

LABEL, IN PART: (Jar) "Home Style Pure Grape Preserves [or "Seedless Raspberry Preserves" or "Pineapple Preserves"]."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), products deficient in fruit had been substituted for grape, raspberry, and pineapple preserves, respectively, which the articles were represented to be.

Misbranding, Section 403 (g) (1), the articles failed to conform to the definitions and standards of identity for fruit preserves since the articles were made from a mixture composed of less than 45 parts by weight of the fruit (grape, raspberry, or pineapple) ingredient to each 55 parts by weight of one of the sweetening ingredients specified in the definitions and standards.

DISPOSITION: February 4, 1954. Default decree of condemnation. The court ordered that the products be delivered to a charitable institution.

21438. Adulteration of cherry preserves. U. S. v. 112 Cans * * *. (F. D. C. No. 35526. Sample No. 61048-L.)

LIBEL FILED: October 5, 1953, District of Kansas.

ALLEGED SHIPMENT: On or about August 5, 1953, from Joplin, Mo.

PRODUCT: 112 8-pound, 6-ounce cans, of cherry preserves at Kansas City, Kans.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 1, 1953. Default decree of condemnation and destruction.

VEGETABLES AND VEGETABLE PRODUCTS

21439. Adulteration of canned corn. U. S. v. 194 Cases * * *. (F. D. C. No. 36738. Sample No. 72690-L.)

LIBEL FILED: On or about May 19, 1954, Western District of Virginia.

ALLEGED SHIPMENT: On or about September 21, 1953, by the Crites Milling Co., from Ashville, Ohio.

PRODUCT: 194 cases, each containing 24 cans, of corn at Grundy, Va.

LABEL, IN PART: (Can) "Crites Best Cream Style Golden Sweet Corn * * * Contents 1 Lb."

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 excreta and rodent hairs.

DISPOSITION: July 12, 1954. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for use other than for human consumption.

21440. Misbranding of sweet peppers. U. S. v. 73 Cases * * *. (F. D. C. No. 36360. Sample No. 52763-L.)

LIBEL FILED: January 26, 1954, District of New Jersey.

ALLEGED SHIPMENT: On or about December 10, 1953, by the Leibowitz Pickle Products, from Brooklyn, N. Y.

PRODUCT: 73 cases, each containing 4 1-gallon jars, of sweet peppers at Perth Amboy, N. J. Examination showed that the product contained artificial coloring, FD&C Yellow No. 5, and a chemical preservative, benzoate of soda.

LABEL, IN PART: (Jar) "Red Rose Presents Sweet Peppers Contains: Peppers, Water, Vinegar, and Salt Contents 1 Qt."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Contents 1 Qt." was inaccurate; and, Section 403 (k), the article contained artificial coloring and a chemical preservative and failed to bear labeling stating that fact.

DISPOSITION: February 26, 1954. The Leibowitz Pickle Products, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

21441. Adulteration of potato chips. U. S. v. Red Dot Foods, Inc. Plea of guilty. Fine, \$1,000. (F. D. C. No. 35771. Sample Nos. 65347-L to 65350-L, incl., 65451-L.)

INFORMATION FILED: January 12, 1954, District of Minnesota, against Red Dot Foods, Inc., Minneapolis, Minn.

ALLEGED SHIPMENT: On or about July 20 and 28, 1953, from the State of Minnesota into the State of Iowa.

LABEL, IN PART: (Package) "Scientifically Prepared Red Dot Potato Chips Red Dot Foods, Inc. General Offices: Madison, Wis. Factories: Madison, Wisconsin Minneapolis, Minn. Indianapolis, Ind."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a decomposed substance by reason of the presence of decomposed potato material.

DISPOSITION: May 17, 1954. The defendant having entered a plea of guilty, the court fined it \$1,000.

TOMATOES AND TOMATO PRODUCTS

21442. Adulteration of canned tomatoes. U. S. v. 990 Cases * * *. (F. D. C. No. 36529. Sample No. 79776-L.)

LIBEL FILED: April 29, 1954, Southern District of New York.

ALLEGED SHIPMENT: On or about February 24, 1954, by Flotill Products, Inc., from Stockton, Calif.

PRODUCT: 990 cases, each containing 24 cans, of tomatoes at New York, N. Y.

LABEL, IN PART: (Can) "Gigi Brand Unpeeled Plum Tomatoes and Tomato Puree * * * Net Weight 1 Lb. 12 Ozs."

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

DISPOSITION: July 24, 1954. Default decree of condemnation and destruction.

21443. Adulteration of tomato juice. U. S. v. 217 Cases * * *. (F. D. C. No. 36680. Sample No. 85291-L.)

LIBEL FILED: March 11, 1954, District of Idaho.

ALLEGED SHIPMENT: On or about January 25 and 28, 1954, by the South Ogden Products Corp., from Ogden, Utah.

PRODUCT: 217 cases, each containing 12 cans, of tomato juice at Pocatello, Idaho.