

PRODUCT: Apple butter. 13 cases at New Haven, Conn., and 28 cases at Guntersville, Ala. Each case contained 6 7-pound, 8-ounce cans, of the product.

LABEL, IN PART: "Adams Maid Brand Apple Butter."

NATURE OF CHARGE: Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for apple butter since its soluble solids content was less than 43 percent, the minimum prescribed by the standard.

DISPOSITION: December 13 and 17, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered delivered to charitable institutions.

10421. Adulteration of apricot pulp and misbranding of canned apricots. U. S. v. 263 and 248 Cases * * *. (F. D. C. Nos. 22169, 22331. Sample Nos. 51498-H, 64757-H.)

LIBELS FILED: December 28, 1946, and January 13, 1947, District of Minnesota and Southern District of New York.

ALLEGED SHIPMENT: The apricot pulp was shipped on or about September 17, 1946, and the canned apricots were shipped on or about October 11, 1946, by Colo-Flavor Products, Inc., from Palisade, Colo.

PRODUCT: 263 cases, each containing 6 6-pound, 8-ounce cans, of apricot pulp at New York, N. Y., and 248 cases, each containing 6 6-pound, 8-ounce cans of apricots at Minneapolis, Minn. Examination showed that the apricot pulp was undergoing progressive decomposition, and that the canned apricots were blemished with scab and hail injury.

LABEL, IN PART: "La Salle Apricot Pulp * * * Distributed By John Sexton & Co. Chicago, Ill.," or "Colo-Mesa Tree Ripened Whole Unpitted Apricots Packed in Light Syrup."

NATURE OF CHARGE: Apricot pulp, adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance.

Canned apricots, misbranding, Section 403 (h) (1), the article fell below the prescribed standard of quality for canned apricots since more than 20 percent of the units in each container were blemished.

DISPOSITION: January 27 and February 5, 1947. The Aslesen Co., Minneapolis, Minn., having appeared as claimant for the lot of canned apricots and having consented to the entry of a decree, and no claimant having appeared for the lot of apricot pulp, judgments of condemnation were entered. It was ordered that the lot of canned apricots be released under bond for relabeling under the supervision of the Federal Security Agency. The lot of apricot pulp was ordered destroyed.

10422. Misbranding of canned apricots. U. S. v. 1,067 Cases * * *. (F. D. C. No. 21229. Sample No. 46248-H.)

LIBEL FILED: October 8, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about August 21, 1946, by Parrott and Co., San Francisco, Calif., from Stockton, Calif.

PRODUCT: 1,067 cases, each containing 24 1-pound, 14-ounce cans, of apricots at Philadelphia, Pa.

LABEL, IN PART: "Fruit Basket Whole Unpeeled Apricots In Heavy Syrup * * * Packed by Thornton Canning Co., Thornton, Calif."

NATURE OF CHARGE: Misbranding, Section 403 (g) (2), the article failed to conform to the definition and standard of identity for canned apricots since its label failed to bear, as required by the regulations, the name of the optional packing medium present. The label bore the statement "In Heavy Syrup," and the article was packed in sirup designated in the standard as "Light Sirup."

DISPOSITION: December 19, 1946. A. E. Turner and Co., Philadelphia, Pa., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be relabeled under the supervision of the Food and Drug Administration.

10423. Misbranding of canned apricots. U. S. v. 195 Cases * * *. (F. D. C. No. 21176. Sample No. 45634-H.)

LIBEL FILED: October 9, 1946, Western District of New York.