

Moffett Co. at Seattle, Wash., alleging shipment within the period from on or about May 27 to July 24, 1942, from the State of Washington into the States of California, Colorado, and Massachusetts of a quantity of frozen strawberries that were adulterated in that they consisted in whole or in part of decomposed substances.

On August 23, 1943, the defendant having entered a plea of guilty, the court imposed a fine of \$100 on count 1 of the information and \$200 on each of the 2 remaining counts, together with costs.

**5020. Adulteration of frozen strawberries. U. S. v. 5 Barrels of Frozen Strawberries. Default decree of condemnation and destruction. (F. D. C. No. 9579. Sample No. 38242-F.)**

On March 22, 1943, the United States attorney for the Northern District of Illinois filed a libel against 5 barrels of frozen strawberries at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about February 3, 1943, by the S. A. Moffett Co., from Mt. Vernon, Wash.; and charging that it was adulterated in that it consisted in whole or in part of decomposed substances, moldy berries. The article was labeled in part: "Cold Pack Marshall Strawbys."

On May 11, 1943, no claimant having appeared, judgment of condemnation was entered and product was ordered destroyed.

**5021. Adulteration of red raspberries. U. S. v. 66 Barrels of Red Raspberries. Consent decree of condemnation. Product ordered released under bond for reconditioning. (F. D. C. Nos. 8714 to 8716, incl., 8856. Sample Nos. 1851-F, 1853-F, 1854-F, 1871-F.)**

On November 14, 1942, the United States attorney for the Northern District of Illinois filed a libel against 66 barrels, each barrel containing 390 pounds, of red raspberries at Chicago, Ill., alleging that the article had been shipped in interstate commerce within the period from on or about July 17 to August 5, 1942, by the Frigid Food Products Inc., from Detroit, Mich.; and charging that it was adulterated in that water or water and sugar (sugar present only in some barrels) had been substituted wholly or in part for red raspberries.

On January 14, 1943, the Frigid Food Products, Inc., having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reconditioning under the supervision of the Food and Drug Administration.

On June 7, 1943, the Welch Fruit Products Co., Chicago, Ill., having entered a claim for 20 barrels of the product and having consented to the entry of the decree theretofore entered, and the court, having heard arguments of counsel and the evidence in support of the claim, found that the 20 barrels of the product in controversy was the product of the Welch Fruit Products Co., and ordered that the product be released to the owner on the same condition as those of the original decree.

#### MISCELLANEOUS FRUIT PRODUCTS

**5022. Adulteration of imitation jellies and Lekvar. U. S. v. Vienna Extract Co., Inc., David Littmann and Moses Siegel. Pleas of guilty. Corporation fined \$600, David Littmann \$1,500 and Moses Siegel \$150. (F. D. C. No. 6451. Sample Nos. 56680-E, 56681-E, 56687-E.)**

Samples of these products were found to contain rodent hairs, insect fragments, paint fragments, wood splinters, metal fragments, string fibers, fragments of paper, and nondescript dirt.

On May 13, 1942, the United States attorney for the Eastern District of New York filed an information against the Vienna Extract Co., Inc., Brooklyn, N. Y., and David Littmann, and Moses Siegel, president and treasurer, respectively, of the corporation, alleging shipment on or about April 26 and May 8, 1941, from the State of New York into the State of Connecticut of quantities of imitation jellies and Lekvar that were adulterated in that they consisted in whole or in part of filthy substances, and in that they had been prepared under insanitary conditions whereby they may have become contaminated with filth. The articles were labeled in part: "Imitation Raspberry Jelly \* \* \* [or "Imitation Rasp. Flavored Fruit Jelly"] Manufactured for I. Bader & Co. \* \* \* Bridgeport, Conn.," or "D. L. Brand \* \* \* Baker's Delight Lekvar [or "Imitation Fruit Jelly"]."

On May 26, 1942, a plea of guilty having been entered on behalf of the defendant corporation and by the individual defendants, the court imposed a fine of \$600 against the corporation, \$1,500 against David Littmann, and \$150 against Moses Siegel.