

18879. Misbranding of canned peaches. U. S. v. 43 Cases * * *. (F. D. C. No. 32663. Sample No. 12588-L.)

LIBEL FILED: February 12, 1952, Middle District of Tennessee.

ALLEGED SHIPMENT: On or about February 28, 1951, by the Turlock Cooperative Growers, from Modesto, Calif.

PRODUCT: 43 cases, each containing 6 6-pound, 8-ounce cans, of peaches at Nashville, Tenn.

LABEL, IN PART: "Garden Preheated Solid Pack Pie Yellow Cling Peaches Net Weight 6 lbs. 8 oz."

NATURE OF CHARGE: Misbranding. The cans contained less than the labeled 6 pounds, 8 ounces, of peaches.

DISPOSITION: March 25, 1952. The shipper having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled under the supervision of the Food and Drug Administration.

DRIED FRUIT

18880. Adulteration of dried pears and dried mixed fruit. U. S. v. 48 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 33062, 33063. Sample Nos. 33339-L, 33340-L.)

LIBELS FILED: April 10, 1952, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about February 12 and 26, 1952, by Rosenberg Bros. & Co., Inc., from Santa Clara, Calif.

PRODUCT: 48 cases, each containing 24 12-ounce packages, of dried pears, and 31 cases, each containing 24 1-pound packages, of dried mixed fruit at Milwaukee, Wis.

LABEL, IN PART: "Golden Bloom California Dried Fruits Fancy Pears" and "IGA Brand California Dried Fruits Fancy Mixed Fruits."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of insects and insect excreta, in the dried pears, and insects, insect excreta, and rodent excreta, in the dried mixed fruit; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: May 19, 1952. Default decrees of condemnation and destruction.

18881. Adulteration of prunes. U. S. v. 34 Cases * * *. (F. D. C. No. 33049. Sample No. 48407-L.)

LIBEL FILED: April 8, 1952, Northern District of Iowa.

ALLEGED SHIPMENT: On or about March 29, 1951, from San Francisco, Calif.

PRODUCT: 34 cases, each containing 24 2-pound bags, of prunes at Cedar Rapids, Iowa.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy prunes. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 9, 1952. Default decree of condemnation and destruction.