

On October 12, 1942, no claimant having appeared, judgment of condemnation and destruction was entered, but on October 23, 1942, the decree was amended to provide for delivery of the product to a charitable institution.

4666. Misbranding of apple butter. U. S. v. 1,442 Cases of Apple Butter. Decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 8963. Sample Nos. 36801-F to 36804-F, incl.)

On December 3, 1942, the United States attorney for the District of Maryland filed a libel against 319 cases, each containing 24 jars, and 1,123 cases, each containing 12 jars, of apple butter at Baltimore, Md., alleging that the article had been shipped in interstate commerce within the period from on or about October 7 to 17, 1942, by the Adams Apple Products Corporation from Aspers, Pa. The article was labeled in part: "Apple Butter * * * Royal Clover Brand Distributed by Royal Clover Distributing Co. Baltimore, Md."

The article was alleged to be misbranded in that the name "Apple Butter" was false and misleading since it did not comply with the definition and standard of identity for apple butter. It was alleged to be misbranded further in that it purported to be and was represented as a food for which a definition and standard of identity had been prescribed by regulations provided by law, but it failed to conform to such definition and standard since the soluble solids content of the finished apple butter was less than 43 percent.

On March 24, 1943, the Adams Apple Products Corporation, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

4667. Adulteration of crystallized ginger, glace cherries, and pineapple. U. S. v. B. M. Reeves Co., Inc. Plea of guilty. Fine, \$2,000. (F. D. C. No. 7244. Sample Nos. 84191-E, 84192-E.)

This product contained rodent hair, human hair, insect fragments, insect legs and bodies, and nondescript dirt.

On November 5, 1942, the United States attorney for the Eastern District of New York filed an information against the B. M. Reeves Co., Inc., a corporation at Brooklyn, N. Y., alleging delivery for shipment in interstate commerce on or about December 6, 1941, from the State of New York into the State of New Jersey of quantities of the above-named products that 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 may have become contaminated with filth. The articles were labeled in part: "Fancy Uco Ginger Fruit," or "Fancy Uco Fruit * * * Cherries & Pineapple."

On May 12, 1943, a plea of guilty having been entered on behalf of the defendant corporation, the court imposed a fine of \$2,000.

4668. Adulteration of huckleberry flow. U. S. v. Harold Fisch (Pure Foods Corporation). Plea of nolo contendere. Fine, \$100. (F. D. C. No. 7738. Sample No. 92053-E.)

This product contained rodent hairs.

On November 4, 1942, the United States attorney for the Southern District of California filed an information against Harold Fisch, trading as Pure Foods Corporation, Los Angeles, Calif., alleging shipment on or about April 16, 1942, from the State of California into the State of Pennsylvania of a quantity of huckleberry flow which was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared, packed, or held, under insanitary conditions whereby it might have become contaminated with filth.

On January 18, 1943, a plea of nolo contendere having been entered by the defendant, the court imposed a fine of \$100.

4669. Adulteration and misbranding of jellies. U. S. v. Harold Kushner and Katie Kushner (Ma Kushner's Products). Plea of guilty. Fine, \$100. (F. D. C. No. 8742. Sample No. 1670-F.)

On February 25, 1943, the United States attorney for the Northern District of Illinois filed an information against Harold Kushner and Katie Kushner, trading as Ma Kushner's Products, at Chicago, Ill., alleging delivery for shipment on or about May 18, 1942, from the State of Illinois into the State of Indiana of a quantity of jellies that were adulterated and misbranded. The articles were labeled in part: (Jars) "Table Hints Brand Apple Raspberry [or "Grape," "Cherry," or "Strawberry"] Jelly * * * Packed For Grocers Service Corporation Headquarters, Chicago, Ill."