

## PRESERVES

**1158. Adulteration of raspberry preserves. U. S. v. 30 Cases of Raspberry Preserves. Default decree of condemnation and destruction. (F. D. C. No. 1998. Sample No. 12978-E.)**

Samples of this product were found to contain worms and insects.

On May 21, 1940, the United States attorney for the Northern District of California filed a libel against 30 cases of raspberry preserves at Oakland, Calif., alleging that the article had been shipped in interstate commerce on or about March 18, 1940, by the Pacific Food Products Co. from Seattle, Wash.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: (Jars) "Sunny Jim Brand \* \* \* Pure Raspberry Preserves."

On September 25, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

## DRIED FRUITS

**1159. Adulteration of apple chops. U. S. v. 433 Bags of Apple Chops. Default decree of condemnation and destruction. (F. D. C. No. 2269. Sample No. 10533-E.)**

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to be insect-infested and dirty.

On June 26, 1940, the United States attorney for the Southern District of New York filed a libel against 433 bags of apple chops at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 22, 1940, by Max Ams, Inc., from Philadelphia, Pa.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On July 10, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1160. Adulteration of dried apples. U. S. v. 78 Boxes of Dried Apples. Default decree of condemnation and destruction. (F. D. C. No. 2459. Sample No. 15473-E.)**

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to be insect-infested and decayed.

On July 30, 1940, the United States attorney for the Western District of Tennessee filed a libel against 78 boxes of dried apples at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about June 5, 1940, by the Bentonville Evaporator Co. from Bentonville, Ark.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance.

On September 4, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1161. Misbranding of dates. U. S. v. 13 Cases of Dates. Default decree of condemnation. Product ordered destroyed or delivered to a charitable institution. (F. D. C. No. 1983. Sample No. 13239-E.)**

These dates occupied only 80 percent of the volume of the package in which they were packed, and the statement of the quantity of contents was placed on the bottom of the side panels.

On May 18, 1940, the United States attorney for the District of Oregon filed a libel against 13 cases of dates at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about April 5, 1940, by the Pacific Fruit & Produce Co. from Seattle, Wash.; and charging that it was misbranded. The article was labeled in part: (Package, main panel) "Selected Golden Dates Ditto Brand \* \* \* Distributors Fine Foods, Inc., Seattle, Minneapolis."

The article was alleged to be misbranded in that its containers were so made, formed, or filled as to be misleading. It was alleged to be misbranded further in that the statement of quantity of contents required by law to appear on the label was not prominently placed thereon with such conspicuousness (as compared with other words, statements or devices in the labeling) as to render it likely to be read by ordinary individuals under customary conditions of purchase and use.

On July 2, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed or delivered to a charitable institution.

**1162. Adulteration of dried peaches. U. S. v. 270 Cases of Dried Peaches. Default decree of condemnation and destruction.** (F. D. C. No. 2232. Sample No. 12626-E.)

This product was insect-infested.

On June 19, 1940, the United States attorney for the Southern District of New York filed a libel against 270 cases of dried peaches at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 11, 1940, by Jack Gomperts & Co. from San Francisco, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance.

On July 17, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1163. Adulteration of dried mixed fruit and dried prunes. U. S. v. Jacob Kauffman. Plea of nolo contendere. Fine, \$100.** (F. D. C. No. 950. Sample Nos. 68033-D, 68034-D.)

Samples of these products were found to contain worms, weevils, and insect excreta.

On May 15, 1940, the United States attorney for the District of Pennsylvania filed an information against Jacob Kauffman, Philadelphia, Pa., alleging shipment on or about September 25, 1939, from the State of Pennsylvania into the State of New York, of quantities of dried mixed fruit and dried prunes that were adulterated in that they consisted in whole or in part of filthy substances. The articles were labeled in part: "Eureka Brand \* \* \* Fruit Compote [or "Northland Brand \* \* \* Prunes"] Rosenberg Bros. & Co."

On December 6, 1940, a plea of nolo contendere was entered by the defendant and a fine of \$100 was imposed.

Nos. 1164 to 1166, inclusive, report the seizure and disposition of dried fruits which were in interstate commerce at the time of examination and were found to be insect-infested; and, in the case of the prunes, also partially decomposed at that time.

**1164. Adulteration of dried prunes. U. S. v. 1,150 Cases of Dried Prunes. Default decree of condemnation and destruction.** (F. D. C. No. 2205. Sample Nos. 33097-E, 33098-E.)

On June 13, 1940, the United States attorney for the Eastern District of New York filed a libel against 1,150 cases of dried prunes at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about October 4 and 18, 1939, by Libby, McNeil & Libby from San Francisco, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance. It was labeled in part: "Santa Clara Prunes."

On September 9, 1940, no answer to the libel having been filed, judgment of condemnation was entered and the product was ordered destroyed.

**1165. Adulteration of dried prunes. U. S. v. 300 Bags of Dried Prunes. Default decree of condemnation and destruction.** (F. D. C. No. 2002. Sample No. 10114-E.)

On May 22, 1940, the United States attorney for the Eastern District of New York filed a libel against 300 bags of dried prunes at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about April 1, 1940, by the Catz American Co., Inc., from San Francisco, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance. The article was labeled in part: "Santa Clara Prunes."

On October 8, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1166. Adulteration of raisins. U. S. v. 43 Cases of Raisins. Default decree of condemnation and destruction.** (F. D. C. No. 2771. Sample No. 26432-E.)

On September 11, 1940, the United States attorney for the District of Oregon filed a libel against 43 cases of raisins at Medford, Oreg., alleging that the article had been shipped in interstate commerce on or about June 27, 1940, by the Pacific Pool Car Co., of Oakland, Calif. (consigned by the Del Ray