

2905. Adulteration of blueberries. U. S. v. 4 Crates of Blueberries. Default decree of condemnation and destruction. (F. D. C. No. 5371. Sample No. 74298-E.)

On August 6, 1941, the United States attorney for the Southern District of New York filed a libel against 4 crates, each containing 24 quarts, of blueberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 3, 1941, by R. Eldridge from Clarksburg, N. J.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance. The article was unlabeled.

On September 10, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2906. Adulteration of blueberries. U. S. v. 71 Crates of Blueberries. Default decree of condemnation and destruction. (F. D. C. No. 5373. Sample No. 74301-E.)

On August 6, 1941, the United States attorney for the Southern District of New York filed a libel against 71 24-quart crates of blueberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 3, 1941, by Kostick Bros., from Hazleton, Pa.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed vegetable substance. The article was labeled in part: "Schuylkill County Pennsylvania Fancy Blueberries * * * A-1."

On September 10, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2907. Adulteration of blueberries. U. S. v. 6 Crates of Blueberries. Default decree of condemnation and destruction. (F. D. C. No. 5372. Sample No. 74300-E.)

On August 6, 1941, the United States attorney for the Southern District of New York filed a libel against 6 crates, each containing 24 unlabeled quart baskets, of blueberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 3, 1941, by John Massarelli from Hammonton, N. J.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed vegetable substance.

On September 10, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FROZEN STRAWBERRIES

Nos. 2908 and 2909 report actions based on interstate shipments of frozen strawberries examination of which disclosed the presence of moldy berries.

2908. Adulteration of frozen strawberries. U. S. v. R. D. Bodle Co. Plea of guilty. Fine, \$500 and costs. (F. D. C. No. 5522. Sample Nos. 47416-E, 47420-E.)

On January 7, 1942, the United States attorney for the Western District of Washington filed an information against R. D. Bodle Co., a corporation at Seattle, Wash., alleging shipment on or about December 9, 1940, from the State of Washington into the State of Illinois, of a quantity of frozen strawberries that were adulterated in that they consisted in whole or in part of a decomposed substance. The article was labeled in part: "Marshall Strawberries."

On January 7, 1942, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$500 and costs.

2909. Adulteration of frozen strawberries. U. S. v. 19 Barrels of Frozen Strawberries. Consent decree of condemnation and destruction. (F. D. C. No. 5680. Sample No. 61534-E.)

On September 11, 1941, the United States attorney for the Western District of Washington filed a libel against 19 barrels of frozen strawberries at Sumner, Wash., alleging that the article had been shipped in interstate commerce within the period from on or about May 30 to on or about June 14, 1941, by Washington Packers, Inc., from Rainier, Oreg.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: "Dewkist Brand Strawberries Straight Unclassified."

On December 15, 1941, the Washington Packers, Inc., having appeared as claimant, the court granted the claimant's motion for a bill of particulars. However, on January 26, 1942, the claimant having withdrawn its claim and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

CANNED FRUITS AND VEGETABLES

Nos. 2910 to 2912 report the seizure and disposition of canned blackberries examination of which disclosed the presence of moldy berries.

2910. Adulteration of canned blackberries. U. S. v. 85 Cartons of Canned Blackberries. Default decree of condemnation and destruction. (F. D. C. No. 6600. Sample No. 85718-E.)

On December 26, 1941, the United States attorney for the District of Idaho filed a libel against 85 cartons of canned blackberries at Boise, Idaho, alleging that the article had been shipped in interstate commerce on or about October 25, 1941, by Nalley's, Inc., from Tacoma, Wash.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Can) "Spencerian Brand Blackberries * * * Spencer Packing Co. Lebanon, Oregon."

On January 22, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2911. Adulteration of canned blackberries. U. S. v. 86 Cases and 436 Cases of Canned Blackberries. Portion of product ordered released under bond for segregation and destruction of unfit berries; remaining lot condemned and ordered destroyed. (F. D. C. Nos. 6153, 6713. Sample Nos. 61458-E, 73378-E.)

On or about November 5, 1941, and January 20, 1942, the United States attorneys for the District of Idaho and the Western District of Missouri filed libels against 86 cases each containing 6 No. 10 cans of blackberries at Boise, Idaho, and 436 cases each containing 6 No. 10 cans of blackberries at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about September 3 and 20, 1941, by Olympia Canning Co. from Olympia, Wash.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Olympia Blackberries in Water"; or "Pickwick Distributed by Pickwick Products, Inc. Kansas City, Mo. Blackberries Water Pack."

On December 22, 1941, no claimant having appeared for the blackberries at Boise, judgment of forfeiture was entered and the product was ordered destroyed. On March 23, 1942, Olympia Canning Co., claimant for the blackberries at Kansas City, having admitted the allegations of the libel, judgment was entered ordering that the product be released under bond for segregation and destruction of the unfit portion.

2912. Adulteration of canned blackberries. U. S. v. 48 Cases of Canned Blackberries. Default decree of condemnation and destruction. (F. D. C. No. 6290. Sample No. 58762-E.)

On November 24, 1941, the United States attorney for the Southern District of California filed a libel against 48 cases, each containing 6 cans, of blackberries at Long Beach, Calif., alleging that the article had been shipped in interstate commerce on or about August 31, 1941, by Western Oregon Packing Corporation from Corvallis, Oreg.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Heart of the Valley Brand Blackberries * * * Net Weight 6 Lb. 7 Oz."

On December 22, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2913. Adulteration of canned cherries. U. S. v. 30 Cases of Canned Cherries. Consent decree of forfeiture and destruction. (F. D. C. No. 5954. Sample No. 61064-E.)

Examination showed that this product contained maggots.

On October 1, 1941, the United States attorney for the Territory of Hawaii filed a libel against 30 cases, each containing 6 No. 10 cans, of cherries at Honolulu, T. H., which had been consigned by Pacific Northwest Canning Co., alleging that the article had been shipped on or about September 10, 1941, from Puyallup, Wash.; and charging that it was adulterated in that it was in whole or in part filthy, putrid, or decomposed, and was otherwise unfit for food. The article was labeled in part: "Famous Puyallup Brand Water Pack Pitted Red Sour Cherries."

On November 14, 1941, the claimant having admitted the allegations of the libel, judgment of forfeiture was entered and the product was ordered destroyed.