

**LABEL, IN PART:** (Jars) "Lippincott \* \* \* Selected Olives Stuffed With Sweet Peppers Packed By Lippincott Fine Food, Inc., Division of Max Ams, Inc., New York, N. Y."

**VIOLATIONS CHARGED:** Misbranding, Section 403 (a), in that the statement, "Selected Olives Stuffed With Sweet Peppers," which appeared in the labeling, was misleading since less than half of the olives in the jar were stuffed; and, Section 403 (d), in that the container was so filled as to be misleading since the method of packing two rows of olives with the stuffed ends facing out gave the impression that the jars contained all stuffed olives.

**DISPOSITION:** July 19, 1944. The Alterman Brothers, Atlanta, Ga., claimant, having admitted that the product was misbranded, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration.

**6117. Adulteration of prunes, in sirup. U. S. v. 499 Cases of Prunes in Syrup. Default decree of condemnation and destruction. (F. D. C. No. 10257. Sample No. 11325-F.)**

**LABEL FILED:** On July 14, 1943, in the Western District of Washington, against 298 cases; amended libel filed July 17, 1943, to cover a total of 499 cases.

**ALLEGED SHIPMENT:** On or about June 24, 1943, by the A. M. Beebe Co., Inc., from San Francisco, Calif.

**PRODUCT:** 499 cases, each containing 12 30-ounce jars, of prunes, in sirup, at Tacoma, Wash.

**LABEL, IN PART:** "Sun-Blest Prepared Prunes in Syrup \* \* \* Tiedemann & McMorran Distributors San Francisco, Calif."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of filthy substances, rodent hairs and insect excreta.

**DISPOSITION:** June 16, 1944. The sole intervenor having withdrawn its claim, judgment of condemnation was entered and the product was ordered destroyed.

#### DRIED FRUITS

**6118. Adulteration of apple chops. U. S. v. 390 Bags of Apple Chops. Default decree of condemnation and destruction. (F. D. C. No. 12828. Sample No. 59861-F.)**

**LABEL FILED:** On July 10, 1944, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about December 15, 1943, from Yakima, Wash.

**PRODUCT:** 390 bags, each containing 50 pounds, of apple chops, at Chicago, Ill., in possession of the Currier Lee Warehouse, Inc.

The product was stored under insanitary conditions after shipment. Some of the bags had been gnawed by rodents and contained rodent excreta. The bags on top of the pile were very dirty, and the dust had filtered through the bags onto the chops. Examination of samples showed that the product contained rodent excreta, rodent hair fragments, larvae, insect fragments, and dirty, moldy, and insect-damaged apple chops.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** October 11, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6119. Adulteration of dried figs. U. S. v. 184 Boxes of Dried Figs. Default decree of condemnation and destruction. (F. D. C. No. 12825. Sample No. 70646-F.)**

**LABEL FILED:** On or about June 30, 1944, Western District of Washington.

**ALLEGED SHIPMENT:** On or about April 10, 1944, from San Francisco, Calif., consigned by the Albert Asher Co.

**PRODUCT:** 184 boxes, each containing 25 pounds, of dried figs at Tacoma, Wash.

**LABEL, IN PART:** (Boxes) "Progreso Brand Choice California Black Figs."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), in that the product consisted in whole or in part of a filthy substance by reason of the presence of