

**6125. Adulteration and misbranding of peach-flavored spread and pineapple-flavored spread. U. S. v. 35 Cartons of Peach Flavored Spread and 65 Cartons of Pineapple Flavored Spread. Default decree of condemnation. Product ordered delivered to a charitable organization. (F. D. C. No. 11830. Sample Nos. 76141-F, 76143-F.)**

**LABEL FILED:** February 19, 1944, District of New Jersey.

**ALLEGED SHIPMENT:** On or about December 9 and 11, 1943, by Ace Preserves, from New York, N. Y.

**PRODUCT:** 35 cartons, each containing 24 jars, of peach-flavored spread, and 65 cartons, each containing 24 jars, of pineapple-flavored spread at Bayonne, N. J.

**LABEL, IN PART:** "Pantry Brand Peach [or "Pineapple"] Flavored Spread  
\* \* \* Manufactured By Pantry Products Co. New York, N. Y."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2), a mixture of fruit, sugar, pectin, water, and acid had been substituted for peach and pineapple jam, respectively, which the articles purported to be.

Misbranding, Section 403 (g) (1), the articles purported to be foods for which definitions and standards of identity have been prescribed by regulations promulgated pursuant to law, and they failed to conform to these definitions and standards since the articles were made from a mixture composed of less than 45 parts by weight of the fruit ingredient to each 55 parts by weight of the optional saccharine ingredients specified in the definitions and standards, and the articles were not concentrated by heat, as required by the regulations, to such point that the soluble solids content was, in the case of the peach spread, 65 percent or less, and, in the case of the pineapple spread, 68 percent or less.

**DISPOSITION:** No claimant having appeared, judgment of condemnation was entered on June 5, 1944, and the product was ordered delivered to a charitable organization.

#### MISCELLANEOUS FRUIT PRODUCTS\*

**6126. Adulteration of white fig paste. U. S. v. 570 Cases of White Fig Paste. Consent decree of condemnation. Product ordered released under bond for distillation. (F. D. C. No. 12314. Sample No. 70494-F.)**

**LABEL FILED:** On or about May 11, 1944, District of Oregon.

**ALLEGED SHIPMENT:** On or about September 18, 1943, From Fresno, Calif.

**PRODUCT:** 570 cases of white fig paste, at Portland, Oreg., in possession of the B. & O. Transfer Co.

This product had been stored after shipment under insanitary conditions. Many of the cartons had been damaged by rodents, and rodent excreta was noted on the cartons and in some of the exposed fig paste. Examination showed that the product contained insect and larva fragments, rodent excreta, and rodent hairs.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), in that the product consisted in whole or in part of a filthy substance; and, Sections 402 (a) (4), in that it had been held under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** August 4, 1944. Rosenberg Bros. & Co., San Francisco, Calif., having appeared as claimant and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for distillation, under the supervision of the Food and Drug Administration.

**6127. Adulteration of fig paste. U. S. v. 400 Cartons of Fig Paste. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 12281. Sample No. 71211-F.)**

**LABEL FILED:** On or about May 5, 1944, District of Oregon.

**ALLEGED SHIPMENT:** On or about November 24, 1943, by the Roeding Fig & Olive Co., from Fresno, Calif.

**PRODUCT:** 400 80-pound cartons of fig paste at Portland, Oreg.

**LABEL, IN PART:** "Mecca Brand Fig Paste."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, larvae, and insect fragments.

\*See also Nos. 6001-6003.

**DISPOSITION:** June 6, 1944. The Roeding Fig & Olive Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be distilled under the supervision of the Federal Security Agency.

**6128. Adulteration of fig paste. U. S. v. 124 Cases of Fig Paste. Consent decree of condemnation. Product ordered released under bond to be disposed of for other purposes than human consumption. (F. D. C. No. 12701. Sample No. 58248-F.)**

**LIBEL FILED:** June 16, 1944, District of Colorado.

**ALLEGED SHIPMENT:** On or about December 4, 1943, from Empire, Calif., consigned by Guggenlime & Co., San Francisco, Calif.

**PRODUCT:** 124 cases of fig paste at Denver, Colo.

**LABEL, IN PART:** "Baker Boy Brand California \* \* \* White Adriatic Fig Paste Packed Expressly for Western Bakers Supply Co. Denver Colorado."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), in that the product consisted in whole or in part of a filthy substance, larvae, and insect and larvae heads.

**DISPOSITION:** August 3, 1944. Guggenlime & Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be placed in storage until disposed of for other purposes than human consumption, under the supervision of the Food and Drug Administration.

**6129. Adulteration of fig paste. U. S. v. 100 Cartons and 500 Cases of Fig Paste. Decrees of condemnation. Product ordered released under bond for distillation purposes. (F. D. C. Nos. 12312, 12350. Sample Nos. 70484-F, 71154-F.)**

**LIBELS FILED:** On or about May 5 and 25, 1944, in the District of Oregon and the Western District of Washington.

**ALLEGED SHIPMENT:** On or about September 18, 1943, and January 25, 1944, by Rosenberg Bros. & Co., from San Francisco and Fresno, Calif.

**PRODUCT:** 100 cartons of fig paste at Portland, Oreg., and 500 cases at Seattle, Wash.

**LABEL, IN PART:** "White Fig Paste," or "Special Fig Paste."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), in that the product consisted in whole or in part of a filthy substance by reason of the presence of larvae, larvae fragments, insect fragments, and rodent hairs.

**DISPOSITION:** August 4 and 11, 1944. Rosenberg Bros. & Co. having appeared as claimant, judgments of condemnation were entered and the product was ordered released under bond for distillation purposes, under the supervision of the Food and Drug Administration.

**6130. Adulteration of grapefruit juice. U. S. v. 1,503 Cases of Grapefruit Juice. Default decree of condemnation and destruction. (F. D. C. No. 12483. Sample No. 72165-F.)**

**LIBEL FILED:** May 31, 1944, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about April 16, 1944, by the Brownsville Canning Co., Brownsville, Tex.

**PRODUCT:** 1,503 cases, each containing 24 cans, of grapefruit juice at St. Louis, Mo.

**LABEL IN PART:** "American Lady Fancy [or "Topmost Fancy"] Unsweetened Tree Ripened Grapefruit Juice \* \* \* General Grocer Co. Distributors, St. Louis, Mo."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of filthy substances since it contained fly fragments, fly eggs, and maggots; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** July 15, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6131. Adulteration of diced grapefruit peel. U. S. v. 21 Barrels of Diced Grapefruit Peel. Default decree of condemnation and destruction. (F. D. C. No. 12284. Sample No. 52342-F.)**

**LIBEL FILED:** May 1, 1944, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about March 11, 1944, by the Tampa Packing Co., from Lakeland, Fla.

**PRODUCT:** 21 barrels of diced grapefruit peel at Boston, Mass.