berries at Philadelphia, Pa., alleging that the articles had been shipped in interstate commerce on or about August 12, 1943, by J. Albor, Bessie Ford, Clayton Ford, and James Patton from Green Bank, N. J., and Robert Stewart from Nesco, N. J.; and charging that they were adulterated in that they consisted in whole or in part of filthy substances.

On September 9, 1943, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

FROZEN FRUIT

5362. Adulteration of frozen strawberries. U. S. v. 38 Barrels of Strawberries. Decree of condemnation. Product ordered released under bond. Unfit portion sorted out and destroyed. (F. D. C. No. 10425. Sample No. 13958–F.)

On August 17, 1943, the United States attorney for the Southern District of California filed a libel against 38 barrels, each containing 440 pounds, of frozen strawberries at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about July 24, 1943, by the Diamond Ice & Storage, from Seattle, Wash.; and charging that it was adulterated in that it consisted wholly or in part of moldy berries.

On September 13, 1943, S. A. Moffett, doing business under the name of S. A. Moffett Co., Seattle, Wash., having appeared as claimant, and 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. Subsequently, on October 21, 1943, the product was reconditioned by sorting out and destroying the unfit portion.

MISCELLANEOUS FRUIT PRODUCTS

5363. Adulteration of apple concentrate. U. S. v. 11 Unlabeled Wooden Kegs of Apple Concentrate. Default decree of condemnation and destruction. (F. D. C. No. 10078. Sample Nos. 14836–F, 15143–F.)

On June 8, 1943, the United States attorney for the Southern District of California filed a libel against 5 10-gallon kegs and 6 15-gallon kegs, all unlabeled, of apple concentrate at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about April 7, 1943, by E. A. Brenner from Wenatchee, Wash.; and charging that it was adulterated in that it contained added poisonous or deleterious substances, lead and arsenic, which might have rendered it injurious to health.

On July 1, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5364. Adulteration of apple pomace. U. S. v. 150 Unlabeled Sacks of Apple Pomace. Default decree of condemnation and destruction. (F. D. C. No. 10047. Sample No. 41390–F.)

This product was stored under very insanitary conditions after shipment in interstate commerce. Some of the bags had been gnawed by rodents; dead roaches were found on the sacks and on the floor near the sacks, and numerous insect webs were found between the sacks.

On June 3, 1943, the United States attorney for the Eastern District of Louisiana filed a libel against 150 unlabeled sacks of apple pomace at New Orleans, La., in the possession of Charles Dennery, Inc., alleging that the article had been shipped in interstate commerce on or about February 14, 1942, from Ravena, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of filthy substances, and in that it had been held under insanitary conditions whereby it may have become contaminated with filth.

On July 26, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5365. Adulteration of fig preserves. U. S. v. 196 Cases of Fig Preserves. Default decree of condemnation and destruction. (F. D. C. No. 8462. Sample No. 9510–F.)

On September 30, 1942, the United States attorney for the Western District of Texas filed a libel against 196 cases of fig preserves at San Antonio, Texas, which had been consigned by the Evangeline Pepper & Food Products Co., alleging that the article had been shipped in interstate commerce on or about July 23, 1942, from St. Martinsville, La.; and charging that it was adulterated in that it consisted wholly or in part of filthy substances, rodent hairs and insects, and in that it had been prepared under insanitary conditions whereby it may have