

FRUITS AND VEGETABLES**CANNED FRUIT**

16376. Misbranding of canned peaches. U. S. v. 198 Cases * * *. (F. D. C. No. 29053. Sample Nos. 34771-K, 34781-K.)

LIBEL FILED: April 10, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about March 27, 1950, by The Great Atlantic & Pacific Tea Co., from Oakland, Calif.

PRODUCT: 198 cases, each containing 24 1-pound, 14-ounce cans, of peaches at Philadelphia, Pa.

LABEL, IN PART: (Can) "Fruit Basket Sliced Elberta Yellow Freestone Peaches In Extra Heavy Syrup."

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 has been prescribed by regulations, and its label failed to bear the name of the optional packing medium present in the food since its label bore the statement "In Extra Heavy Syrup," and the product was packed in heavy sirup.

DISPOSITION: August 16, 1950. Hickmott Canning Co., Antioch, Calif., 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 to be relabeled, under the supervision of the Food and Drug Administration.

16377. Adulteration of canned pears. U. S. v. 38 Cartons * * * (and 1 other seizure action). (F. D. C. Nos. 28748, 28749. Sample Nos. 73824-K, 73825-K.)

LIBELS FILED: March 7 and 9, 1950, Eastern and Southern Districts of New York.

ALLEGED SHIPMENT: On or about December 15, 1949, by the Rogue River Packing Corp., from Medford, Oreg.

PRODUCT: 147 cartons, each containing 24 1-pound, 13-ounce cans, of pears at Brooklyn and New York, N. Y.

LABEL, IN PART: (Can) "A&P Grade A Pears Halves In Heavy Syrup."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of the presence of an objectionable cresol-like flavor.

DISPOSITION: July 27 and August 2, 1950. The Rogue River Packing Corp. having withdrawn its claims, judgments of condemnation were entered and the court ordered that the product be destroyed.

DRIED FRUIT

16378. Adulteration of mixed dried fruit. U. S. v. 500 Cases * * *. (F. D. C. No. 29044. Sample No. 34751-K.)

LIBEL FILED: April 14, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about February 24, 1950, by Hunt Foods, Inc., Guggenlime Div., from Hayward, Calif.