

901. Adulteration of tomato sauce. U. S. v. 100 Cases of Tomato Sauce. Default decree of condemnation and destruction. (F. D. C. No. 1995. Sample No. 13371-E.)

On May 21, 1940, the United States attorney for the District of Oregon filed a libel against 100 cases of tomato sauce at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about February 24, 1940, by Foster & Wood Canning Co. from Oakland, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: (Cans) "Shurfine Fancy Grade Tomato Sauce, Spanish Style. National Retailer Owned Groceries, Inc., Distributors, Chicago, Ill."

On August 20, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

902. Adulteration of tomato soup. U. S. v. 249 Cases of Tomato Soup. Default decree of condemnation and destruction. (F. D. C. No. 1994. Sample No. 12475-E.)

On May 21, 1940, the United States attorney for the District of Oregon filed a libel against 249 cases of tomato soup at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about April 27, 1940, by the Sunnyvale Packing Co. from San Francisco, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: (Cans) "Rancho California Tomato Soup Condensed."

On July 2, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FRUIT PRODUCTS

903. Adulteration of apple butter. U. S. v. 25 Cases of Apple Butter. Default decree of condemnation and destruction. (F. D. C. No. 1645. Sample No. 99748-D.)

This product contained arsenic trioxide and lead in amounts which might have rendered it injurious to health.

On March 28, 1940, the United States attorney for the District of Montana filed a libel against 25 cases of apple butter at Kalispell, Mont., alleging that the article had been shipped on or about October 1, 1935, by the Pacific Food Products Co. from Seattle, Wash.; and charging that it was adulterated in that it contained poisonous and deleterious substances, namely, arsenic trioxide and lead, which might have rendered it injurious to health. The article was labeled in part: "Sunny Jim Brand Pure Apple Butter."

On June 7, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

904. Adulteration and misbranding of jellies. U. S. v. 33 Jars of Apple Blackberry Jelly, 32 Jars of Apple Strawberry Jelly, 19 Jars of Apple Currant Jelly, 42 Jars of Apple Quince Jelly, 57 Jars of Apple Jelly, and 42 Jars of Apple Raspberry Jelly. Default decree of condemnation and forfeiture. Product ordered delivered to charitable institutions. (F. D. C. No. 1558. Sample Nos. 86190-D to 86195-D, incl.)

Samples from all of the above-named jellies were found to contain added artificial color and acid; and the apple quince jelly also contained added artificial flavor. The contents of the jars of apple currant jelly were found to be short of the declared weight.

On or about March 18, 1940, the United States attorney for the District of Connecticut filed a libel against the above-named jellies at Bridgeport, Conn., alleging that the articles had been shipped in interstate commerce on or about January 17, 1940, by Palmer Fruit Products, Inc., from Long Island City, N. Y.; and charging that they were adulterated and misbranded. Certain lots were labeled in part: "Spencer Farms Pure Apple Blackberry Jelly [or "Pure Apple Strawberry Jelly," "Pure Apple Currant Jelly," "Pure Apple Jelly," or "Pure Apple Raspberry Jelly"]." One lot was labeled in part: "Pure Apple Quince Jelly, artificial color."

Each of the said jellies was alleged to be adulterated in that damage or inferiority had been concealed by the addition of artificial color and acid and in the case of the apple quince jelly, by the addition of artificial flavor also. Each of the said jellies was alleged to be adulterated further in that acid and artificial color, and in the case of the apple quince jelly, artificial flavor also had been added thereto so as to make it appear better or of greater value than it was.