17577. Adulteration of frozen strawberries. U. S. v. 114 Cases, etc. (F. D. C. No. 30938. Sample Nos. 2969–L, 2970–L.)

LIBEL FILED: April 25, 1951, District of Columbia.

ALLEGED SHIPMENT: On or about February 26 and March 19, 1951, by Southland Frozen Foods, Inc., from Webster, N. Y.

PRODUCT: 137 cases, each containing 24 cups, of frozen strawberries at Washington, D. C.

LABEL, IN PART: (Cup) "Distributed By Cortley Frosted Foods, Inc., N. Y. Net Wt. 8 Oz. In Sugar Whole Strawberries."

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 and moldy berries.

DISPOSITION: June 26, 1951. Default decree of condemnation. The court ordered that the product be delivered to a public zoological park for its own use and not for sale.

MISCELLANEOUS FRUIT PRODUCT

17578. Adulteration of Old English plum pudding. U. S. v. 7 Cartons * * *. (F. D. C. No. 30845. Sample No. 69887–K.)

LIBEL FILED: On or about February 19, 1951, District of Maryland.

ALLEGED SHIPMENT: On or about December 21, 1950, from Pittsburgh, Pa. This was a return shipment.

PRODUCT: 7 cartons, each containing 12 2-pound cans, of Old English plum pudding at Baltimore, Md.

LABEL, IN PART: (Can) "Old English Plum Pudding Packed in Baltimore, Md., By The Crosse & Blackwell Co."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of its undergoing chemical decomposition.

DISPOSITION: March 27, 1951. Default decree of condemnation and destruction.

VEGETABLES

17579. Adulteration of celery. U. S. v. Pacific Gamble Robinson Co. (Pacific Fruit & Produce Co.). Plea of nolo contendere. Fine, $225. (F. D. C. No. 29994. Sample Nos. 68360–K, 68362–K to 68364–K, incl.)

INFORMATION FILED: March 13, 1951, Western District of Washington, against the Pacific Gamble Robinson Co., a corporation, trading as the Pacific Fruit & Produce Co., Seattle, Wash.

ALLEGED VIOLATION: On or about January 10, 1950, the defendant received in interstate commerce adulterated celery from Salinas, Calif., and on or about January 12 and 14, 1950, delivered it for pay to purchasers in Seattle, Wash.

LABEL, IN PART: "Du-Bal's Royal Family Brand * * * California Pascal Celery Shipped With Hydro Ice Du-Bal Packing Company Salinas, California 2 Doz. Pascal."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of its discoloration, pithiness, and softening due to freezing.

DISPOSITION: September 11, 1951. A plea of nolo contendere having been entered, the court imposed a fine of $225.