

DISPOSITION: December 1, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution. The decree provided further that the apples be peeled before use and that the peelings be destroyed.

**14228. Adulteration of fresh huckleberries. U. S. v. 100 Crates, etc. (F. D. C. No. 25835. Sample No. 8946-K.)**

**LIBEL FILED:** August 5, 1948, Southern District of New York.

**ALLEGED SHIPMENT:** On or about August 4, 1948, by Scoblick Bros., from Archbald, Pa.

**PRODUCT:** Huckleberries. 100 crates, each containing 24 quarts, and 15 crates, each containing 32 quarts, at New York, N. Y. Examination showed that the product was infested with maggots.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy, putrid, or decomposed vegetable substance.

**DISPOSITION:** August 11, 1948. Default decree of condemnation and destruction.

**14229. Adulteration of frozen peaches. U. S. v. 1,000 Cans \* \* \*. (F. D. C. No. 26190. Sample Nos. 29029-K, 29034-K.)**

**LIBEL FILED:** November 30, 1948, Western District of Texas.

**ALLEGED SHIPMENT:** On or about October 23, 1945, from Lewiston, Idaho.

**PRODUCT:** 1,000 30-pound cans of frozen peaches at El Paso, Tex.

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

**DISPOSITION:** February 11, 1949. Default decree of condemnation. The product was ordered delivered to a Federal institution, for use as animal feed.

**14230. Adulteration of frozen strawberries. U. S. v. 446 Cans (and 1 other seizure action). (F. D. C. Nos. 25184, 25755. Sample Nos. 281-K, 8958-K.)**

**LIBELS FILED:** July 20 and September 15, 1948, Middle District of Georgia and Southern District of New York.

**ALLEGED SHIPMENT:** On or about May 20 and June 16 and 18, 1948, by the Bateman Frozen Foods Co., Macon, Ga., and Mobile, Ala.

**PRODUCT:** Frozen strawberries. 446 cans, each containing 45 to 50 pounds, and 19 cans, each containing 30 pounds, at Macon, Ga.; and 50 cans, each containing 25 pounds, at New York, N. Y.

**LABEL, IN PART:** (Portion) "Frozen Dixiana 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 rotten and moldy strawberries.

**DISPOSITION:** September 30, 1948, and January 6, 1949. Default decrees of condemnation and destruction.

**14231. Adulteration of frozen strawberries. U. S. v. 75 Cans \* \* \* (F. D. C. No. 25902. Sample No. 23780-K.)**

**LIBEL FILED:** November 4, 1948, Southern District of Texas.

**ALLEGED SHIPMENT:** On or about September 17, 1948, by Pictsweet Foods, Inc., from Monroe, Wash.

**PRODUCT:** 75 30-pound cans of frozen strawberries at Houston, Tex.

**LABEL, IN PART:** (Cans) "Marshall Strawberries 4 plus 1 mix 30 lbs. net."

**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 decomposed berries.

**DISPOSITION:** December 14, 1948. Default decree of condemnation. The product was ordered delivered to a public institution, for use as stock feed.

**14232. Adulteration of frozen strawberries. U. S. v. 198 Tins \* \* \*.**  
(F. D. C. No. 25258. Sample No. 37282-K.)

**LIBEL FILED:** August 13, 1948, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about July 12, 1948, by the Hershey Packing Co., from Snohomish, Wash.

**PRODUCT:** 198 28-pound tins of frozen strawberries at Cleveland, Ohio.

**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 mold.

**DISPOSITION:** September 8, 1948. Consent decree of destruction.

#### MISCELLANEOUS FRUIT PRODUCTS \*

**14233. Adulteration and misbranding of apple butter. U. S. v. 44 Cases \* \* \***  
(and 1 other seizure action). (F. D. C. Nos. 26028, 26029. Sample Nos. 2534-K, 40156-K.)

**LIBELS FILED:** November 10 and 12, 1948, District of Maryland and Southern District of West Virginia.

**ALLEGED SHIPMENT:** On or about October 7 and 12, 1948, by the Roanoke Apple Products Co., from Roanoke, Va.

**PRODUCT:** Apple butter. 44 cases at Baltimore, Md., and 24 cases at Charleston, W. Va. Each case contained 12 1-pound, 12-ounce jars.

**LABEL, IN PART:** "Old Kettle Brand Apple Butter."

**NATURE OF CHARGE:** Adulteration, Section 402(b) (2), a product of less than 43 percent soluble solids had been substituted for apple butter.

Misbranding, Section 403(g) (1), the product failed to conform to the definition and standard of identity for apple butter since the soluble-solids content was less than 43 percent.

**DISPOSITION:** December 7 and 17, 1948. Default decrees of condemnation. The product was ordered delivered to charitable institutions.

**14234. Adulteration of pineapple jelly. U. S. v. 7 Cases \* \* \*.** (F. D. C. No. 25863. Sample No. 2284-K.)

**LIBEL FILED:** October 18, 1948, District of Maryland.

**ALLEGED SHIPMENT:** On or about June 10, 1947, from Columbus, Ohio.

**PRODUCT:** 7 cases, each containing 24 1-pound jars, of pineapple jelly at Cumberland, Md.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product was unfit for food by reason of the presence of large sugar crystals. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** December 2, 1948. Default decree of condemnation and destruction.

\*See also No. 14276.