

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 moldy berries.

DISPOSITION: February 23, 1950. Default decree of condemnation and destruction.

15780. Adulteration of canned black raspberries. U. S. v. 161 Cases * * * (and 3 other seizure actions). (F. D. C. Nos. 27950, 28417, 28558, 28617. Sample Nos. 50759-K, 50780-K, 50798-K, 55300-K.)

LIBELS FILED: November 1 and December 6 and 14, 1949, District of Montana, and January 4, 1950, District of Nebraska.

ALLEGED SHIPMENT: On or about July 21, August 30, and October 1, 1949, by Michigan Fruit Cannery, Inc., from South Haven, Mich., and Benton Harbor, Mich.

PRODUCT: Black raspberries. 181 cases, each containing 24 15-ounce cans, at Butte, Mont.; 5 cases, each containing 24 15-ounce cans, at Bozeman, Mont.; and 46 cases, each containing 24 1-pound, 4-ounce cans, at Beatrice, Nebr.

LABEL, IN PART: (Can) "Rustic Brand Michigan Black Raspberries" and "Climber Michigan Black Raspberries."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of (Montana lots) a decomposed substance by reason of the presence of moldy raspberries and (Nebraska lot) decomposed raspberry material.

DISPOSITION: The shipper having appeared as claimant for the Montana lots and having obtained samples of the seized goods, but having subsequently withdrawn its appearance, the court, on March 23, 1950, condemned these lots and ordered them delivered to a State institution, for use as animal feed, after denaturing under the supervision of the United States marshal.

On March 22, 1950, no claimant having appeared for the Nebraska lot, judgment of condemnation and destruction was entered.

DRIED FRUIT

15781. Adulteration of dried dates. U. S. v. 32 Cases * * *. (F. D. C. No. 28415. Sample No. 50786-K.)

LIBEL FILED: December 10, 1949, District of Montana.

ALLEGED SHIPMENT: On or about September 15, 1949, by Long's Date Gardens, from Pasadena, Calif.

PRODUCT: 32 cases, each containing 24 14-ounce baskets, of dried dates at Billings, Mont.

LABEL, IN PART: "Long's Hydrated Dates from California."

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 insects; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 31, 1950. Default decree of condemnation and destruction.

15782. Adulteration of prunes. U. S. v. Hudson-Duncan & Co. Plea of nolo contendere. Fine, \$750. (F. D. C. No. 24830. Sample No. 36613-K.)

INDICTMENT RETURNED: November 1, 1948, District of Oregon, against Hudson-Duncan & Co., a corporation, Dundee, Oreg. The indictment alleged that the defendant knowingly and feloniously caused a quantity of prunes to be introduced and delivered for introduction into interstate commerce.