

under bond to be reconditioned under the supervision of the Food and Drug Administration. The good portion was separated from the bad and the latter was destroyed.

FRUITS AND VEGETABLES

CANNED FRUITS

3732. Adulteration of canned blackberries. U. S. v. 777 Cases of Canned Blackberries. Decree of condemnation. Product ordered released under bond for segregation and destruction of unfit portion. (F. D. C. No. 6954. Sample No. 73000-E.)

Examination of this product showed the presence of moldy berries.

On February 27, 1942, the United States attorney for the Southern District of California filed a libel against 777 cases of canned blackberries at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about September 14, 1941, and January 2, 1942, by the Oregon Fruit Products Co. from Portland, Oreg.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "O. F. P. Brand Oregon Fruit Products Unsweetened Blackberries."

On April 25, 1942, the Oregon Fruit Products Co., claimant, having filed an answer admitting that the product was in part adulterated, 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.

3733. Adulteration of canned blackberries. U. S. v. 50 Cases of Blackberries. Consent decree of forfeiture and destruction. (F. D. C. No. 5939. Sample No. 61065-E.)

Examination of this product showed the presence of moldy berries.

On October 1, 1941, the United States attorney for the Territory of Hawaii filed a libel against 50 cases, each containing 6 No. 10 cans, of blackberries at Honolulu, T. H., which had been consigned by Washington Packers, Inc., alleging that the article had been shipped in interstate commerce on or about September 8, 1941; from Tacoma, Wash.; and charging that it was adulterated in that it was in whole or in part filthy, putrid, and decomposed, and was otherwise unfit for food. The article was labeled in part: (Cans) "Inavale Brand * * * Blackberries."

On March 10, 1942, Washington Packers, Inc., claimant, having admitted the allegations of the libel, judgment of forfeiture was entered and the product was ordered destroyed.

3734. Misbranding of canned blueberries. U. S. v. 153 Cases of Blueberries. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 7435. Sample Nos. 90455-E, 90843-E.)

This product was not of Fancy quality as labeled because of the presence of a large number of stems and immature berries.

On May 6, 1942, the United States attorney for the District of Rhode Island filed a libel against 153 cases of blueberries at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about November 8, 1941, from Thomaston, Maine, by Black & Gay Cannery, Inc.; and charging that it was misbranded in that the term "Fancy" on the label was false and misleading since the article was not of Fancy quality. It was labeled in part: "Vacuum Packed Kid Glove * * * Fancy Maine Sweetened Blueberries."

On June 12, 1942, First National Stores, Inc., Providence, R. I., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration.

3735. Adulteration of canned cherries. U. S. v. 637 Cases of Canned Cherries. Default decree of condemnation and destruction. (F. D. C. No. 7510. Sample No. 95111-E.)

Examination showed that this product contained worms.

On May 15, 1942, the United States attorney for the Northern District of California filed a libel against 637 cases, each containing 6 No. 10 cans, of cherries at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on March 17, 1942, by the Valey [Valley] Fruit Packing Co. from Seattle, Wash.; and charging that it was adulterated in that it con-