

claimant; that the second be disposed of as ordered by the Food and Drug Administration; and that the third be released for reprocessing by Paulus Bros., Salem, Oreg., under the supervision of the Food and Drug Administration. 389 cases of the product were delivered to Paulus Bros. and were re-canned, resulting in the salvaging of 358½ cases.

DRIED FRUIT

18830. Adulteration of dried mixed fruit and dried pears. U. S. v. 50 Cartons, etc. (and 1 other seizure action). (F. D. C. Nos. 32999, 33022. Sample Nos. 1970-L to 1972-L, incl., 5093-L.)

LIBELS FILED: March 31 and April 8, 1952, Southern District of Florida and District of Massachusetts.

ALLEGED SHIPMENT: On or about February 15 and 28, 1952, by Rosenberg Bros. & Co., Inc., from Oakland and Fresno, Calif.

PRODUCT: 50 cartons, each containing 24 12-ounce packages, of dried mixed fruit, and 8 cartons, each containing 24 1-pound bags, 6 cartons, each containing 25 pounds, and 24 cartons, each containing 24 12-ounce packages, of dried pears, at Miami, Fla., and Somerville, Mass.

LABEL, IN PART: "Sugarripe Fancy Mixed Fruit," "Sugarripe Brand California Dried Fruits Large Pears," "Ensign Brand California Dried Fruit Fancy Pears," and "Ensign Brand California Dried Fancy Halved Pears."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of insects, insect excreta, rodent hairs, and rodent excreta; and, Section 402 (a) (4), the articles had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: June 2, 1952. Default decrees of condemnation and destruction.

VEGETABLES

18831. Adulteration of dried kidney beans. U. S. v. 500 Cases * * * (F. D. C. No. 32574. Sample No. 10530-L.)

LIBEL FILED: March 5, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 23, 1951, by the Washburn-Wilson Seed Co., from Batavia, N. Y.

PRODUCT: 500 cases, each containing 24 1-pound packages, of dried kidney beans at Chicago, Ill.

LABEL, IN PART: "Washburn's Fancy Kidney Beans."

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 stones and hardened clumps of dirt.

DISPOSITION: April 3, 1952. The shipper, 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 brought into compliance with the law by cleaning and the removing of all foreign matter, under the supervision of the Food and Drug Administration. A total of 90 pounds of dirt and foreign materials was destroyed.