

DISPOSITION: July 15, 1953. The Fulton Fish Co., Jacksonville, Fla., 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.

FRUITS AND VEGETABLES

CANNED FRUIT

20520. Misbranding of canned peaches. U. S. v. 389 Cases * * *. (F. D. C. No. 35354. Sample No. 41162-L.)

LIBEL FILED: July 16, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about May 27, 1953, by the Wapato Packing Co., from Wapato, Wash.

PRODUCT: 389 cases, each containing 24 cans, of peaches at New York, N. Y.

LABEL, IN PART: (Can) "Chatter Box Elberta Peaches Halved Yellow Freestone In Extra Heavy Syrup Home Style Contents 1 Lb. 14 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the article purported to be and was represented as canned peaches, 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 definition and standard, the name of the optional packing medium present in the article since its label bore the statement "In Extra Heavy Syrup," whereas the article was packed in a medium designated as "Heavy Sirup" in the definition and standard.

DISPOSITION: August 19, 1953. The Wapato Packing Co., 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.

20521. Misbranding of canned peaches. U. S. v. 31 Cases * * *. (F. D. C. No. 35424. Sample No. 42711-L.)

LIBEL FILED: July 13, 1953, District of Colorado.

ALLEGED SHIPMENT: On or about June 22, 1953, by the Regent Canfood Co., from San Francisco, Calif.

PRODUCT: 31 cases, each containing 24 1-pound cans, of peaches at Pueblo, Colo.

LABEL, IN PART: "Castle Crest Sliced Yellow Cling Peaches in Heavy Syrup."

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

DISPOSITION: September 10, 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.