MISCELLANEOUS FRUIT PRODUCTS

9938. Adulteration and misbranding of wine vinegar. U. S. v. Evaristo Barbero (E. Barbero). Plea of guilty. Fine, $101. (F. D. C. No. 20155. Sample Nos. 5947–H, 5959–H.)

INFORMATION FILED: July 22, 1946, District of New Jersey, against Evaristo Barbero, trading as E. Barbero, Union City, N. J.

ALLEGED SHIPMENT: On or about October 7, 1944, from the State of New Jersey into the State of New York.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), an artificially colored mixture of wine vinegar and distilled vinegar had been substituted for pure wine vinegar; Section 402 (b) (3), the product was inferior to pure wine vinegar, and its inferiority had been concealed by the addition of artificial color; and, Section 402 (b) (4), distilled vinegar had been mixed and packed with the product so as to reduce its quality and strength, and artificial color had been mixed and packed with the article so as to make it appear to be wine vinegar, a product which is better and of greater value.

Misbranding, Section 403 (a), the label statement "Pure Wine Vinegar" was false and misleading.

DISPOSITION: August 5, 1946. A plea of guilty having been entered, the defendant was fined $101.

9939. Adulteration of apple pomace. U. S. v. 70 Bags of Apple Pomace. Default decree of condemnation and destruction. (F. D. C. No. 19752. Sample No. 1836–H.)

LIBEL FILED: May 6, 1946, Northern District of Georgia.

ALLEGED SHIPMENT: On or about April 17, 1945, by the C. H. Musselman Co., from Biglerville, Pa.

PRODUCT: 70 bags, each containing 50 to 60 pounds, of apple pomace at Atlanta, Ga.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments, insects, insect fragments, and insect excreta.

DISPOSITION: June 14, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9940. Adulteration of strawberry puree. U. S. v. 99 Cans of Strawberry Puree (and 3 other seizure actions against strawberry puree). Default decrees of condemnation and destruction. (F. D. C. Nos. 20313 to 20315, incl. Sample Nos. 5328–H, 65321–H, 65333–H, 65334–H.)

LIBELS FILED: On or about June 28 and July 1 and 8, 1946, Eastern District of Pennsylvania and District of New Jersey.

ALLEGED SHIPMENT: Between the approximate dates of April 13 and May 3, 1946, by the Breyer Ice Cream Co., from Plant City, Fla.

PRODUCT: 504 50-pound cans of strawberry puree at Philadelphia, Pa., and 203 50-pound cans of the same product at Haddonfield, N. J.

LABEL, IN PART: "Kruse's Inc. of Florida, Plant City, Florida Cold Processed Strawberry Puree."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed strawberry material.

DISPOSITION: August 9 and 14, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

9941. Adulteration of strawberry puree. U. S. v. 54 Cans and 190 Cans of Strawberry Puree. Default decree of condemnation and destruction. (F. D. C. No. 20322. Sample Nos. 63722–H, 63723–H.)

LIBEL FILED: July 5, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about April 15 and 16, 1946, by the Brown Packing Co., from Plant City, Fla.

PRODUCT: 244 55-pound cans of strawberry puree at Jersey City, N. J.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed strawberry material.

DISPOSITION: August 19, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.