

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

shipped in interstate commerce within the period from on or about October 31 to on or about November 25, 1941, by Bakers Food Products Co. from New York, N. Y.; and charging that they were adulterated in that they consisted in whole or in part of filthy substances; and in that they had been prepared, packed, or held under insanitary conditions whereby they might have become contaminated with filth.

On February 5, 10, and 16, 1942, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

3363. Adulteration of jam and fruit butter. U. S. v. 3 Cases and 5 Cases of Jam and 5 Cases of Fruit Butter. Default decrees of condemnation and destruction. (F. D. C. Nos. 6154, 6155. Sample Nos. 74070-E, 74072-E, 74073-E.)

These products contained rodent hairs and insect fragments.

On or about November 10, 1941, the United States attorney for the District of Connecticut filed libels against a total of 8 cases of jam and 5 cases of fruit butter at Bridgeport, Conn., alleging that the articles had been shipped in interstate commerce on or about September 3 and 24, 1941, by Max Ams from New York, N. Y.; and charging that they were adulterated in that they consisted in whole or in part of filthy substances, and in that they had been prepared under insanitary conditions whereby they might have become contaminated with filth. The articles were labeled in part: (Jars) "Bluebell Golden Lacqua A Pure Jam Made from the California Dried Apricot"; or Bluebell Pure Lacqua Fruit Butter."

On April 24, 1942, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

3364. Adulteration and misbranding of preserves. U. S. v. 24 Cases, 10 Cases, 10 Cases, and 16 Cases of Preserves. Default decree of condemnation and destruction. (F. D. C. No. 5090. Sample Nos. 53340-E to 53343-E, incl.)

These products were deficient in fruit.

On July 29, 1941, the United States attorney for the District of Arizona filed a libel against 60 cases, each containing 12 2-pound jars, of preserves at Yuma, Ariz., alleging that the articles had been shipped in interstate commerce on or about February 27 and May 1, 1941, by Crown Products Corporation from Los Angeles, Calif.; and charging that they were adulterated and misbranded. They were labeled in part: (Jars) "Lady's Choice Pure Strawberry [or "Apricot," "Peach," "Raspberry," "Blackberry," "Black Raspberry," "Loganberry," "Youngberry," or "Boysenberry"] Preserves."

The articles were alleged to be adulterated in that imitation strawberry, apricot, peach, raspberry, and blackberry preserves, deficient in fruit, had been substituted in whole or in part for strawberry, apricot, peach, raspberry, and blackberry preserves.

They were alleged to be misbranded (1) in that the names "Pure Strawberry Preserves," "Pure Apricot Preserves," "Pure Peach Preserves," "Pure Raspberry Preserves," and "Pure Blackberry Preserves" were false and misleading as applied to articles that were deficient in fruit; (2) in that they were imitations of other foods and their labels fail to bear, in type of uniform size and prominence, the word "imitation" and immediately thereafter the name of the food imitated; and (3) in that they purported to be foods for which definitions and standards of identity had been prescribed by regulations as provided by law, but they failed to conform to such definitions and standards.

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

3365. Adulteration of sweet relish. U. S. v. 14 Cases, 1 Barrel, and 82 Cases of Sweet Relish. Default decrees of condemnation and destruction. (F. D. C. Nos. 6957 to 6959, incl. Sample Nos. 70505-E, 70507-E, 70508-E.)

Examination showed that this product contained insect fragments.

On or about March 5, 1942, the United States attorney for the Southern District of Florida filed libels against 14 cases each containing 24 8-fluid-ounce jars, 82 cases each containing 12 pint jars, and 1 barrel containing 45 gallons of sweet relish at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about January 19, 20, and 31, 1942, by Cairo Pickle Co. or W. B. Roddenbery Co. from Cairo, Ga.; 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: (Jars in cases) "Cairo Beauties brand [or "Pickle Patch 1 Pint"] Sweet Relish." The remainder was unlabeled.

On April 27, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.