

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of its fermentation. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 28, 1949. Default decree of condemnation and destruction.

14222. Misbranding of canned peaches. U. S. v. 750 Cases * * *. (F. D. C. No. 25900. Sample Nos. 31775-K, 31783-K.)

LABEL FILED: November 1, 1948, Southern District of California.

ALLEGED SHIPMENT: On or about August 18, 1948, by the Case-Swayne Co., Inc., Santa Ana, Calif.

PRODUCT: 750 cases, each containing 24 1-pound, 14-ounce cans, of peaches at Wilmington, Calif., consigned to Somerville, Mass.

LABEL, IN PART: "Yor' Garden Sliced Ripe Yellow Freestone Peaches Net weight 1 Lb. 14 Oz."

NATURE OF CHARGE: Misbranding, Section 403 (h) (2), the product failed to conform to the standard of fill of container for canned peaches, and its label failed to bear a statement that it fell below such standard. The standard of fill of container for canned peaches is the maximum quantity of optional peach ingredient which can be sealed in the container and processed by heat to prevent spoilage, without crushing or breaking such ingredient.

DISPOSITION: December 20, 1948. The Case-Swayne Co., 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 relabeled, under the supervision of the Federal Security Agency.

14223. Adulteration of canned crushed pineapple. U. S. v. 439 Cases * * *. (F. D. C. No. 25886. Sample No. 15081-K.)

LABEL FILED: November 9, 1948, Northern District of Illinois.

ALLEGED SHIPMENT: On or about June 5, 1948, by Lone Star International Foods, from San Carlos, Tex.

PRODUCT: 439 cases, each containing 24 1-pound, 4-ounce cans, of crushed pineapple at Chicago, Ill.

LABEL, IN PART: "Flotill Crushed Pineapple."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of mold; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 13, 1949. Holleb & Co., Chicago, Ill., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

14224. Adulteration of canned crushed pineapple. U. S. v. 125 Cases * * *. (F. D. C. No. 25661. Sample No. 27393-K.)

LABEL FILED: October 12, 1948, Eastern District of Arkansas.