

PRESERVES

1158. Adulteration of raspberry preserves. U. S. v. 30 Cases of Raspberry Preserves. Default decree of condemnation and destruction. (F. D. C. No. 1998. Sample No. 12978-E.)

Samples of this product were found to contain worms and insects.

On May 21, 1940, the United States attorney for the Northern District of California filed a libel against 30 cases of raspberry preserves at Oakland, Calif., alleging that the article had been shipped in interstate commerce on or about March 18, 1940, by the Pacific Food Products Co. from Seattle, Wash.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: (Jars) "Sunny Jim Brand * * * Pure Raspberry Preserves."

On September 25, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRIED FRUITS

1159. Adulteration of apple chops. U. S. v. 433 Bags of Apple Chops. Default decree of condemnation and destruction. (F. D. C. No. 2269. Sample No. 10533-E.)

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to be insect-infested and dirty.

On June 26, 1940, the United States attorney for the Southern District of New York filed a libel against 433 bags of apple chops at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 22, 1940, by Max Ams, Inc., from Philadelphia, Pa.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On July 10, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1160. Adulteration of dried apples. U. S. v. 78 Boxes of Dried Apples. Default decree of condemnation and destruction. (F. D. C. No. 2459. Sample No. 15473-E.)

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to be insect-infested and decayed.

On July 30, 1940, the United States attorney for the Western District of Tennessee filed a libel against 78 boxes of dried apples at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about June 5, 1940, by the Bentonville Evaporator Co. from Bentonville, Ark.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance.

On September 4, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1161. Misbranding of dates. U. S. v. 13 Cases of Dates. Default decree of condemnation. Product ordered destroyed or delivered to a charitable institution. (F. D. C. No. 1983. Sample No. 13239-E.)

These dates occupied only 80 percent of the volume of the package in which they were packed, and the statement of the quantity of contents was placed on the bottom of the side panels.

On May 18, 1940, the United States attorney for the District of Oregon filed a libel against 13 cases of dates at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about April 5, 1940, by the Pacific Fruit & Produce Co. from Seattle, Wash.; and charging that it was misbranded. The article was labeled in part: (Package, main panel) "Selected Golden Dates Ditto Brand * * * Distributors Fine Foods, Inc., Seattle, Minneapolis."

The article was alleged to be misbranded in that its containers were so made, formed, or filled as to be misleading. It was alleged to be misbranded further in that the statement of quantity of contents required by law to appear on the label was not prominently placed thereon with such conspicuousness (as compared with other words, statements or devices in the labeling) as to render it likely to be read by ordinary individuals under customary conditions of purchase and use.