

bond, conditioned that it be examined and that such portions as might be found fit for human consumption, wine-making, or distillation, be certified for these purposes, and that the remainder be destroyed, under the supervision of the Food and Drug Administration.

**11635. Adulteration of frozen black raspberries. U. S. v. 200 Cans \* \* \*.**  
(F. D. C. No. 20825. Sample No. 60723-H.)

**LIBEL FILED:** August 29, 1946, Western District of New York.

**ALLEGED SHIPMENT:** On or about July 31, 1946, by Otto W. Cuyler, from North East, Pa.

**PRODUCT:** 200 30-pound cans of frozen black raspberries at Rochester, N. Y.

**LABEL, IN PART:** "Fancy Black Raspberries Packed in Syrup Packed By Sunshine Packing Corporation of Pennsylvania North East, Pennsylvania."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of rotten raspberries.

**DISPOSITION:** September 26, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**11636. Adulteration and misbranding of frozen red raspberries in sirup. U. S. v. 176 Cases \* \* \*.**  
(F. D. C. No. 21211. Sample Nos. 58345-H, 64040-H.)

**LIBEL FILED:** October 1, 1946, District of Connecticut.

**ALLEGED SHIPMENT:** On or about August 8, 1946, by Musante, Berman & Steinberg Co., Inc., from New York, N. Y.

**PRODUCT:** 176 cases, each containing 24 16-ounce cartons, of red raspberries in sirup at Bridgeport, Conn. The cartons contained approximately 9 ounces of raspberries and 7 ounces of a sugar solution.

**LABEL, IN PART:** "Moon Winks Red Raspberries in Syrup Net Wt. 16 Oz. Packed by Midfield Packers Olympia, Wash."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), water and sugar had been substituted in part for raspberries.

Misbranding, Section 403 (d), the container of the article was so filled as to be misleading since the cartons appeared to contain more raspberries than they actually contained.

**DISPOSITION:** February 14, 1947. The Musante, Berman & Steinberg Co., Inc., 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 used in the manufacture of jams and preserves, under the supervision of the Food and Drug Administration.

**11637. Misbranding of frozen raspberries. U. S. v. 300 Cases \* \* \*.**  
(F. D. C. No. 20760. Sample Nos. 63931-H, 63932-H.)

**LIBEL FILED:** August 26, 1946, Southern District of New York.

**ALLEGED SHIPMENT:** On or about July 17, 1946, by Braddock Frosted Foods, Inc., from Braddock, N. J.

**PRODUCT:** 300 cases, each containing 24 cartons, of frozen raspberries at New York, N. Y. The product contained added sugar sirup.

**LABEL, IN PART:** "Braddock Frosted Foods Braddock, N. J."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (1) and (2), the article did not bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; Section 403 (i) (1), it failed to bear a label containing the common or usual name of the food; and, Section 403 (i) (2), it was fabricated from two or more ingredients, raspberries and sugar sirup, and did not bear a label stating the common or usual name of each ingredient.

**DISPOSITION:** October 2, 1946. Braddock Frosted Foods, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be repacked and relabeled so that it would comply with the law, under the supervision of the Food and Drug Administration.

**11638. Adulteration of frozen strawberries. U. S. v. 700 Cases, etc.**  
(F. D. C. Nos. 20845, 21397. Sample Nos. 61524-H, 62409-H.)