3359. Adulteration of jelly. U. S. v. 37 Cartons, 75 Tins, and 200 Tins of Jelly. Default decrees of condemnation and destruction. (F. D. C. Nos. 6955, 6996, 7000. Sample Nos. 89310–E, 89314–E, 89316–E.)

Examination showed that this product was contaminated with filth, such as insect fragments and hairs resembling rodent hairs.

On March 2, 6, and 9, 1942, the United States attorneys for the Southern and the Eastern Districts of New York filed libels against 37 30-pound cartons and 75 30-pound tins of jelly at New York, and 200 30-pound tins of jelly at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about February 6, 13, and 20, 1942, by White Cap Preserves, Inc., from Whippany, N. J.; 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 prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "Aranbee Brand Highest Quality Pure Apple & Raspberry Jelly," or "Fanco Brand [or "White Cap * * *"] Imitation Apple Jelly."

On March 19 and April 8 and 23, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

3360. Adulteration of imitation fruit jelly. U. S. v. 10 Cartons of Imitation Fruit Jelly. Default decree of condemnation and destruction. (F. D. C. No. 6382. Sample No. 74899–E.)

Examination showed that this product contained rodent hairs, insect fragments, and miscellaneous filth fragments.

On December 8, 1941, the United States attorney for the District of Connecticut filed a libel against 10 cartons each containing 1 30-pound can of imitation fruit jelly at New Britain, Conn., alleging that the article had been shipped in interstate commerce on or about November 6, 1941, by Vienna Extract Co., Inc., from Brooklyn, N. Y.; 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 prepared under insanitary conditions whereby it might become contaminated with filth. The article was labeled in part: (Cans) "D. L. Brand Imitation Fruit Jelly."

On May 19, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3361. Misbranding of strawberry jelly. U. S. v. 51½ Cases of Jelly. Default decree of condemnation and destruction. (F. D. C. No. 6705. Sample No. 83243–E.)

Examination showed that this product fell below the standard of quality for strawberry jelly, since it was insufficiently concentrated by heat, as evidenced by the fact that its soluble-solids content was less than 65 percent. It was also short of the declared weight.

On January 17, 1942, the United States attorney for the Eastern District of Louisiana filed a libel against 51½ cases of strawberry jelly at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about December 27, 1941, by Martin Food Products, Inc., from Chicago, Ill.; and charging that it was misbranded. It was labeled in part: (Jar) "Pal Brand Net Wt. 8 Ozs. Pure Strawberry Jelly."

The article was alleged to be misbranded (1) in that the statement "Net Wt. 8 Ozs." was false and misleading as applied to an article that was short weight; (2) in that it was in package form and its label did not bear an accurate statement of the quantity of contents; and (3) in that it purported to be a food for which a definition and standard of identity had been prescribed by regulations as provided by law, but it did not conform to such definition and standard because the soluble-solids content was less than 65 percent.

On March 25, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3362. Adulteration of fruit peel and jam. U. S. v. 1 Barrel Each of Chopped Orange Peel and Chopped Lemon Peel (and 2 seizure actions against jam). Default decrees of condemnation and destruction. (F. D. C. Nos. 6583, 6584, 6592. Sample Nos. 59712–E, 63000–E, 80042–E, 80043–E.)

These products contained insect fragments, rodent hairs, and miscellaneous filth.

On December 23 and 24, 1941, the United States attorney for the Southern District of Ohio, the Eastern District of Michigan, and the District of Maryland filed libels against 1 barrel containing 472 pounds of chopped orange peel and 1 barrel containing 447 pounds of chopped lemon peel at Cincinnati, Ohio; 6 pails containing 330 pounds of plum jam at Detroit, Mich.; and 7 pails containing 380 pounds of orange jam at Baltimore, Md., alleging that the articles had been