

LABEL, IN PART: "Goodwin's Best [or "Best Extra Fancy Pure"] Apple Butter."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing dried pear had been substituted in part for apple butter.

Misbranding, Section 403 (g) (1), the article purported to be, and was represented as, apple butter prepared from evaporated apples, a food for which a definition and standard of identity has been prescribed by the regulations; and the article failed to conform to such definition and standard since it contained added dried pear, which is not permitted as an ingredient of apple butter prepared from evaporated apples, in the definition and standard.

DISPOSITION: October 13, 1947. A plea of nolo contendere having been entered, the court imposed a fine of \$2,000, plus costs.

12121. Adulteration and misbranding of apple butter. U. S. v. 76 Cases * * *
(F. D. C. No. 22534. Sample No. 91506-H.)

LIBEL FILED: February 17, 1947, District of Kansas.

ALLEGED SHIPMENT: On or about December 11, 1946, by the Delta County Canning Company, from Delta, Colo.

PRODUCT: 76 cases, each containing 6 7-pound, 8-ounce cans, of apple butter at Goodland, Kans.

LABEL, IN PART: "Town Talk Apple Butter."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product of less than 43 percent soluble solids content had been substituted for apple butter.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for apple butter, since the soluble solids content was less than 43 percent, as required by the definition and standard.

DISPOSITION: May 26, 1947. Default decree of condemnation. The product was ordered delivered to the Kansas State Board of Social Welfare, for use in charitable institutions.

12122. Adulteration of imitation blackberry preserves. U. S. v. 367 Cases * * *
(F. D. C. No. 22582. Sample No. 72951-H.)

LIBEL FILED: March 5, 1947, Western District of Kentucky.

ALLEGED SHIPMENT: On or about January 6, 1947, by the Charles C. Parks Company, from Gallatin, Tenn.

PRODUCT: 367 cases, each containing 12 2-pound jars, of imitation blackberry preserves at Louisville, Ky.

LABEL, IN PART: "Tuckiana Brand Imitation Blackberry Preserves 2 Lbs. Packed for C. R. Ubelhart Co., Inc., Louisville, Kentucky."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of its abnormal odor and taste, similar to iodoform.

DISPOSITION: April 28, 1947. Default decree of condemnation. The product was ordered delivered to a charitable institution, for use as animal feed.

12123. Adulteration of imitation blackberry preserves. U. S. v. 119 Cases * * *
(F. D. C. No. 22583. Sample No. 72955-H.)

LIBEL FILED: March 8, 1947, Southern District of Indiana.

ALLEGED SHIPMENT: On or about September 19, 20, and 23, 1946, by the C. R. Ubelhart Co., Inc., from Louisville, Ky.

PRODUCT: 119 cases, each containing 12 2-pound jars, of imitation blackberry preserves at New Salisbury, Ind.

LABEL, IN PART: "Tuckiana Brand Imitation Blackberry Preserves."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of its abnormal odor and taste, similar to iodoform.

DISPOSITION: April 21, 1947. Default decree of forfeiture and destruction.

12124. Adulteration and misbranding of grape jelly. U. S. v. 49 Cases * * *
(and 1 other seizure action). (F. D. C. Nos. 22601, 22602. Sample Nos. 39849-H, 39850-H.)

LIBELS FILED: March 5, 1947, Eastern District of Arkansas.

ALLEGED SHIPMENT: On or about January 24, 1947, by Edw. S. Ridgway and Co., from Salem, Ill.