

**12703. Adulteration of canned raspberries. U. S. v. 64 Cases, etc. (and 1 other seizure action).** (F. D. C. Nos. 23812, 23813. Sample Nos. 7009-K, 7010-K, 7013-K.)

**LIBELS FILED:** October 17, 1947, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about August 6 and 16, 1947, by the Erie County Frosted Foods & Canning Corporation, from Angola, N. Y.

**PRODUCT:** 97 cases, each containing 24 1-pound, 4-ounce cans, of black raspberries and 18 cases, each containing 24 1-pound, 3-ounce cans, of red raspberries, at McKeesport and Pittsburgh, Pa.

**LABEL, IN PART:** "Pride of Evans Brand Black [or "Columbian Red"] Raspberries."

**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 berries.

**DISPOSITION:** January 5, 1948. Default decrees of condemnation and destruction.

**12704. Adulteration of dried apricots. U. S. v. 100 Cases \* \* \*.** (F. D. C. No. 24339. Sample No. 831-K.)

**LIBEL FILED:** February 11, 1948, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about November 22, 1947, by Rosenberg Bros. & Co., from Santa Clara, Calif.

**PRODUCT:** 100 cases, each containing 30 pounds, of dried apricots at Tampa, Fla.

**LABEL, IN PART:** "Tru-Ripe Brand Dried Apricots prepared with Sulphur Dioxide."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect-infested and dirty apricots.

**DISPOSITION:** March 19, 1948. Rosenberg Bros. & Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for use other than for human consumption, by conversion into stock feed, or for distillation purposes, under the supervision of the Federal Security Agency. On May 7, 1948, an order was entered, amending the decree previously entered and providing for the destruction of the product.

**12705. Adulteration of dried nectarines. U. S. v. 49 Cases \* \* \*.** (F. D. C. No. 24196. Sample No. 33220-K.)

**LIBEL FILED:** January 22, 1947, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about November 6, 1947, by the Bonner Packing Co., from Fresno, Calif.

**PRODUCT:** 49 30-pound cases of nectarines at Philadelphia, Pa.

**LABEL, IN PART:** "Bonner Brand Ungraded California Nectarines."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of larvae, beetles, and insect excreta.

**DISPOSITION:** January 7, 1947. The shipper having consented, judgment of condemnation was entered ordering the product destroyed.

**FRESH AND FROZEN FRUIT**

**12706. Adulteration of apples. U. S. v. 3,200 Bushels \* \* \*.** (F. D. C. No. 24360. Sample Nos. 6049-K, 6050-K.)

**LIBEL FILED:** January 2, 1948, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about December 1, 3, 6, 8, and 9, 1947, by the Chelan Apple Company, from Chelan, Wash.

**PRODUCT:** 3,200 bushel boxes of apples at Pittsburgh, Pa.

**LABEL, IN PART:** "Fancy Winesap \* \* \* Cream of Chelan Washington Apples Distributed by H. S. Denison & Co., Wenatchee, Washington."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (1), the product contained added poisonous and deleterious substances, arsenic and lead, which may have rendered it injurious to health.

**DISPOSITION:** January 8, 1948. H. S. Denison & Co., Inc., having appeared as claimant, judgment of condemnation was entered and the product was ordered

released under bond to be brought into compliance with the law by washing and brushing to remove the deleterious substances, under the supervision of the Federal Security Agency.

**12707. Adulteration of fresh and frozen blueberries. U. S. v. 14 Cans, etc.**  
(F. D. C. No. 23707. Sample Nos. 13005-K, 13006-K.)

**LIBEL FILED:** September 16, 1947, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about September 9, 1947, by Joseph Lanza, from Elwood, N. J.

**PRODUCT:** 14 40-pound cans of fresh blueberries and 98 40-pound cans of frozen blueberries at Philadelphia, Pa.

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

**DISPOSITION:** December 1, 1947. Default decree of condemnation and destruction.

**12708. Adulteration of frozen cherries. U. S. v. 272 Cans \* \* \* (and 1 other seizure action).** (F. D. C. Nos. 23933, 23940, 23941. Sample Nos. 30810-K, 30813-K to 30815-K, incl.)

**LIBELS FILED:** October 22 and 29, 1947, Southern District of California.

**ALLEGED SHIPMENT:** On or about August 12 and 15, 1947, by E. J. Nugent & Son, from Loveland, Colo.

**PRODUCT:** 514 30-pound cans of frozen cherries at Glendale and Long Beach, Calif.

**LABEL, IN PART:** "Frozen Montmorency R. S. P. Cherries."

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

**DISPOSITION:** December 29, 1947. Default decrees of condemnation and destruction.

**12709. Adulteration of frozen strawberries. U. S. v. 300 Cans \* \* \* (and 3 other seizure actions).** (F. D. C. Nos. 23698, 23706, 23741, 23757. Sample Nos. 55541-H, 85005-H to 85009-H, incl., 85715-H.)

**LIBELS FILED:** September 11, 12, and 16, 1947, District of Columbia, Middle District of North Carolina, and Western District of Pennsylvania.

**ALLEGED SHIPMENT:** Between the approximate dates of June 3 and August 6, 1947, by the Ivens & Hudson Oyster Co., from Rock Hall, Md.

**PRODUCT:** Frozen strawberries. 300 25-pound cans at Washington D. C.; 998 25-pound cans at Lexington, N. C.; and 350 25-pound cans and 1,967 cartons, each carton containing 24 1-pound packages, at Pittsburgh, Pa.

**LABEL, IN PART:** "Liberty Brand Frozen Whole Strawberries."

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

**DISPOSITION:** October 10, 13, and 17, 1947. The Ivens and Hudson Oyster Co., claimant, having admitted the allegations of the libels, judgments of condemnation were 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. The product was reconditioned by the removal of all decomposed berries.

**12710. Adulteration of frozen strawberries. U. S. v. 888 Cans \* \* \*. (F. D. C. No. 24288. Sample Nos. 3814-K, 3815-K.)**

**LIBEL FILED:** On or about February 2, 1948, District of Maryland.

**ALLEGED SHIPMENT:** On or about December 15, 1947, by the Kent Packing Co. from Washington, D. C. This was a return shipment.

**PRODUCT:** 888 cans, each containing 25 pounds, of frozen strawberries at Rock Hall, Md.

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

**DISPOSITION:** January 14, 1948. The Kent Packing Co., claimant, having admitted the allegations of the libel, 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.