

**INFORMATION FILED:** April 27, 1951, District of Maine, against Roy Allen, trading as G. M. Allen & Son, North Sedgwick, Maine.

**ALLEGED SHIPMENT:** On or about August 21, 1950, from the State of Maine into the State of Pennsylvania.

**LABEL, IN PART:** (Can) "Allen's Maine Blueberries."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of maggots.

**DISPOSITION:** June 27, 1951. A plea of nolo contendere having been entered, the court fined the defendant \$100.

### FROZEN FRUIT

**17720. Adulteration of frozen strawberries. U. S. v. 16,456 Pounds \* \* \*.**  
(F. D. C. No. 29531. Sample No. 78540-K.)

**LIBEL FILED:** August 17, 1950, Eastern District of Michigan.

**ALLEGED SHIPMENT:** On or about July 26, 1950, by Frigid Frosted Foods, Inc., from Everett, Wash.

**PRODUCT:** 16,456 pounds of frozen strawberries at Detroit, Mich.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy and rotten strawberries.

**DISPOSITION:** December 28, 1950. The shipper having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion. 14,542 pounds of strawberries were salvaged and the remainder destroyed.

### JAM

**17721. Adulteration and misbranding of fruit spreads. U. S. v. 94 Cases, etc.**  
(F. D. C. No. 29684. Sample Nos. 42501-K to 42506-K, incl.)

**LIBEL FILED:** August 29, 1950, Northern District of Indiana; amended libel filed October 4, 1950.

**ALLEGED SHIPMENT:** On or about May 25, 1950, by the Milwaukee Preserve & Flavor Co., from Milwaukee, Wis.

**PRODUCT:** 94 cases of strawberry spread, 74 cases of black raspberry spread, 48 cases of blackberry spread, 23 cases of red raspberry spread, 23 cases of cherry spread, and 23 cases of pineapple spread at Gary, Ind. Each case contained 24 1-pound jars.

**LABEL, IN PART:** (Jar) "Steel City Brand \* \* \* Strawberry [or "Black Raspberry," "Blackberry," "Red Raspberry," "Cherry," or "Pineapple"] Spread."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (4), water, sugar, and artificial color had been added to the strawberry, red raspberry, and cherry spreads, and artificial flavor had been added to the strawberry, blackberry, and cherry spreads, and had been mixed and packed with the respective products so as to increase their bulk and weight and make them appear better and of greater value than they were.

Misbranding, Section 403 (g) (1), the products purported to be and were represented as fruit jams, and they failed to conform to the definitions and standards of identity for fruit jams since they were made from mixtures

composed of less than 45 parts by weight of the respective fruit ingredients to each 55 parts by weight of the saccharine ingredients; and the soluble-solids content was less than 68 percent, the minimum permitted by the standard. Further misbranding, Section 403 (g) (1), the strawberry, red raspberry, and cherry spreads contained artificial color, and the strawberry, blackberry, and cherry spreads contained artificial flavor, which are not permitted as optional ingredients in the definitions and standards of identity for fruit jam.

DISPOSITION: March 20, 1951. Default decree of forfeiture. The court ordered that the product be delivered to charitable institutions.

### VEGETABLES

17722. Adulteration of canned red kidney beans. U. S. v. Tolerton & Warfield Co. (Norfolk Packing Co.). Plea of nolo contendere. Fine of \$1,000 and costs. (F. D. C. No. 31092. Sample Nos. 90121-K, 90123-K.)

INFORMATION FILED: September 13, 1951, District of Nebraska, against the Tolerton & Warfield Co., trading as the Norfolk Packing Co., at Plattsmouth, Nebr.

ALLEGED SHIPMENT: On or about September 8 and 22, 1950, from the State of Nebraska into the State of Missouri.

LABEL, IN PART: "La Platte Red Kidney Beans \* \* \* Packed by Norfolk Packing Co., Plattsmouth, Nebr." or "Summer Girl Red Kidney Beans \* \* \* The H. D. Lee Company, Inc. Distributors Kansas City, Mo."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insects, insect parts, rodent hair fragments, and hairs resembling rodent hairs.

DISPOSITION: October 27, 1951. A plea of nolo contendere having been entered, the defendant was fined \$1,000 and costs.

17723. Adulteration of red kidney beans. U. S. v. 279 Bags \* \* \*. (F. D. C. No. 30976. Sample No. 21892-L.)

LIBEL FILED: June 28, 1951, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about December 1, 1949, from New York, N. Y.

PRODUCT: 279 100-pound bags of red kidney beans at New Orleans, La.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: August 23, 1951. The Worldwide Food Products Corp., New Orleans, La., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation of the adulterated portion from the nonadulterated and conversion of the adulterated portion into animal feed, under the supervision of the Federal Security Agency.

17724. Misbranding of canned green beans. U. S. v. 250 Cases \* \* \*. (F. D. C. No. 30870. Sample No. 28902-L.)

LIBEL FILED: April 12, 1951, District of Rhode Island.

ALLEGED SHIPMENT: On or about February 23, 1951, by the Lebanon Packing Co., from Lebanon, Oreg.