2905. Adulteration of blueberries. U. S. v. 4 Crates of Blueberries. Default decree of condemnation and destruction. (F. D. C. No. 5371. Sample No. 74298–E.)

On August 6, 1941, the United States attorney for the Southern District of New York filed a libel against 4 crates, each containing 24 quarts, of blueberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 3, 1941, by R. Eldridge from Clarksburg, N. J.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance. The article was unlabeled.

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

2906. Adulteration of blueberries. U. S. v. 71 Crates of Blueberries. Default decree of condemnation and destruction. (F. D. C. No. 5373. Sample No. 74301–E.)

On August 6, 1941, the United States attorney for the Southern District of New York filed a libel against 71 24-quart crates of blueberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 3, 1941, by Kostick Bros., from Hazleton, Pa.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed vegetable substance. The article was labeled in part: "Schuylkill County Pennsylvania Fancy Blueberries * * * A–1."

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

2907. Adulteration of blueberries. U. S. v. 6 Crates of Blueberries. Default decree of condemnation and destruction. (F. D. C. No. 5372. Sample No. 74300–E.)

On August 6, 1941, the United States attorney for the Southern District of New York filed a libel against 6 crates, each containing 24 unlabeled quart baskets, of blueberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 3, 1941, by John Massarelli from Hammonton, N. J.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed vegetable substance.

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

FROZEN STRAWBERRIES

Nos. 2908 and 2909 report actions based on interstate shipments of frozen strawberries examination of which disclosed the presence of moldy berries.

2908. Adulteration of frozen strawberries. U. S. v. R. D. Bodle Co. Plea of guilty. Fine, $500 and costs. (F. D. C. No. 5522. Sample Nos. 47416–E, 47420–E.)

On January 7, 1942, the United States attorney for the Western District of Washington filed an information against R. D. Bodle Co., a corporation at Seattle, Wash., alleging shipment on or about December 9, 1940, from the State of Washington into the State of Illinois, of a quantity of frozen strawberries that were adulterated in that they consisted in whole or in part of a decomposed substance. The article was labeled in part: "Marshall Strawberries."

On January 7, 1942, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of $500 and costs.

2909. Adulteration of frozen strawberries. U. S. v. 19 Barrels of Frozen Strawberries. Consent decree of condemnation and destruction. (F. D. C. No. 5680. Sample No. 61534–E.)

On September 11, 1941, the United States attorney for the Western District of Washington filed a libel against 19 barrels of frozen strawberries at Sumner, Wash., alleging that the article had been shipped in interstate commerce within the period from on or about May 30 to on or about June 14, 1941, by Washington Packers, Inc., from Rainier, Oreg.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: "Dewkist Brand Strawberries Straight Unclassified."

On December 15, 1941, the Washington Packers, Inc., having appeared as claimant, the court granted the claimant's motion for a bill of particulars. However, on January 26, 1942, the claimant having withdrawn its claim and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.