

26308. Misbranding of wine. U. S. v. 17 Cases of Alleged Apricot Wine, et al. Default decree of condemnation and destruction. (F. & D. no. 87813. Sample nos. 67445-B, 67446-B, 67447-B.)

This case involved alleged apricot, cherry, and peach wines that were found to consist of mixtures of grape wine, alcohol, and fruit flavors.

On March 5, 1936, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 cases of wines at Camden, N. J., alleging that the articles had been shipped in interstate commerce on or about December 3, 1935, by the Eastern Wine Corporation from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "Casa Blanca Fine Selected Vintage Apricot [or "Cherry" or "Peach"] Wine * * * We Guarantee the Contents of this package to be made from fresh fruits * * * Eastern Wine Corp. Tulare, Cal. New York, N. Y."

The articles were alleged to be misbranded in that the statements on the labels, "Apricot Wine", "Cherry Wine", "Peach Wine", and "We Guarantee the contents of this package to be made from fresh fruits", were false and misleading and tended to deceive and mislead the purchaser when applied to products consisting of mixtures of grape wine; alcohol; and apricot, cherry, or peach flavor; and in that they were imitations of and offered for sale under the distinctive names of other articles.

On April 27, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be delivered to the Treasury Department. On July 16, 1936, an amended decree was entered ordering that the products be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

26309. Adulteration of shredded coconut. U. S. v. 70 Packages of Shredded Coconut. Default decree of condemnation and destruction. (F. & D. no. 37324. Sample no. 65275-B.)

This case involved shredded coconut that was in part decomposed.

On March 7, 1936, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 70 packages of shredded coconut at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about May 2 and August 15, 1935, by the Far Eastern Manufacturing Co. from Brooklyn, N. Y., to Seattle, Wash., that it had been returned to Brooklyn, N. Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Femco Freshlike Sweetened Fancy Shred Coconut Manufactured by Far Eastern Mfg. Co., Brooklyn, New York."

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

On July 16, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

26310. Adulteration of canned salmon. U. S. v. 95 Cases of Canned Salmon. Default decree of condemnation and destruction. (F. & D. no. 37364. Sample no. 52735-B.)

This case involved canned salmon that was in part decomposed.

On March 13, 1936, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 95 cases of canned salmon at Granite City, Ill., alleging that the article had been shipped in interstate commerce on or about December 7, 1935, by the Oceanic Sales Co., and the William W. McBride Co., from Seattle, Wash., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Kings Taste Pink Salmon * * * Lighthouse Packing Co. Point Roberts, Washington."

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

On September 29, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*