

& Co. from Oakland, Calif., and charging that it was misbranded. The article was labeled in part: (Can) "Exquisite Sliced Yellow Cling Peaches \* \* \* Distributed By Santa Cruz Fruit Packing Company \* \* \* Oakland, California."

The article was alleged to be misbranded in that it purported to be and was represented as a food for which a definition and standard of identity had been prescribed by regulations promulgated pursuant to law, and its label failed to bear, as such regulations require, the name of the optional packing medium present in the food, light sirup.

On May 14, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a welfare organization.

**5210. Misbranding of canned pears and canned peaches. U. S. v. 130 Cases of Canned Pears and 168 Cases of Canned Peaches. Decree of condemnation. Product ordered released under bond for relabeling.** (F. D. C. Nos. 9748, 9749. Sample Nos. 11240-F, 11261-F.)

On April 6, 1943, the United States attorney for the Western District of Oklahoma filed a libel against 130 cases of canned pears and 168 cases of canned peaches at Oklahoma City, Okla., alleging that the article had been shipped in interstate commerce on or about March 15, 1943, by the Safeway Stores, Inc., from Oakland, Calif.; and charging that it was misbranded. The article was labeled in part: (Cans) "Highway Brand Sliced Yellow Cling Peaches In Syrup [or "Harper House Halves Bartlett Pears"] \* \* \* Distributed by Table Products Company, Oakland, California."

The article was alleged to be misbranded in that it purported to be and was represented as a food for which a definition and standard of identity had been prescribed by regulations promulgated pursuant to law, and its label failed to bear the name of the optional packing mediums present in such food, heavy sirup in the case of the canned pears, and light sirup in the case of the canned peaches.

On May 13, 1943, Safeway Stores, Inc., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

**5211. Adulteration of canned prune plums. U. S. v. 72 Cases of Canned Prune Plums. Default decree of condemnation and destruction.** (F. D. C. No. 9755. Sample 30940-F.)

This product was affected with brown rot.

On April 6, 1943, the United States attorney for the Western District of Washington filed a libel against 72 cases of canned prune plums at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about June 16, 1943, by the Starr Fruit Products Co. from Portland, Oreg.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Real Brand Whole Unpeeled Purple Prune Plums in Syrup \* \* \* Packed By Portland Canning Company, Inc. Portland, Oregon."

On August 5, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### DRIED FRUIT

**5212. Adulteration of dates. U. S. v. 50 Boxes of Dates. Default decree of condemnation and destruction.** (F. D. C. No. 9802. Sample No. 14779-F.)

On April 14, 1943, the United States attorney for the Eastern District of Wisconsin filed a libel against 50 boxes of dates at Sheboygan, Wis., alleging that the article had been shipped in interstate commerce on or about April 5, 1943, by the Covalda Date Co. from Los Angeles, Calif.; and charging that it was adulterated in that it consisted wholly or in part of filthy substances, insects, larvae, insect excreta, and rodent hairs.

On May 22, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**5213. Adulteration of dried peaches. U. S. v. 30 Boxes of Dried Peaches. Default decree of condemnation and destruction.** (F. D. C. No. 10001. Sample No. 19328-F.)

On May 12, 1943, the United States attorney for the District of Massachusetts filed a libel against 30 25-pound boxes of dried peaches at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about October 1, 1942, by Guggenlime & Co. from Fresno, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, coal dust.