NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product of less than 68 percent soluble solids content had been substituted for blackberry preserves.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for blackberry preserves, since it was made from a mixture composed of less than 45 parts by weight of the fruit ingredient to each 55 parts by weight of the saccharine ingredients; and the article was not concentrated by heat to the point where its soluble solids content amounted to at least 68 percent.

DISPOSITION: December 9, 1947. Default decree of condemnation. The product was ordered delivered to a charitable institution.

12937. Adulteration and misbranding of strawberry preserves. U. S. v. 200 Cases * * *. (F. D. C. No. 22686. Sample No. 44683-H.)

LIBEL FILED: March 12, 1947, District of Arizona.

ALLEGED SHIPMENT: On or about January 2, 1947, by the Pacific Coast Packing Co., from San Diego, Calif.

PRODUCT: 200 cases, each containing 24 1-pound jars, of strawberry preserves at Phoenix, Ariz.

LABEL, IN PART: "Imperial Brand Pure Strawberry Preserves."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 68 percent soluble solids had been substituted for strawberry preserves.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for strawberry preserves, since the soluble solids content of the product was less than 68 percent, the minimum permitted by the regulations.

DISPOSITION: May 6, 1947. Default decree of condemnation. The product was ordered delivered to charitable institutions.

12938. Misbranding of jelly. U. S. v. 60 Jars * * *. (F. D. C. No. 24329. Sample No. 4661-K.)

LIBEL FILED: February 2, 1948, District of Massachusetts.

ALLEGED SHIPMENT: On or about December 5, 1947, by the Cinnama-Tang Products Co., from Syracuse, N. Y.

PRODUCT: 60 8-ounce jars of jelly at Boston, Mass.

LABEL, IN PART: "8 Oz. Mint Tang Jelly."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the product purported to be fruit jelly, mint flavoring and artificial coloring added, and it failed to conform to the definition and standard of identity prescribed by the regulations for such product, since it contained no fruit juice. The regulations provide that fruit jelly, mint flavoring and artificial coloring added, is made from a mixture of 45 parts by weight of the fruit juice ingredient, or a combination of fruit juice ingredients, extracted from apple, crab apple, pineapple, or any two or all of such fruits, to each 55 parts by weight of the saccharine ingredient, to which has been added mint flavoring and harmless green coloring.

Further misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents. (The jars were short-weight.)

DISPOSITION: March 1, 1948. Default decree of condemnation. The product was ordered delivered to a charitable institution.

12939. Adulteration and misbranding of wine vinegar. U. S. v. Anthony Bertola (A. Bertola & Co.). Plea of guilty. Fine, $400. (F. D. C. No. 20107. Sample Nos. 16723-H, 18022-H.)

INFORMATION FILED: October 28, 1946, Southern District of New York, against Anthony Bertola, trading as A. Bertola & Co.

ALLEGED SHIPMENT: On or about July 30, 1944, and January 22, 1945, from the State of New York into the State of Illinois.

LABEL, IN PART: "Wine Vinegar."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), an artificially colored mixture of wine vinegar and acetic acid, or distilled vinegar, had been substituted for wine vinegar; and, Section 402 (b) (3), the product was inferior to wine vinegar, and its inferiority had been concealed by the addition of artificial