FROZEN FRUITS

Nos. 4812 to 4814 report the seizure and disposition of frozen strawberries found to be moldy, decomposed, or both.

4812. Adulteration of frozen strawberries. U. S. v. 83 Barrels of Frozen Strawberries. Consent decree of condemnation. Product ordered released under bond for segregating and destroying or denaturing the unfit portion. (F. D. C. No. 8926. Sample No. 17122-F.)

On November 27, 1942, the United States attorney for the Northern District of New York filed a libel against 83 barrels, each containing 440 pounds, of frozen strawberries at Albany, N. Y., alleging that the article had been shipped in interstate commerce on or about September 23, 1942, by the Borden Co., Everett, Wash.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On March 19, 1943, the Borden Company, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that the unfit portion be segregated and destroyed or denatured under the supervision of the Food and Drug Administration.

4813. Adulteration of frozen strawberries. U. S. v. 18 Barrels of Frozen Strawberries. Tried to the court. Decree ordering release of 10 of the barrels and destruction of the remainder. (F. D. C. No. 9233. Sample No. 14952-F.)

On January 23, 1943, the United States attorney for the Southern District of California filed a libel against 18 485-pound barrels of frozen strawberries at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about December 21, 1942, by the Tacoma Ice Co. from Tacoma, Wash.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "North Wind Packing Co., Inc., Sumner, Wash. Marshall Strawberries."

On April 21, 1943, the North Wind Packing Co., Inc., of Sumner, Wash., having appeared as claimant, the case came on for trial before the court without a jury. After hearing the evidence and arguments of counsel, the court entered a decree providing for the release of 10 of the barrels seized, (only 14 barrels were seized), and condemnation and destruction of the remainder.

4814. Adulteration of frozen strawberries. U. S. v. 71 Barrels of Frozen Strawberries. Decree of condemnation. Product ordered released under bond for reconditioning. (F. D. C. No. 9206. Sample No. 14919-F, 14924-F, 14946-F.)

On January 15, 1943, the United States attorney for the Southern District of California filed a libel against 71 barrels of strawberries at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about October 26, 1942, by Cascade Frozen Foods, Inc., Seattle, Wash.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On February 19, 1943, Cascade Frozen Foods, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reconditioning under the supervision of the Food and Drug Administration. Reconditioning was accomplished by sorting out and destroying the bad portion.

OTHER FRUIT PRODUCTS

4815. Adulteration of strained apples and apricots. U. S. v. 11 Cases of Strained Apples and Apricots. Default decree of condemnation and destruction. (F. D. C. No. 9302, 9349. Sample Nos. 7955-F, 7977-F.)

This product contained insects, insect fragments, larvae fragments, and hairs resembling rodent hairs.

On February 3 and 9, 1943, the United States attorney for the District of Minnesota filed a libel against 11 cases, each containing 24 cans, of strained apples and apricots at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about December 15, 1942, and January 18, 1943, by the Larsen Co. from Green Bay, Wis., 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: (Cans) "Red & White Brand * * * Baby Food Strained Apples & Apricots * * * Red & White Corp'n Distributors, Chicago, Ill."

On March 5, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.