

29410. Adulteration of huckleberries. U. S. v. 12 Crates and 2 Crates of Huckleberries. Default decree of condemnation and destruction. (F. & D. No. 43504. Sample No. 26534-D.)

This product was infested with maggots.

On August 16, 1938, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 14 crates of huckleberries at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about August 14, 1938, by M. Husine from Tobyhanna, Pa.; and charging adulteration in violation of the Foods and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On September 9, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29411. Adulteration and misbranding of lemon juice. U. S. v. 24 Gallon Bottles of Lemon Juice. Default decree of condemnation and destruction. (F. & D. No. 43094. Sample No. 25950-D.)

This product was represented to be pure lemon juice, but consisted essentially of water, citric acid, lemon oil, a clouding agent, and added coal-tar color, with only a small amount of lemon juice.

On July 19, 1938, the United States attorney for the District of New Jersey acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 gallon bottles of lemon juice at Newark, N. J.; alleging that the article had been shipped in interstate commerce on or about June 29, 1938, by Sun Kist Fruit Juice Co. from Bronx, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "California Brand Lemon Juice 100% Pure * * * Packed by Pure Juice Products Co. New York."

It was alleged to be adulterated in that an imitation lemon juice consisting of water, citric acid, lemon oil, a clouding agent, and added coal-tar color, with a small amount of lemon juice, had been mixed and packed with the article so as to reduce or lower its quality or strength and had been substituted wholly or in part therefor; and in that it had been mixed and colored in a manner whereby inferiority was concealed.

The article was alleged to be misbranded in that the statements, "Made from the juice of tree ripened lemons" and "Lemon Juice 100% Pure," and the design of lemons were false and misleading and tended to deceive and mislead the purchaser; and in that it was an imitation of and was offered for sale under the distinctive name of another article, lemon juice.

On September 7, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29412. Adulteration of dried apricots. U. S. v. 143 Cases of Dried Apricots. Consent decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. & D. No. 43108. Sample No. 17972-D.)

This product was in part insect-infested and decomposed.

On July 29, 1938, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 143 cases of dried apricots at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about July 2, 1938, by R. Fair from Stockton, Calif.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Packed By R. Fair Modesto, Calif."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On August 29, 1938, R. Fair, Modesto, Calif., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the good be separated from the bad and the latter destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*