

Further misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned pears since all pear units were not untrimmed, or were so trimmed as not to preserve their normal shape, and the product failed to meet the tests for tenderness prescribed by the regulations; and its label failed to bear a statement that the product fell below the standard.

DISPOSITION: September 11, 1951. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions.

DRIED FRUIT

17873. Misbranding of ground dried apples. U. S. v. 17 Cases * * *.
(F. D. C. No. 31430. Sample No. 28121-L.)

LIBEL FILED: July 12, 1951, District of Nevada.

ALLEGED SHIPMENT: On or about August 21, 1950, by the Sebastopol Packing Co., from Sebastopol, Calif.

PRODUCT: 17 cases, each containing 4 cartons, of ground dried apples at Reno, Nev.

LABEL, IN PART: (Carton) "24 3¼ Oz. Pkgs. Dehydrated Apples."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The packages contained less than the declared weight.)

DISPOSITION: August 17, 1951. Default decree of condemnation. The court ordered that the product be delivered to a public institution.

17874. Adulteration of prunes. U. S. v. 82 Cartons * * *. (F. D. C. No. 31346. Sample No. 24630-L.)

LIBEL FILED: July 11, 1951, District of New Jersey.

ALLEGED SHIPMENT: On or about June 21, 1951, by Louis Ender, from New York, N. Y.

PRODUCT: 82 25-pound cartons of prunes at Jersey City, N. J.

LABEL, IN PART: "Heart's Delight * * * Imperial Prunes * * * Richmond-Chase Co."

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 prunes.

DISPOSITION: August 20, 1951. Default decree of condemnation and destruction.

FROZEN FRUIT

17875. Adulteration of frozen strawberries. U. S. v. 200 Cans * * *.
(F. D. C. No. 31354. Sample Nos. 1216-L, 1907-L.)

LIBEL FILED: July 17, 1951, Northern District of Georgia.

ALLEGED SHIPMENT: On or about May 7, 1951, by the Southern Freezing & Preserving Co., from Dayton, Tenn.

PRODUCT: 200 30-pound cans of frozen strawberries at Atlanta, Ga.

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 berries.

DISPOSITION: August 20, 1951. Default decree of condemnation and destruction.