

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 hair fragments and insect fragments.

DISPOSITION: July 11, 1945. The Fair Oaks Fruit Corporation, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be washed, rebrined, and repacked under the supervision of the Food and Drug Administration.

9107. Adulteration of dry salt-cured olives. U. S. v. 52 Kegs of Salt Cured Olives. Default decree of condemnation and destruction. (F. D. C. No. 16307. Sample No. 29616-H.)

LIBEL FILED: June 1, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about May 5, 1945, by Luigi Lotorto, from Stockton, Calif.

PRODUCT: 52 kegs, each containing 100 pounds, of dry salt-cured olives at New York, N. Y. Examination showed the presence of moldy olives.

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

DISPOSITION: June 20, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9108. Misbranding of canned pears. U. S. v. 153 Cases of Canned Pears. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 16025. Sample No. 29118-H.)

LIBEL FILED: May 17, 1945, Northern District of California.

ALLEGED SHIPMENT: On or about January 25, 1945, by the Starr Fruit Products Co., from East Portland, Oreg.

PRODUCT: 153 cases, each containing 24 29-ounce cans, of pears at Sacramento, Calif. The product had the general appearance of pear halves, rather than mixed pieces of irregular sizes and shapes.

LABEL, IN PART: "Success Quality Salad Pieces Bartlett Pears Mixed Pieces of Irregular Sizes and Shapes in Heavy Syrup."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement, "Mixed Pieces of Irregular Sizes and Shapes," was false and misleading as applied to canned pear halves; and, Section 403 (h) (1), the article purported to be canned pear halves, but its quality fell below the prescribed standard therefor in that all units of the article were not untrimmed or were so trimmed as to preserve normal shape, and the label failed to bear, in manner and form as specified by the regulations, a statement that the article was substandard.

DISPOSITION: August 6, 1945. Tiedemann & McMorran, San Francisco, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

9109. Adulteration of canned prunes. U. S. v. 154 Cases of Canned Prunes. Default decree of condemnation. Product ordered delivered to a Federal institution, for use as animal feed. (F. D. C. No. 15978. Sample No. 28196-H.)

LIBEL FILED: May 2, 1945, Western District of Washington.

ALLEGED SHIPMENT: On or about February 19, 1945, by the Paulus Brothers Packing Co., from Roseburg, Oreg.

PRODUCT: 154 cases, each containing 12 1-pound, 13-ounce jars, of prunes at Tacoma, Wash.

LABEL, IN PART: "Red Tag Oregon Prepared Sweet Prunes in Extra Heavy 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 rodent excreta, rodent hairs, insect fragments, and insect excreta.

DISPOSITION: July 17, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a Federal institution, for use as animal feed.