13297. Adulteration of frozen strawberries. U. S. v. Frigid Food Products, Inc. Plea of nolo contendere. Fine, $1,000. (F. D. C. No. 24506. Sample Nos. 15001–K, 15002–K.)

INFORMATION FILED: March 9, 1948, Western District of Tennessee, against Frigid Food Products, Inc., Greenfield, Tenn.

ALLEGED SHIPMENT: On or about May 28 and 29, 1947, from the State of Tennessee into the State of Illinois.

LABEL, IN PART: "Frigid Fruit Frozen Strictly Fresh Strawberries 30 Lbs. Net."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a decomposed substance by reason of the presence of decomposed strawberry material.

DISPOSITION: May 27, 1948. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of $500 on each of 2 counts.

13298. Adulteration of frozen red raspberries. U. S. v. 1,498 Cases * * *. (F. D. C. No. 23797. Sample No. 20802–K.)

LIBEL FILED: On or about October 13, 1947, Western District of Missouri.

ALLEGED SHIPMENT: On or about July 1, 1947, by Washington Packers, Inc., from Sumner, Wash.

PRODUCT: 1,498 cases, each containing 24 packages, of red raspberries at Kansas City, Mo.

LABEL, IN PART: "Dewkist Brand Frozen Fresh Red Raspberries in Sugar Syrup."

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.

DISPOSITION: March 25, 1948. A decree of condemnation was entered and the product was ordered released to Washington Packers, Inc., claimant, for the purpose of bringing the product into compliance with the provisions of the Act, under the supervision of the Food and Drug Administration. The reconditioning operations resulted in the destruction of 336 cases of the product.

13299. Adulteration and misbranding of frozen red raspberries. U. S. v. 310 Cases * * *. (F. D. C. No. 20794. Sample No. 58345–H.)

LIBEL FILED: September 9, 1946, Southern District of New York.

ALLEGED SHIPMENT: On or about July 15, 1946, by the Midfield Packers, from Olympia, Wash.

PRODUCT: 310 cases, each containing 24 16-ounce cartons, of frozen red raspberries at New York, N. Y.

LABEL, IN PART: "Moon Winks Red Raspberries in Syrup Net Wt. 16 oz."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water, or water and sugar, had been substituted in part for raspberries.

Misbranding, Section 403 (d), the container was so filled as to be misleading since the cartons appeared to contain more raspberries than was actually the case. (Examination showed that the cartons contained approximately 9 ounces of raspberries and 7 ounces of sugar solution, whereas the cartons would hold at least 12 ounces of raspberries and 4 ounces of sugar or sugar solution without overfilling or bulging the carton when frozen. Good commercial practice dictates the use of not less than 12 ounces of raspberries per 1-pound carton.)

DISPOSITION: On January 31, 1947, Musante, Berman & Steinberg Co., Inc., Bridgeport, Conn., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be manufactured into jams and preserves. On May 23, 1947, the decree was amended to provide for relabeling the product instead of disposing of it as provided in the decree of January 31, 1947.

13300. Adulteration of frozen red raspberries. U. S. v. 20 Barrels * * *. (F. D. C. No. 24485. Sample No. 32386–K.)

LIBEL FILED: March 16, 1948, Northern District of California.

ALLEGED SHIPMENT: On or about October 31, 1947, by the Farmers Cooperative Union, from Puyallup, Wash.