that it consisted wholly or in part of a filthy and decomposed substance. It was labeled in part: "Lido Tomato Sauce with Salt, Peppers and Spices."

On or about February 27, 1941, Freiria Hermanos & Cia., S. en C., San Juan, P. R., filed a claim for 18 cases of the product and petitioned an extension of the return date to April 7, 1941, and Stockton Food Products, Inc., Stockton, Calif., filed a claim for the entire lot and admitted the allegations of the libel and prayed release of the product under bond. On April 22, 1942, no further action having been taken by either claimant, judgment of condemnation was entered and it was ordered that the product be destroyed and that the costs be taxed against the claimants.

OTHER FRUIT AND VEGETABLE PRODUCTS

3356. Adulteration of apple butter. U. S. v. 82 Cases of Apple Butter. Default decree of condemnation and destruction. (F. D. C. No. 6189. Sample No. 71106–E.)

This product contained rodent hairs and insect fragments.

On November 8, 1941, the United States attorney for the Southern District of Illinois filed a libel against 82 cases of apple butter at Peoria, Ill., alleging that the article had been shipped in interstate commerce on or about October 6, 1941, by Kroger Grocery & Baking Co. from St. Louis, Mo.; 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) "Kroger's Country Club Quality Brand Apple Butter."

On March 23, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3357. Adulteration of apple butter. U. S. v. 700 Cases and 47 Cases of Apple Butter. Default decrees of condemnation and destruction. (F. D. C. Nos. 6260, 6296. Sample Nos. 49056–E, 67931–E.)

Examination showed that this product contained rodent hairs and insect fragments.

On November 26 and December 3, 1941, the United States attorneys for the Northern District of Texas and the Eastern District of Arkansas filed libels against 700 cases each containing 12 jars of apple butter at Dallas, Tex., and 47 cases each containing 12 jars of apple butter at Little Rock, Ark., alleging that the article had been shipped in interstate commerce on or about September 11 and 17, 1941, by Preserves, Inc., from St. Louis, Mo.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, and decomposed substance. The article was labeled in part: (Jars) "Parkdale [or "Blue Star"] Pure Apple Butter * * * Net Wt. 1 Lb. 12 Oz. [or "2 Lbs."]."

On January 12 and March 26, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed. The decree of January 12 provided, however, that Preserves, Inc., might reclaim the caps and jars in the 700 cases seized at Dallas, upon payment of all costs incident to such reclamation.

3358. Misbranding of canned apple sauce. U. S. v. 128 Cases of Canned Apple Sauce. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 6643. Sample No. 37590–E.)

This product was not Fancy because of a number of defects, consisting of several fairly large pieces of peel, portions of seeds and of calyx ends, and carpels, in addition to countless small black and brown specks.

On January 2, 1942, the United States attorney for the Northern District of Georgia filed a libel against 128 cases of canned apple sauce at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about October 19, 1941, by the Bowman Apple Products Co. from Mount Jackson, Va.; and charging that it was misbranded. The article was labeled in part: (Can) "Bowman's Fancy Apple Sauce."

It was alleged to be misbranded in that the label statement "Fancy" was false and misleading when applied to an article that was not Fancy because of its numerous defects.

On January 23, 1942, the Bowman Apple Products Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling, under the supervision of the Food and Drug Administration.