light Sirup" in the definition and standard.

**DISPOSITION:** November 29, 1946. The Richmond-Chase Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be re-labeled under the supervision of the Food and Drug Administration.

**11624. Misbranding of canned apricots. U. S. v. 426 Cases \* \* \*. (F. D. C. No. 21048. Sample No. 45639-H.)**

**LIBEL FILED:** September 30, 1946, Southern District of New York.

**ALLEGED SHIPMENT:** On or about July 30, 1946, by the Fruitvale Canning Co., from Oakland, Calif.

**PRODUCT:** 426 cases, each containing 24 1-pound, 14-ounce cans, of apricots at New York, N. Y.

**LABEL, IN PART:** "Krasdale Whole Unpeeled Apricots In Heavy Syrup \* \* \* Krasdale Foods, Inc. New York, N. Y. Distributors."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (2), the article failed to conform to the definition and standard of identity for canned apricots since its label failed to bear, as required, the name of the optional packing medium present. The label bore the statement "In Heavy Syrup," whereas the article was packed in sirup designated as "Light Sirup" in the definition and standard.

**DISPOSITION:** December 6, 1946. Krasdale Foods, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be re-labeled in compliance with the law, under the supervision of the Food and Drug Administration.

**11625. Adulteration of canned strained peaches. U. S. v. 40 Cases of Strained Baby Food. (F. D. C. No. 20812. Sample No. 53050-H.)**

**LIBEL FILED:** August 27, 1946, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about February 2, 1946, by American Home Foods, Inc., from Rochester, N. Y.

**PRODUCT:** 40 cases, each containing 72 4½-ounce cans, of strained peaches at Canton, Ohio.

**LABEL, IN PART:** "Clapp's Strained Baby Foods Strained Peaches Slightly Sweetened with Sugar."

**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 insect fragments.

**DISPOSITION:** October 1, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**11626. Misbranding of canned peaches. U. S. v. 87 Cases \* \* \*. (F. D. C. No. 21046. Sample No. 43049-H.)**

**LIBEL FILED:** September 25, 1946, District of Columbia.

**ALLEGED SHIPMENT:** On or about July 22, 1946, by the Woodstock Canning Co., from Woodstock, Va.

**PRODUCT:** 87 cases, each containing 24 1-pound, 12-ounce cans, of peaches at Washington, D. C.

**LABEL, IN PART:** "Shenandoah Queen Brand Halves White Freestone Peaches In Light Syrup."