

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "In Light Syrup" was false and misleading since the statement represented and suggested that the article was packed in a sirup designated as light sirup in the regulations establishing a definition and standard of identity for canned cherries, whereas the article was packed in a sirup designated as "Slightly Sweetened Water" in such standard and definition; Section 403 (g) (2), the article failed to conform to the definition and standard of identity for canned cherries since it failed to bear the name of the optional packing medium present in the article; and, Section 403 (h) (1), it fell below the standard of quality for canned unpitted cherries, and its label failed to bear a statement that it fell below such standard. (The standard of quality provides that the weight of each cherry in the container is not less than 1/10 ounce, whereas a large proportion of the cherries in this product weighed less than 1/10 ounce.)

DISPOSITION: August 23, 1948. Pleas of guilty having been entered, the court imposed a fine of \$100 against the corporation and \$50 against each individual.

14026. Adulteration of canned cherries. U. S. v. 237 Cases, etc. (F. D. C. Nos. 25647, 25648. Sample No. 25340-K.)

LIBEL FILED: September 16, 1948, Southern District of Iowa.

ALLEGED SHIPMENT: On or about October 18, 1946, from San Francisco, Calif.

PRODUCT: 269 cases, each containing 24 1-pound, 4-ounce cans, of cherries at Clinton, Iowa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. (Examination showed that the product was undergoing chemical decomposition.) It was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 12, 1949. Default decree of condemnation and destruction.

14027. Adulteration of canned cherries. U. S. v. 23 Cases * * *. (F. D. C. No. 25673. Sample No. 31458-K.)

LIBEL FILED: September 27, 1948, District of Nevada.

ALLEGED SHIPMENT: On or about October 24, 1946, from Clearfield, Utah.

PRODUCT: 23 cases, each containing 24 1-pound, 14-ounce cans, of unpitted cherries at Las Vegas, Nev.

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. It was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 29, 1948. Default decree of condemnation and destruction.

14028. Adulteration of canned peaches. U. S. v. 300 Cases * * *. (F. D. C. No. 25360. Sample No. 40218-K.)

LIBEL FILED: August 12, 1948, District of Maryland.

ALLEGED SHIPMENT: On or about March 20, 1948, by the Buckingham Farmers Co-op., Inc., from Dillwyn, Va.

PRODUCT: 300 cases, each containing 24 cans, of peaches at Baltimore and Salisbury, Md.

LABEL, IN PART: "Buckingham Brand Peaches Contents 1 Lb. 13 Ozs. [or 1 Lb. 14 Ozs.]"