

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.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 29, 1944. The Seng Terminal Warehouse Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for salvaging, under the supervision of the Food and Drug Administration.

7639. Adulteration of fig paste. U. S. v. 1,000 Cases of Fig Paste. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 12353. Sample No. 65736-F.)

LIBEL FILED: May 10, 1944, Eastern District of New York.

ALLEGED SHIPMENT: On or about March 6, 1944, by Rosenberg Bros. & Co., from Figarden, Calif.

PRODUCT: 1,000 80-pound cases of fig paste, at Brooklyn, N. Y.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, larvae, and rodent hairs.

DISPOSITION: November 24, 1944. Rosenberg Bros. & Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be used for distillation purposes, under the supervision of the Food and Drug Administration.

7640. Adulteration of fruit mix. U. S. v. 15 Cases of Fruit Mix. Default decree of destruction. (F. D. C. No. 13720. Sample No. 70051-F.)

LIBEL FILED: September 23, 1944, District of Idaho.

ALLEGED SHIPMENT: On or about August 10, 1943, by Sterling Food Products, from Los Angeles, Calif.

PRODUCT: 15 cases, each containing 36 12-ounce packages of fruit mix, at Twin Falls, Idaho.

LABEL, IN PART: "California Fruit Mix Desert Treasure Brand."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of maggots, larvae, cast skins, insect excreta, and webbing.

DISPOSITION: November 8, 1944. No claimant having appeared, judgment was entered ordering that the product be destroyed.

7641. Adulteration of glace fruit. U. S. v. 2 Barrels of Glace Fruit. Default decree of condemnation and destruction. (F. D. C. No. 11964. Sample No. 61447-F.)

LIBEL FILED: March 6, 1944, Western District of Texas.

ALLEGED SHIPMENT: On or about November 26, 1943, by the Garden Fruit Glace Co., from Chicago, Ill.

PRODUCT: 2 barrels, each containing 500 pounds, of glace fruit, at Waco, Tex.

Examination showed that the product was made from garbage, as evidenced by eggshell and meat fragments. Inspection of the Garden Fruit Glace Co. showed that the firm used garbage in the preparation of glace fruit.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4) it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 18, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7642. Adulteration of jam. U. S. v. 174 Cases of Blackberry Jam. Default decree of condemnation. Product ordered delivered to a public institution, for use as animal feed. (F. D. C. No. 14647. Sample No. 63935-F.)

LIBEL FILED: December 15, 1944, Southern District of Florida.

ALLEGED SHIPMENT: On or about August 25, 1944, by the T. W. Garner Food Co., from Winston-Salem, N. C.

PRODUCT: 174 cases, each containing 24 1-pound jars, of jam at Jacksonville, Fla.

LABEL, IN PART: (Jar) "Garners Pure Blackberry Jam."