

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 insect-infested prunes, and of a decomposed substance by reason of the presence of moldy prunes.

DISPOSITION: February 7, 1953. Default decree of condemnation and destruction.

FROZEN FRUIT

20073. Adulteration of frozen strawberries. U. S. v. 1,634 Tins * * * (and 1 other seizure action). (F. D. C. Nos. 33661, 33673. Sample Nos. 29918-L, 29919-L.)

LIBELS FILED: August 29 and September 11, 1952, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about August 7 and 8, 1952, by the Diamond Ice & Storage Co., from Seattle, Wash.

PRODUCT: 3,375 30-pound tins of frozen strawberries at Detroit, Mich.

LABEL, IN PART: "Frigid Food Products, Inc. * * * Whole [or "Sliced"] Strawberries Sugar-Syrup & Sugar 3X1 * * * Packed In Avon, Washington."

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 rotten berries.

DISPOSITION: February 18, 1953. Frigid Food Products, Inc., Detroit, Mich., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the product be released under bond for segregation of the unfit portion, under the supervision of the Federal Security Agency. As a result of segregation operations, 108 tins of the product were found unfit and were destroyed.

VEGETABLES AND VEGETABLE PRODUCTS

20074. Misbranding of canned cut green beans. U. S. v. 90 Cases * * *. (F. D. C. No. 34455. Sample No. 52337-L.)

LIBEL FILED: December 23, 1952, District of New Jersey.

ALLEGED SHIPMENT: On or about October 24, 1952, by the Mifflin County Packing Co., from Reedsville, Pa.

PRODUCT: 90 cases, each containing 24 1-pound cans, of cut green beans at Kearny, N. J.

LABEL, IN PART: (Can) "Gardenside Brand Cut Green Beans."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned cut green beans since the de-seeded pods of the article contained more than 0.15 percent by weight of fibrous material and the label failed to bear a statement that the article fell below such standard.

DISPOSITION: January 26, 1953. Safeway Stores, Inc., Jersey City, N. J., 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 the purpose of returning it to the shipper for relabeling under the supervision of the Food and Drug Administration.