

Birmingham, Ala., alleging that the article had been shipped in interstate commerce by the Haserot Co. from Northport, Mich., on or about October 21, 1940; and charging that it was misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard. The article was labeled in part: "Colonial Sour Pitted Red Cherries."

On March 21, 1941, the Haserot Co., agent for Northport Cherry Factory, Inc., having appeared as claimant, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be relabeled in accordance with the law under the supervision of the Food and Drug Administration.

1610. Misbranding of canned cherries. U. S. v. 12 Cases of Cherries. Default decree of condemnation and destruction. (F. D. C. No. 3455. Sample No. 44125-E.)

On December 3, 1940, the United States attorney for the District of Nebraska filed a libel against 12 cases, each containing 6 No. 10 cans, of cherries at Scottsbluff, Nebr., alleging that the article had been shipped in interstate commerce on August 13, 1940, by the Loveland Canning Corporation from Loveland, Colo.; and charging that it was misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard. It was labeled in part: (Cans) "Valley Home Brand Red Sour Pitted Cherries."

On April 14, 1941, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

1611. Misbranding of canned cherries. U. S. v. 37 Cases of Canned Cherries. Consent decree entered. Product ordered released under bond for relabeling. (F. D. C. No. 3500. Sample No. 52523-E.)

On December 11, 1940, the United States attorney for the District of Idaho filed a libel against 37 cases of canned cherries at Wallace, Idaho, alleging that the article had been shipped in interstate commerce on or about October 28 and November 18, 1940, by the Roundup Grocery Co. from Spokane, Wash.; and charging that it was misbranded. The article was labeled in part: (Cans) "Falls Brand Red Water Pack Pitted Sour Cherries."

The article was alleged to be misbranded in that it purported to be a food which a standard of quality had been prescribed by regulations as provided by law, but its quality fell below such standard and its label did not bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On January 27, 1941, the Spokane Valley Canning Co., Spokane, Wash., claimant, having consented to the entry of a decree, judgment was entered ordering that the product be released under bond conditioned that it be relabeled.

1612. Misbranding of canned cherries. U. S. v. 61 Cases of Canned Cherries. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 3598. Sample No. 44196-E.)

On January 14, 1941, the United States attorney for the District of Wyoming filed a libel against 61 cases of canned cherries at Sheridan, Wyo., alleging that the article had been shipped in interstate commerce on or about September 12, 1940, by the Woods Cross Canning Co. from Clearfield, Utah; and charging that it was misbranded. It was labeled in part: "Woods Cross Brand Water Packed Cherries."

The article was alleged to be misbranded in that it was represented to be canned pitted cherries but fell below the standard of quality prescribed by regulations provided by law for canned pitted cherries.

On January 28, 1941, the Woods Cross Canning Co. having appeared as claimant, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration.

1613. Adulteration of canned huckleberries. U. S. v. 264 Cartons of Canned Huckleberries (and 5 other seizure actions against canned huckleberries). Default decrees of condemnation and destruction. (F. D. C. Nos. 3393, 3409, 3835, 3860, 3899, 3904. Sample Nos. 26557-E, 32179-E, 32180-E, 32766-E, 45954-E, 52152-E.)

This product contained insect larvae. One lot also contained spiders, moths, and other insects.

Between November 15, 1940, and March 3, 1941, the United States attorneys for the Northern District of California, the District of Oregon, and the Southern District of California filed libels against 264 cartons and 100 cases of canned huckleberries at San Francisco, Calif., 670 cases at Los Angeles, Calif., 13 cases at Portland, Oreg., and 14 cases at Long Beach, Calif., alleging that the article had been shipped in interstate commerce within the period from on or about October 3, 1940, to on or about February 4, 1941, by the Midfield Packers from Olympia, Wash.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. Portions of the article were labeled in part variously: "Stiefvaters' Best O. K. * * * Water Pack Huckleberries," "Moon Winks Brand Water Pack Huckleberries," and "Sherwood's Water Huckleberries."

Between January 10 and April 4, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

1614. Adulteration of canned huckleberries. U. S. v. 494 Cartons of Canned Huckleberries. Default decree of condemnation and destruction. (F. D. C. No. 3326. Sample No. 45954-E.)

This product contained insect larvae.

On November 4, 1940, the United States attorney for the District of Colorado filed a libel against 494 cartons of canned huckleberries at Denver, Colo. (consigned by Midfield Packers), alleging shipment of said article on or about October 17, 1940, from Olympia, Wash.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Midfield Brand Water Pack Huckleberries."

On January 10, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1615. Adulteration of canned huckleberries. U. S. v. 250 Cartons of Huckleberries (and 4 other cases against canned huckleberries). Default decrees of condemnation and destruction. (F. D. C. Nos. 3412, 3922, 3923, 4059, 4060. Sample Nos. 26568-E, 46477-E, 46479-E, 56501-E, 56509-E.)

Examination showed that this product contained maggots.

On December 5, 1940, and March 6, 8, 26, and 27, 1941, the United States attorneys for the Southern District of New York and the Eastern District of New York filed libels against 250 cartons and 292 cases each containing 6 No. 10 cans of huckleberries at New York, N. Y., 48 cases each containing 6 No. 10 cans at Brooklyn, N. Y., and 59 cases each containing 6 No. 10 cans at Maspeth, Long Island, N. Y., alleging that the article had been shipped in interstate commerce on or about October 31, 1940, by Olympia Canning Co. from Olympia, Wash.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. It was labeled in part: "Three Castles Brand Huckleberries * * * Embassy Grocery Corp. Distributors New York, N. Y.;" and "Household Brand Huckleberries Olympia Canning Company."

On December 30, 1940, and March 28, April 14 and 26, and May 6, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

1616. Adulteration of canned crushed pineapple. U. S. v. 48 Cases of Canned Pineapple. Default decree of condemnation and destruction. (F. D. C. No. 3408. Sample No. 16906-E.)

Examination showed the presence of decomposed fruit in this product.

On November 19, 1940, the United States attorney for the District of Kansas filed a libel against 48 cases, each containing 6 No. 10 cans, of crushed pineapple at Hutchinson, Kans., alleging that the article had been shipped in interstate commerce on or about August 8, 1940, by Arthur Serra & Co. from Texas City, Tex.; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. It was labeled in part: "Cuban Beauty Brand."

On January 17, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1617. Adulteration of canned peas. U. S. v. 17 Cases of Canned Peas. Default decree of condemnation and destruction. (F. D. C. No. 2183. Sample No. 28303-E.)

This product was in whole or in part decomposed.

On June 8, 1940, the United States attorney for the Western District of Virginia filed a libel against 17 cases of canned peas at Woodstock, Va., alleging that the article had been transported in interstate commerce by Boyer Grocery