

**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 insects and insect- and rodent-damaged prunes.

**DISPOSITION:** February 18, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold to be denatured for use other than human consumption, under the direction of the Federal Security Agency. On March 17, 1947, no purchasers having appeared, the product was ordered destroyed.

**12113. Adulteration of raisins. U. S. v. 663 Cartons \* \* \*. (F. D. C. Nos. 23550, 23551. Sample Nos. 99945-H, 99947-H.)**

**LIBEL FILED:** August 6, 1947, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about June 23, 1947, by the Sagel Manufacturing Co., from Wildwood, N. J.

**PRODUCT:** 663 30-pound cartons of raisins at Philadelphia, Pa.

**LABEL, IN PART:** "Sun Nugget Fancy Seedless Raisins," or "Extra Fancy DeLuxe Brand Golden Bleached Thompson Seedless Raisins."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, insect parts, and insect excreta.

**DISPOSITION:** August 13, 1947. Default decree of condemnation and destruction.

**12114. Misbranding of glacéed fruits. U. S. v. 480 Boxes \* \* \*. (F. D. C. No. 22717. Sample No. 76155-H.)**

**LIBEL FILED:** March 19, 1947, District of New Jersey.

**ALLEGED SHIPMENT:** On or about October 25 and November 21, 1946, by Calavo, Inc., from Los Angeles, Calif.

**PRODUCT:** 480 boxes, each containing 30 8-ounce packages, of glacéed fruits at Irvington, N. J.

**LABEL, IN PART:** "Glaced Fruits—For Fruit Cake."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label designation "Glaced Fruits" was false and misleading as applied to a product which consisted predominantly of citrus peels.

**DISPOSITION:** June 30, 1947. Calavo, Inc., having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be repackaged in bulk and relabeled in conformity with the law, under the supervision of the Food and Drug Administration.

#### FROZEN FRUIT\*

**12115. Misbranding of frozen apricots. U. S. v. 200 Cases \* \* \*. (F. D. C. No. 22636. Sample No. 38740-H.)**

**LIBEL FILED:** March 21, 1947, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about July 23, 1946, by the Honor Brand Frosted Foods, Oroville, Calif.

**PRODUCT:** 200 cases, each containing 48 1-pound packages, of frozen apricots at Chicago, Ill.

**LABEL, IN PART:** "Honor Brand Fresh Frosted Fruits Apricot Halves."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement "Vitamin C (Ascorbic Acid) Added: 4 ounces on thawing contain at least the minimum daily adult requirement for Vitamin C" was false and misleading, since the product on thawing contained little or no vitamin C.

**DISPOSITION:** May 8, 1947. Stokely Foods, Inc., Oakland, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, to be relabeled under the supervision of the Food and Drug Administration.

**12116. Adulteration of frozen red raspberries. U. S. v. 334 Tins \* \* \*. (F. D. C. No. 22543. Sample No. 53565-H.)**

**LIBEL FILED:** February 14, 1947, Middle District of Tennessee.

**ALLEGED SHIPMENT:** On or about August 14, 1946, by the Growers and Packers Cooperative Canning Co., Inc., from North Collins, N. Y.

\*See also No. 12126.

**PRODUCT:** 334 50-pound tins of frozen red raspberries at Nashville, Tenn.

**LABEL, IN PART:** "Fresh Cleaned Red Rasp."

**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 decomposed raspberry material.

**DISPOSITION:** April 29, 1947. Default decree of condemnation and destruction.

**12117. Misbranding of frozen red raspberries. U. S. v. 150 Cases \* \* \*. (F. D. C. No. 22448. Sample No. 62582-H.)**

**LABEL FILED:** January 31, 1947, Northern District of California.

**ALLEGED SHIPMENT:** On or about October 5, 1946, by Honor Brand Frosted Foods, Division of Stokely, Van Camp, Inc., from Bellingham, Wash.

**PRODUCT:** 150 cases, each containing 48 12-ounce packages, of frozen red raspberries at San Jose, Calif.

**LABEL, IN PART:** "Honor Brand Fresh Frosted Red Raspberries."

**NATURE OF CHARGE:** Misbranding, Section 403 (d), the container of the article was so filled as to be misleading, since it was sufficiently large to hold at least 1 pound and actually contained only about 12 ounces.

**DISPOSITION:** March 4, 1947. Stokely Foods, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be repackaged in compliance with the law, under the supervision of the Food and Drug Administration.

#### MISCELLANEOUS FRUIT AND FRUIT PRODUCTS\*

**12118. Adulteration of Spanish olives. U. S. v. 42 Casks \* \* \*. (F. D. C. No. 22416. Sample No. 60548-H.)**

**LABEL FILED:** January 20, 1947, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about December 17, 1946, by the Victor M. Calderon Company, Inc., from New York, N. Y.

**PRODUCT:** Olives. 12 casks of Queen Variety and 30 casks of Manzanilla Variety, each cask containing about 208 gallons of the product at McKees Rocks, Pa.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

**DISPOSITION:** July 17, 1947. The DeLuxe Products Company, McKees Rocks, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the fit portion be segregated and salvaged and that the remainder be destroyed, under the supervision of the Federal Security Agency.

**12119. Adulteration of Spanish Style olives. U. S. v. 70 Cases \* \* \*. (F. D. C. No. 22455. Sample No. 81396-H.)**

**LABEL FILED:** February 7, 1947, Eastern District of Washington.

**ALLEGED SHIPMENT:** On or about August 15, 1946, by the California Merchandising Co., from Los Angeles, Calif.

**PRODUCT:** 70 cases, each containing 24 10-ounce jars, of Spanish Style olives at Yakima, Wash.

**LABEL, IN PART:** "San Lucas Brand Spanish Style Olives \* \* \* Distributed by Acme Olive Co., Inc., Los Angeles, Calif."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

**DISPOSITION:** May 20, 1947. Default decree of condemnation and destruction.

**12120. Adulteration and misbranding of apple butter. U. S. v. Goodwin Preserving Company. Plea of nolo contendere. Fine, \$2,000 and costs. (F. D. C. No. 22073. Sample Nos. 49958-H, 53332-H, 64325-H.)**

**INFORMATION FILED:** September 22, 1947, Western District of Kentucky, against the Goodwin Preserving Co., Louisville, Ky.

**ALLEGED SHIPMENT:** On or about June 21, July 26, and August 7, 1946, from the State of Kentucky into the States of Alabama, Ohio, and New York.

\*See also Nos. 12005-12008