

**LABEL, IN PART:** "Flotill Sliced [or "Halves"] Yellow Cling Peaches in Heavy Syrup Net Wt. 1 Lb."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (2), the product purported to be and was represented as canned peaches, a food for which a definition and standard of identity had been prescribed by the regulations, and the labels on some of the cans failed to bear the name of the optional packing medium present in the food, since the labels bore the statement "in Heavy Syrup" and a portion of the product was packed in light sirup.

**DISPOSITION:** April 16, 1948. Flotill Products, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

**13124. Misbranding of canned peaches. U. S. v. 48 Cases \* \* \*. (F. D. C. No. 24644. Sample Nos. 32251-K, 32266-K.)**

**LABEL FILED:** May 19, 1948, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about April 27, 1948, by the Atwater Packing Co., Atwater, Calif.

**PRODUCT:** 48 cases, each containing 6 6-pound, 12-ounce cans, of peaches at Cincinnati, Ohio.

**LABEL, IN PART:** "Lazy Daisy Choice Halves Yellow Free Elberta Peaches In Heavy Syrup \* \* \* Packed by Capolina Packing Co., Atwater, Calif."

**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 had been prescribed by the regulations, and its label failed to bear, as required by the regulations, the name of the optional packing medium present. The label bore the statement "In Heavy Syrup," whereas the article was packed in sirup designated as light sirup in the definition and standard.

**DISPOSITION:** June 23, 1948. The Atwater Packing 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.

#### FROZEN FRUIT

**13129. Adulteration of frozen strawberries. U. S. v. 100 Cans \* \* \*. (F. D. C. No. 21698. Sample No. 51458-H.)**

**LABEL FILED:** November 15, 1946, District of Minnesota.

**ALLEGED SHIPMENT:** On or about August 3, 1946, by Carol Parker Frozen Foods, Inc., from Pasadena, Calif.

**PRODUCT:** 44 cases, each containing 33 14-ounce cartons, of frozen boysenberries at Minneapolis, Minn. The cartons contained approximately 7 ounces of boysenberries, with approximately 8 ounces of sugar solution.

**LABEL, IN PART:** "Carol Parker Fresh Frozen Boysenberries Sugar Added Syrup."

**NATURE OF CHARGE:** Adulteration, Section 403 (b) (2), water, or water and sugar, had been substituted in part for boysenberries.

**DISPOSITION:** February 20, 1947. Carol Parker Frozen Foods, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be repackaged under the supervision of the Federal Security Agency.

**13126. Adulteration of frozen huckleberries. U. S. v. 35 Cartons \* \* \* (and 1 other seizure action). (F. D. C. Nos. 24456, 24457. Sample Nos. 32223-K, 32381-K.)**

**LABELS FILED:** February 27, 1948, Northern District of California.

**ALLEGED SHIPMENT:** On or about November 5 and 21, 1947, by M. E. Mercer, from Tacoma, Wash.

**PRODUCT:** 35 cartons at San Jose, Calif., and 73 cartons at San Francisco, Calif., each carton containing 25 pounds of frozen huckleberries.

**LABEL, IN PART:** "Olympic Huckleberries."