

**9327. Adulteration of frozen cherries. U. S. v. F. G. Lamb & Co. Plea of guilty. Fine, \$45. (F. D. C. No. 16506. Sample No. 9525-H.)**

**INFORMATION FILED:** November 28, 1945, District of Oregon, against F. G. Lamb, a partnership, Freewater, Oreg.

**ALLEGED SHIPMENT:** On or about December 26, 1944, from the State of Oregon into the State of Pennsylvania.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of maggots.

**DISPOSITION:** April 2, 1946. A plea of guilty having been entered, the defendant was fined \$45.

**9328. Misbranding of frozen apples. U. S. v. 1,076 Cans of Frozen Apples. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 18999. Sample Nos. 3568-H, 3569-H.)**

**LIBEL FILED:** January 21, 1946, District of Maryland.

**ALLEGED SHIPMENT:** On or about October 24 and 30, 1945, by the Ranson Evaporating Co., from Ranson, W. Va.

**PRODUCT:** 500 20-pound cans and 576 19-pound cans of frozen apples at Hagerstown, Md.

**NATURE OF CHARGE:** Misbranding, Section 403 (e), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and the label failed to contain an accurate statement of the quantity of the contents; Section 403 (i) (2), the label failed to bear the common or usual name of each ingredient; and, Section 403 (k), the product contained a chemical preservative, sulfur dioxide, and it failed to bear labeling stating that fact.

**DISPOSITION:** February 26, 1946. Otto W. Cuyler, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled and brought into compliance with the law, under the supervision of the Food and Drug Administration.

**9329. Misbranding of frozen apple slices. U. S. v. 1,180 Cans of Frozen Apple Slices. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 18977. Sample Nos. 3168-H, 3169-H.)**

**LIBEL FILED:** January 14, 1946, District of Columbia.

**ALLEGED SHIPMENT:** On or about November 3, 1945, by R. D. Pringle and Co., from Ogden, Utah.

**PRODUCT:** 1,180 cans of frozen apple slices at Washington, D. C. Examination showed that the product contained a chemical preservative, sulfur dioxide.

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (1), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and, Section 403 (k), it contained a chemical preservative, and it failed to bear labeling stating that fact.

**DISPOSITION:** January 30, 1946. R. D. Pringle and Co., Modesto, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

#### JELLY AND PRESERVES

**9330. Adulteration and misbranding of jelly. U. S. v. Clyde M. Hesmer, Inc. Plea of guilty. Fine, \$250. (F. D. C. No. 16565. Sample Nos. 68470-F, 68471-F, 13538-H to 13540-H, incl.)**

**INFORMATION FILED:** December 29, 1945, Southern District of Indiana, against Clyde M. Hesmer, Inc., Evansville, Ind.

**ALLEGED SHIPMENT:** On or about July 6, 1944, and January 31 and February 7, 1945, from the State of Indiana into the State of Kentucky.

**LABEL, IN PART:** "Hesmer's Raspberry [or "Grape"] Jelly," "Hesmer's Grape-Pectin Jelly," or "Hesmer's Blackberry-Pectin Jelly."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), valuable constituents, raspberry juice, grape juice, or blackberry juice, had been in part omitted from the products; and, Section 402 (b) (2), articles deficient in raspberry, grape, or blackberry juice had been substituted in whole or in part for raspberry, grape, and blackberry jellies, for which definitions and standards of identity have been prescribed by the regulations.