in that inferiority had been concealed by the addition of water, sugar, and starch; and (3) in that water, sugar, and starch 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 (1) in that the statements "Pear [or "Peach" or "Fig"] FruZert A preparation * * * made from ripe pears [or "peaches" or "figs"]," were false and misleading since they implied that it was a 100 percent fruit product; and (2) in that it was fabricated from two or more ingredients and the labels did not bear the common or usual name of each ingredient.

On September 29, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2479. Adulteration of imitation fruit jelly. U. S. v. 2 Barrels and 24 Cans of Imitation Fruit Jelly. Default decrees of condemnation and destruction. (F. D. C. Nos. 4841, 4842. Sample Nos. 69995–E, 69998–E.)

Examination of this product showed that it contained rodent hairs, splinters, and miscellaneous filth fragments.

On May 28, 1941, the United States attorney for the District of New Jersey filed libels against 2 barrels containing a total of 1,091 pounds of imitation fruit jelly at North Bergen, N. J., and 24 cans of the same product at Paterson, N. J., alleging that the article had been shipped on or about May 2 and 19, 1941, by Vienna Extract Co., Inc., from Brooklyn, N. Y.; and charging that it was adulterated. It was labeled in part: (Barrels) "Imit. Fruit Jelly"; and (cans) "Net Wt. 30 Lbs. D. L. Brand Imitation Fruit Jelly."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On September 4, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

DRIED FRUITS

2480. Adulteration of apple chops. U. S. v. 483 Bags of Apple Chops. Default decree of condemnation and destruction. (F. D. C. No. 5632. Sample No. 67581–E.)

This product was contaminated with rodent hairs and insect fragments.

On September 4, 1941, the United States attorney for the Eastern District of Missouri filed a libel against 483 bags of apple chops at St. Louis, Mo., alleging that the article had been shipped by Orbaker & Bush from Williamson, N. Y., on or about August 20, 1941; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance; and in that it had been held under insanitary conditions whereby it might have become contaminated with filth. The bags containing the article were unlabeled.

On October 2, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2481. Adulteration of dried apricots. U. S. v. Joseph P. Perrucci and Frank L. Di Napoli (Mayfair Packing Co.). Pleas of guilty. Fines, $40. (F. D. C. No. 4193. Sample Nos. 46023–E, 46025–E.)

This product was dirty, moldy, and insect-infested.

On September 10, 1941, the United States attorney for the Northern District of California filed an information against Joseph P. Perrucci and Frank L. Di Napoli, copartners, trading as Mayfair Packing Co., San Jose, Calif., alleging delivery for shipment on or about August 5 and August 28, 1940, from the State of California into the State of New York of quantities of apricots which were adulterated in that they consisted wholly or in part of filthy and decomposed substances. The article was labeled in part: "25 Lbs. Net Weight California Apricots Distributors Jack Gomperts & Co. San Francisco, Cal." or "25 Lbs. Net Wt. Azalea Brand Dried Blenheim Apricots C. L. Dick & Co. San Jose, California, U. S. A."

On October 4, 1941, pleas of guilty having been entered, the court imposed a fine of $20 against each defendant.

2482. Adulteration of dates. U. S. v. 500 Cases of Dates. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of unfit portion. (F. D. C. No. 4104. Sample No. 56388–E.)

This action was based on a return shipment of dates that were found to be wormy.