

**30299. Adulteration and misbranding of raspberry preserves. U. S. v. 4½ Cartons and 3½ Cartons of Raspberry Preserves. Default decree entered. Product ordered distributed to charitable institutions. (F. & D. No. 44354. Sample No. 26579-D.)**

This product was found to contain added apple.

On November 16, 1938, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of eight cartons of raspberry preserves at Bridgeport, Conn.; alleging that the article had been shipped in interstate commerce on or about October 11, 1938, by Fresh Grown Preserve Corporation from Brooklyn, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Top Notch Brand Pure Raspberry Preserve \* \* \* Sun Distributing Co. Inc. Distributors Bklyn, N. Y."

Adulteration was alleged in that apple had been substituted in whole or in part for the article.

Misbranding was alleged in that the statement "Pure Raspberry Preserve" was false and misleading and tended to deceive and mislead the purchaser when applied to an article that contained apple. Misbranding was alleged further in that the article was an imitation of and was offered for sale under the distinctive name of another article.

On March 6, 1939, no claimant having appeared, judgment was entered ordering that the product be delivered to charitable institutions and that the United States marshal destroy the containers.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**30300. Misbranding of canned pineapple juice. U. S. v. 29 Dozen Cans Juice Sliced Hawaiian Pineapple. Default decree of condemnation. Product ordered sold. (F. & D. No. 44739. Sample No. 50056-D.)**

This product was pineapple juice but was labeled to indicate that it was sliced pineapple in juice.

On or about January 26, 1939, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 29 dozen cans of pineapple juice at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about March 30, 1938, by Griffith-Durney Co., from San Francisco, Calif.; and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Bonita Fancy Quality Sliced Hawaiian Pineapple." The label also bore a vignette of sliced pineapples in a dish with the word "Juice" imprinted on it.

The article was alleged to be misbranded in that the statement "Sliced Hawaiian Pineapple Net Contents 1 lb. 4 Oz.," together with a vignette depicting a dish of sliced pineapple, was false and misleading and tended to deceive and mislead the purchaser when applied to pineapple juice; and this misleading impression was not corrected by the word "Juice," since the latter merely implied that the article was packed in juice.

On February 27, 1939, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be sold, that it be relabeled before resale, and that the purchaser execute a bond conditioned that it should not be disposed of in violation of the law.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**30301. Adulteration of walnut meats. U. S. v. Four Cases and Four Cases of Walnut Meats. Default decree of condemnation and destruction. (F. & D. No. 44524, 44525. Sample Nos. 20575-D, 20576-D.)**

This product, which had been shipped in interstate commerce and remained unsold and in the original packages, at the time of examination was found to be worm-damaged, moldy, and rancid.

On or about December 15, 1938, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of eight cases of walnut meats at Phoenix, Ariz., consigned by West Coast Bakers Supply Co.; alleging that the article had been shipped in part on or about October 27, 1938, and in part on or about November 23, 1938, from Los Angeles, Calif.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "California Shelled Walnuts Special Amber."

It was alleged to be adulterated in that it consisted wholly or in part of a filthy and decomposed vegetable substance.

On January 24, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**30302. Adulteration of candy. U. S. v. 15 Boxes of Candy. Default decree of condemnation and destruction.** (F. & D. No. 43843. Sample No. 38253-D.)

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

On September 10, 1938, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 boxes of candy at Port Arthur, Tex.; alleging that the article had been shipped on or about January 31, 1938, by the Schall Candy Co. from Clinton, Iowa; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that the article consisted wholly or in part of a filthy vegetable substance.

On October 1, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**30303. Adulteration of candy. U. S. v. 23 Boxes of Candy. Default decree of condemnation and destruction.** (F. & D. No. 43855. Sample No. 38254-D.)

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

On September 12, 1938, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 23 boxes of candy at Port Arthur, Tex.; alleging that the article had been shipped on or about May 13, 1938, by Keppel & Ruof, Inc., from Lancaster, Pa.; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that the article consisted wholly or in part of a filthy vegetable substance.

On October 1, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**30304. Adulteration of lobster tails. U. S. v. 23 Boxes of Lobster Tails. Default decree of condemnation and destruction.** (F. & D. No. 44763. Sample Nos 8146-D, 8150-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages, at the time of examination was found to be in part decomposed.

On February 1, 1939, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 23 boxes of lobster tails at New York, N. Y., in possession of the International Lobster Co.; alleging that the article had been shipped on or about October 6, 1938, from Washington, D. C., by the Terminal Storage Warehouse; and charging adulteration in violation of the Food and Drugs Act. This shipment represented goods previously sent to Washington and returned by the warehouse company. The article was labeled in part: "Fresh Frozen Lobster Tails, King Klip Brand \* \* \* Packed by the Duikersklip Fisheries (Pty.), Limited, Cape Town, South Africa."

Adulteration was alleged in that the article consisted in whole or in part of a decomposed animal substance.

On March 6, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**30305. Adulteration of lobster tails. U. S. v. 495 Boxes of Lobster Tails. Default decree of condemnation and destruction.** (F. & D. No. 44786. Sample No. 8151-D.)

This product, at the time of examination, was found to be in part decomposed.

On February 7, 1939, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the