7635. Adulteration of apples. U. S. v. 660 Bushels of Apples. Product released under bond. (F. D. C. No. 14581. Sample No. 96363–F.)

LIBEL FILED: October 19, 1944, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about October 13, 1944, by the Shafton Co., Benton Harbor, Mich.

PRODUCT: 660 bushels of apples, at Stevens Point, Wis.

LABEL, IN PART: "Combination U. S. No. 1 U. S. Utility Min. Coloma Orchard Co Coloma Michigan."

VIOLATION CHARGED: Adulteration, Section 402 (a) (1), the product contained added poisonous or deleterious substances, lead and arsenic, which may have rendered it injurious to health.

DISPOSITION: December 22, 1944. A. L. Shafton, claimant, admitted the allegations of the libel and filed a bond for the release of the apples for cleaning and removal of the excess residue under the supervision of the Food and Drug Administration. The claimant paid all costs, and the court entered an order dismissing the case and discharging the bond.

7636. Adulteration of wild blackberries. U. S. v. 222 Barrels of Wild Blackberries. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13233. Sample Nos. 75254–F, 75758–F.)

LIBEL FILED: August 28 ,1944, Western District of Pennsylvania.

ALLEGED SHIPMENT: Between on or about July 12 and 29, 1944, by Leonard Brown, from Mount Sterling, Ky.

PRODUCT: 222 unlabeled barrels of wild blackberries, at North East, Pa. This product was undergoing active fermentation.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: November 24, 1944. The Sunshine Packing Corporation, North East, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for manufacture into wine.

7637. Adulteration of pears. U. S. v. 9 Lugs and 42 Lugs of Pears. Decrees of condemnation and destruction. (F. D. C. Nos. 14365, 14366. Sample Nos. 8021–F, 8023–F.)

LIBELS FILED: September 26 and 27, 1944, District of Minnesota and District of South Dakota.

ALLEGED SHIPMENT: On or about September 11, 1944, by the Prentice Packing Co., from Westbrook, Wash.

PRODUCT: 9 20-pound lugs of pears at Minneapolis, Minn., and 42 20-pound lugs at Sioux Falls, S. Dak.

LABEL, IN PART: "Kare-ful-pak Brand Pears."

VIOLATION CHARGED: Adulteration, Section 402 (a) (1), the product contained an added poisonous or deleterious substance, lead, and, in one portion, arsenic, which may have rendered it injurious to health.

DISPOSITION: October 21, 1944. The owner having consented, a decree was entered ordering that the Minneapolis lot be destroyed. On October 30, 1944, no claimant having appeared for the South Dakota lot, judgment of condemnation was entered and the product was ordered disposed of according to the law.

MISCELLANEOUS FRUIT PRODUCTS

7638. Adulteration of dried apple pomace. U. S. v. 2,582 Bags of Apple Pomace. Consent decree of condemnation. Product ordered released under bond for salvaging. (F. D. C. No. 13922. Sample Nos. 78934–F to 78938–F, incl.)

LIBEL FILED: On or about October 17, 1944, Northern District of Illinois.

ALLEGED SHIPMENT: Between on or about September 29, 1943, and January 20, 1944, from Holley, N. Y., Capitola, Calif., and Luray and Winchester, Va.

PRODUCT: 1,272 60-pound bags, 835 45-pound bags, 350 70-pound bags, and 125 90-pound bags of dried apple pomace, at Chicago, Ill., in the possession of the Seng Terminal Warehouse.

This product was stored, after shipment, under insanitary conditions. The warehouse was rodent-infested, and examination showed that the product was contaminated by reason of contact with rats and mice.