

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.