

LABEL, IN PART: "Red Label Brand Red Tart Pitted Cherries In Extra Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the product was canned cherries, a food for which a definition and standard of identity has been prescribed by regulations, and its label failed to bear as required by the regulations, the name of the optional packing medium present since the label bore the statement "In Extra Heavy Syrup," whereas the product was packed in sirup designated as "heavy sirup" in the definition and standard.

DISPOSITION: October 14, 1949. The Wegner Canning Corp., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Food and Drug Administration.

15332. Adulteration of canned crushed pineapple. U. S. v. 83 Cases * * *
(F. D. C. No. 28065. Sample No. 62476-K.)

LABEL FILED: October 18, 1949, District of Massachusetts.

ALLEGED SHIPMENT: On or about December 30, 1946, from Plant City, Fla.

PRODUCT: 83 cases, each containing 6 7-pound, 4-ounce cans, of crushed pineapple at Worcester, Mass.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of its chemical composition, and it was otherwise unfit for food by reason of its metallic taste. The article was adulterated while held for sale after shipment in interstate commerce.

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

15333. Adulteration of canned raspberries. U. S. v. 45 Cases, etc. (F. D. C. No. 27916. Sample Nos. 42854-K, 42855-K.)

LABEL FILED: October 14, 1949, Northern District of Indiana.

ALLEGED SHIPMENT: On or about August 1, 1949, by Dwan's Home Canning Co., from St. Joseph, Mich.

PRODUCT: 45 cases, each containing 24 No. 2 cans, and 45 cases, each containing 6 No. 10 cans, of raspberries at Marion, Ind.

LABEL, IN PART: "Dwan's * * * Black Raspberries Water Pack."

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 decomposed raspberry material.

DISPOSITION: December 1, 1949. Default decree of condemnation and destruction.

FROZEN FRUIT

15334. Adulteration of frozen strawberries, frozen sliced peaches, frozen crushed pineapple, frozen blackberries, and chocolate coating. U. S. v. 15 Cans, etc. (F. D. C. No. 27769. Sample Nos. 11761-K, 56156-K, 56158-K to 56160-K, incl.)

LABEL FILED: August 17, 1949, District of Connecticut.

ALLEGED SHIPMENT: The frozen fruits were shipped on or about January 29, July 10, and October 7, 1946, and July 17, 1947, and the chocolate coating was shipped on or about January 9, February 4, and March 4, 1948.