

**PRODUCT:** 1,750 cans, each containing 20-pounds, of frozen blueberries at Portland, Maine.

**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 moldy blueberries. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** January 27, 1950. No claim having been filed with respect to the product, judgment of condemnation was entered and the court ordered that the product be destroyed.

**15829. Adulteration of frozen black raspberries. U. S. v. 18 Cans, etc. (F. D. C. No. 28564. Sample No. 72004-K.)**

**LABEL FILED:** December 14, 1949, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about July 10, 1949, by the Lawrence Frozen Foods Co., from Lawrence, Mich.

**PRODUCT:** 94 25-pound cans of frozen black raspberries at Columbus, Ohio.

**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 moldy berries.

**DISPOSITION:** February 7, 1950. Default decree of destruction.

#### MISCELLANEOUS FRUIT PRODUCTS

**15830. Adulteration and misbranding of peach fountain fruit and pineapple fountain fruit. U. S. v. 23 Cases \* \* \* (and 4 other seizure actions). Tried to the court. Verdict for Government. Decree of condemnation. (F. D. C. Nos. 22292, 22302, 22303, 22317, 22918. Sample Nos. 43178-H, 43196-H, 69701-H, 69702-H, 90735-H.)**

**LABELS FILED:** Between the approximate dates of February 18 and April 10, 1947, Western District of Virginia, Northern District of Illinois, and Eastern District of Tennessee.

**ALLEGED SHIPMENT:** Four lots of fountain fruits were shipped on or about November 7, 11, 12, and 20, 1946, by Southland Preserving Co., Inc., from Chattanooga, Tenn., and 1 other lot was returned to the company in a shipment made from Washington, D. C., on or about January 31, 1947.

**PRODUCT:** 471 cases, each containing 24 14-ounce jars, of fountain fruit at Radford and Roanoke, Va., Chicago, Ill., and Chattanooga, Tenn.

**LABEL, IN PART:** (Jars) "Southland Peach Fountain Fruit (Delicious as a Spread) Contains: Peach, Grain Syrup, Sugar, Citric Acid, Vegetable Gums, and  $\frac{1}{10}$  of 1% Sodium Benzoate," "Tara [or "Southland"] Pineapple Fountain Fruit Contains: Pineapple, Sugar, Honey, Grain Syrup, Citric Acid, Vegetable Gums, and  $\frac{1}{10}$  of 1% Sodium Benzoate," and "Tara \* \* \* Pineapple Fountain Fruit Contains: Pineapple, Pear, Peaches, Sugar, Grain Syrup, Citric Acid, Vegetable Gums and  $\frac{1}{10}$  of 1% sodium benzoate."

**NATURE OF CHARGE:** Peach fountain fruit. Adulteration, Section 402 (b) (2), a substance consisting primarily of a mixture of peaches and sugar, or sugars, and having a soluble-solids content of less than 65 percent, had been substituted for peach preserves. Misbranding, Section 403 (g) (1), the article purported to be peach preserves, and it failed to conform to the definition and standard of identity for peach preserves since the soluble-solids content