On January 3, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3572. Adulteration and misbranding of preserves. U. S. v. 118 Cases of Preserves. Consent decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 5601. Sample Nos. 53234–E to 53238–E, incl.)

Analysis showed that most of these preserves were deficient in fruit and soluble solids, the remainder deficient in fruit alone.

On September 3, 1941, the United States attorney for the District of Arizona filed a libel against 118 cases of preserves at Phoenix, Ariz., alleging that the articles had been shipped in interstate commerce within the period from on or about March 19, 1941, to June 20, 1941, by Kopper Kettle Preserving Co. and General Grocery Co. from Los Angeles, Calif.; and charging that they were adulterated and misbranded. They were labeled in part: "Kopper Kettle Brand Pure Strawberry [or other fruit] Preserves."

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

The articles were alleged to be misbranded (1) in that the names "Pure Strawberry Preserves," "Pure Apricot Preserves," "Pure Blackberry Preserves," "Pure Cherry Preserves," "Pure Peach Preserves," and "Pure Red Raspberry Preserves," were false and misleading; (2) in that they were imitations of other foods and their labels failed 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 and they failed to conform to such definition and standard.

On January 27, 1942, certain preserves which had been seized but were not covered by the libel were ordered delivered to the claimant, the Kopper Kettle Preserving Co., and on May 22, 1942, judgment was entered condemning the remainder and ordering the preserves delivered to a charitable institution.

3573. Adulteration of pepper sauce. U. S. v. 25 Cases and 4 Cases of Pepper Sauce. Default decree of condemnation and destruction. (F. D. C. No. 7356. Sample No. 35130–E.)

This product contained insect fragments and nondescript dirt.

On April 18, 1942, the United States attorney for the Southern District of Mississippi filed a libel against 25 cases each containing 36 3-ounce bottles and 4 cases each containing 24 6-ounce bottles of pepper sauce at Gulfport, Miss., alleging that the article had been shipped in interstate commerce on or about January 13, 1942, by Fortier & Brown from New Orleans, La.; 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: (Bottles) "Bruce's Louisiana Hot Pepper Sauce * * * Bruce's Food Products Co., New Iberia, La."

On June 2, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3574. Adulteration and misbranding of pickles and adulteration of pickle relish. U. S. v. 25 Cases of Pickles and 35 Cases of Pickle Relish. Default decrees of condemnation and destruction. (F. D. C. Nos. 7024, 7025. Sample Nos. 86533–E, 86539–E.)

Examination showed that these products contained insect fragments and hairs resembling rodent hairs; the pickle relish contained sand, and the pickles were dirty and discolored from soil or sand rubbed into the skin. The pickles contained little, if any, wine; and the statement of the quantity of contents did not express the number of the largest unit contained in the package, namely, 1 quart.

On March 13, 1942, the United States attorney for the Eastern District of Wisconsin filed libels against 25 cases each containing 12 32-ounce jars of pickles and 35 cases each containing 12 8-fluid-ounce tumblers of pickle relish at Milwaukee, Wis., alleging that the articles had been shipped in interstate commerce on or about February 13 and 17, 1942, by Manhattan Pickle Co. from Chicago, Ill.; and charging that they were adulterated and that the pickles were also