

(The article was adulterated while held for sale after shipment in interstate commerce.)

DISPOSITION: October 28, 1948. Default decree of condemnation and destruction.

13820. Adulteration of glace fruit. U. S. v. 1 Barrel, etc. (F. D. C. No. 25019. Sample Nos. 26967-K, 26968-K.)

LABEL FILED: July 8, 1948, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about May 28 and December 11, 1947, from Rockford, Ill.

PRODUCT: 1 barrel containing 300 pounds of ribbon cut natural melon, and 1 barrel containing 350 pounds of diced citron at St. Louis, Mo. Examination showed that the products were fermenting.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of a decomposed substance by reason of their being fermented. (The articles were adulterated while held for sale after shipment in interstate commerce.)

DISPOSITION: August 16, 1948. Default decree of condemnation and destruction.

13821. Adulteration and misbranding of apple-strawberry jelly, adulteration of applesauce, and misbranding of peach preserves. U. S. v. B. Frank Craddock (Craddock Canning & Preserve Co.). Pleas of guilty to certain counts and pleas of nolo contendere to remaining counts. Fine of \$1,500 and costs. (F. D. C. No. 23562. Sample Nos. 35657-H, 40139-H, 40718-H, 41205-H, 41206-H, 53520-H.)

INFORMATION FILED: October 17, 1947, Western District of Kentucky, against B. Frank Craddock, trading as the Craddock Canning & Preserve Co., Paducah, Ky.

ALLEGED VIOLATIONS: On or about July 1, 1946, the defendant gave M. Livingston & Co. a guaranty providing that any product sold to M. Livingston & Co. would be in compliance with the Federal Food, Drug, and Cosmetic Act. During the month of July 1946, the defendant sold and delivered a quantity of apple-strawberry jelly to M. Livingston & Co., at Paducah, Ky. The jelly so delivered under the guaranty was adulterated and misbranded. On or about August 6, 1946, M. Livingston & Co. shipped the jelly into the State of Illinois.

In addition, it was charged that on or about August 24, October 17, and November 7 and 20, 1946, the defendant shipped quantities of apple-strawberry jelly, peach preserves, and canned applesauce from the State of Kentucky into the States of Arkansas and Tennessee.

LABEL, IN PART: "Craddock Brand Pure Apple-Strawberry Jelly [or "Pure Peach Preserves Contents 1 lb. 10 oz.]" or "Tip-Top Brand Apple Sauce."

NATURE OF CHARGE: Apple-strawberry jelly. Adulteration, Section 402 (b) (1), valuable constituents, apple juice and strawberry juice, had been omitted. Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for apple-strawberry jelly since it was made from a mixture composed of less than 45 parts by weight of the fruit juice ingredients, apple juice and strawberry juice, to each 55 parts by weight of one of the saccharine ingredients; and in addition it contained a color, amarant, and one lot contained artificial strawberry flavor, which are not permitted as optional ingredients of apple-strawberry jelly.