

FRUITS AND VEGETABLES**CANNED FRUIT**

18168. Misbranding of canned pears. U. S. v. 1,316 Cases * * *. (F. D. C. No. 32298. Sample Nos. 13595-L, 13899-L.)

LIBEL FILED: December 27, 1951, District of Colorado.

ALLEGED SHIPMENT: On or about September 10, 1951, by Libby, McNeill & Libby, from Brooklyn, Oreg.

PRODUCT: 1,316 cases, each containing 24 1-pound, 13-ounce cans, of pears at Denver, Colo.

LABEL, IN PART: "Rose-Dale Bartlett Pear Halves In Light Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article fell below the standard of quality for canned pears since not all of the pear units of the article were untrimmed or so trimmed as to preserve normal shape, and more than 10 percent of the pear units in a container of 10 or more units and more than one unit in a container of less than 10 units were crushed and broken; and the label of the article failed to bear a statement that the article fell below such standard.

DISPOSITION: April 11, 1952. Libby, McNeill & Libby, 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 Federal Security Agency.

DRIED FRUIT

18169. Adulteration of dried peaches. U. S. v. 999 Cases * * *. (F. D. C. No. 30898. Sample No. 27637-L.)

LIBEL FILED: April 23, 1951, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 28, 1951, by Joseph Coughlin, from Modesto, Calif.

PRODUCT: 999 30-pound cases of dried peaches at Philadelphia, Pa.

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 and insect excreta.

DISPOSITION: December 11, 1951. The sole intervener having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be destroyed.

FROZEN FRUIT

18170. Adulteration and misbranding of frozen strawberries. U. S. v. 1,420 Cans * * *. (F. D. C. No. 30994. Sample No. 15989-L.)

LIBEL FILED: June 12, 1951, Western District of Oklahoma.

ALLEGED SHIPMENT: On or about May 25, 1951, by the Onda Canning Co., from Kansas City, Mo.

PRODUCT: 1,420 cans of frozen strawberries at Oklahoma City, Okla.