

DISPOSITION: January 25, 1945. No claimant having appeared, judgment of forfeiture was entered ordering the product destroyed.

8421. Adulteration of frozen strawberries. U. S. v. 37 Barrels of Frozen Strawberries. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 12177. Sample No. 50771-F.)

LIBEL FILED: April 14, 1944, District of New Jersey.

ALLEGED SHIPMENT: On or about April 4, 1944, by the Moore Food Sales Co., from Philadelphia, Pa.

PRODUCT: 37 barrels of frozen strawberries at Swedesboro, N. J.

LABEL, IN PART: "All Star Brand Strawberries * * * Sugar added 3X1 Packed by M. W. Miller and Co. * * * Sturgeon Bay, Wisconsin."

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

DISPOSITION: October 21, 1944. The Sturgeon Bay Distributing Co., Sturgeon Bay, Wis., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for the purpose of wine or brandy making under the supervision of the Food and Drug Administration.

JAMS, JELLIES, AND PRESERVES

8422. Adulteration of preserves and jellies. U. S. v. 100 Cases of Jellies (and 1 other seizure action against preserves and jellies). Default decrees of condemnation and destruction. (F. D. C. Nos. 14681, 14682. Sample Nos. 80386-F to 80389-F, incl., 80392-F, 80396-F to 80399-F, incl.)

LIBELS FILED: December 4, 1944, Eastern District of Arkansas.

ALLEGED SHIPMENT: On or about July 25 and September 14, 1944, by the Preserve Products Co., from St. Louis, Mo.

PRODUCT: 100 cases, each containing 24 1-pound jars, and 157 cases, each containing 12 2-pound jars, of assorted jellies; and 188 cases, each containing 24 1-pound jars, of assorted preserves at Jonesboro, Ark. Examination showed that the products contained large numbers of insects (mites).

LABEL, IN PART: "Blue Star Pure Peach Preserves," or "Haddon Hall Pure Apple [or "Apple-Plum," "Apple-Grape," "Apple-Raspberry," or "Apple-Strawberry"] Jelly."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of mites.

DISPOSITION: February 9, 1945. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

8423. Adulteration and misbranding of raspberry-flavored spread. U. S. v. 39 Cases of Raspberry Flavored Spread. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 12411. Sample No. 79420-F.)

LIBEL FILED: May 23, 1944, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about March 3 and 16, 1944, by the Allied Fruit & Extract Co., Inc., from New York, N. Y.

PRODUCT: 39 cases, each containing 6 5½-pound jars, of raspberry-flavored spread at Huntington, W. Va.

LABEL, IN PART: "Sterling Brand Raspberry Flavored Spread Contains Sugar, Fruits, Water, Pectin and Citric Acid. 1-10 of 1% Benzoate of Soda."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, fruit, had been in part omitted from the article; Section 402 (b) (3), inferiority had been concealed by the addition of raspberry seeds; and, Section 402 (b) (4), raspberry seeds had been added to the article, or mixed or packed with it, so as to make it appear better or of greater value than it was.

Misbranding, Section 403 (g) (1), the article purported to be and was represented as raspberry jam, and it failed to conform to the definition and standard for raspberry jam since it was made of a mixture composed of less than 45 parts by weight of the raspberry ingredient to each 55 parts by weight of one of the saccharine ingredients, and since it contained added raspberry seeds.

DISPOSITION: August 29, 1944. The Allied Fruit & Extract Co., Inc., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.