3832. Adulteration of preserved fruits and preserved ginger. U. S. v. 26 Dozen, 14 Dozen, 133 Dozen, and 77 Dozen Packages of Preserved Fruits (and 1 other seizure of preserved fruits and preserved ginger). Default decrees of condemnation and destruction. (F. D. C. Nos. 6628, 6712. Sample Nos. 84191–E, 84192–E, 84709–E to 84712–E, incl.)

These products contained rodent-hair and insect fragments and miscellaneous filth.

On December 31, 1941, and January 14, 1942, the United States attorney for the District of New Jersey filed libels against 260 dozen packages each containing 3 ounces of preserved fruits, and 5 cartons each containing 36 dozen 3-ounce packages of preserved ginger at Newark, N. J., alleging that the articles had been shipped in interstate commerce within the period from on or about September 12 to on or about December 6, 1941, by B. M. Reeves, Inc., from Brooklyn, N. Y.; and charging that they were adulterated in that they consisted in whole or in part of filthy substances, and in that they had been prepared under insanitary conditions whereby they might have become contaminated with filth. The articles were labeled in part variously: "Fancy Uco Fruit * * * Preserved Mixed Diced Cherries, Pineapple, Citron, Lemon and Orange Peel"; "Fancy Uco Fruit * * * Cherries & Pineapple [or "Ginger," "Cherries," "Preserved Citron," or "Pineapple"]"; "Candied Uco Fruit * * * Pineapple * * * Distributors: Uco Food Corp., Newark, N. J."

On July 20 and August 7, 1942, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

SUGAR

3833. Adulteration of cane sugar. U. S. v. 186 Bags, 335 Bags, and 223 Bags of Sugar. Consent decree of condemnation. Product ordered released under bond for reconditioning. (F. D. C. No. 7068. Sample No. 85645–E.)

This product was in large part contaminated with salt water and had an abnormal odor and some portions of it had a fermented odor.

On March 19, 1942, the United States attorney for the Western District of Washington filed a libel against 744 100-pound bags of sugar at Tacoma, Wash., alleging that the article had been shipped in interstate commerce on or about February 19, 1942, by Balfour, Guthrie & Co., Ltd., from San Francisco, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance and was otherwise unfit for food.

On April 21, 1942, Balfour, Guthrie & Co., Ltd., as general sales agent for the Insular Sugar Refining Corporation, claimant, having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond to be reconditioned. On May 25, 1942, a supplemental order was entered permitting the claimant to ship the sugar to San Francisco to be re-refined under the supervision of the Food and Drug Administration, and ordering that any portion unfit for human consumption be held for further order of the court.

3834. Adulteration of sugar. U. S. v. 210 and 7 Bags of Sugar. Decree of condemnation. Product ordered released under bond to be re-refined. (F. D. C. No. 6614. Sample No. 67949–E.)

This product had been stored under insanitary conditions after shipment. When examined the bags of sugar bore heavy deposits of both rat and mouse excreta at all points exposed to view, urine stains were visible on a number of exposed bags, and actual cutting by rodents had occurred. The floor area surrounding the sacks was thickly strewn by an accumulation of rat and mouse pellets and other filth.

On or about December 29, 1941, the United States attorney for the Eastern District of Arkansas filed a libel against 210 100-pound bags and 7 10-pound bags of sugar in possession of Hurt Grocer Co. at Paragould, Ark., alleging that the article had been shipped in interstate commerce on or about June 9, July 3, and August 13, 1941, from Sugar Land, Tex.; and charging that it was adulterated in that it consisted in whole and/or in part of a filthy and decomposed substance and was otherwise unfit for food. The article was labeled in part: "Imperial Cane Sugar."

On February 4, 1942, the Hurt Grocer Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be returned to the refinery and re-refined under the supervision of the Food and Drug Administration.