

mary judgment of Produce Service, Inc., the court condemned the article as adulterated while held for sale after shipment in interstate commerce, and ordered the destruction of the article, excepting, however, any of the article released under bond to be brought into compliance with the law by the claimant. On 9-12-61, an order was filed authorizing the segregation and sorting of the article. On 12-22-61, the segregation operations were completed resulting in the destruction of approximately 5,700 pounds of the article.

FRUITS AND VEGETABLES

CANNED FRUIT

29349. Canned peaches. (F.D.C. No. 49411. S. No. 11-196 X.)

QUANTITY: 897 cases, each containing 24 1-lb. 13-oz. cans, at Blairsville, Pa.

SHIPPED: 7-30-63, from Easley, S.C., by Jones Canning Co.

LABEL IN PART: (Can) "Hilltop Yellow Freestone Peaches Halves in Heavy Syrup * * * Packed in U.S.A. by Jones Canning Company, Easley, S.C."

LIBELED: 10-14-63, W. Dist. Pa.

CHARGE: 402(a)(3)—contained *Drosophila* flies; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 11-29-63. Default—destruction.

29350. Canned plums. (F.D.C. No. 49473. S. No. 33-136 X.)

QUANTITY: 746 cases, each containing 24 1-lb. 13-oz. cans, at Minneapolis, Minn.

SHIPPED: 8-24-63, from San Francisco, Calif., by A. M. Beebe Co.

LABEL IN PART: (Can) "Ranch House Brand Home Style Whole California Red Plums Certified Coloring Added Packed in Heavy Syrup * * * Packed by Old Ranchers Company, Upland, Calif."

LIBELED: 10-16-63, Dist. Minn.

CHARGE: 402(a)(3)—when shipped, the article contained *Drosophila* flies, maggots, and decomposed fruit; and 403(g)(1)—the article purported to be and was represented as canned plums and it failed to conform to the definition and standard of identity prescribed by regulations since it contained artificial color which was not permitted as an ingredient of canned plums.

DISPOSITION: 2-10-64. Default—ordered destroyed or denatured for use as animal feed.

29351. Canned plums. (F.D.C. No. 49420. S. No. 79-614 X.)

QUANTITY: 1,200 cases, each containing 24 1-lb. 13-oz. cans, at Fort Wayne, Ind.

SHIPPED: 8-21-63, from San Francisco, Calif., by Mel-Williams Co.

LABEL IN PART: (Can) "Ranch House Brand El Dorado Home Style Whole California Red Plums Packed In Heavy Syrup * * * Packed By Old Ranchers Company, Upland, Calif."

LIBELED: 10-16-62, N. Dist. Ind.; libel amended 10-30-63.

CHARGE: 402(a)(3)—contained decomposed fruit when shipped.

DISPOSITION: 2-14-64. Default—destruction.

29352. Canned plums. (F.D.C. No. 49439. S. No. 63-796 X.)

QUANTITY: 192 cans, each containing 24 1-lb. 13-oz. cans, at Fargo, N. Dak.