FROZEN FRUIT

28254. Frozen strawberries. (F.D.C. No. 46511. S. No. 47–701 T.)

QUANTITY: 378 cases, 24 10-oz. pkgs. each, at Van Buren, Ark.

SHIPPED: 8–14–61 and 8–29–61, from Stilwell, Okla.

LIBELED: 10–23–61, W. Dist. Ark.

CHARGE: 402(a)(3)—contained decomposed and moldy strawberries while held for sale.

DISPOSITION: 6–5–62. Consent—claimed by Stilwell Frozen Foods, Inc., Stilwell, Okla., and segregated for destruction of the unfit portion.

28255. Frozen strawberries. (F.D.C. No. 46082. S. Nos. 85–057/8 R. 87–081 R.)

QUANTITY: 3,464 cases, 24 10-oz. pkgs. each, at Van Buren, Ark.

SHIPPED: 5–9–61 and 5–10–61, from Stilwell, Okla.

LIBELED: 7–13–61, W. Dist. Ark.

CHARGE: 402(a)(3)—contained decomposed and moldy strawberries while held for sale.

DISPOSITION: Stilwell Frozen Foods, Inc., Stilwell, Okla., claimant, intervened and denied that the article was adulterated. Thereafter, on 6–5–62, claimant having consented, the court entered a decree of condemnation and ordered the article released to the claimant to be brought into compliance with the law by segregation and destruction of the unfit portion.

28256. Frozen strawberries. (F.D.C. No. 45844. S. Nos. 54–904 R, 66–545 R.)

QUANTITY: 216 10-lb. cans and 141 30-lb. cans at Rogers, Ark.

SHIPPED: 5–24–61, from Stilwell, Okla.

RESULTS OF INVESTIGATION: Strawberries were shipped as described above to Canners, Inc., Rogers, Ark., where they were mixed and packed with approximately 35 crates of local berries.

LIBELED: 6–21–61, W. Dist. Ark.

CHARGE: 402(a)(3)—while held for sale, contained decomposed strawberries.

DISPOSITION: On 8–8–61, Canners, Inc., claimant, filed an answer denying that the article was adulterated. Thereafter, on 4–27–62, the claimant having consented, the court entered a decree of condemnation. The article was segregated and the adulterated portion consisting of 66 30-lb. cans and 107 10-lb. cans was destroyed.

VEGETABLES AND VEGETABLE PRODUCTS

28257. Canned green beans. (F.D.C. No. 47525. S. No. 70–888 T.)

QUANTITY: 199 cases, 24 cans each, at Brenham, Tex.

SHIPPED: 12–23–61, from Springdale, Ark., by Canners, Inc.

LABEL IN PART: (Can) "Glen Park Short Cut Green Beans Net Weight 15½ Oz. Avd. Distributed by Federated Foods, Inc., San Francisco, * * * Chicago."

LIBELED: 6–5–62, W. Dist. Tex.

CHARGE: 403(h)(1)—when shipped, the article fell below the standard of quality for canned cut green beans, since the article contained more than 6 unstemmed units per 12 oz. of drained weight, and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 8–1–62. Default—delivered to a public institution.