

NATURE OF CHARGE: Misbranding, Section 402 (a), the label statement "Choice Sliced * * * Dried Apples" was false and misleading since the article was dried apple chops.

DISPOSITION: October 11, 1945. The Jack Gomperts Co., claimant, having consented to the entry of a decree, 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.

10144. Misbranding of E-Z Sauce (dehydrated apples). U. S. v. 50 Cartons of E-Z Sauce. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 17222. Sample No. 36260-H.)

LIBEL FILED: September 7, 1945, District of Oregon.

ALLEGED SHIPMENT: On or about July 20, 1945, by the Aldama Products Co., from Los Angeles, Calif.

PRODUCT: 50 cartons, each containing 24 3½-ounce bags, of dehydrated apples at Portland, Oreg.

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements, "E-Z Sauce Makes Delicious Apple Sauce" and "Makes E-Z Apple Sauce," were misleading since the article consisted only of dehydrated apples; and, Section 403 (f), the common or usual name of the article "Dehydrated Apples," the net weight statement, and the statement of added sulfur dioxide, required to appear on the label, were not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render them likely to be read by the ordinary individual under customary conditions of purchase and use, since they appeared in print so small as to be practically illegible.

DISPOSITION: October 4, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

10145. Adulteration of raisins. U. S. v. 570 Cartons and 50 Cartons of Raisins. Default decrees of condemnation. Product ordered delivered to a public institution, for use as animal feed. (F. D. C. Nos. 17309, 17310. Sample Nos. 2922-H, 3517-H.)

LIBELS FILED: August 24, 1945, District of Maryland.

ALLEGED SHIPMENT: On or about January 22, 1945, by the Vagim Packing Co., from Fresno, Calif.

PRODUCT: 620 25-pound cartons of raisins at Baltimore, Md.

LABEL, IN PART: "Thompson Seedless Raisins."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of beetles, moths, and larvae.

DISPOSITION: October 10, 1945. No claimant having appeared, judgments of condemnation were entered and the product was ordered delivered to a public institution, for use as animal feed.

10146. Adulteration of raisins. U. S. v. 30 Cartons and 38 Boxes of Raisins. Default decrees of condemnation. Portion of product ordered delivered to a public institution; remainder ordered destroyed. (F. D. C. Nos. 17566, 18119. Sample Nos. 4275-H, 13779-H.)

LIBELS FILED: September 14 and November 8, 1945, Eastern District of Pennsylvania and Northern District of Ohio.

ALLEGED SHIPMENT: On or about October 19 and 23, 1944, by the Pelolian Packing Co., from Reedley, Calif.

PRODUCT: 30 cartons and 38 boxes, each containing 30 pounds, of raisins at Philadelphia, Pa., and Cleveland, Ohio.

LABEL, IN PART: "Pel-Pak Brand * * * Thompson Seedless Raisins."

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 weevils, larvae, and insect-infested raisins.

DISPOSITION: October 16, 1945. No claimant having appeared, judgments of condemnation were entered and the Cleveland lot was ordered destroyed, and the Philadelphia lot was ordered denatured, for use as animal feed, and delivered to a public institution.