

**4656. Adulteration of figs, peaches, prunes, and raisins. U. S. v. 32 Boxes of Dried Figs (and 7 additional seizure actions against dried fruits.)** Decrees of condemnation. One lot of figs ordered released under bond for segregation and destruction or denaturing of the unfit portion. Remainder of products ordered destroyed. (F. D. C. Nos. 7840, 7850, 7886, 7898, 7927, 7955, 8024, 8425. Sample Nos. 70898-E, 82107-E, 82523-E to 82525-E, incl., 24242-F, 28101-F, 28103-F, 28604-F, 28616-F.)

These products were insect-infested and one lot of figs was in part decomposed and sour.

Between July 11 and September 25, 1942, the United States attorneys for the Northern District of Georgia, Southern District of Florida, and Southern District of West Virginia filed libels against 32 10-pound boxes of dried figs at Atlanta, Ga., 70 25-pound cases of raisins at Miami, Fla., 414 25-pound boxes of dried figs at Zephyrhills, Fla.; 79 cases, each containing 36 cartons, and 81 25-pound cases, of raisins at Jacksonville, Fla., 15 25-pound boxes of prunes, and 12 25-pound boxes of peaches at Tampa, Fla., and 53 25-pound boxes of peaches at Princeton, W. Va., alleging that the articles had been shipped in interstate commerce within the period from on or about September 7, 1940, to March 18, 1942, by the California Packing Corporation from Alameda, Fresno, and San Jose, Calif. The articles were labeled in part: "Arabian Brand White Figs \* \* \* Packed by Roeding Fig & Olive Co.," "Red Cord Brand Midget Bakers Thompson Seedless Raisins," "Sphinx Brand Black Figs Roeding's Fancy Quality," "Dessert Sun Dried Natural Seedless Raisins," "Rose Brand California Prunes," "Dessert Brand Choice Recleaned Thompson Seedless Raisins," "Del Monte Brand Quality Extra Fancy Recleaned Peaches," or "Today's Brand Fancy Recleaned Peaches."

The articles were alleged to be adulterated in that they consisted in whole or in part of filthy substances. The black figs were alleged to be further adulterated in that they consisted in whole or in part of a decomposed substance.

On September 28, 1942, the Natural Foods Co. of Zephyrhills, Fla., having filed a claim for the black figs seized in that district and having consented to the entry of a decree, judgment of condemnation was entered, the product was ordered released under bond conditioned that all portions found to be unfit for human consumption be denatured or destroyed under the supervision of the Food and Drug Administration.

Between August 8 and October 7, 1942, no claimant having appeared for the remaining products, judgments of condemnation were entered. The peaches seized at Princeton, W. Va., were ordered delivered to a State institution for stock feed, and the remaining articles were ordered destroyed.

**4657. Adulteration of dried pears. U. S. v. Frank S. Nola and Sam R. Abinante (Abinante & Nola Packing Co.).** Plea of guilty. Fine or \$250 against each defendant. (F. D. C. No. 8770. Sample No. 86557-E.)

This product contained insect excreta and dead insects.

On January 12, 1943, the United States attorney for the Northern District of California filed an information against Frank S. Nola and Sam R. Abinante, individuals trading as copartners under the firm name Abinante & Nola Packing Co. at San Jose, Calif., alleging shipment on or about February 28, 1942, from the State of California into the State of Illinois of a quantity of dried pears that were adulterated in that they consisted in whole or in part of a filthy substance. The article was labeled in part: (Box) "Extra Choice Northern Pears Distributed By Sprague, Warner & Co. Chicago, Ill."

On February 2, 1943, pleas of guilty having been entered by the defendants, the court imposed a fine of \$250 against each defendant.

**4658. Adulteration of dried peaches and pitted prunes. U. S. v. 220 Cartons of Dried Peaches and 46 Boxes of Pitted Prunes.** Default decrees of condemnation and destruction. (F. D. C. Nos. 8318, 8842. Sample Nos. 17391-F, 19371-F.)

The peaches contained dead fruit flies; beetle and moth larvae, both dead and alive; and insect excreta. The prunes were decomposed and moldy.

On September 8 and November 9, 1942, the United States attorneys for the District of Connecticut and the District of Massachusetts filed libels against 220 25-pound cartons of dried peaches at Bridgeport, Conn., and 46 25-pound boxes of pitted prunes at Boston, Mass., alleging that the articles had been shipped in interstate commerce within the period from on or about July 3 to August 31, 1942, by Wm. A. Camp Co., Inc., from New York, N. Y. The articles were labeled in part: (Carton) "Atlas Brand California Dried Recleaned Vari-

grade Peaches Distributed By Atlas Mercantile Co. San Francisco-Calif.," (boxes) "Carnation Club Brand Pitted Prunes."

The peaches were alleged to be adulterated in that they consisted in whole or in part of filthy substances. The prunes were alleged to be adulterated in that they consisted in whole or in part of decomposed substances.

On December 1 and 21, 1942, no claimant having appeared for either of the lots, judgments of condemnation were entered and the products were ordered destroyed.

**4659. Adulteration of dried prunes. U. S. v. 359 Boxes of Dried Prunes. Default decree of condemnation and destruction. (F. D. C. No. 8405. Sample No. 12746-F.)**

This product contained mites, larvae, and decomposed prunes.

On September 24, 1942, the United States attorney for the Eastern District of Washington filed a libel against 359 25-pound boxes of dried prunes at Spokane, Wash., alleging that the article had been shipped in interstate commerce on or about March 11 and April 21, 1942, by Johnson and Rutz from Portland, Oreg.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance. The article was labeled in part: "Oregon Dried Italian Prunes."

On January 13, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**4660. Adulteration of prunes. U. S. v. 62 Boxes of Dried Prunes. Default decree of condemnation and destruction. (F. D. C. No. 8942. Sample No. 12429-F.)**

This product contained rodent-like hairs and mites.

On December 2, 1942, the United States attorney for the Western District of Washington filed a libel against 62 50-pound boxes of dried prunes at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about October 13 and November 2, 1942, by Hudson-Duncan & Co., from Portland, Oreg.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On March 8, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**4661. Adulteration of raisins. U. S. v. 54 Cartons of Raisins. Default decree of condemnation. Product ordered destroyed. (F. D. C. No. 9307. Sample No. 12028-F.)**

This product contained beetles, larvae, and pupae.

On February 10, 1943, the United States attorney for the Western District of Washington filed a libel against 54 25-pound cartons of raisins at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about August 12, 1942, by Koligian Bros., Fresno, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "California Raisins Paragon Brand \* \* \* Choice Thompson Seedless Raisins."

On April 27, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**4662. Adulteration of evaporated black raspberries. U. S. v. 12 Boxes of Evaporated Black Raspberries. Default decree of condemnation and destruction. (F. D. C. No. 8970. Sample Nos. 1873-F to 1875-E, incl.)**

This product contained insect fragments, larvae, rodent hairs, mites, and worm fragments.

On December 9, 1942, the United States attorney for the Northern District of Illinois filed a libel against 12 25-pound boxes of evaporated black raspberries at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about September 27, 1942, by the Julep Co. from Brooklyn, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Boxes) "Evaporated Black Raspberries \* \* \* Packed by Springbrook Packing Co. Springbrook, Ore."

On January 6, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.