

DISPOSITION: 1-16-62. Consent—claimed by Mid-West Producers' Creameries, Inc., South Bend, Ind., and converted into animal feed.

27700. Nonfat dry milk, dried Great Northern beans, and dried cranberry beans.
(F.D.C. No. 46623. S. Nos. 326/30 T.)

QUANTITY: 49 50-lb. bags of nonfat dry milk; 38 100-lb. bags of Great Northern beans; and 15 cases, 24 1-lb. bags each, of cranberry beans, at Charlotte, N.C., in possession of W. J. Edwards & Co.

SHIPPED: Between 11-2-60 and 1-6-61, from Imlay City, Mich., and Eaton, Ind.

LIBELED: 11-9-61, W. Dist. N.C.

CHARGE: 402(a) (3)—contained insects; and 402(a) (4)—held under insanitary conditions.

DISPOSITION: 12-14-61. Default—destruction.

FRUITS AND VEGETABLES

CANNED FRUIT*

27701. Canned cherries. (F.D.C. No. 46895. S. No. 12-152 T.)

QUANTITY: 21 cases, 6 6-lb. 9-oz. cans each, at Chicago, Ill.

SHIPPED: 10-9-61, from Sturgeon Bay, Wis., by Fruit Growers Co-Operative.

LABEL IN PART: (Can) "Sturgeon Bay Brand Red Tart Pitted Wisconsin Cherries * * * Fruit Growers Co-operative, Sturgeon Bay, Wis." and (case) "Red Tart Pitted Sturgeon Bay Brand Cherries."

LIBELED: 1-2-62, N. Dist. Ill.

CHARGE: 403(h) (1)—when shipped, the quality of the article fell below the standard of quality for canned cherries since there was present in the article more than 1 pit in each 20 ounces of canned cherries, as determined by the method prescribed by regulations, and its label failed to bear, as prescribed by regulations, a statement that it fell below such standard.

DISPOSITION: 1-30-62 and 2-1-62. Default—delivered to a charitable institution.

27702. Canned peaches. (F.D.C. No. 46917. S. No. 840 T.)

QUANTITY: 94 cases, 24 15-oz. cans each, at Winston-Salem, N.C.

SHIPPED: 7-25-61 and 8-21-61, from Gilbert, S.C., by Walter P. Rawl & Sons.

LABEL IN PART: (Can) "Carolina Yellow Free Peaches Mixed Pieces of Irregular Sizes and Shapes in Heavy Syrup Packed by Walter P. Rawls & Sons Gilbert, S.C."

LIBELED: 1-17-62, M. Dist. N.C.

CHARGE: 403(g) (2)—when shipped, the article 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, as required by regulations, the name of the optional packing medium present in such food, since its label bore the statement "In Heavy Syrup" whereas the article was packed in a medium designated as "Light Sirup" in such definition and standard.

DISPOSITION: 3-5-62. Consent—claimed by Walter P. Rawls & Sons, and released under bond for relabeling.

*See also No. 27688.