

LABEL, IN PART: (Jar) "Packed For Stuckey's Eastman-Georgia Peach Preserves Net Weight."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for peach preserves since the article was made from a mixture composed of less than 45 parts by weight of the fruit ingredient to each 55 parts by weight of one of the sweetening ingredients specified in the definition and standard; and, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since its label bore no statement of the quantity of the contents.

DISPOSITION: July 14, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable organization for its use and not for sale.

VEGETABLES

20525. Misbranding of canned mushrooms. U. S. v. 46 Cases * * *. (F. D. C. No. 35297. Sample No. 73301-L.)

LIBEL FILED: June 8, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about April 29, 1953, by the Lescarbours Mushroom Co., from Kelton, Pa.

PRODUCT: 46 cases, each containing 24 cans, of mushrooms at Camden, N. J.

LABEL, IN PART: (Can) "Tartan fancy buttons Mushrooms."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation "fancy buttons Mushrooms" and the vignette depicting fancy button mushrooms were false and misleading as applied to the article, which was not fancy button mushrooms by reason of the mottled color and nonuniformity of size.

DISPOSITION: July 27, 1953. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

20526. Adulteration of olives. U. S. v. 37 Cases * * *. (F. D. C. No. 35347. Sample No. 59109-L.)

LIBEL FILED: July 6, 1953, Northern District of Georgia.

ALLEGED SHIPMENT: On or about June 3, 1953, by the Kroger Co., from Cincinnati, Ohio.

PRODUCT: 37 cases, each containing 12 jars, of olives at East Point, Ga.

LABEL, IN PART: (Jar) "Embassy Drained Wt. 14 Oz. Salad Olives."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect-infested and insect-damaged olives.

DISPOSITION: August 31, 1953. Default decree of condemnation and destruction.

20527. Adulteration of olives. U. S. v. 22 Cases * * *. (F. D. C. No. 35330. Sample No. 59343-L.)

LIBEL FILED: June 24, 1953, Northern District of Georgia.

ALLEGED SHIPMENT: On or about September 5 and 22, 1952, from Houston, Tex.

PRODUCT: 22 cases, each containing 4 1-gallon jars, of olives at Atlanta, Ga.

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

DISPOSITION: July 31, 1953. Default decree of condemnation and destruction.