

PRODUCT: 7 cases of raspberry-apricot preserves and 17 cases of strawberry-peach preserves at Manchester, N. H., and 2 cases of raspberry preserves and 3 cases of strawberry preserves at Concord, N. H. Each case contained 24 1-pound jars.

LABEL, IN PART: "Lincoln * * * Raspberry Apricot [or "Strawberry Peach," "Raspberry," or "Strawberry"] Preserves."

NATURE OF CHARGE: Raspberry and strawberry preserves and 1 lot of strawberry-peach preserves. Adulteration, Section 402 (b) (2), products deficient in fruit had been substituted for raspberry, strawberry, and strawberry-peach preserves. Misbranding, Section 403 (g), the products failed to conform to the definition and standard of identity for preserves since they had not been made from mixtures composed of not less than 45 parts by weight of the fruit ingredient to each 55 parts by weight of the saccharine ingredient, as required by the regulations.

Raspberry-apricot preserves and 1 lot of strawberry-peach preserves. Adulteration, Section 402 (b) (2), a substance containing artificial color had been substituted for fruit preserves. Misbranding, Section 403 (g) (1), the products failed to conform to the definition and standard of identity since they contained added artificial color, which is not permitted as an optional ingredient in fruit preserves.

Raspberry-apricot preserves. Misbranding, Section 403 (g) (2), its label failed to bear the name of the preserve as specified in the regulations. The definition and standard provides that if the fruit ingredient is a combination of two or more ingredients, the name "preserve" is preceded or followed by the name of the fruits in the order of their predominance. The predominant fruit by weight was apricot, whereas raspberry was named first in the label.

DISPOSITION: April 11 and May 29, 1947. Default decrees of condemnation. The products were ordered delivered to charitable institutions.

14053. Adulteration and misbranding of red raspberry puree. U. S. v. 18 Barrels * * *. (F. D. C. No. 25343. Sample No. 4900-K.)

LABEL FILED: August 5, 1948, District of Massachusetts.

ALLEGED SHIPMENT: On or about April 5, 1946, by the Welch Fruit Products Co., from Chicago, Ill.

PRODUCT: 18 barrels, each containing approximately 60 gallons, of red raspberry puree at Boston, Mass.

LABEL, IN PART: "Welch's Seedless Red Raspberries Pureed For Ice Cream Contents One Gallon."

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 raspberry material.

Misbranding, Section 403 (a), the designation "Seedless Red Raspberries Pureed" was false and misleading since the product was an artificially flavored and colored mixture of seedless red raspberries, invert sugar, phosphoric acid, and water; Section 403 (e), the product failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Contents One Gallon" was inaccurate; and, Section 402 (i) (2), it was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each ingredient since phosphoric acid and water were not declared.

DISPOSITION: January 3, 1949. Default decree of condemnation and destruction.