

ALLEGED SHIPMENT: On or about September 30, 1943, by the Mel Williams Co., Sonoma, Calif.

PRODUCT: 1,247 cases, each containing 24 cans, of pears at Cincinnati, Ohio.

LABEL, IN PART: (Cans) "Bungalow Brand Pieces Irregular Sizes in Heavy Syrup Bartlett Pears [or "Dawn O'Day Brand Pieces Irregular Sizes in Heavy Syrup California Bartlett Pears"] * * * Valley Canning Co. Sonoma, California Packers."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement "in Heavy Syrup," appearing on the label of the article, was false and misleading as applied to canned pears packed in sirup designated as "light syrup" in the regulations; and, Section 403 (g) (2), the product purported to be and was represented as a food for which a definition and standard of identity has been prescribed by regulations, and it failed to conform to the definition and standard since its label failed to bear the name of the optional pear ingredient, "Mixed Pieces of Irregular Sizes and Shapes," present in the food.

DISPOSITION: January 4, 1944. The Mel Williams Co., claimant, having admitted the facts in the libel, judgment of condemnation was entered. The product was ordered released under bond to be relabeled in accordance with the law under the supervision of the Food and Drug Administration.

DRIED FRUIT

5898. Adulteration of dates. U. S. v. 196 Flats of Dates. Default decree of condemnation and destruction. (F. D. C. No. 11445. Sample No. 58439-F.)

LIBEL FILED: December 16, 1943, District of Columbia.

ALLEGED SHIPMENT: On or about October 24, 1943, by the Paramount Fruit Export Co., Thermal, Calif.

PRODUCT: 196 15-pound flats of dates at Washington, D. C.

LABEL, IN PART: "Coachella Valley * * * Tasty Dates * * * Heggblade Marguleas Co. San Francisco."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of insect excreta and moldy and yeasty dates.

DISPOSITION: January 24, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5899. Adulteration of raisins. U. S. v. 18 Boxes of Raisins. Default decree of condemnation and destruction. (F. D. C. No. 11460. Sample No. 47716-F.)

LIBEL FILED: December 17, 1943, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about May 26, 1943, by the West Coast Growers & Packers, Dinuba, Calif.

PRODUCT: 18 25-pound boxes of raisins at St. Louis, Mo.

LABEL, IN PART: "Wesco Brand California Choice Thompson Seedless Raisins."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, larvae, insect fragments, and insect excreta.

DISPOSITION: January 12, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5900. Adulteration of raisins. U. S. v. 42 Cartons of Raisins. Default decree of condemnation and destruction. (F. D. C. No. 11461. Sample No. 47714-F.)

LIBEL FILED: December 17, 1943, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about June 11, 1943, by the Rosenberg Bros. & Co., Fresno, Calif.

PRODUCT: 42 30-pound cartons of raisins at St. Louis, Mo.

LABEL, IN PART: "Iris Brand California Thompson Seedless Raisins."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, larvae, insect fragments, and insect excreta.

DISPOSITION: January 13, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FRESH FRUIT

Nos. 5901 to 5909 report actions involving apples that bore a spray residue that contained lead or arsenic, or both, which might have rendered them injurious to health.

5901. Adulteration of apples. U. S. v. 15 Bushels of Apples. Default decree of condemnation and destruction. (F. D. C. No. 11037. Sample No. 47103-F.)

LIBEL FILED: October 15, 1943, Northern District of Illinois.

ALLEGED SHIPMENT: On or about September 17, 1943, by I. J. Pepper, Benton Harbor, Mich.

PRODUCT: 15 bushels of apples at Chicago, Ill.

LABEL, IN PART: "Jonathan F. W. Rodewald R 2 Watervliet, Mich."

VIOLATION CHARGED: Adulteration, Section 402 (a) (1), the apples contained an added poisonous or deleterious substance, lead, which might have rendered them injurious to health.

DISPOSITION: December 22, 1943. No claimant having appeared, the product was condemned and ordered destroyed.

5902. Adulteration of apples. U. S. v. 625 Boxes of Apples. Decree of condemnation. Product ordered released under bond for cleaning. (F. D. C. No. 11266. Sample No. 3932-F.)

LIBEL FILED: On or about November 10, 1943, Western District of Missouri.

ALLEGED SHIPMENT: On or about October 12, 1943, by J. K. McArthur, Entiat, Wash.

PRODUCT: 625 boxes of apples at Kansas City, Mo.

LABEL, IN PART: "J. K. McA—Delicious Pine Tree Brand Apples Grown And Packed by J. K. McArthur Entiat Washington," and "Delicious Pete's Best Brand Apples Shipped by Pete's Best Packing Co. * * * Dalles, Oregon."

VIOLATION CHARGED: Adulteration, Section 402 (a) (1), the product contained an added poisonous or deleterious substance, lead, which might have rendered it injurious to health.

DISPOSITION: November 30, 1943. J. K. McArthur having appear as claimant, the product was ordered condemned and released under bond to be cleaned or peeled.

5903. Adulteration of apples. U. S. v. 827 Cartons of Apples. Consent decree of condemnation. Product ordered released under bond to be brought into compliance with the law. (F. D. C. No. 11716. Sample No. 53919-F.)

LIBEL FILED: December 29, 1943, Southern District of California.

ALLEGED SHIPMENT: On or about December 1, 1943, by Ninth Street Skookum Growers, Inc., Wenatchee, Wash.

PRODUCT: 827 cartons of apples at Los Angeles, Calif.

LABEL, IN PART: "Blue Goose * * * American Fruit Growers Inc * * * Fancy Golden Delicious."

VIOLATION CHARGED: Adulteration, Section 402 (a) (1), the apples contained added poisonous or deleterious substances, arsenic and lead, which might have rendered them injurious to health.

DISPOSITION: March 17, 1944. The claimant, Ninth Street Skookum Growers, Inc., admitted the allegations of the libel. The product was condemned and ordered released under bond for reconditioning, which was accomplished by washing all applies that contained excessive spray residue.

5904. Adulteration of apples. U. S. v. 30 Bushels of Apples. Default decree of condemnation and destruction. (F. D. C. No. 11038. Sample No. 47105-F.)

LIBEL FILED: October 15, 1943, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 3 and 5, 1943, by Charles Emmert, Bangor, Mich.

PRODUCT: 30 bushels of apples at Chicago, Ill.

LABEL, IN PART: "U. S. No. 1 J. H. Huberty Breedsville, Mich. Jonathan."

VIOLATION CHARGED: Adulteration, Section 402 (a) (1), the apples contained an added poisonous or deleterious substance, lead, which might have rendered them injurious to health.

DISPOSITION: December 22, 1943. No claim having been entered; the product was condemned and ordered destroyed.