

largest unit in the container of the article was more than twice the weight of the smallest unit; and the label of the article failed to bear a statement that it fell below such standard.

**DISPOSITION:** December 7, 1951. Default decree of condemnation. The court ordered that the product be delivered to a State institution.

**17977. Adulteration of canned crushed pineapple. U. S. v. 2,897 Cases \* \* \***  
(F. D. C. No. 31487. Sample Nos. 21768-L, 21769-L.)

**LIBEL FILED:** August 21, 1951, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about November 25, 1949, from New York, N. Y.

**PRODUCT:** 2,897 cases, each containing 6 6-pound, 8-ounce cans, of crushed pineapple at New Orleans, La. The product was undergoing progressive decomposition.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** September 26, 1951. Default decree of condemnation and destruction.

#### FROZEN FRUIT

**17978. Supplement to notice of judgment on foods, No. 17127. Violation of probation. U. S. v. Joseph A. Prime (Prime Canning Co.). Fine of \$500 and sentence of 1 year in jail. Jail sentence suspended and defendant placed on probation for 1 year. (F. D. C. No. 30064. Sample No. 74890-K.)**

On March 5, 1951, upon a plea of guilty to the charge of introducing and delivering for introduction into interstate commerce adulterated frozen strawberries, the defendant, Joseph A. Prime, was fined \$500 and sentenced to 1 year in jail. The jail sentence was suspended, however, and he was placed on probation for 1 year.

On January 21, 1952, the defendant was brought before the court on a charge of violating his probation by packing unfit strawberries on June 25 and 28, 1951, which were shipped in interstate on or about December 3, 1951. A hearing was held on January 25, 1952, at the conclusion of which the court revoked the previous probation sentence and imposed a new fine of \$500 to be paid by February 4, 1952. A new sentence of 1 year in jail was imposed, which sentence was suspended and the defendant again was placed on probation for 1 year.

**17979. Supplement to notice of judgment on foods, No. 12344. Adulteration of frozen strawberries. U. S. v. 1,600 Cans (and 1 other seizure action). (F. D. C. Nos. 23369, 23441. Sample Nos. 39281-H, 39282-H, 39294-H, 39295-H.)**

On September 23, 1947, decrees of condemnation were entered ordering 1,600 30-pound cans, 81 450-pound drums, and 30 450-pound barrels of frozen strawberries at Green Bay, Wis., which were shipped by M. W. Miller & Co., from New Orleans, La., and which consisted in whole or in part of a decomposed substance by reason of the presence of decomposed and moldy berries, released under bond to be brought into compliance with the law by segregating the good strawberries from the bad, under the supervision of the Food and Drug Administration.