

PRODUCT: 438 unlabeled crates, each containing 24 1-quart trays, of frozen strawberries at Atlanta, Ga.

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 rotten and moldy berries.

DISPOSITION: July 17, 1951. Default decree of condemnation and destruction.

JELLY

17779. Adulteration and misbranding of assorted jelly. U. S. v. 13 Cases * * *. (F. D. C. No. 31132. Sample No. 31986-L.)

LIBEL FILED: On or about May 16, 1951, Western District of Missouri.

ALLEGED SHIPMENT: On or about March 15, 1951, by Jo-Mart Food Products, Inc., from Wichita, Kans.

PRODUCT: 13 cases, each containing 12 30-ounce jars, of assorted jelly at Mansfield, Mo.

LABEL, IN PART: (Jar) "Red Tulip Brand Apple-Grape [or "Apple-Strawberry," "Apple-Raspberry," or "Pure Apple"] Jelly * * * Moody Food Products, Inc. Wichita, Kansas."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), products deficient in fruit juice (all jars) and containing artificial coloring (all jars except those labeled "Pure Apple") had been substituted for apple-grape jelly, apple-strawberry jelly, apple-raspberry jelly, and apple jelly, respectively.

Misbranding, Section 403 (g) (1), the products failed to conform to the definitions and standards of identity for fruit jelly since they were made from mixtures composed of less than 45 parts by weight of one or a combination of two of the fruit juice ingredients to each 55 parts by weight of one of the optional saccharine ingredients; and (all jars except those labeled "Pure Apple") the products failed also to conform to the definitions and standards since they contained artificial coloring, which is not permitted as an optional ingredient of fruit jelly.

DISPOSITION: June 28, 1951. Default decree of destruction.

17780. Adulteration and misbranding of apple-grape jelly. U. S. v. 18 Cases * * *. (F. D. C. No. 31160. Sample No. 15081-L.)

LIBEL FILED: May 28, 1951, District of Nebraska.

ALLEGED SHIPMENT: On or about March 14, 1951, by Jo-Mart Food Products, Inc., from Wichita, Kans.

PRODUCT: 18 cases, each containing 6 5-pound jars, of apple-grape jelly at Lincoln, Nebr.

LABEL, IN PART: (Jar) "Bobby-Lee Apple-Grape Jelly Net Wt. 5# * * * Packed By Moody Food Products, Inc. Wichita, Kansas."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product deficient in fruit juice had been substituted for apple-grape jelly.

Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents (the jars contained less than the labeled 5 pounds net weight); and, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for apple-grape jelly since it was made from a mixture composed of less than 45 parts

by weight of the fruit juice ingredients (apple and grape) to each 55 parts by weight of one of the saccharine ingredients, and it contained artificial coloring, which is not permitted as an ingredient of apple-grape jelly.

DISPOSITION: July 10, 1951. Default decree of condemnation and destruction.

VEGETABLES

17781. Adulteration of frozen kale. U. S. v. 89 Cartons * * *. (F. D. C. No. 31199. Sample No. 3097-L.)

LIBEL FILED: June 14, 1951, District of Columbia.

ALLEGED SHIPMENT: On or about March 30, 1951, by the Bateman Frozen Foods Co., from Macon, Ga.

PRODUCT: 89 cartons, each containing 24 10-ounce packages, of frozen kale at Washington, D. C.

LABEL, IN PART: (Package) "Dixiana Fresh Frozen Kale."

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 therein of worms.

DISPOSITION: August 20, 1951. Default decree of condemnation. The court ordered that the product be delivered to a public institution, for use as animal feed.

17782. Adulteration of canned field peas with snaps. U. S. v. 110 Cases * * *. (F. D. C. No. 31314. Sample Nos. 1023-L, 1024-L.)

LIBEL FILED: June 29, 1951, Southern District of Florida.

ALLEGED SHIPMENT: On or about March 8, 1951, by the Cherokee Products Co., from Haddock, Ga.

PRODUCT: 110 cases, each containing 6 6-pound, 9-ounce cans, of field peas with snaps at Jacksonville, Fla.

LABEL, IN PART: (Can) "O'Sage Brand Field Peas with Snaps."

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

DISPOSITION: August 22, 1951. Default decree of condemnation and destruction.

17783. Adulteration of mixed chick-peas and fava beans. U. S. v. 37 Cases * * *. (F. D. C. No. 31137. Sample No. 24115-L.)

LIBEL FILED: May 11, 1951, District of New Jersey.

ALLEGED SHIPMENT: On or about January 3, 1951, from New York, N. Y.

PRODUCT: 37 cases, each containing 24 6-ounce packages, of mixed chick-peas and fava beans at Newark, 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 its rancidity. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: July 12, 1951. Default decree of condemnation and destruction.

17784. Adulteration of garbanzos (chick-peas), chocolate fragments, clove sweepings, cumin seed, and cocoa beans. U. S. v. 350 Pounds. etc. (F. D. C. No. 31167. Sample Nos. 23393-L, 23395-L, 23398-L, 23400-L to 23402-L, incl.)