

**26239. Adulteration and misbranding of jam. U. S. v. 131 Cases of Assorted Alleged Jams. Consent decree of condemnation. Product released under bond for reprocessing. (F. & D. no. 37703. Sample nos. 55417-B, 55418-B.)**

This case involved an interstate shipment of assorted jams that contained excessive sugar and that were deficient in fruit.

On May 7, 1936, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 131 cases of assorted so-called jams at Fort Wayne, Ind., alleging that the articles had been shipped in interstate commerce on or about February 22, 1935, by Glaser, Crandell Co., from Chicago, Ill., and that it was adulterated and misbranded in violation of the Food and Drugs Act. The articles, contained in jars, were labeled in part: "Mickey Mouse One Pound Pure Peach [or "Blackberry"] Jam Glaser, Crandell Co., Chicago."

The articles were alleged to be adulterated (1) in that sugar had been mixed and packed with the articles so as to reduce or lower their quality; (2) in that a mixture of fruit and sugar, containing less fruit and more sugar than jam, had been substituted for jam; and (3) in that sugar had been mixed with the articles in a manner whereby inferiority was concealed.

The articles were alleged to be misbranded (1) in that the statements on the labels "Pure Peach Jam" and "Pure Blackberry Jam" were false and misleading and tended to deceive and mislead the purchaser when applied to products resembling a jam but which contained less fruit than jam, the deficiency in fruit being concealed by the addition of excess sugar; and (2) in that they were imitations of and were offered for sale under the distinctive names of other articles.

On May 28, 1936, Glaser, Crandell Co., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation was entered, and it was ordered that the products be released under bond conditioned that they be reprocessed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**26240. Adulteration of canned salmon. U. S. v. 145 Cases of Canned Salmon. Consent decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. & D. no. 37708. Sample no. 73481-B.)**

This case involved an interstate shipment of canned salmon examination of which showed the presence of decomposed salmon.

On May 5, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 145 cases of salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about July 29, 1935, by the Grimes Packing Co., from Ouzinkie, Alaska, and that it was adulterated in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On May 12, 1936, O. L. Grimes, claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that the unfit portion be segregated and destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**26241. Adulteration and misbranding of canned apricot juice. U. S. v. 13 Cases of Canned Apricot Juice. Default decree of condemnation and destruction. (F. & D. no. 37713. Sample no. 55714-B.)**

This case involved canned apricot juice that contained added water in excess of the amount indicated on the label.

On May 9, 1936, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 cases of canned apricot juice at Chicago, Ill., alleging that the article had been shipped on or about March 12, 1936, by the Consolidated Fruit Forwarding Co., from Oakland, Calif., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Heart's Delight \* \* \* Apricot Juice Sugar Syrup Added Juice Made From Fresh Tree-Ripened Apricots with Sugar Syrup Added \* \* \* Richmond-Chase Company Main Office San Jose, Cal. U. S. A."

The article was alleged to be adulterated in that water had been mixed and packed with it so as to reduce or lower its quality or strength; and in that water had been substituted in whole or in part for the article.

The article was alleged to be misbranded in that the statements on the label, "Apricot Juice Sugar Syrup Added" and "Juice Made From Fresh Tree-Ripened Apricots with Sugar Syrup Added", were false and misleading and tended to deceive and mislead the purchaser since the article contained added water in excess of the amount indicated by the statements on the label.

On June 24, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**26242. Adulteration of dried apricots and mixed dried fruits. U. S. v. 14 Cases of Dried Apricots and 14 Cases of Mixed Dried Fruits. Default decree of condemnation and destruction. (F. & D. nos. 37715, 37716. Sample nos. 67841-B, 67842-B.)**

This case involved dried fruits that were insect-infested.

On or about May 7, 1936, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 14 cases of dried apricots and 14 cases of mixed dried fruits at Big Spring, Tex., alleging that the articles had been shipped in interstate commerce on or about October 2, 1934, by Rosenberg Bros., & Co., from Fresno, Calif., and charging adulteration in violation of the Food and Drugs Act. The articles were labeled, respectively: "Equality Brand California Apricots Packed by California Prune and Apricot Growers Assn. \* \* \* San Jose California"; "Eureka Brand Extra Choice California Fruit Compote Rosenberg Bros. & Co. California \* \* \*"

The articles were alleged to be adulterated in that they consisted in whole or in part of filthy vegetable substances.

On June 10, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**26243. Adulteration of canned salmon. U. S. v. 693 Cartons of Canned Salmon. Consent decree of condemnation. Product released under bond. (F. & D. no. 37728. Sample no. 68999-B.)**

This case involved salmon that was in part decomposed.

On May 11, 1936, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 693 cartons, each containing 48 cans of salmon, at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about March 10, 1936, by the New England Fish Co., from Portland, Oreg., and charging adulteration in violation of the Food and Drugs Act.

The article was labeled in part: "Pillar Rock Brand Fancy Chinook Salmon \* \* \* Packed and Guaranteed by New England Fish Company Seattle Washington Spring Pack."

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On July 17, 1936, the New England Fish Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that it not be sold or otherwise disposed of contrary to the provisions of the Food and Drugs Act.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**26244. Adulteration of canned salmon. U. S. v. 148 Cartons of Canned Salmon. Consent decree of condemnation. Product released under bond for reconditioning. (F. & D. no. 37730. Sample nos. 73498-B, 73511-B.)**

This case involved an interstate shipment of canned salmon examination of which showed the presence of decomposed salmon.

On May 12, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 148 cartons of canned salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about September 30, 1935, by the First Bank of Cordova, from Cordova, Alaska, and that it was adulterated in violation of the Food and Drugs Act.