

DISPOSITION: March 24, 1945. No claimant having appeared, the product was ordered destroyed. The raisins were mixed with feed to be fed to hogs.

8417. Adulteration of raisins. U. S. v. 100 Boxes of Raisins. Default decree of condemnation and destruction. (F. D. C. No. 15150. Sample No. 6541-H.)

LIBEL FILED: February 14, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about June 27, 1944, by Wood and Selick, Inc., from New York, N. Y.

PRODUCT: 100 30-pound boxes of raisins at Paterson, N. J.

LABEL, IN PART: "De Luxe Brand Midget Thompson Seedless Raisins Packed By Del Rey Packing Co. Del Rey California."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects and insect excreta.

DISPOSITION: April 2, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FRESH AND FROZEN FRUIT

8418. Adulteration of apples. U. S. v. 164 Bushels of Apples. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14590. Sample Nos. 80378-F, 80379-F.)

LIBEL FILED: On or about November 3, 1944, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about October 21 and 26, 1944, by the Lindberg-Olive Market, from Hardin, Ill.

PRODUCT: 164 bushels of apples at Creve Coeur, Mo. This product contained excessive lead spray residue.

VIOLATION CHARGED: Adulteration, Section 402 (a) (1), the product contained an added poisonous or deleterious substance, lead, which might have rendered it injurious to health.

DISPOSITION: November 24, 1944. Harvey Ranes, trading as the Lindberg-Olive Market, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for removal of the spray residue, under the supervision of the Food and Drug Administration.

8419. Adulteration of apples. U. S. v. 60 Bushels of Apples. Default decree ordering the destruction of the product unless it was delivered to charitable institutions. (F. D. C. No. 14577. Sample No. 87558-F.)

LIBEL FILED: October 24, 1944, District of Minnesota.

ALLEGED SHIPMENT: On or about October 5, 1944, by Dewey Bowman, from Emmett, Idaho.

PRODUCT: 60 bushels of apples at Minneapolis, Minn.

LABEL, IN PART: "Golden Eagle Brand Idaho Apples * * * Shipped by Lewis Yoder Company, Nampa, Idaho."

VIOLATION CHARGED: Adulteration, Section 402 (a) (1), the product contained added poisonous or deleterious substances, arsenic and lead, which might have rendered it injurious to health.

DISPOSITION: December 18, 1944. No claimant having appeared, judgment was entered ordering the product destroyed. On January 10, 1945, the decree was amended to permit the delivery of the product to charitable institutions, for use in accordance with the directions of the Food and Drug Administration. A portion of the product was delivered to a charitable institution on condition that it be peeled before use, and the remainder was destroyed.

8420. Adulteration of apples. U. S. v. 57 Bushels of Apples. Default decree of forfeiture and destruction. (F. D. C. No. 14579. Sample No. 96356-F.)

LIBEL FILED: October 20, 1944, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about October 13, 1944, by C. L. Heinlen, Benton Harbor, Mich.

PRODUCT: 57 bushels of apples at Janesville, Wis.

LABEL, IN PART: "Steel Red A. Jannert & Son R. 2 Watervliet, Mich."

VIOLATION CHARGED: Adulteration, Section 402 (a) (1), the product contained an added poisonous or deleterious substance, lead, which might have rendered it injurious to health.

DISPOSITION: January 25, 1945. No claimant having appeared, judgment of forfeiture was entered ordering the product destroyed.

8421. Adulteration of frozen strawberries. U. S. v. 37 Barrels of Frozen Strawberries. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 12177. Sample No. 50771-F.)

LIBEL FILED: April 14, 1944, District of New Jersey.

ALLEGED SHIPMENT: On or about April 4, 1944, by the Moore Food Sales Co., from Philadelphia, Pa.

PRODUCT: 37 barrels of frozen strawberries at Swedesboro, N. J.

LABEL, IN PART: "All Star Brand Strawberries * * * Sugar added 3X1 Packed by M. W. Miller and Co. * * * Sturgeon Bay, Wisconsin."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

DISPOSITION: October 21, 1944. The Sturgeon Bay Distributing Co., Sturgeon Bay, Wis., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for the purpose of wine or brandy making under the supervision of the Food and Drug Administration.

JAMS, JELLIES, AND PRESERVES

8422. Adulteration of preserves and jellies. U. S. v. 100 Cases of Jellies (and 1 other seizure action against preserves and jellies). Default decrees of condemnation and destruction. (F. D. C. Nos. 14681, 14682. Sample Nos. 80386-F to 80389-F, incl., 80392-F, 80396-F to 80399-F, incl.)

LIBELS FILED: December 4, 1944, Eastern District of Arkansas.

ALLEGED SHIPMENT: On or about July 25 and September 14, 1944, by the Preserve Products Co., from St. Louis, Mo.

PRODUCT: 100 cases, each containing 24 1-pound jars, and 157 cases, each containing 12 2-pound jars, of assorted jellies; and 188 cases, each containing 24 1-pound jars, of assorted preserves at Jonesboro, Ark. Examination showed that the products contained large numbers of insects (mites).

LABEL, IN PART: "Blue Star Pure Peach Preserves," or "Haddon Hall Pure Apple [or "Apple-Plum," "Apple-Grape," "Apple-Raspberry," or "Apple-Strawberry"] Jelly."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of mites.

DISPOSITION: February 9, 1945. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

8423. Adulteration and misbranding of raspberry-flavored spread. U. S. v. 39 Cases of Raspberry Flavored Spread. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 12411. Sample No. 79420-F.)

LIBEL FILED: May 23, 1944, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about March 3 and 16, 1944, by the Allied Fruit & Extract Co., Inc., from New York, N. Y.

PRODUCT: 39 cases, each containing 6 5½-pound jars, of raspberry-flavored spread at Huntington, W. Va.

LABEL, IN PART: "Sterling Brand Raspberry Flavored Spread Contains Sugar, Fruits, Water, Pectin and Citric Acid. 1-10 of 1% Benzoate of Soda."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, fruit, had been in part omitted from the article; Section 402 (b) (3), inferiority had been concealed by the addition of raspberry seeds; and, Section 402 (b) (4), raspberry seeds had been added to the article, or mixed or packed with it, so as to make it appear better or of greater value than it was.

Misbranding, Section 403 (g) (1), the article purported to be and was represented as raspberry jam, and it failed to conform to the definition and standard for raspberry jam since it was made of a mixture composed of less than 45 parts by weight of the raspberry ingredient to each 55 parts by weight of one of the saccharine ingredients, and since it contained added raspberry seeds.

DISPOSITION: August 29, 1944. The Allied Fruit & Extract Co., Inc., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.