25-pound boxes of mixed fruits at Fresno, Calif., alleging that the articles had been shipped in interstate commerce on or about February 26, 1942, by Knoebel Mercantile Co. from Denver, Colo.; and charging that they were adulterated in that they consisted in whole or in part of filthy substances. These dried fruits originally had been shipped from Fresno, Calif., by the Vagim Packing Co. to Denver and were returned by the consignee. The articles were labeled in part: "Plump and Meaty Brand Choice Recleaned Yellow Peaches [or "California Mixed Fruits * * * Contains Peaches Pears Apricots Prunes"] Packed By Vagim Packing Co."

On April 17, 1942, Vagim Packing Co., Fresno, Calif., claimant, having admitted the allegations of the libel, judgments of condemnation were entered and the products were ordered released under bond to be reconditioned under the supervision of the Food and Drug Administration. The products were sorted with the object of eliminating all unfit fruit. The sorting was only partially successful and all but 44 cases were denatured and sold as hog feed.

3779. Adulteration of dried pears. U. S. v. Dominic Schiro (D. Schiro). Plea of guilty. Fine, $250. (F. D. C. No. 7239. Sample No. 22865-E.)

Samples of this product were found to contain insect excreta pellets, dead insects and larva, and rodent or other animal hairs.

On June 12, 1942, the United States attorney for the Northern District of California filed an information against Dominic Schiro, trading as D. Schiro at San Francisco, Calif., alleging shipment on or about November 14, 1941, from the State of California into the State of New York of a quantity of dried pears which were adulterated in that they consisted in whole or in part of a filthy substance.

On June 30, 1942, a plea of guilty was entered by the defendant and the court imposed a fine of $250.

3780. Adulteration of dried pears. U. S. v. 78 Boxes of Dried Pears. Default decree of condemnation and destruction. (F. D. C. No. 7492. Sample No. 86557-E.)

Examination of this product showed that it was insect-infested.

On May 19, 1942, the United States attorney for the Northern District of Illinois filed a libel against 78 boxes of dried pears at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about February 28, 1942, by Peloian Packing Co. from Reedley, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. It was labeled in part: "Extra Choice Northern Pears Distributed By Sprague, Warner & Co. Chicago, Ill."

On July 22, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3781. Adulteration of dried pears. U. S. v. 14 Cases of Dried Pears. Default decree of condemnation and destruction. (F. D. C. No. 7479. Sample Nos. 93318-E, 93448-E.)

Examination showed that this product was insect-infested and dirty and that it contained rodent pellet fragments.

On May 7, 1942, the United States attorney for the Western District of Washington filed a libel against 14 cases of dried pears at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about February 20, 1942, by Valley View Packing Co. from San Jose, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. It was labeled in part: "Valley View Brand Extra Choice Light Nor. Pears."

On July 27, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

POULTRY

3782. Adulteration of dressed poultry. U. S. v. Cudahy Packing Co. Plea of guilty. Fine, $100 and costs. (F. D. C. No. 7218. Sample No. 62445-E.)

On May 28, 1942, the United States attorney for the District of Nebraska filed an information against the Cudahy Packing Co., a corporation, at Omaha, Nebr., alleging shipment on or about November 6, 1941 from the State of Nebraska into the State of Illinois of a quantity of poultry that was adulterated in that it consisted in whole or in part of a putrid and decomposed substance, and in that it was in whole or in part the product of diseased animals, namely, diseased poultry.