

**2447. Misbranding of canned peaches. U. S. v. 94 Cases of Canned Peaches. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 6003. Sample No. 70107-E.)**

Examination of this product showed that it consisted of peach halves of which the units were of mixed sizes and were unevenly trimmed.

On October 9, 1941, the United States attorney for the Middle District of North Carolina filed a libel against 94 cases, each containing 24 cans, of peaches at Sanford, N. C., alleging that the article had been shipped on or about September 4, 1941, by the Holloway Canning Co. from Meansville, Ga.; and charging that it was misbranded. It was labeled in part: (Cans) "Halves Alimosa Yellow Georgia Freestone Peaches in Light Syrup Contents 1 Lb. 12 Oz."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On October 23, 1941, the Holloway Canning Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

Nos. 2448 to 2450 report the seizure and disposition of canned peaches that were substandard in that (1) they consisted of peach halves of which the weight of some units was less than  $\frac{3}{8}$  ounce (the minimum required weight); (2) the weight of the largest unit in the container was more than twice the weight of the smallest unit; and (3) the units were not so trimmed as to preserve their normal shape. These products did not bear on their labels the substandard legend required by law.

**2448. Misbranding of canned peaches. U. S. v. 950 Cases of Canned Peaches. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 5649. Sample No. 48188-E.)**

On or about September 10, 1941, the United States attorney for the Southern District of Florida filed a libel against 950 cases, each containing 24 cans, of peaches at Jacksonville, Fla., alleging that the article had been shipped on or about July 28, 1941, by Pomona Products Co. from Griffin, Ga.; and charging that it was misbranded. It was labeled in part: (Cans) "Sunshine Brand Contents 1 Lb. 13 Oz. Halves Yellow Free Peaches in Light Syrup."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On September 20, 1941, Pomona Products Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

**2449. Misbranding of canned peaches. U. S. v. 42 Cases of Canned Peaches. Default decree of condemnation and destruction. (F. D. C. No. 5943. Sample No. 59435-E.)**

On October 2, 1941, the United States attorney for the Eastern District of Virginia filed a libel against 42 cases, each containing 24 cans, of peaches at Norfolk, Va., alleging that the article had been shipped on or about September 6, 1941, by Cherokee Products Co. from Haddock, Ga.; and charging that it was misbranded. It was labeled in part: (Cans) "O'Sage Brand Yellow Freestone Peaches Halves in Light Syrup Contents 1 Lb. 12 Ozs."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label did not bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On October 30, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2450. Misbranding of canned peaches. U. S. v. 337 Cases of Canned Peaches. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 5815. Sample No. 48198-E.)**

On September 22, 1941, the United States attorney for the Southern District of Florida filed a libel against 337 cases, each containing 24 cans, of peaches