

DISPOSITION: May 19, 1950. The Rogue River Packing Corp., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled, under the supervision of the Food and Drug Administration.

16132. Misbranding of canned pears. U. S. v. 247 Cases * * *. (F. D. C. No. 28815. Sample Nos. 34196-K, 54722-K.)

LIBEL FILED: January 25, 1950, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about October 25, 1949, by the Bercut-Richards Packing Co., from Sacramento, Calif.

PRODUCT: 247 cases, each containing 48 1-pound cans, of pears at New Orleans, La.

LABEL, IN PART: "Sacramento Brand Bartlett Pear Halves In Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned pears since the pears failed to meet the test for tenderness prescribed in the standard and the label failed to bear a statement that the product fell below the standard.

DISPOSITION: May 4, 1950. The Bercut-Richards Packing Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled, under the supervision of the Food and Drug Administration.

16133. Adulteration of canned black raspberries. U. S. v. 200 Cases * * *. (F. D. C. No. 28861. Sample No. 42625-K.)

LIBEL FILED: March 6, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about August 2, 1949, by Michigan Fruit Cannery, Inc., from South Haven, Mich.

PRODUCT: 200 cases, each containing 6 6-pound, 6-ounce cans, of black raspberries at Chicago, Ill.

LABEL, IN PART: (Can) "Mt. Baker Brand."

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 moldy berries.

DISPOSITION: May 18, 1950. Default decree of condemnation and destruction.

16134. Adulteration of canned black raspberries. U. S. v. 36 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 28418, 28610. Sample Nos. 46357-K, 47778-K.)

LIBELS FILED: On or about December 5, 1949, and January 3, 1950, Southern District of West Virginia and Southern District of Illinois.

ALLEGED SHIPMENT: On or about August 11 and November 22, 1949, by Michigan Fruit Cannery, Inc., Benton Harbor, Mich.

PRODUCT: Black raspberries. 36 cases at Williamson, W. Va., and 118 cases at Galesburg, Ill. Each case contained 24 15-ounce cans.

LABEL, IN PART: "Bonny Lass Brand [or "Dolly Madison Brand"] Michigan Black Raspberries."