

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

**DISPOSITION:** September 28, 1950. Griggs, Cooper & Co., St. Paul, Minn., 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 for segregation, under the supervision of the Federal Security Agency. As a result of the segregation operations, 23 barrels of the product were found unfit and were destroyed.

**16779. Adulteration of frozen strawberries. U. S. v. 50 Tins, etc. (F. D. C. No. 29519. Sample Nos. 75132-K, 75133-K.)**

**LIBEL FILED:** On or about August 14, 1950, Northern District of Texas.

**ALLEGED SHIPMENT:** On or about May 5, 1950, by L. C. Mays Co., Inc., from Hammond, La.

**PRODUCT:** 149 30-pound tins of frozen strawberries at Fort Worth, Tex.

**LABEL, IN PART:** "Mayco Brand Cold Pack Strawberries."

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

**DISPOSITION:** December 4, 1950. Default decree of condemnation. The court ordered that the product be delivered to a Government hospital, for use as animal feed.

#### JELLY AND FRUIT BUTTER

**16780. Misbranding of jelly. U. S. v. Adolph C. Kordick (Royal Palm Kitchens), and Joseph L. Cordell. Pleas of guilty. Fine of \$1,200 against Adolph C. Kordick; fine of \$300 against Joseph L. Cordell. (F. D. C. No. 28138. Sample Nos. 27712-K, 42829-K to 42832-K, incl., 60761-K.)**

**INDICTMENT FILED:** March 30, 1950, Northern District of Illinois, against Adolph C. Kordick, trading as Royal Palm Kitchens, and Joseph L. Cordell, Chicago, Ill.

**ALLEGED SHIPMENT:** On or about March 14, 1949, from the State of Illinois into the States of Missouri, Wisconsin, and Iowa.

**LABEL, IN PART:** (Jar) "Royal Palm Pure Strawberry [or "Red Currant," "Black Raspberry," or "Red Raspberry"] Jelly \* \* \* Royal Palm Kitchens Chicago, Ill."

**NATURE OF CHARGE:** Misbranding, Section 403 (g) (1), the articles failed to conform to the definition and standard of identity for jellies since the articles were made from mixtures composed of less than 45 parts by weight of the fruit juice ingredients, i. e., strawberry, red currant, black raspberry, and red raspberry, respectively, to each 55 parts by weight of one of the optional saccharine ingredients specified in the definition and standard.

**DISPOSITION:** November 15, 1950. Pleas of guilty having been entered, the court imposed a fine of \$1,200 against Adolph C. Kordick and a fine of \$300 against Joseph L. Cordell.

**16781. Adulteration and misbranding of red raspberry jelly. U. S. v. 38 Cases \* \* \*. (F. D. C. No. 29747. Sample No. 67756-K.)**

**LIBEL FILED:** September 27, 1950, District of Idaho.

**ALLEGED SHIPMENT:** On or about July 25, 1950, by Dixie Preserves, Ltd., from Los Angeles, Calif.

**PRODUCT:** 38 cases, each containing 24 12-ounce jars, of red raspberry jelly at Pocatello, Idaho.

**LABEL, IN PART:** (Jar) "Dixie Brand Pure Jelly Net Wt. 12 Oz. Red Raspberry."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product deficient in fruit juice had been substituted for red raspberry jelly.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for red raspberry jelly.

**DISPOSITION:** November 30, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

**16782. Adulteration and misbranding of apple butter. U. S. v. 24 Cases \* \* \*.** (F. D. C. No. 29362. Sample No. 78429-K.)

**LIBEL FILED:** June 16, 1950, District of Hawaii.

**ALLEGED SHIPMENT:** On or about May 25, 1950, by the Pacific Food Products Co., Seattle, Wash.

**PRODUCT:** 24 cases, each containing 12 27-ounce jars, of apple butter at Honolulu, T. H.

**LABEL, IN PART:** "Sunny Jim Pure Washington Apple Butter."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a product of less than 43 percent soluble solids had been substituted for apple butter.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for apple butter since the soluble-solids content of the article was less than 43 percent.

**DISPOSITION:** August 17, 1950. The shipper, claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be delivered to charitable institutions.

### VEGETABLES

**16783. Adulteration of black-eyed peas. U. S. v. 7 Bags \* \* \*.** (F. D. C. No. 29751. Sample Nos. 82014-K, 82015-K.)

**LIBEL FILED:** On or about October 4, 1950, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about March 17, 1950, from Crows Landing, Calif.

**PRODUCT:** 7 100-pound bags of black-eyed peas at Atlanta, Ga.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs, insects, insect excreta, and insect webbing; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** November 2, 1950. Default decree of condemnation. The court ordered that the product be delivered to a Government institution, for use as animal feed.

**16784. Misbranding of canned peas. U. S. v. 185 Cases \* \* \*.** (F. D. C. No. 29740. Sample No. 74891-K.)

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