

ALLEGED SHIPMENT: On or about August 4, 1948, by Mrs. J. Alonis, from Tobyhanna, Pa.

PRODUCT: Blueberries. 1 crate of 32 1-quart baskets, and 28 1-quart baskets, at Buffalo, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance. (Analysis showed that the product was infested with maggots or larvae.)

DISPOSITION: September 7, 1948. Default decree of condemnation and destruction.

14438. Adulteration of grapefruit. U. S. v. 255 Crates * * *. (F. D. C. No. 26557. Sample No. 46526-K.)

LIBEL FILED: February 23, 1949, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about February 12, 1949, by the Kunik & Gerrick Co., from McAllen, Tex.

PRODUCT: 255 crates of grapefruit at St. Louis, Mo.

LABEL, IN PART: "Texas Citrus Fruits Indian Brand * * * Seedless Pink 54."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food because of dryness due to frost damage.

DISPOSITION: March 28, 1949. Default decree of condemnation and destruction.

14439. Adulteration of frozen strawberries and frozen red raspberries. U. S. v. Red Bird Frosted Food Co. and Morris Bloom. Pleas of guilty. Sentence against company suspended. Individual fined total of \$2,500 on 3 counts, with imposition of sentence suspended for 3 years on count 4. (F. D. C. No. 25322. Sample Nos. 13231-K, 13232-K, 13236-K, 13237-K.)

INFORMATION FILED: November 5, 1948, District of New Jersey, against the Red Bird Frosted Food Co., a partnership, Camden, N. J., and Morris Bloom, a partner.

ALLEGED SHIPMENT: On or about June 8, 9, 23, and 25, 1948, from the State of New Jersey into the State of Pennsylvania.

LABEL, IN PART: "Frozen Strawberries [or "Frozen Red Raspberries in Syrup"] Packed by M. Bloom & Co. Camden, N. J."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the strawberries consisted in part of a decomposed substance by reason of the presence of rotten strawberries; and, Section 402 (b) (4), water had been added to the raspberries and mixed and packed with them so as to increase their bulk and weight and reduce their quality and strength.

DISPOSITION: December 10, 1948. Pleas of guilty having been entered, the court suspended sentence against the partnership, fined Morris Bloom a total of \$2,500 on three counts, and suspended imposition of sentence on count four against the individual for three years.

14440. Adulteration of frozen strawberries. U. S. v. M. W. Miller & Co. and Mike W. Miller. Pleas of nolo contendere. Each defendant fined \$750. (F. D. C. No. 24567. Sample Nos. 39453-H, 76521-H.)

INFORMATION FILED: June 14, 1948, Eastern District of Louisiana, against M. W. Miller & Co., a corporation, Hammond, La., and Mike W. Miller, president.

ALLEGED SHIPMENT: On or about April 30 and June 2, 1947, from the State of Louisiana into the States of Illinois and Texas.

LABEL, IN PART: "All Star Brand."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance, namely, decomposed berries.

DISPOSITION: February 18, 1949. Pleas of nolo contendere having been entered, each defendant was fined \$750.

14441. Adulteration of frozen strawberries. U. S. v. Fast Frozen Foods, Inc. Plea of nolo contendere. Fine of \$50 and costs. (F. D. C. No. 25311. Sample Nos. 15224-K, 15225-K.)

INFORMATION FILED: October 8, 1948, Western District of Kentucky, against Fast Frozen Foods, Inc., Paducah, Ky.

ALLEGED SHIPMENT: On or about May 27, 1948, from the State of Kentucky into the State of Illinois.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a decomposed substance by reason of the presence of moldy berries.

DISPOSITION: April 18, 1949. A plea of nolo contendere having been entered, the court imposed a fine of \$50 and costs.

14442. Adulteration of frozen strawberries. U. S. v. 787 Cans, etc. (F. D. C. No. 24953. Sample Nos. 15224-K, 15225-K.)

LABEL FILED: June 23, 1948, Northern District of Illinois.

ALLEGED SHIPMENT: On or about May 27, 1948, by Fast Frozen Foods, Inc., from Paducah, Ky.

PRODUCT: 787 22-pound cans and 158 30-pound cans of frozen strawberries at Chicago, Ill.

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: November 18, 1948. Default decree of condemnation and destruction.

14443. Adulteration and misbranding of frozen mixed fruit. U. S. v. 6 Cartons * * *. (F. D. C. No. 26243. Sample No. 29372-K.)

LABEL FILED: January 7, 1949, District of Colorado.

ALLEGED SHIPMENT: On or about October 11, 1948, by Birds Eye Snider, from Hillsboro, Oreg.

PRODUCT: 6 cartons, each containing 48 1-pound packages, of frozen mixed fruit at Denver, Colo.

LABEL, IN PART: "Birds Eye Brand Quick-Frozen Mixed Fruit with Syrup Apricots, Boysenberries, Raspberries, Seedless Grapes."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, apricots, had been omitted; and, Section 402 (b) (2), a mixture predominantly of peaches and black and red cherries, with boysenberries, raspberries, and grapes, had been substituted in whole or in part for apricots, boysenberries, raspberries, and seedless grapes.

Misbranding, Section 403 (a), the label statement "Apricots, Boysenberries, Raspberries, Seedless Grapes" was false and misleading; and, Section 403