

LABEL, IN PART: (Jar) "Colonial Pure Apple-Black Raspberry Jelly," "Colonial Pure Apple Jelly," "Colonial Pure Apple-Strawberry [or "Apple-Black Raspberry" or "Apple-Grape"] Jelly."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the articles in the 16-case lot, 5-case lot, and 48-case lot failed to bear labels containing an accurate statement of the quantity of the contents since the label statements (16- and 48-case lots) "Net Weight 2 Lbs." and (5-case lot) "Net Weight 12 Oz." were inaccurate. (Examination showed that the articles in such lots were short weight.)

Further misbranding, Section 403 (g) (1), the articles in the 16-case lot, 48-case lot, and 49-case lot failed to conform to the definitions and standards of identity for fruit jelly since such articles contained added artificial color, which is not permitted as an ingredient of fruit jelly in the definitions and standards.

DISPOSITION: June 3, 1953. A default decree was entered providing for the delivery of the products to charitable institutions.

20471. Misbranding of peach preserves, strawberry preserves, and grape jam.

U. S. v. 100 Cases, etc. (F. D. C. No. 35403. Sample Nos. 62594-L to 62596-L, incl.)

LABEL FILED: August 27, 1953, Eastern District of Arkansas.

ALLEGED SHIPMENT: On or about March 28 and April 21, 1953, by Colonial Mfg. Co., Inc., from Oklahoma City, Okla.

PRODUCT: 100 cases of peach preserves, 36 cases of strawberry preserves, and 135 cases of grape jam at Pine Bluff, Ark. Each case contained 12 2-pound-size jars.

LABEL, IN PART: (Jar) "Mrs. Wilkes' * * * Pure Peach Preserves [or "Pure Strawberry Preserves" or "Pure Grape Jam"]."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the articles failed to bear labels containing an accurate statement of the quantity of the contents since the label statements "Net Weight 2 Lbs." or "Net Wt. 2 Lbs." were inaccurate. (Examination showed that the articles were short weight.)

Further misbranding, Section 403 (g) (1), the articles purported to be and were represented as fruit preserves, foods for which definitions and standards of identity have been prescribed by regulations, and they failed to conform to such definitions and standards since the articles had not been concentrated by heat to such point that their soluble-solids were not less than 65 percent with respect to the peach preserves and not less than 68 percent with respect to the strawberry preserves and grape jam.

DISPOSITION: September 25, 1953. Colonial Mfg. Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

MISCELLANEOUS FRUIT PRODUCTS

20472. Adulteration of grape nectar. U. S. v. 236 Cases * * *. (F. D. C. No. 32896. Sample No. 21879-L.)

LABEL FILED: March 21, 1952, Northern District of Texas.

ALLEGED SHIPMENT: On or about October 5, 1951, by Butterfield Canning Co., Inc., from Warren, Ind.

PRODUCT: 236 cases, each containing 12 cans, of grape nectar at Dallas, Tex.
LABEL, IN PART: (Can) "Contents 1 Qt. 14 Fl. Ozs. Val-Sweet Grape Nectar
Packed by Val-Sweet Company San Francisco, California."

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the article contained an added poisonous and deleterious substance, monochloroacetic acid, which is unsafe within the meaning of the law since it is a substance not required in the production of the article and can be avoided by good manufacturing practice.

DISPOSITION: May 6, 1952. Default decree of condemnation and destruction.

20473. Adulteration of prune juice. U. S. v. 95 Cases * * *. (F. D. C. No. 34461. Sample No. 26446-L.)

LIBEL FILED: On or about January 7, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about November 18, 1952, by the American Fig & Date Co., from New York, N. Y.

PRODUCT: 95 cases, each containing 12 quart bottles, of prune juice at Camden, N. J.

LABEL, IN PART: (Bottle) "Tartan * * * Prune Juice."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect excreta.

DISPOSITION: March 17, 1953. Default decree of condemnation and destruction.

VEGETABLES AND VEGETABLE PRODUCTS*

20474. Adulteration of artichokes. U. S. v. 44 Half Crates, etc. (F. D. C. No. 35243. Sample No. 51713-L.)

LIBEL FILED: May 15, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about April 25, 1953, by the California Artichoke & Vegetable Growers Corp., from Castroville, Calif.

PRODUCT: 44 half crates and 4 full crates of artichokes at New York, N. Y.

LABEL, IN PART: "Ocean Mist Brand California Artichokes."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of worms and worm excreta.

DISPOSITION: May 20, 1953. Default decree of condemnation and destruction.

20475. Adulteration of navy beans. U. S. v. 14 Bags * * *. (F. D. C. No. 34806. Sample No. 20571-L.)

LIBEL FILED: April 6, 1953, Southern District of Iowa.

ALLEGED SHIPMENT: On or about October 7, 1952, from Saginaw, Mich.

PRODUCT: 14 100-pound bags of navy beans at Keokuk, Iowa, in the possession of the S. Hamill Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

*See also No. 20487.