

5511. Adulteration of raisins. U. S. v. 85 Cartons of Raisins. Default decree of condemnation and destruction. (F. D. C. No. 10193. Sample No. 20108-F.)

On July 6, 1943, the United States attorney for the District of Massachusetts filed a libel against 85 cartons of raisins at Watertown, Mass., alleging that the article had been shipped in interstate commerce on or about February 23, 1943, by Diebert Bros. & Snyder from Biola, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, insects, maggots, and cocoons. The article was labeled in part: (Cartons) "Diebert's D. B. Brand Midget Thompson Seedless Raisins."

On September 20, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. Destruction was effected by delivery to an individual for consumption by hogs.

FRESH FRUIT

5512. Adulteration of blueberries. U. S. v. 20 Crates of Blueberries. Default decree of condemnation and destruction. (F. D. C. No. 8127. Sample No. 17922-F.)

This product was infested with maggots.

On July 29, 1942, the United States attorney for the Southern District of New York filed a libel against 20 crates, each containing approximately 24 quarts, of blueberries at New York, N. Y., alleging that the article had been shipped on or about July 25, 1942, by A. Clark from Jessup, Pa.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed vegetable substance.

On August 14, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FROZEN FRUIT

5513. Adulteration of strawberries. U. S. v. Cascade Frozen Foods, Inc. Plea of guilty. Fine, \$200 on count 1, and \$250 and costs on count 2. (F. D. C. No. 9636. Sample Nos. 14919-F, 14924-F, 14925-F, 14944-F, 14946-F.)

This product consisted in part of moldy and decomposed berries.

On August 28, 1943, the United States attorney for the Western District of Washington filed an information against the Cascade Frozen Foods, Inc., Seattle, Wash., alleging that on or about July 8 and October 8, 1942, the defendant introduced and delivered and caused to be introduced and delivered for introduction into interstate commerce from the State of Washington into the State of California quantities of frozen strawberries that were adulterated in that they consisted in whole or in part of decomposed substances.

On September 17, 1943, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$200 on the first count of the information and \$250 and costs on the second count.

5514. Adulteration of strawberries. U. S. v. 14 Barrels of Strawberries. Tried to the court. Judgment ordering portion of product delivered to claimant and remainder destroyed. (F. D. C. No. 9851. Sample No. 14347-F.)

On April 21, 1943, the United States attorney for the Southern District of California filed a libel against 14 barrels, each barrel containing 440 pounds, of frozen strawberries, at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about March 16, 1943, by the Tacoma Ice Co., from Tacoma, Wash.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance, moldy or rotten berries. The article was labeled in part: "S. O. Marshall Strawbys * * * R. I. MacLaughlin & Co. Puyallup, Wn."

On October 1, 1943, Dixie Preserves, Ltd., of Los Angeles, Calif., having appeared as claimant and having denied the allegations of the libel, trial was had before the court. Evidence having been introduced on behalf of the Government and the claimant and the case having been argued, the court found that the product in 5 of the variously numbered barrels was unfit for human consumption and ordered that it be destroyed and that the remainder be released to the claimant.

5515. Adulteration of frozen strawberries. U. S. v. 60 Barrels of Frozen Strawberries. Decree of condemnation. Product ordered released upon deposit of cash collateral, conditioned upon segregation and destruction of unfit portion. (F. D. C. No. 8908. Sample No. 19336-F.)

Examination of this product showed the presence of moldy and decomposed berries.