

LABEL, IN PART: "Sea-Land Selected Blueberries With Sugar Syrup."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of rotten blueberries.

DISPOSITION: March 10, 1947. The Sea-Land Frosted Foods Corp., claimant, having failed to file an answer to the libels, judgments of condemnation were entered and the product was ordered disposed of by delivery to a public institution, for use as animal feed.

11924. Adulteration of canned cherries and misbranding of canned apricots. U. S. v. Colorado Mountain Food Co. Plea of nolo contendere. Fine, \$300. (F. D. C. No. 22002. Sample Nos. 51865-H, 72526-H.)

INFORMATION FILED: April 1, 1947, District of Colorado, against the Colorado Mountain Food Co., a partnership, Grand Junction, Colo.

ALLEGED SHIPMENT: On or about August 14 and September 4, 1946, from the State of Colorado into the States of Minnesota and Oklahoma.

LABEL, IN PART: "Mellhorn Brand Choice Rocky Mountain Whole Unpeeled Apricots In Heavy Syrup," or "Mellhorn Brand Choice Rocky Mountain Dark Sweet Cherries In Medium Syrup."

NATURE OF CHARGE: Canned cherries. Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of whole insects, insect parts, and a worm skin fragment.

Canned apricots. Misbranding, Section 403 (g) (2), the label of the article failed to bear the name of the optional packing medium. The label bore the statement "In Heavy Syrup," and the article was packed in sirup designated as light sirup in the definition and standard for canned apricots.

DISPOSITION: April 21, 1947. A plea of nolo contendere having been entered, the court imposed a fine of \$300.

11925. Adulteration of canned plums and frozen cherries. U. S. v. Verland V. Erntson. Plea of nolo contendere. Fine, \$50. (F. D. C. No. 21560. Sample Nos. 7991-H, 19441-H.)

LIBEL FILED: February 7, 1947, District of Oregon, against Verland V. Erntson, Albany, Oreg.

ALLEGED SHIPMENT: On or about July 19 and October 11, 1945, from the State of Oregon into the States of New Jersey and Minnesota.

LABEL, IN PART: "Light Cherries Packed in Syrup By Associated Frozen Food Packers Inc. Seattle Wash," or "Purple Plums In Heavy Syrup."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the frozen cherries consisted in part of a filthy substance by reason of the presence of maggots, and the canned plums consisted in part of a decomposed substance by reason of the presence of decomposed prune material.

DISPOSITION: April 3, 1947. A plea of nolo contendere having been entered, the court imposed a fine of \$50.

11926. Misbranding of canned cherries. U. S. v. 32 Cases * * *. (F. D. C. No. 21837. Sample No. 48156-H.)

LIBEL FILED: December 6, 1946, District of Utah.

ALLEGED SHIPMENT: On or about October 12, 1946, by Chas. P. Wagner Bros., from New Orleans, La.

PRODUCT: 32 cases, each containing 24 9½-ounce bottles, of cherries at Provo, Utah. Examination showed that the product was short-weight.

LABEL, IN PART: "Helen Ann Cherries in Heavy Syrup Net Weight 9½ Ozs."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: August 1, 1947. Default decree ordering product delivered to charitable institutions.

11927. Adulteration of canned peaches. U. S. v. Spartanburg Cooperative Cannery, Inc. Plea of nolo contendere. Fine, \$5. (F. D. C. No. 22051. Sample Nos. 54589-H, 54590-H.)

INFORMATION FILED: April 18, 1947, Western District of South Carolina, against the Spartanburg Cooperative Cannery, Inc., Spartanburg, S. C.