

**30665. Adulteration of raisins. U. S. v. 272 Cartons of Raisins. Consent decree of condemnation. Product released under bond for disposal as stock feed. (F. & D. No. 44651. Sample No. 36886-D.)**

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

On January 10, 1939, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 272 cartons of raisins at Muskogee, Okla.; alleging that the article had been shipped in interstate commerce on or about September 5, 1938, from Sultana, Calif., by West Coast Growers & Packers; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On May 6, 1939, Bonicelli Wholesale Grocery Co., Muskogee, Okla., having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered converted into stock feed under the supervision of this Department.

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

**30666. Adulteration of frozen perch. U. S. v. 43 Boxes of Perch Fillets. Default decree of condemnation and destruction. (F. & D. No. 45277. Sample No. 52503-D.)**

This product contained parasitic worms.

On May 8, 1939, the United States attorney for the Western 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 43 boxes of perch fillets at Buffalo, N. Y.; alleging that the article had been shipped in interstate commerce on or about April 22, 1939, from Boston, Mass., by Arnold & Winsor Co.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy animal substance.

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

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

**30667. Misbranding of horseradish. U. S. v. 41 Cases of Horseradish. Default decree of condemnation and destruction. (F. & D. No. 44264. Sample No. 34510-D.)**

This product was short of the declared weight.

On November 2, 1938, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 41 cases of horseradish at Richmand, Va.; alleging that the article had been shipped in interstate commerce on or about September 28, 1938, from Elmira, N. Y., by Harry Taylor; and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Carpel's Tasty Kind Pure Horse Radish \* \* \* Carpel Corporation Distributors."

Misbranding was alleged in that the statement "Contains 6 Oz. Avd.," borne on the label, was false and misleading and tended to deceive and mislead the purchaser when applied to an article that was short weight. It was alleged to be misbranded in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On May 31, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**30668. Adulteration of perch fillets. U. S. v. 58 Boxes of Perch Fillets. Default decree of condemnation and destruction. (F. & D. No. 44940. Sample No. 35026-D.)**

This product contained parasitic worms.

On March 2, 1939, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 58 boxes of perch fillets at Norfolk, Va.; alleging that the article had been shipped in interstate commerce

on or about January 30, 1939, from Boston, Mass., by Cape Fish Co.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy animal substance.

On May 23, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**30669. Adulteration and misbranding of condensed raspberry juice. U. S. v. 12 Bottles and 6 Bottles of Raspberry Juice Condensed. Default decree of condemnation and destruction. (F. & D. Nos. 43296, 43297. Sample Nos. 22332-D, 22335-D.)**

This product contained added sulfur dioxide and an added synthetic flavoring chemical of an aldehydic or ketonic nature.

On August 18, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 18 bottles of condensed raspberry juice at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about June 21 and July 15, 1938, from Long Island City, N. Y., by Polak's Frutal Works, Inc.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Made in Holland Polak's Frutal Works Amersfoort Holland \* \* \* Frutal Brand Raspberry Juice Condensed."

It was alleged to be adulterated in that a substance containing a synthetic flavoring chemical and added sulfur dioxide had been substituted wholly or in part for the article.

Misbranding was alleged in that the label statement "Raspberry Juice" was false and misleading and tended to deceive or mislead the purchaser when applied to an article that was synthetically flavored and which contained added sulfur dioxide. Further misbranding was alleged in that the article was an imitation of and was offered for sale under the distinctive name of another article.

On May 3, 1939, Polak's Frutal Works, Inc., having withdrawn its claim and answer, judgment of condemnation was entered and the product was ordered destroyed.

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

**30670. Misbranding of butter. U. S. v. 460 Pounds and 210 Pounds of Butter. Default decrees of condemnation. Product released under bond. (F. & D. Nos. 45499, 45500. Sample Nos. 41292-D, 41293-D.)**

This product contained less than 80 percent of milk fat.

On May 24, 1939, the United States attorney for the District of Wyoming, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 670 pounds of butter at Cheyenne, Wyo.; alleging that the article had been shipped in interstate commerce on or about May 10, 1939, from Gering, Nebr., in part in the name of the North Platte Valley Non-Stock Co-Operative Cheese Co., and in part in the name of the North Platte Valley Non-Stock Co-Operative Association; and charging misbranding in violation of the Food and Drugs Act. Both lots of the article were labeled in part: "Beauty Girl Quality Butter. \* \* \* North Platte Valley Non-Stock Co-Operative Cheese Co. Gering Nebr."

It was alleged to be misbranded in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat.

On June 6, 1939, the shipper having appeared as claimant and having consented to the entry of decrees, judgments of condemnation were entered, and the product was ordered released under bond conditioned that it should not be disposed of until brought into compliance with the law under the supervision of this Department.

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

**30671. Adulteration of red perch fillets. U. S. v. 67 Boxes of Red Perch Fillets. Default decree of condemnation and destruction. (F. & D. No. 45387. Sample No. 52408-D.)**

This product contained parasitic worms.

On May 23, 1939, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 67 boxes of red