and rodent excreta, and the dried apple chops consisted in part of a filthy substance by reason of the presence of rodent hairs; and, Section 402 (a) (4), the products had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth, and the insanitary conditions consisted of mice infestation and rodent excreta pellets in the Cowiche plant at the time of the shipments.

DISPOSITION: Pleas of not guilty having been entered, the matter came on for trial before the court and jury on November 16, 1950. On November 20, 1950, the jury returned a verdict of guilty for the corporation and not guilty for the individual defendants. The court imposed a fine of $500, plus costs, against the corporation.

16730. Adulteration of dried apricots. U. S. v. 79 Cases * * *. (F. D. C. No. 28738. Sample No. 63254–K.)

LIBEL FILED: February 23, 1950, District of Massachusetts.

ALLEGED SHIPMENT: On or about December 8, 1949, by the Mayfair Packing Co., from San Jose, Calif.

PRODUCT: 79 cases, each containing 24 11-ounce boxes, of dried apricots at Somerville, Mass.

LABEL, IN PART: (Box) "Finast Brand Large Size Sun Dried Apricots."

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 rodent excreta and rodent hairs.

DISPOSITION: April 28, 1950. The Mayfair Packing Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law by reconditioning and destroying all objectionable material, under the supervision of the Food and Drug Administration. 946 pounds of the product were salvaged as fit for human consumption, and 215 pounds were found unfit and were destroyed.

FROZEN FRUIT

16731. Adulteration of frozen strawberries. U. S. v. 531 Cans, etc. (F. D. C. No. 29364. Sample Nos. 57589–K, 57590–K.)

LIBEL FILED: June 19, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about May 24, 1950, by Southern Frozen Foods, Inc., Monticello, Ga.

PRODUCT: 531 30-pound cans of sliced strawberries and 194 30-pound cans of whole strawberries at Brooklyn, N. Y.

LABEL, IN PART: (Can) "McKenzie's Sliced Strawberries [or "Whole Strawberries"] Packed In Sugar."

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

DISPOSITION: October 30, 1950. Default decree of condemnation and destruction.