

The article was labeled in part: (Cans) "Utah Lyon Brand Catsup" or "Catsup * * * Accepted Brand."

On February 27, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1628. Adulteration of tomato puree. U. S. v. 158 Cases of Tomato Puree. Consent decree of condemnation and destruction. (F. D. C. No. 3719. Sample No. 44636-E.)

This product contained excessive mold, indicating the presence of decomposed material.

On February 1, 1941, the United States attorney for the District of Colorado filed a libel against 158 cases of tomato puree at Denver, Colo., consigned by the Perry Canning Co., alleging that the article had been shipped in interstate commerce on or about October 9, 1940, from Ogden, Utah; and charging that it was adulterated in that it consisted wholly or in part of a decomposed substance. The article was labeled in part: "Gateway Brand Tomato Puree."

On March 3, 1941, the Perry Canning Co. having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

1629. Adulteration of tomato sauce and hot sauce. U. S. v. 341 Cases of Tomato Sauce (and Hot Sauce). Consent decree of condemnation and destruction. (F. D. C. No. 1939. Sample Nos. 9184-E, 9185-E.)

These products contained mold, indicating the presence of decomposed material.

On May 9, 1940, the United States attorney for the Eastern District of Louisiana filed a libel against 341 cases of tomato sauce and 491 cases of hot sauce at Baton Rouge, La., alleging that the articles had been shipped in interstate commerce on or about October 25, 1939, from Stockton, Calif., by B. H. Body, Inc. This firm acted as agent for the packer, the Stockton Food Products Co. of Stockton, Calif. The articles were labeled in part: "Red and White Concentrated Tomato Sauce Red and White Corp'n. Distributor Chicago, Illinois"; or "Brimfull Brand Hot Sauce Distributed by Kitchen Products Inc. Chicago."

They were alleged to be adulterated in that they consisted wholly or in part of decomposed substances.

On April 14, 1941, Stockton Food Products, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered destroyed.

OTHER FRUIT PRODUCTS

1630. Adulteration of apple butter. U. S. v. 93 Cases of Apple Butter. Default decree entered. Product ordered destroyed. (F. D. C. No. 3410. Sample No. 55546-E.)

Examination of this product showed that it contained insect fragments.

On November 19, 1940, the United States attorney for the Western District of Washington filed a libel against 93 cases, each containing 6 No. 10 cans, of apple butter at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about October 8, 1940, by Pacific Food Products Co. from Boise, Idaho; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. It was labeled in part: "Sunny Jim Pure Apple Butter."

On January 28, 1941, no claimant having appeared, judgment was entered ordering destruction of the product.

1631. Adulteration and misbranding of Spreidon. U. S. v. 11 Cases of Spreidon. Default decree of condemnation and destruction. (F. D. C. No. 2995. Sample No. 6587-E.)

This product was a dark gelatinous mass, highly acidulated, with no characteristic odor or flavor other than acidity and sweetness, consisting of dried fruit (excepting that labeled "Grape," which contained fruit pulp), dextrose, pectin, acid, and artificial color. The product, which was wrapped in wax paper, occupied only about 58 percent of the volume of the package.

On September 16, 1940, the United States attorney for the Northern District of Texas filed a libel against 11 cases of Spreidon at Amarillo, Tex., alleging that the article had been shipped in interstate commerce on or about July 22,

1939, by California Fruit Products, Ltd., from Los Angeles, Calif.; and charging that it was adulterated and misbranded. The article was labeled in part: (Package) "Sun Gold Raspberry [or "Currant, Strawberry," "Blackberry," "Grape," or "Loganberry"] Flavored Spread [designs: one depicting what appears to be a mold of fruit jelly and another of various fresh fruits]."

It was alleged to be adulterated in that a substance, artificial color, had been added thereto or mixed or packed therewith so as to make it appear better or of greater value than it was.

It was alleged to be misbranded in that the designs of fresh fruit and fruit jelly mold were false and misleading; in that the words "Concentrated Fruit" in the statement of the ingredients were false and misleading as applied to dried fruit or fruit pulp; in that the name "Spread" was misleading since the article was a spread-on base and not a spread on because the purchaser must supply three cups of sugar to each 1 $\frac{3}{4}$ ounces of the article; in that the labeling failed to reveal that when used according to directions an imitation fruit jelly would be obtained, a fact which was material in the light of the labeling; and in that the container was so made, formed, or filled as to be misleading.

On April 7, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRIED FRUITS

1632. Adulteration of dates. U. S. v. 79 Boxes of Dates. Default decree of condemnation and destruction. (F. D. C. No. 3690. Sample No. 55739-E.)

Examination showed that this product was undergoing fermentation.

On January 18, 1941, the United States attorney for the District of Oregon filed a libel against 79 boxes of dates at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about October 2, 1940, by the L. A. Nut House from Los Angeles, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "La-Nut Brand Coconut Rolled California Date Confection."

On March 10, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1633. Adulteration of prunes. U. S. v. 100 Cases of Prunes. Default decree of condemnation and destruction. F. D. C. No. 3456. Sample No. 34701-E.)

Examination of this product disclosed that it was moldy and insect-infested.

On or about December 9, 1940, the United States attorney for the District of Connecticut filed a libel against 100 cases, each containing 24 packages, of prunes at Bridgeport, Conn., alleging that the article had been shipped in interstate commerce on or about June 3, 1940, by the Winchester Dried Fruit Co. from San Jose, 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: "Hillside Brand Santa Clara * * * Prunes."

On February 24, 1941, no claimant having appeared, judgment of condemnation was entered, and it was ordered that the product be destroyed.

1634. Adulteration of prunes. U. S. v. 5 Sacks of Prunes. Default decree of condemnation and destruction. (F. D. C. No. 3234. Sample No. 21353-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.

On October 17, 1940, the United States attorney for the Western District of Washington filed a libel against 5 sacks of prunes at Seattle, Wash., alleging that the article had been shipped on or about September 17, 1940, by the California Packing Corporation from Alameda, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On January 28, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

Nos. 1635 to 1642 report the seizure and disposition of raisins that were insect-infested.

1635. Adulteration of raisins. U. S. v. 88 Cases of Raisins. Default decree of condemnation and destruction. (F. D. C. No. 3436. Sample No. 37202-E.)

On November 26, 1940, the United States attorney for the Southern District of Florida filed a libel against 88 cases of raisins at Jacksonville, Fla., alleging that