12703. Adulteration of canned raspberries. U. S. v. 64 Cases, etc. (and 1 other seizure action). (F. D. C. Nos. 23812, 23813. Sample Nos. 7009–K, 7010–K, 7013–K.)

LIBELS FILED: October 17, 1947, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about August 6 and 16, 1947, by the Erie County Frosted Foods & Canning Corporation, from Angola, N. Y.

PRODUCT: 97 cases, each containing 24 1-pound, 4-ounce cans, of black raspberries and 18 cases, each containing 24 1-pound, 3-ounce cans, of red raspberries, at McKeesport and Pittsburgh, Pa.

LABEL, IN PART: "Pride of Evans Brand Black [or "Columbian Red"] Raspberries."

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 berries.

DISPOSITION: January 5, 1948. Default decrees of condemnation and destruction.

12704. Adulteration of dried apricots. U. S. v. 100 Cases * * *. (F. D. C. No. 24339. Sample No. 831–K.)

LIBEL FILED: February 11, 1948, Southern District of Florida.

ALLEGED SHIPMENT: On or about November 22, 1947, by Rosenberg Bros. & Co., from Santa Clara, Calif.

PRODUCT: 100 cases, each containing 30 pounds, of dried apricots at Tampa, Fla.

LABEL, IN PART: "Tru-Ripe Brand Dried Apricots prepared with Sulphur Dioxide."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect-infested and dirty apricots.

DISPOSITION: March 19, 1948. Rosenberg Bros. & Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for use other than for human consumption, by conversion into stock feed, or for distillation purposes, under the supervision of the Federal Security Agency. On May 7, 1948, an order was entered, amending the decree previously entered and providing for the destruction of the product.

12705. Adulteration of dried nectarines. U. S. v. 49 Cases * * *. (F. D. C. No. 24196. Sample No. 33220–K.)

LIBEL FILED: January 22, 1947, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 6, 1947, by the Bonner Packing Co., from Fresno, Calif.

PRODUCT: 49 30-pound cases of nectarines at Philadelphia, Pa.

LABEL, IN PART: "Bonner Brand Ungraded California Nectarines."

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 larvae, beetles, and insect excreta.

DISPOSITION: January 7, 1947. The shipper having consented, judgment of condemnation was entered ordering the product destroyed.

FRESH AND FROZEN FRUIT

12706. Adulteration of apples. U. S. v. 3,200 Bushels * * *. (F. D. C. No. 24360. Sample Nos. 6049–K, 6050–K.)

LIBEL FILED: January 2, 1948, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 1, 3, 6, 8, and 9, 1947, by the Chelan Apple Company, from Chelan, Wash.

PRODUCT: 3,200 bushel boxes of apples at Pittsburgh, Pa.

LABEL, IN PART: "Fancy Winesap * * * Cream of Chelan Washington Apples Distributed by H. S. Denison & Co., Wenatchee, Washington."

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

DISPOSITION: January 8, 1948. H. S. Denison & Co., Inc., having appeared as claimant, judgment of condemnation was entered and the product was ordered